SENATE

FRIDAY, SEPTEMBER 17, 1965

The Senate met at 12 o'clock meridian, and was called to order by Hon. THOMAS H. KUCHEL, a Senator from the State of California.

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

Our Father, God, in the fresh mercies of yet another day we come with hearts grateful for Thy grace, praying that by a strength not our own our individual record may be kept unstained by any word or act unworthy of the creed we profess.

Thou knowest that these testing times are finding out our every weakness and calling for our utmost endeavor against the wrong that needs resistance and for the right that needs assistance.

Make us ever aware that in the most fateful struggle in human history—

"We are watchers of a beacon whose light must never die;
"We are guardians of an altar that shows Thee ever nigh;
"We are children of Thy freemen who sleep beneath the sod;
"For the might of Thine arm we bless Thee, our God, our father's God."

Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 17, 1965.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. THOMAS H. KUCHEL, a Senator from the State of California, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. KUCHEL 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 Thursday, September 16, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2042) to amend section 170 of the Atomic Energy Act of 1954, as amended.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4750) to provide a 2-year extension of the interest equalization tax, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5768) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7969) to correct certain errors in the Tariff Schedules of the United States.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary was authorized to meet during sessions of the Senate Tuesday and Wednesday of next 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?

The Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Arthur M. Ross, of California, to be Commissioner of Labor Statistics, U.S. Department of Labor.

Mr. HILL. Mr. President, from the Committee on Labor and Public Welfare, I also report favorably sundry nominations in the Public Health Service. 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:

Henry Bosshard, and sundry other candidates, for personnel action in the regular corps of the Public Health Service.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

U.S. COAST GUARD

The legislative clerk proceeded to read sundry nominations of officers to be permanent commissioned officers in the Coast Guard.

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.

THE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the following calendar measures were considered and acted upon as indicated, and excerpts from the committee reports thereon were ordered to be printed in the RECORD, as follows:

THE MANAGEMENT OF THE NATIONAL DEBT AND TAX STRUCTURE

The Senate proceeded to consider the bill (S. 1013) to clarify the components of and to assist in the management of the national debt and the tax structure which had been reported from the Committee on Finance with amendments on page 1, line 8, after the word "liabilities," to insert "and the unfunded liabilities"; and, on page 2, line 8, after the word "probable", to strike out "risk" and insert "risk, and shall also set forth all other assets available to liquidate liabilities of the Government"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall, on or before March 31 of each year (beginning with 1966), submit to the Senate and the House of Representatives a report setting forth, as of the close of December 31 of the preceding year, the aggregate and individual amounts of the contingent liabilities and the unfunded liabilities of the Government, and of each department, agency, and instrumentality thereof, including, without limitation, trust fund liabilities, Government-sponsored corporations' liabilities, indirect liabilities not included as a part of the public debt, and liabilities of insurance and annuity programs, including their actuarial status on both a balance sheet and projected source and application of funds basis. The report shall also set forth the collateral pledged, or the assets available (or to be realized), as security for such liabilities (Government securities to be separately noted), and an analysis of their significance in terms of past experience and probable risk, and shall also set forth all other assets available to liquidate liabilities of the

Government. The report shall set forth the required data in a concise form, with such explanatory material as the Secretary may determine to be necessary or desirable, and shall include total amounts of each category according to the department, agency, or instrumentality involved.

Mr. DIRKSEN. In the absence of the Senator from Massachusetts [Mr. SALTONSTALL], I think I should say, with respect to this bill, that what he proposes is to set up a complete balance sheet for every activity of government. That has never been done before, and I think it will prove to be one of the most useful documents that the Senate will ever have authorized. I may wish to amplify my remarks on it at some later time.

Mr. SALTONSTALL subsequently said: Mr. President, while I was absent for a few minutes when Senator DIRKSEN spoke on this bill I would like to speak briefly on the need for better reporting of the Federal debt. I am very pleased that the Senate today passed my bill, S. 1013.

We now have a statutory national debt of $318 billion, and also acknowledge in addition contingent debt and Federal guarantees of about $400 billion. Actual payments under guarantees will, of course, be much smaller than that, and many of the accounts are covered by adequate reserves. But, this bill is concerned with a growing area of Federal debt which is reported sporadically or not at all. The amount here may approach a trillion dollars. At present we do not know.

In 1957, I introduced legislation to require the regular reduction of the statutory Federal debt in years when no national emergency existed. Friends have pointed out to me that we have been in a state of continual national emergency and, furthermore, while our statutory debt has been increasing, our unreported Federal liabilities have been increasing even faster and are not even fully known. Realizing the importance of this area, in the next Congress, I included in my debt reduction bill, a requirement for reports on this unreported debt. In the 87th Congress, when the international situation continued to be difficult, I decided that it would be best to concentrate on the better reporting of the Federal debt, for all our debt has had to increase regularly in order to meet the growing liabilities of the Federal Government.

We have many kinds of Federal obligations—salaries, real estate leases—at my suggestion a full report on these and real estate owned is now made each year to the Senate Appropriations Committee, copies are available to those people interested—procurement of goods and services, and others including some of our international obligations. Reports are made on many of these items, while others are less well recognized.

A very important area, however, which, as I say, is reported sporadically or not at all, is that of future payments for past services rendered, such as retirement funds, social security funds, and other types of payments with insurance characteristics. Both on an annual operating basis, and on a capital or balance sheet basis, the total amount of these Federal Government liabilities is very large.

Some of these obligations are carried under separate trust funds, such as social security or civil service retirement. Others are provided for under annual appropriations. But, in all cases, the payee looks to the Federal Treasury for his security, and this we must guarantee.

I believe strongly that under these circumstances we should know the size of these obligations and, more important, the public is entitled to know what the status of these funds is. If a special fund is assigned to make the payment, will the money be in the fund? If the money is to be appropriated on an annual basis, what will be the effect on the Federal budget? These are two vital questions which many householders try to ascertain for themselves in their own affairs. We in the Federal Government should attempt to do likewise.

Recently, I asked the Treasury Department, which in past years during discussion of my earlier bills has offered to make statements available to Members of Congress, what figures they could give me. I attach the table they sent me in response. I ask unanimous consent that it be printed at this point in my remarks.

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

Annuity and pension systems of the Federal Government

Title	Most recent actuarial valuation	Valuation interest rate	Actuarial deficit	Supported by cash projection (yes or no)
		Percent	*Millions*	
Federal civilian employees retirement systems:				
Civil Service	June 30, 1963	3.5	$34,060	No.
Foreign Service	Dec. 31, 1962	4.0	203	Yes.
Retirement system of the Tennessee Valley Authority	June 30, 1964	3.5	39	No.
Federal judiciary	(1)			
Judiciary of territories	(1)			
Judiciary of District of Columbia	(1)			
Judicial survivors annuity fund	Dec. 31, 1961	3.0	13	Yes.
Judiciary of Tax Court	(1)			
Tax Court judges survivors annuity fund	(1)			
Social security:				
Old-age, survivors, and disability insurance system	Jan. 1, 1962	3.0	321,000	Yes.
Railroad retirement system	Dec. 31, 1962	3.0	4,244	No.
Uniformed services retirement systems:				
Retired pay, Defense	July 1, 1963 [2]	3.0	55,200	No.
Retired pay, U.S. Coast Guard (includes lighthouse and lifesaving services)	June 30, 1963 [2]	3.0	744	No.
Retired pay of commissioned officers, Coast and Geodetic Survey	(1)			
Veterans benefit programs:				
Veterans compensation program (service-connected disability or death)	(1)			
Veterans pension program (Non-service-connected disability or death or for service)	(1)			
Servicemen's indemnity program	(1)			
Miscellaneous:				
District of Columbia teachers' retirement system	June 30, 1961	3.0	101	Yes.
Policemen and firemen's retirement and disability, District of Columbia	Dec. 31, 1952	3.0	92	No.
Annuities under special acts:				
Panama Canal construction workers	June 30, 1953	3.0	17	No.
Widows of former employees of the Lighthouse Service	(1)			
Federal Employees' Compensation Act	(1)			
Board of Governors plan of the Federal Reserve banks retirement system	Feb. 28, 1963	3.0	None	No.

[1] Not available.
[2] Not a formal actuarial study; based on estimates.

NOTE.—This table was compiled from the latest available actuaries' statements or other official sources. By nature, the concept of an actuarial deficit (often called unfunded liability) rests on broad assumptions which are subject to wide variation. Besides the interest rate assumption, 2 of the most common are the assumption that general salary scales will remain constant, and the assumption that there will be no change in existing benefit provisions. It cannot be said that the bases for the various components of the tables are entirely uniform.

There are 2 different concepts of actuarial deficit as used by the actuaries in their development of the data. All systems listed except the old-age, survivors, and disability insurance and the railroad retirement use a concept based primarily on the accrual of benefits for past services, disregarding the provision, or lack of provision, for financing future contributions to the fund. In the computation of the deficit for OASDI and RR the concept which is used is based on past service benefit accruals, plus future service benefit accruals to the extent not covered by existing financing provisions. Both concepts are defined in terms of the existing covered group, assuming no new entrants to the respective systems. The validity of this latter assumption as a basis for expressing actuarial status, particularly for the national compulsory social insurance system, has been seriously questioned as being "artificial and unrealistic," and as a result the unfunded liability for OASDI "is not significant from a long-range financing standpoint." (See Robert Myers' "Actuarially, We're in Balance," OASIS: June 1963.) In their 23d annual report dated Feb. 28, 1963, for OASI and DI trust funds, the Board of Trustees stated "that the system as a whole remains in close actuarial balance."

A general definition of an actuarial deficit may be stated as the present value of future benefits, less the present value of future normal contributions, less the existing fund. For example, the civil service retirement concept differs from the OASDI concept only insofar as they use different assumptions for the flow of future contributions for the closed group. The civil service retirement system computation is based on "normal contributions" which roughly approximate the amounts that would have to be paid into the fund each year to cover the benefits accruing from that year's service (whether or not the contributions are likely to be made is not a consideration in the computation of the actuarial deficit as of any given date; but if the normal contributions are not made, the deficit continues to increase—other things being equal). The OASDI computation, on the other hand, is based on scheduled contributions under existing law, or, in other words, estimated future contributions by the existing group or covered employees and employers at the rates presently prescribed by law.

Mr. SALTONSTALL. You will note that the actuarial evaluations in cases such as social security and civil service have not been figured for a number of years, and in other cases less important have not been figured at all. The fact that we have had several increases in retirement benefits since those evaluations were made only increases the problem.

Besides those mentioned in the above table, there are a number of other insurance-type programs such as FHA programs, ship mortgage programs and FDIC. Payment forecasts for these are much more difficult than for the pension, for the actuarial calculations have more guesswork in them. But, better reports to the best of the Federal Government's ability, should also be made on these. Category totals are now listed under the contingency statement, but not the predicted payments.

I am awfully pleased that the Finance Committee has seen fit to report my bill favorably and the Senate has passed it unanimously. Last year following Senate passage, the House was unable to take it up in the Ways and Means Committee due to the long hours spent on the tax cut. I hope that this year they will have an opportunity to act on it, and to send it to the President during this Congress. There is a need for better management of our budget in this area, and it is my hope that this bill will contribute to improved responsibility in our Federal Government's affairs.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendments were agreed to.

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

EXCERPT FROM THE REPORT

SUMMARY OF THE BILL

This bill would require the Secretary of the Treasury to submit annually to the Congress a brief report setting forth the amounts of the contingent and unfunded liabilities of the Federal Government, including those of agencies and instrumentalities of the Government.

GENERAL STATEMENT

In the past it has been the practice of the Federal Government to determine its financial requirements on an annual basis. This bill does not depart from this practice. However, an annual system of budgeting does not present a complete picture of the financial condition of the United States because it fails to depict numerous categories of Federal obligations and commitments which are subject to contingencies. Similarly, it fails to reveal fully those situations where Congress has enacted spending authorizations, but has not specifically appropriated the moneys needed to fulfill the statutory commitment.

Moreover, by present methods, U.S. liability under many of its insurance and guarantee programs is difficult to measure and analyze. This is because sufficient information regarding these programs either is not available at all, or if it is available, it is inadequately presented.

In many cases information with respect to contingent liabilities of specific governmental programs now is available only in reports of specific agencies or corporations. However, these data frequently lose much of their usefulness because they are not combined with similar data with respect to other programs. Thus, although part of this information may now be available it is not published in one place or on a uniform basis, and does not facilitate understanding of the current financial condition of the United States.

Your committee believes that it is desirable to make available in a single, concise report, pertinent information with respect to the current status of the contingent liabilities of the Federal Government, including its long-range obligations and commitments. Indeed, the committee recognizes a responsibility to make available in such a report—as clear and complete as possible—the overall financial condition of our Government. Such a report, consolidating information now available only in part in many diverse reports with information which is not now available at all, will enable the Congress to have a better understanding of the current fiscal needs of the Federal Government.

For this reason, the committee has approved, and recommends enactment of a bill requiring the Secretary of the Treasury to submit to the Congress, by March 31 of each year, a report showing the amount (both on an aggregate and on an individual basis) of the contingent liabilities and the unfunded liabilities of the Federal Government determined as of December 31 of each year, commencing with 1966.

The contingent liabilities referred to by the bill include (1) liability of the Government under its various trust funds, such as the old age and survivors insurance trust fund and the highway trust fund; (2) liabilities of Government-sponsored corporations (for example, the Commodity Credit Corporation); (3) indirect liabilities of the Federal Government not included as part of the public debt, such as Federal Housing Administration debentures; and (4) liabilities of Federal insurance and annuity programs.

Under the bill, data with respect to these insurance and annuity programs (which include the civil service retirement system, veterans' pension, and war risk insurance programs) is to include information regarding their actuarial status on both a balance-sheet basis and a projected source-and-application-of-funds basis.

Where appropriate, the report is also to indicate the collateral pledged, or the assets available, as security for the specified liabilities, and an analysis of their significance in terms of past experience and probable risks. Thus, for example, in the case of federally insured home mortgages the assets available on foreclosure may, in favorable circumstances, offset the potential Federal liability. But the reporting of assets is not to stop with a recording of assets related to the liabilities. Under a committee amendment the Secretary of the Treasury is to set forth all other assets which would be available to liquidate liabilities of the Federal Government.

In order to provide flexibility and to present data included in the report from being misconstrued or misleading, the bill provides that the Secretary of the Treasury may set forth such explanatory material as he determines to be necessary or desirable. Under this provision, if he believes particular data are likely to lead to improper conclusions, he may qualify that data sufficiently to negate such conclusions.

Although the Bureau of the Budget does not favor the bill, in its report to the committee on a virtually identical bill in the 88th Congress (dated Dec. 12, 1963), it indicated its agreement with the objectives of the bill as follows:

"We agree with the objectives of S. 2281 that the Congress and its committees should have available whatever information they need with respect to the financial status of the Government. In accordance with this objective, the Treasury Department has been preparing, semiannually, for a number of years, a statement on long-range commitments and contingencies of the U.S. Government. The Bureau of the Budget has on occasion worked informally with Treasury staff on this matter, and consideration has been given to possible extensions and refinements of the data. I believe that more can be done in this respect and, together with the Treasury Department, we shall work with the responsible Government agencies to this end.

"If, in addition, your committee or any other committee of the Congress would like to have particular tabulations, such as those described in S. 2281, we believe it would be appropriate to ask the Treasury Department to supply them when needed. However, we believe the nature of such tabulations should be left flexible, to be determined from time to time, rather than being fixed in a statute."

It is the opinion of the Committee on Finance, as already indicated, that the bill, as reported, preserves the flexibility of tabulations urged in the departmental report.

Moreover, the committee fully recognizes the desirability of refining data now being compiled in order to make it more meaningful and useful, and the bill as reported permits this. By drawing together tabulations regarding contingent liabilities of various departments, agencies, and Government-sponsored corporations, no doubt the Treasury Department will find new ways by which statistical refinements can be made, and tabulating methods improved. This can only serve to increase the quality of the report required by the bill.

The report will fill a need which has been felt by the Congress for many years.

TWO ADDITIONAL JUDGES FOR THE U.S. COURT OF CLAIMS

The Senate proceeded to consider the bill (S. 1804) to provide for the appointment of two additional judges for the U.S. Court of Claims, and for other purposes, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That (a) the President shall appoint, by and with the advice and consent of the Senate, two additional associate judges for the Court of Claims.

(b) In order to reflect the changes in the number of permanent associate judges of the Court of Claims caused by this section, section 171 of title 28 of the United States Code is amended by striking out the word "four" in the first sentence thereof and inserting in lieu thereof the word "six".

SEC. 2. Section 175 of title 28, United States Code, in its present form is stricken, and the following section is inserted as section 175 of title 28 of the United States Code:

"§ 175. Assignment of judges; divisions; hearings; quorum; decisions

"(a) Judges of the Court of Claims shall sit on the court and its divisions in such order and at such times as the court directs.

"(b) The Court of Claims may authorize the hearing and determination of cases and controversies by separate divisions, each consisting of three judges. Such divisions shall sit at the times and places and hear the cases and controversies assigned as the court directs.

"(c) Cases and controversies shall be heard and determined by a court or division of not more than three judges, unless a hearing en banc is ordered by the court or by the chief judge. The court en banc for an initial hearing shall consist of the judges of the Court of Claims in regular active

service. In case of a vacancy in the court or of the inability of a judge thereof in regular active service to sit, a justice or judge assigned to the court pursuant to chapter 13 of this title shall be competent to sit in the court en banc when designated by the court to do so.

"(d) A rehearing en banc may be ordered by a majority of the judges of the Court of Claims in regular active service. The court en banc for a rehearing shall consist of the judges of the Court of Claims in regular active service. A judge of the Court of Claims who has retired from regular active service shall also be competent to sit as a judge of the court en banc in the rehearing of a case or controversy if he sat on the court or division at the original hearing thereof.

"(e) Two judges shall constitute a quorum of a division of the Court of Claims, four judges shall constitute a quorum of a court en banc.

"(f) A majority of the judges or justices who actually sit on the court or division or court en banc must concur in any decision."

SEC. 3. Item 175 in the analysis of chapter 7 of title 28 of the United States Code, immediately preceding section 171, is amended to read as follows: "175. Assignment of judges; divisions; hearings; quorum; decisions."

The amendment was agreed to.

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

EXCERPT FROM THE REPORT

STATEMENT

The proposed legislation was approved by the Judicial Conference of the United States at its recent session in March 1965. The court at present has a complement of five judges. This is the same number that it had in 1863. In the ensuing 100 years only one major request has been made to the Congress in assisting the court's business. That was in 1925 when the Congress authorized the court to appoint a staff of five commissioners to assist in trying the mass of cases that followed World War I. Subsequently this was increased to 15 trial commissioners.

In the letter of transmittal of the Administrative Office of the U.S. Courts, the need for the additional judges is based on the increase over the past several years in the backlog of cases in the judges' docket that despite the work of the trial commissioners, the number of opinions which they have filed and which have been adopted by the court has not been sufficient to obviate the need for additional judges. The creation of the backlog of cases is not due primarily to an increase in the total number of suits filed in the court, but mainly because of the substantial increase in the number of lengthy, complex cases. Many of the cases to be decided fall in the category of protracted litigation. Chiefly, these include suits for breach of contracts entered into with the Government, suits for infringement of patents by the Government, appeals from the Indian Claims Commission, and a substantial number of actions brought for the refund of taxes. In addition the requirement of 28 U.S.C. 175 that concurrence of three judges is necessary to any decision, in effect provides that the cases must be heard en banc by the whole court, has slowed the decisionmaking process. This legislation would also allow the Court of Claims to sit in divisions, as well as en banc. The court has tried to keep abreast of its work by using other devices, such as the disposition of motions without hearing, adoption of commissioners' opinions wherever appropriate, and the use of retired or assigned judges whenever they are available. Despite these efforts the court has continually fallen behind in the disposition of cases.

Hearings were held on this legislation on June 10, 1965, and these hearings indicated to the committee that the legislation was meritorious. As stated above, the legislation is sponsored by the Judicial Conference of the United States.

REMOVAL OF CIVIL ACTIONS FROM STATE TO FEDERAL COURTS

The bill (H.R. 3989) to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of H.R. 3989 is to extend from 20 to 30 days the time allowed under section 1446(b) of title 28, United States Code, for filing petitions for removal of civil actions from State courts to Federal courts.

STATEMENT

The facts and justification for this legislation are contained in House Report 132 on H.R. 3989, and are set forth as follows:

"This legislation was introduced at the request of the Judicial Conference of the United States. In a recent study, a subcommittee of the Judicial Conference Committee on Revision of the Laws concluded that the existing 20-day period for filing a petition for the removal of a civil action from a State court to a Federal court is too short to permit the removal of many actions as to which valid grounds of removal exist. In its letter to the Speaker of the U.S. House of Representatives, the Administrative Office of the U.S. Courts says in part as follows:

" 'The difficulty arises largely because of State provisions for substituted service on nonresident defendants by service on the secretary of state or other State officer as the agent of the nonresident. Where such substituted service is effected, there is frequently an understandable delay in procuring local counsel. By the time local counsel is obtained the 20 days for filing the removal petition frequently has run and the right to removal is thus lost. This is true particularly where an insurer assumes the defense and it is necessary for the defendant to turn the papers over to the insurer who in turn must forward them to local counsel. The time to answer after substituted service is in excess of 20 days in 30 States. In the majority of these States such time is 30 days, in others longer and in some shorter.'

"The Department of Justice, in the 88th Congress, favorably reported with respect to identical legislation (H.R. 5906, 88th Cong.).

"The bill would simply amend subsection (b) of section 1446, title 28, United States Code, by striking out the word 'twenty' where it appears and substituting the word 'thirty', thereby extending by 10 days the period within which removal petitions may be filed."

After a review of all the foregoing, the committee concurs in the action of the House of Representatives and recommends that the bill, H.R. 3989, be considered favorably without amendment.

MYRA KNOWLES SNELLING

The bill (H.R. 4596) for the relief of Myra Knowles Snelling was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to pay $7,500 to Myra Knowles Snelling in full settlement of her claims and resulting disability sustained in 1955 when, as a child, she was leaving an Army chartered schoolbus and was struck by a car. The bill would further provide for a payment to her father of $473.55 for unreimbursed medical expenses.

HEIRS AND DEVISEES OF FLY AND HER GROWTH, DECEASED LOWER BRULE INDIAN ALLOTTEES

The bill (S. 1049) to provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1049

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Her Growth, deceased Lower Brule Indian allottee, numbered 267, the sum of $1,289.96 for distribution to the persons entitled thereto.

SEC. 2. The heirs and devisees, immediate and remote, of Fly, deceased Lower Brule Indian allottee, numbered 266, are hereby relieved of all liability to reimburse the United States for any payments erroneously made to them representing revenues from the allotment of Her Growth, deceased Lower Brule Indian allottee, numbered 267: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the bill is to pay the sum of $1,289.96 for distribution to provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees, and to relieve from liability those who received erroneous payments.

IRENE McCAFFERTY

The bill (H.R. 1395) for the relief of Irene McCafferty was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to relieve Mrs. Irene McCafferty of all liability to repay $303.20, representing overpayment of salary made to her because of an administrative error from April 3, 1960, to June 9, 1963, while employed by the Maritime Administration in San Francisco, Calif. The bill provides for a refund of amounts repaid or withheld because of the liability.

JOHN ALLEN

The bill (H.R. 2694) for the relief of John Allen was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the bill is to relieve John Allen of liability to repay $1,035.79, the

amount of an overpayment of salary between January 10, 1960, and January 10, 1962, while he was employed by the Military Sea Tranportation Service, and to authorize a refund to him of any amounts repaid by or collected from him in complete or partial satisfaction of the indebtedness.

LT. (JG.) HAROLD EDWARD HENNING, U.S. NAVY

The bill (H.R. 4603) for the relief of Lt. (jg.) Harold Edward Henning, U.S. Navy, was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to relieve Lt. Harold Edward Henning, U.S. Navy, of Emporia, Kans., of liability to the United States in the amount of $3,847.11, representing the total amount of overpayments of compensation paid to him by the U.S. Navy as the result of an administrative error in determining the amount of service that should be credited to him for pay purposes. Section 2 of this bill would pay to Lieutenant Henning an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of the bill.

SGT. DONALD R. HURRLE

The bill (H.R. 5839) for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps, was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to relieve Sgt. Donald R. Hurrle, U.S. Marine Corps, of all liability for repayment to the United States of the sum of $129.49, representing the amount of compensation earned by him during the period July 30 through August 8, 1963, as an employee of the Bostonia station of the El Cajon, Calif., post office when, through a misunderstanding, he continued his employment at the post office while officially in the Marine Corps on advance leave. The bill would also authorize a refund of any amounts withheld.

CECIL GRAHAM

The bill (H.R. 5902) for the relief of Cecil Graham was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to waive the applicable limitations of the Internal Revenue Code of 1939 and 1954 so as to permit the filing and consideration of a claim for refund by Cecil Graham, of Oklahoma City, Okla., for income taxes he erroneously paid on civil service retirement payments he received by reason of his disability retirement in the period from April 1, 1947, to November 15, 1955.

MR. AND MRS. CHRISTIAN VOSS

The bill (H.R. 7682) for the relief of Mr. and Mrs. Christian Voss was considered, ordered to a third reading, read the third time, and passed.

NATIONAL FARMERS WEEK

The joint resolution (S.J. Res. 27) providing for the establishment of an annual National Farmers Week was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the seven-day period beginning on the first Sunday of April in each year is hereby designated as National Farmers Week, and the President is requested to issue annually a proclamation calling on the people of the United States to observe such week with appropriate ceremonies and activities.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the joint resolution is to provide for the establishment of an annual National Farmers Week, and the President is requested to issue annually a proclamation calling on the people of the United States to observe such week with appropriate ceremonies and activities.

STATEMENT

The farmers of America are one of our Nation's greatest resources and assets. Directly and indirectly they are doing more and more for our country each year. While producing more and better food, America's farm families have been sending workers into other areas of the economy—into the professions, manufacturing, business, and the services. Our industrial development has been due in great measure to the increased food production, thereby substituting increased skills and technology for farmworkers.

One hundred years ago one farmworker supplied food and fiber for only five persons. Today 1 worker on 1 farm can supply food and fiber for nearly 30 persons. Farmers give the Nation a large share of their business in many diversified fields. They spend over $2 billion a year for trucks, tractors, and other equipment. They use more petroleum than any other industry and over $2 billion a year is spent for farm maintenance, fuel, and lubricants. It would take the people of North Dakota 6 years to use the kilowatt consumption needed by America's farms for just 1 year. The farm business creates millions of jobs for fellow Americans. Ten million people have jobs storing, transporting, processing, and merchandising the products of agriculture. Over 6 million have jobs providing the supplies farmers use. Thousands in rural communities across the country make their livings providing services required by farmers.

Senate Joint Resolution 27 would in a small way recognize the work of these men, women, and children who live and work on the Nation's family farms. They who contribute so much to the wealth of America deserve the special week's recognition given them in this resolution.

Accordingly, the committee recommends favorable consideration of Senate Joint Resolution 27 without amendment.

"DAY OF RECOGNITION" FOR FIREFIGHTERS

The joint resolution (S.J. Res. 86) to authorize the President to proclaim a "Day of Recognition" for firefighters was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 86

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating May 4 of each year as a "Day of Recognition" of the personal sacrifices and devotion to duty of firefighters in the United States of America in protecting lives and property in their communities; and calling upon the people of the United States to observe such day with appropriate ceremonies.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the joint resolution is to authorize and request the President of the United States to issue a proclamation designating May 4 of each year as a "Day of Recognition" for firefighters.

STATEMENT

Our country's firemen are part of our American heritage since Benjamin Franklin first organized the volunteer fire brigade in 1736. The services of firefighters has withstood all the changes of time. The increasing population in county areas impels firemen to seek new ways to remind residents of the hazards found in homes which firemen must protect. A firefighters "Day of Recognition" will bring attention to the contributions that all firemen throughout the United States give to make all of our communities a safer place to live. By observing May 4 as a "Day of Recognition" for firefighters, our Nation will be firmly reminded of the efforts of these men, and it will provide all of our citizens with an opportunity to extend their thanks to them.

The committee, therefore, is of the opinion that this resolution has a meritorious purpose and, accordingly, recommends favorable consideration of Senate Joint Resolution 86, without amendment.

NATIONAL TEACHERS' DAY

The joint resolution (S.J. Res. 90) to designate the 7th day of November in 1965 as "National Teachers' Day" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 90

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the 7th day of November in 1965 is hereby designated as "National Teachers' Day," in appreciation of the dedicated services of the teachers of this country. The President is authorized and requested to issue a proclamation inviting the people of the United States to observe such day with appropriate ceremonies and activities.

The ACTING PRESIDENT pro tempore. Without objection, the preamble is agreed to.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the joint resolution is to designate the 7th day of November in 1965 as "National Teachers' Day."

STATEMENT

National Teachers' Day is a fitting way to honor and praise the teachers of America. We honor their service, spirit, and dedication. No group contributes more importantly to the future of the United States.

Teachers play a vital role in training our youth today, to become the responsible citizen of tomorrow. They not only teach or instruct, but guide, encourage, and lead and this takes interest, understanding, and potent effort under often trying conditions.

Teachers frequently have provided the impetus to their students for further achievement and contribution to society. One

teacher, as in the case of President Johnson, can encourage a pupil and influence the shape of his future life. Many great Americans owe their first inspiration to their teachers.

It is imperative that this country have good schools. But our schools are only as good as our teachers. It is necessary to remind the citizens of this country of the contribution teachers make to the national welfare and to the growth of the individual child, although their contribution can never be sufficiently honored. Proclamation of National Teachers' Day is a small, yet tangible way to demonstrate our appreciation for all our teachers, the elementary, secondary, and college teachers, the teachers of the exceptional child and the teachers of vocational skills, who have done so much for America.

The committee believes it appropriate to give recognition to the spirit, dedication, and services rendered by the teachers of this country by accordingly designating the 7th day of November of this year as "National Teachers' Day." The committee, therefore, recommends favorable consideration of Senate Joint Resolution 90, without amendment.

THE YEAR OF THE BIBLE

The joint resolution (S.J. Res. 101) to authorize the President to issue a proclamation designating the calendar year 1966 as "The Year of the Bible" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 101

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation (1) designating the calendar year of 1966 as "The Year of the Bible", in recognition of the place of the Bible in the culture of our country and of the role performed by the American Bible Society in Bible translation, production, distribution, and reading; and (2) inviting the governments of States and communities and the people of the United States to observe such year with appropriate ceremonies and activities to the end that all our people may have a better knowledge and appreciation of the Holy Scriptures.

The ACTING PRESIDENT pro tempore. Without objection, the preamble is agreed to.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the joint resolution is to authorize and request the President of the United States to issue a proclamation designating the year of 1966 as "The Year of the Bible" in recognition of the place of the Bible in the culture of our country and of the role performed by the American Bible Society in Bible translation, production, distribution, and reading.

STATEMENT

The Bible has been a vital force in the lives of Americans for more than three centuries, and the tradition of Bible reading has been supported by the American Bible Society, a nonprofit, nondenominational organization, for the 150 years since its founding.

Following the American Revolution, the new Nation was largely without a supply of Bibles. Presses operating in the Old World had been cut off to America for 2 years. The few Bibles available were far too expensive for the majority of Americans to purchase them. People moving west often were forced to settle in areas without a church and without access to a Bible. Also, this was the age of the missionary. Those who had gone overseas were pleading with their home offices to provide Bibles in the native tongues of the areas where they worked. Missionary translations lay unpublished for lack of funds and facilities to produce inexpensive editions. There was a great need for cooperation in meeting these problems, and the cooperative effort was begun with the founding of the American Bible Society in 1816 under the direction of Dr. Elias Boudinot, then president of the New Jersey Bible Society and a past president of the Continental Congress.

The goal of the society at that time and ever since has remained constant—to make the Scriptures available and meaningful everywhere. To this end the American Bible Society has donated Bibles to the personnel of our armed services and to the armed services of other nations. They have published Bibles in more than 500 languages, often making the Bible available in a specific language for the first time. For instance, portions of the Bible have been published recently in Bafia, Cashibo, and Ilongot. In this translation effort the American Bible Society has been joined by other Bible societies.

Prompted by a special concern for the blind, the society produces the Scriptures in braille and on recordings. They continue in all ways to do their best in meeting the challenges of the times—increasing secularism, newly literate peoples, and the Communist drive toward atheism. Their record of service is long and continuous.

Senate Joint Resolution 101 would serve as a tribute to the notable past achievements of the society, an incentive to present purposes, and an expression of confidence in the future of this distinguished organization.

The committee believes that this legislation has a meritorious purpose and accordingly recommends favorable consideration of Senate Joint Resolution 101, without amendment.

Mr. PELL. Mr. President, speaking both as a Senator from Rhode Island and as a vice president of the American Bible Society, I wish to record at this time my great satisfaction in the Senate's approval today of my resolution, Senate Joint Resolution 101, which authorizes and requests the President to proclaim the calendar year 1966 as "The Year of the Bible."

This resolution would provide official, and I believe most appropriate, commemoration of the 150 years of nonprofit, nondenominational work by the American Bible Society in publishing and distributing the Bible throughout the world. Starting in an era when the society was in many instances the sole agent for supplying the Bible on the expanding frontier of the United States, the American Bible Society now has grown into an immense publishing and distribution house for a worldwide readership. Last year, the society distributed over 25 million publications in the United States and over 48 million abroad. In 1964 it published at least some part of the Bible in 1,232 languages.

The universal, pervasive influence of the society has been widely recognized for many years. Both President Johnson and President Kennedy consented to serve as honorary chairmen of the Society, as did Presidents Eisenhower, Truman, and Roosevelt before them. Now, it seems to me especially appropriate that this tradition of public and official commemoration be given special emphasis as we mark a century and a half of service by this great organization. It is especially timely that Congress act now to authorize the commemoration in order that preparations be made now to designate 1966 as the "Year of the Bible." I do hope our colleagues in the House will be able to take similar action soon.

REMOVAL OF CERTAIN RESTRICTIONS ON THE AMERICAN HOSPITAL OF PARIS

The Senate proceeded to consider the bill (H.R. 9877) to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris which had been reported from the Committee on the Judiciary, with an amendment, on page 1, after line 8, to insert a new section, as follows:

SEC. 2. Section 9 of said Act is amended by striking out: ": *Provided,* That at no time shall said corporation hold real estate except for the necessary use of office and hospital purposes of said hospital".

The amendment was agreed to.

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

The bill was read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE OF AMENDMENT

The amendment is recommended by the Department of State. The purpose of the amendment is to remove the limitation contained in the charter restricting the American Hospital's general power to hold real estate for general investment purposes.

PURPOSE

The purpose of the bill, as amended, is to remove two limitations in the basic charter of the American Hospital of Paris pertaining to total value of property which the American Hospital of Paris may own, and removing the limitation on the hospital's general power to hold real estate for general investment purposes.

STATEMENT

The American Hospital of Paris was granted a Federal charter by act of Congress in 1913. The purpose of the corporation was "to establish, maintain, and conduct in the city of Paris, Republic of France * * * a hospital to furnish * * * medical and surgical aid and care to the citizens of the United States of America * * *."

For over 50 years the hospital has served the American community in France and Americans traveling in Europe. Since World War II it has provided medical services to U.S. Armed Forces for the use of military patients.

The hospital is a nonprofit institution, without any governmental or other subsidy whatsoever. Its income is derived from charges to patients, donations, and the return on its endowment. American patients are admitted on a priority basis irrespective of their ability to pay the hospital charges. American indigent patients are given free care.

The hospital is supervised by a board of governors, composed of 20 members, all of whom must be American citizens. The American Ambassador to France is the honorary president of the board.

The charter which Congress granted in 1913 contained a limitation of $2 million on the value of property which the hospital could own (37 Stat. 654). The limitation was subsequently increased to its present

ceiling of $8 million in 1929 (46 Stat. 11). Since 1929, property values have risen, the hospital's facilities have expanded and costs of operation have increased. Thus, the hospital is in need of maintaining a larger amount of assets to increase its income. The committee has concluded that the present charter limitation unduly and unnecessarily restricts the hospital's present and future ability to fulfill its purposes. The elimination of all restrictions on the value of assets which the hospital may own appears more practical than merely raising the permissible limit. In this respect the bill would conform this charter to those recently granted by the Congress.

The committee is advised that it is the policy of the hospital to invest its endowment funds and to purchase items of hospital equipment whenever possible in the United States. Thus, the bill is not likely to have any significant adverse balance-of-payments consequence.

The provision in section 9 of the hospital's charter forbidding it to hold real estate as an investment, was imposed in 1913 for the same reasons as the asset limitation in section 2 and in logic it falls with that section. The original debates in the House of Representatives as reported in the CONGRESSIONAL RECORD of that date show that both limitations were adopted out of a mistaken fear that the corporation might be used to accumulate property for the purpose of avoiding the payment of State, real estate, and income taxes. Such fears have, of course, been proven unjustified, and the hospital's 50 years of public service surely belie the notion that it will be used for tax avoidance.

The hospital might be bequeathed real estate which is not immediately utilizable for hospital purposes but which, for various reasons, could not be immediately sold. Under the present restriction in section 9 of the charter, it might be maintained that the hospital could not even accept a bequest of real estate unless the real estate could be utilized directly and at once for hospital purposes.

It also seems undesirable to restrict the hospital's general power to hold real estate for general investment purposes. In the event that there were a substantial bequest to the hospital in French francs or other foreign currency, which could not readily be converted into dollars and, therefore, had to be invested locally, it might very well be that real estate would be a safer and more prudent investment than, for example, purchase of securities on the Paris Bourse. Most European equity securities have traditionally extremely low yields. Certainly over the last 10 years, sophisticated investors in France have preferred real estate investments, and their judgment has been justified. Real estate values have risen very substantially, whereas the value of French stocks and bonds has tended to decrease rather than increase.

Such a restriction on real estate holdings would appear inappropriate in the case of endowed institutions in the United States. The American Hospital should be permitted to follow the same kind of flexible investment program, and, to the extent that it had to have foreign investments, should be able to follow European investment patterns, rather than be obliged to invest in low-yield foreign securities.

The committee is of the view that the American Hospital of Paris has performed and is performing valuable services for Americans abroad. Accordingly, the committee recommends the enactment of the legislation.

WARREN F. COLEMAN, JR.

The bill (S. 331) for the relief of Warren F. Coleman, Jr., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 331

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Warren F. Coleman, Junior, an employee of the Department of the Air Force, is hereby relieved of all liability for repayment to the United States of the sum of $1,253.07, representing the amount of overpayments of salary received by the said Warren F. Coleman, Junior, for the period from July 10, 1955, through February 24, 1962, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Warren F. Coleman, Junior, referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of this legislation is to relieve Warren F. Coleman, Jr., of all liability to repay to the United States the sum of $1,253.07, representing an overpayment of salary received by him from the Department of the Air Force.

F. F. HINTZE

The bill (S. 337) for the relief of F. F. Hintze was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 337

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That F. F. Hintze, 112 University Street, Salt Lake City, Utah, is relieved of all liability to the United States with respect to accrued rentals in the amount of $1,280.00 claimed to be due the United States under oil and gas lease, serial Cheyenne 066038.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to relieve the claimant, F. F. Hintze, of all liability to the United States with respect to accrued rentals of $1,280 due the United States under oil and gas lease Cheyenne 066038.

MARY F. MORSE

The bill (S. 577) for the relief of Mary F. Morse, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 577

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mary F. Morse, an employee of the Department of the Army, is hereby relieved of all liability for repayment to the United States of the sum of $7,301.36, representing the amount of overpayments of salary received by the said Mary F. Morse for the period from July 2, 1963, through October 20, 1964, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Mary F. Morse, referred to in the first section of this Act, the sum of any amounts received or withheld from her on account of the overpayments referred to in the first section of this Act.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the bill is to relieve Mary F. Morse, an employee of the Department of the Army, of all liability for repayment to the United States of the sum of $7,301.36, representing the amount of overpayments of salary received by the said Mary F. Morse for the period from July 2, 1963, through October 20, 1964, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this act.

BETTY H. GOING

The bill (H.R. 1221) for the relief of Betty H. Going was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to pay $4,718.44 to Betty H. Going in full settlement of her claims against the United States for the proceeds of a life insurance policy of the Guardian International Life Insurance Co., of Dallas, Tex., in which she was named as the alternate beneficiary, issued on the life of her brother, the late Sgt. Walker D. Howle, which policy lapsed because of the nonpayment of premiums by the Government in accordance with an allotment.

EFSTAHIA GIANNOS

The bill (H.R. 2926) for the relief of Efstahia Giannos was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of the alien adopted child of a U.S. citizen.

KIM JAI SUNG

The bill (H.R. 2933) for the relief of Kim Jai Sung was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child to be adopted by citizens of the United States. The bill waives the limitation of two orphan petitions.

SON CHUNG JA

The bill (H.R. 3062) for the relief of Son Chung Ja was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child adopted by citizens of the United States.

MRS. ANTONIO DE OYARZABAL

The bill (H.R. 3337) for the relief of Mrs. Antonio de Oyarzabal was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to transmit U.S. citizenship to her daughters.

MISS ROSA BASILE DeSANTIS

The bill (H.R. 3765) for the relief of Miss Rosa Basile DeSantis was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of the alien adopted daughter of a U.S. citizen.

RELIEF OF CERTAIN ENLISTED MEMBERS OF THE AIR FORCE

The bill (H.R. 5252) to provide for the relief of certain enlisted members of the Air Force was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to validate payments of basic allowance for subsistence to enlisted members of the Air Force who were assigned to Tainan Air Force Station, Tainan, Taiwan, during the period October 1, 1960, to June 30, 1962, which were subsequently held to have been based upon erroneous determination that a Government mess was not available and that it was impractical for the Government to furnish subsistence in Tainan.

WILLIAM C. PAGE

The bill (H.R. 5903) for the relief of William C. Page was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to pay William C. Page the sum of $2,342 in full settlement of all his claims against the United States for amounts due him as a U.S. commissioner for the U.S. District Court of the Western District of Oklahoma, for services rendered between August 31, 1963, and February 10, 1964.

AUTHORIZATION FOR SECRET SERVICE AGENTS TO MAKE ARRESTS

The bill (H.R. 6294) to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to amend section 3056 of title 18 of the United States Code so as to authorize members of the U.S. Secret Service to make arrests without warrants for any offense against the United States committed in their presence or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such a felony.

CERTAIN INDIVIDUALS

The bill (H.R. 7090) for the relief of certain individuals was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to relieve 14 named individuals of liability to repay certain per diem payments made to them while they were stationed at the Fleet Air Western Pacific Repair Activity, Tokyo, and Osaka, Japan, and were assigned as military inspection representatives at civilian contractors' plants.

KENT A. HERATH

The bill (H.R. 8212) for the relief of Kent A. Herath was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to pay Kent A. Herath $676 in full satisfaction of his claim against the United States for the loss of certain personal property from his official residence in David, Panama, where he was serving as U.S. Information Service branch public affairs officer.

RELIEF OF CERTAIN EMPLOYEES OF THE FOREIGN SERVICE OF THE UNITED STATES

The bill (H..R 8352) for the relief of certain employees of the Foreign Service of the United States was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to pay Edward H. Brown, $2,240; Anna J. Bryant, $1,625; Ronald G. Dixon, $211; John J. MacDougall, $1,465; Rene A. Tron, $1,500; in full settlement of their claims against the United States for compensation for personal property lost while performing their official duties as employees of the Foreign Service of the United States while serving in overseas areas.

AMENDMENT OF BANKRUPTCY ACT

The Senate proceeded to consider the bill (S. 1924) to amend section 39(b) of the Bankruptcy Act so as to prohibit a part-time referee from acting as trustee or receiver in any proceeding under the Bankruptcy Act which had been reported from the Committee on the Judiciary, with an amendment, at the beginning of line 6, to strike out "b"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of paragraph b of section 39 of the Bankruptcy Act (11 U.S.C. 67b) is amended to read as follows:

"Active part-time referees, and referees receiving benefits under paragraph (1) of subdivision d of section 40 of this Act, shall not practice as counsel or attorney or act as trustee or receiver in any proceeding under this Act."

The amendment was agreed to.

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

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the bill, as amended, is to amend section 39b of the Bankruptcy Act so as to prohibit a part-time referee from acting as trustee or receiver in any proceeding under the Bankruptcy Act.

STATEMENT

The bill was introduced at the request of the Judicial Conference of the United States.

The bill is recommended by the Department of Justice.

In its favorable report on the bill the Department of Justice pointed out:

"A referee in bankruptcy has the responsibility of determining the disposition to be made of property whereas a trustee or receiver acts in a fiduciary capacity to receive, collect, and preserve property and funds. The bill would prevent referees from acting as trustees or receivers in bankruptcy proceedings. As a matter of ethics, policy, and good practice, and to avoid a conflict of interest a referee should not be appointed a trustee or receiver."

The committee believes that the bill is meritorious and recommends it favorably.

GABRIEL A. NAHAS AND OTHERS

The Senate proceeded to consider the bill (S. 405) for the relief of Gabriel A. Nahas, Vera Nahas, Albert Gabriel Nahas, and Frederika-Maria Nehas, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That the periods of time Gabriel A. Nahas and Vera Nahas have resided in the United States since their lawful admission for permanent residence on March 2, 1960, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

The amendment was agreed to.

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

The title was amended, so as to read: "A bill for the relief of Gabriel A. Nahas and Vera Nahas."

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiaries, who were lawfully admitted to the United States for permanent residence on March 2, 1960, to file petitions for naturalization. The bill has been amended in accordance with established precedents. The names of the minor children were deleted in accordance with the suggestion of the Commissioner of Immigration and Naturalization, inasmuch as they will derive U.S. citizenship after their parents are naturalized.

YASUO TSUKIKAWA

The Senate proceeded to consider the bill (S. 2039) for the relief of Yasuo Tsukikawa which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "of", to strike out "Yasuo Tsukikawa" and insert "Ken Allen Keene

(Yasuo Tsukikawa)"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, section 205(c), relating to the number of petitions which may be approved in behalf of eligible orphans, shall be inapplicable in the case of a petition filed in behalf of Ken Allen Keene (Yasuo Tsukikawa) by Mr. and Mrs. C. D. Keene, citizens of the United States.

The amendment was agreed to.

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

The title was amended, so as to read: "A bill for the relief of Ken Allen Keene (Yasuo Tsukikawa)."

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in a nonquota status of an eligible orphan adopted by citizens of the United States, by waiving the limitation of two orphan petitions.

TO RENDER IMMUNE FROM LEGAL PROCESSES CERTAIN SIGNIFICANT IMPORTED CULTURAL OBJECTS

The bill (S. 2273) to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) whenever any work of art or other object of cultural significance is imported into the United States from any foreign country, pursuant to an agreement entered into between the foreign owner or custodian thereof and the United States or one or more cultural or educational institutions within the United States providing for the temporary exhibition or display thereof within the United States at any cultural exhibition, assembly, activity, or festival administered, operated, or sponsored, without profit, by any such cultural or educational institution, no court of the United States, any State, the District of Columbia, or any territory or possession of the United States may issue or enforce any judicial process, or enter any judgment, decree, or order, for the purpose or having the effect of depriving such institution, or any carrier engaged in transporting such work or object within the United States, of custody or control of such object if before the importation of such object the President or his designee has determined that such object is of cultural significance and that the temporary exhibition or display thereof within the United States is in the national interest, and a notice to that effect has been published in the Federal Register.

(b) If in any judicial proceeding in any such court any such process, judgment, decree, or order is sought, issued, or entered, the United States attorney for the judicial district within which such proceeding is pending shall be entitled as of right to intervene as a party to that proceeding, and upon request made by either the institution adversely affected, or upon direction by the Attorney General if the United States is adversely affected, shall apply to such court for the denial, quashing, or vacating thereof.

(c) Nothing contained in this Act shall preclude (1) any judicial action for or in aid of the enforcement of the terms of any such agreement or the enforcement of the obligation of any carrier under any contract for the transportation of any such object of cultural significance; or (2) the institution or prosecution by or on behalf of any such institution or the United States of any action for or in aid of the fulfillment of any obligation assumed by such institution or the United States pursuant to any such agreement.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the bill is to provide a process to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and to provide machinery to achieve this objective.

STATEMENT

This proposed legislation will permit organizations and institutions engaged in nonprofit activities to import, on a temporary basis, works of art and objects of cultural significance from foreign countries for exhibit and display, without the risk of the seizure or attachment of the said objects by judicial process.

Both the Departments of State and Justice urge favorable consideration of the bill.

As pointed out in the report of the Department of State in its report on S. 2273—

"The bill is consistent with the Department's policy to assist and encourage educational and cultural interchange. Its enactment would be a significant step in international cooperation in this year which has been proclaimed by the President as International Cooperation Year.

"The Department of State is informed that both the Smithsonian Institution and the American Association of Museums support this legislation."

The Department of Justice, in its communication, states:

"The commendable objective of this legislation is to encourage the exhibition in the United States of objects of cultural significance which, in the absence of assurances such as are contained in the legislation, would not be made available."

The bill requires that the President of the United States or his designee, make a determination that the objects sought to be imported for exhibition or display are of such cultural significance as to be in the national interest, and publish notice to this effect in the Federal Register. Then, in the event that any judicial proceeding is instituted in any court of the United States, any State, the District of Columbia, or any territory or possession of the United States, the U.S. attorney for the judicial district shall be entitled, as a matter of right, to intervene as a party, and upon request made by either the institution adversely affected, or upon direction by the Attorney General that the United States is adversely affected, shall apply to such court for the denial, quashing, or vacating of such proceeding. Judicial action for or in aid of the enforcement of the terms of any agreement or the enforcement of the obligation of any carrier under any contract for the transportation of any such object of cultural significance is excepted from the immunity and the institution bringing in the objects of art or the United States is authorized to maintain a court action for or in the aid of the fulfillment of any obligation assumed by such institution or the United States pursuant to any such agreement.

The committee is of the opinion that the purposes of this proposed legislation are salutary and will contribute to the educational and cultural development of the people of the United States. It is, therefore, recommended that S. 2273 be favorably considered.

BILLS PASSED OVER

During the call of the Calendar the following bills were passed over at the request of Mr. MANSFIELD:

S. 1407, for the relief of Frank E. Lipp.

S. 1898, for the relief of certain aliens.

The following bill was passed over at the request of Mr. DIRKSEN:

H.R. 6726, for the relief of William S. Perrigo.

Mr. MANSFIELD. That concludes the call of the Calendar.

LET US OPEN THE DOOR OF OUR IMMIGRATION POLICY

Mr. YOUNG of Ohio. Mr. President, the enactment of the immigration bill now before the Senate will be a great landmark in the development of the American dream of the freedom and equality of all men. No provision of any national law is more distasteful to millions of Americans than the concept of judging the worth of men and women for immigration on the basis of their place of birth or the nationality of their parents.

I am proud to be a cosponsor in the Senate of the administration immigration bill. This historic legislation should be termed the "Celler immigration bill" in honor of the chairman of the Committee on the Judiciary of the House of Representatives, EMANUEL CELLER, who more than any other Member of the Congress is responsible for the fact that this legislative proposal is now before the U.S. Senate for debate and vote and will be enacted into law in the near future. Chairman CELLER deserves the gratitude of all Americans for his outstanding leadership in successfully guiding this important legislative proposal through his committee in the face of powerful opposition from those who sought to delay, to undermine and to render ineffective and useless the effort to build a proper immigration policy. It is a fact that mischiefmakers did to some small degree change the original administration proposal but they failed in their devious purpose to destroy the spirit and intent of this bill. Of course, today those very same obstructionists claim credit for this beneficent legislation.

We are the Nation which chiseled on our beautiful Statue of Liberty:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shores,
Send them, the homeless, tempest-tossed to me
I lift my lamp beside the golden door.

The only justification that can be made for the national origins quota system is the claim that Americans with English or German or Irish names make better citizens than Americans of Italian, Greek, Polish or Hungarian descent. This concept is utterly false. It contradicts all our traditions and ideals, and makes a mockery of the spirit expressed in the Declaration of Independence that all men are created equal.

This bill will make law the fact that each immigrant has a special worth by

reason of his potential contribution to our country and he should be judged on his individual ability and worth. Under the proposed bill, people would be admitted on the basis of their skills, education, and training. Another prime governing factor will be the reunification of families now separated by our outmoded immigration laws. It would put an end to painful case histories such as that of the naturalized Greek who is able to bring a maid from Ireland in short order, but who must wait many years to bring his mother or sister from Greece.

As President Franklin D. Roosevelt said in Boston in one of the closing speeches of his final campaign in 1944:

All of our people all over the country—except the pure-blooded Indians—are immigrants or descendants of immigrants, including even those who came over here on the Mayflower.

It was through the open door of its immigration policy that the vast empty space of the United States was peopled during the 19th century. That door was narrowed to a slot when Congress imposed national quotas under the Quota Act of 1921, which stacked the cards in favor of the people of Northern and Western Europe, and to the prejudice of nationals of other areas of the world.

The Celler immigration bill will right the wrong that stains our national conscience and blurs our image as the greatest and best democracy in the entire world. It does not ask of a prospective immigrant, "What country are you from?", but rather, "What can you do for the United States of America?"

This legislative proposal recognizes that each immigrant has a special worth because of his potential contribution to the total manpower of our country. It will eliminate all quotas based on national origin. The total amount of immigrants admitted each year will not be greatly increased.

Mr. President, the enactment of this bill will at long last commit us to a national policy which will make real the simple truth of the words of St. Paul: "God hath made of one blood all nations of men for to dwell on the face of the earth."

LIMITATION OF STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour, with a time limitation of 3 minutes.

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

REQUIREMENT OF PERFORMANCE BONDS RELATING TO CERTAIN CONTRACTS IN THE DISTRICT OF COLUMBIA

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor which, with an accompanying paper, was referred to the Committee on the District of Columbia.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, without amendment:

H.R. 2414. An act to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.; (Rept. No. 754).

By Mr. EASTLAND (for Mr. LONG of Missouri), from the Committee on the Judiciary, with amendments:

S. 1758. A bill to provide for the right of persons to be represented by attorneys in matters before Federal agencies; (Rept. No. 755).

BILLS INTRODUCED

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

By Mr. HOLLAND:

S. 2543. A bill for the relief of Dr. Maria Yolanda Rafaela Miranda y Monteagudo; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2544. A bill for the relief of Kumari Hellen and Kumari Sonamani; to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 2545. A bill for the relief of Jose Eleuterio Branco Dias; to the Committee on the Judiciary.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT—AMENDMENTS

AMENDMENT NO. 457

Mr. ALLOTT submitted an amendment, intended to be proposed by him, to the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 458

Mr. THURMOND submitted an amendment, intended to be proposed by him to House bill 2580, supra, which was ordered to lie on the table and to be printed.

ENROLLED BILL SIGNED

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The Chair announces that on today, September 17, 1965, the Vice President signed the enrolled bill (H.R. 8469) to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

NOTICE OF HEARING ON NOMINATION OF DAVID G. BRESS TO BE U.S. ATTORNEY FOR THE DISTRICT OF COLUMBIA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, September 21, 1965, at 10:30 a.m., in Room 2228 New Senate Office Building, on the nomination of David G. Bress, of the District of Columbia, to be U.S. attorney, for the District of Columbia, for a term of 4 years, vice David C. Acheson.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Illinois [Mr. DIRKSEN], and myself, as chairman.

NOTICE OF HEARING ON NOMINATION OF FRANK MOREY COFFIN TO BE U.S. CIRCUIT JUDGE, FIRST CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, September 24, 1965, at 10:30 a.m., in Room 2228 New Senate Office Building, on the nomination of Frank Morey Coffin, of Maine, to be U.S. circuit judge, First Circuit, vice John P. Hartigan, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from North Carolina [Mr. ERVIN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Edward C. Sweeney, of Illinois, to be a member of the Subversive Activities Control Board, for a term of 5 years expiring August 9, 1970.

John W. Mahan, of Montana, to be a member of the Subversive Activities Control Board, for a term expiring March 4, 1970, vice Francis Adams Cherry.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, September 24, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

VICE PRESIDENT HUMPHREY'S ADDRESS TO THE CLASS OF 1965, SYRACUSE UNIVERSITY

Mr. PROXMIRE. Mr. President, I suppose there are few former Members of Congress who have had a happier, more constructive and positive relationship with Congress than the present Vice President, HUBERT HUMPHREY. He recently addressed the class of 1965 at Syracuse University. I have a copy of the speech which he delivered at that time.

At a time when Congress is suffering the brickbats of criticism as it rarely has in the past, in spite of its constructive achievements, I believe that this address of the Vice President should be called to the attention of all Senators and the country.

Vice President HUMPHREY points out a series of constructive contributions which Congress makes.

First, he says—and this is something which is overlooked:

Few persons can deal directly with either the President or the Supreme Court. But any person, personally or by mail or phone, can communicate with his elected Representatives in Washington. The Members of the Congress, the people's Representatives, provide a direct link between the National Government, this huge structure that shows no signs of becoming smaller or less complicated.

Mr. President, the Vice President points out further the enormous educational value of serving in Congress. He states:

My teachers have been Presidents and department heads, constituents, press, radio and television, and above all a group of wise and distinguished colleagues in both Houses.

Then he points to the constructive achievement of compromise and of achieving a consensus on the basis of a constructive dialog, and he invites attention to the role of Congress for responsible surveillance of the many departments of Government, what he calls a continuing critical review, constructively critical by the committees and the Houses of Congress.

The Vice President then invites attention to the joy of politics. I do not know of anyone who has participated in the joy of politics to the obvious extent that our distinguished Vice President has.

The Vice President concludes with a fine quotation from Emerson:

It was Emerson who once wrote that Congress is a "standing insurrection." You don't need a revolution here; you have one built in. It is a standing insurrection against the ancient enemies of mankind: war, and poverty, and ignorance, and injustice, and sickness, environmental ugliness, and economic and personal insecurity.

Mr. President, I ask unanimous consent to have this address printed in the RECORD.

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

ADDRESS TO THE CLASS OF 1965, SYRACUSE UNIVERSITY, BY HUBERT H. HUMPHREY, VICE PRESIDENT OF THE UNITED STATES OF AMERICA

WILLIAM PEARSON TOLLEY. We're singularly honored today to have so distinguished a guest. Because students are important at Syracuse University we consult each year with the officers of the senior class and ask them their choice of a commencement speaker. And this morning, ladies and gentlemen, by the unanimous action of the senior class, the Vice President of the United States.

Vice President HUMPHREY. Thank you, thank you, Chancellor Tolley. My thanks to you, Chancellor Tolley, deans of the many schools, colleges of this great university, members of the board of trustees, my colleagues in Government who share this platform with me today, Secretary Connor, a graduate of this splendid university, and Secretary Harlan Cleveland, a former professor and head of the Maxwell School of this great university, Congressman HANLEY, the graduates of this class of 1965, the parents who are here in pride and honor, and my fellow Americans, and guests; this is, as I've been reminded once again, as you have, the 111th commencement ceremony, not for me but for this great university. I was saying to Chancellor Tolley how difficult it is these days to be the commencement speaker and try to find a topic that is worthy of the attention and the thoughtful consideration of the graduates. I suppose I should be concerned about the faculty, but in this instance I address myself primarily to the graduates.

The honor that you have done to me today is one that is deeply appreciated, particularly in light of the announcement that has just been made as to how I was selected. I'm especially delighted that the chancellor and the board of trustees extended their invitation to me as a result of the vote of the senior class. You see, I've always been friendly to votes. And I'm particularly pleased when the votes and the voters are friendly to me. And what a refreshing experience, and what a way to renew the spirit of a public official, to be selected once again by votes. I might say to my friends of the graduating class, I have been on both ends of the voting spectrum, and the best end is the winning one. Now I, of course, have no way of knowing against whom I was running in this contest. But I trust that it was some worthy Republican, of which this State has all too many. I hope that I didn't inspire any fear or trepidation in the heart of the Congressman.

I do want to take just for this moment the opportunity to express, a little bit prematurely, but this is one way of assuring that the ceremony comes off, my thanks for the honor that will be bestowed upon several of us here today, the honorary degrees. Now having made the announcement, there is no way that anything can go wrong.

My presence here today is particularly satisfying to me because this year marks the 40th anniversary of the founding of the Maxwell School. Syracuse University has made many contributions to scholarship and to professional excellence in a wide variety of fields. I know that this great university encompasses most all of the disciplines of intellectual life. I'm well aware of the achievements and the high standards of your college of engineering, and I well recall that only last year the President of the United States was with you on the occasion of the dedication of your new communications building. I know the outstanding endeavors of this university in the field of social work and social welfare. These are but a few of your achievements in the field of scholarship and professional excellence.

But as one who has by purpose and design devoted his life to the public service, I want to express my personal thanks and gratitude of the U.S. Government for the work of the Maxwell School. Yes, I've mentioned already the Assistant Secretary of State for International Organization Affairs, a distinguished former dean of the Maxwell School, Harlan Cleveland, who serves his country well and faithfully and with brilliance, and the graduate of this great university, the Secretary of Commerce, who has brought new life to that Department and a new sense of purpose and direction. In addition to the outstanding contributions of the Maxwell School to social science scholarship and the upgrading of public service, its undergraduate course in public affairs and citizenship is world famous. And I would recommend it to every great university in our land. Your chancellor has told me that more than 20,000 Syracuse undergraduates have taken this course over the past generation. Think of it, 20,000 citizens who have been educated in their continuing personal responsibilities for the preservation and the extension of human freedom—and if ever there was a time that this Nation needed men and women who understand their personal responsibilities to the cause of freedom and social justice, it is now.

Our Nation, as never before, bears the mantle of leadership, and that mantle is not a luxury, but rather a responsibility, a burden and a duty. All the more reason then that citizens, not just the leaders, but citizens all be educated in their continuing personal responsibilities for the stewardship of human freedom. It is difficult to think of a more fundamental contribution which a university can make to free society. So my congratulations to this school. I know that it will continue to flourish and accomplish much in the years ahead.

Now, I am also a refugee from the classroom, a former university teacher. Because of the precarious nature of elective life, I like to mention this in the presence of trustees and deans of faculty. And I would care not to be judged entirely on the singular performance of today, but rather on a longer exposition by the applicant at a later time.

I am well aware, as a former teacher, of the pitfalls of commencement speeches. It's so easy to follow the timeworn formula, the world is in a mess (when wasn't it, by the way?), the older generation has failed (it generally has), and it's up to you of the graduating class to put things right, at least for a day or two. And then someday you'll be the older generation and you too can have the dubious honors that other commencement speakers would heap upon you. But platitudes rarely change attitudes And baneful criticism and vapid exhortations are cheap substitutes for hard thought and analysis. I prefer, therefore, to take my stand on the proposition that the American people working through democratic institutions, changing institutions, have met, are meeting, and will continue to meet the most complex problems of our age. If we still have a long way to go, and we have in achieving human equality, in securing international and domestic tranquillity, in extending the benefits of our technical genius to all citizens in the American Republic and to all of mankind, let us at least glory in and be inspired by the magnitude of the unfinished agenda. Let us glory in the fact that we still possess the wit and the wisdom to continue making our American democratic system responsive to the terribly difficult and complex problems of this turbulent and rapidly changing age.

Winston Churchill once was reported to have said that democracy is the worst form of government, except all others. And I suppose there is more truth than humor in that analysis of the social structure. But it is our democracy that we mold and design to our purpose. And the glory of the democracy and of the democratic faith is the courage of it, the experimentation of it, and the willingness to try to begin anew, if we should fail, to rise once again, if we should falter, to try once again, remembering with the prophet that the longest journey is the first step, and the first steps toward freedom we have taken, and further steps we will take.

I want to discuss with this graduating class the importance of one of the great constitutional instruments at the disposal of the American people in the business of making this democracy work. I want to discuss with you an institution that is frequently referred to with cynicism, all too often, may I say, by the media, and all too often held in disrepute by people who know all too little about it. I refer to the institution of the Congress of the United States. What I have to say I think needs saying, because too many of our citizens take an indifferent, cynical and even hostile view toward the legislative branch. No one branch has a monopoly on wisdom or virtue, but surely each can make a contribution to the common good. This is not, when I speak of the Congress, to under-

estimate the need for strong and able presidential leadership, or for wise and humane judicial decisions. It is, however, once again to reaffirm the vital role of representative government, the vital role of the Congress in our constitutional system. Few persons can deal directly with either the President or the Supreme Court. But any person, personally or by mail or phone, can communicate with his elected representatives in Washington. The Members of the Congress, the people's representatives, provide a direct link between the National Government, this huge structure that shows no signs of becoming smaller or less complicated, this huge structure and the almost 195 million persons who comprise this Republic, and a growing population it is. Surely, this contact, this connection, is vital in keeping our National Government responsive to the needs and opinions of the American people.

I have found congressional service to be a remarkable form of higher education. It's a super graduate school in every discipline. My teachers have been Presidents and department heads, constituents, press, radio, and television, and above all a group of wise and distinguished colleagues in both Houses. I cannot in the few minutes that I have convey to you all that I have learned from these teachers, but it is a rich and rewarding experience.

Perhaps I can suggest some lessons in democratic theory and practice which I've gained from my collegial experiences in the Congress. The first lesson has to do with the creative and constructive dimension to the process of compromise—compromise without the loss of principle or honor. There are 100 Members of the U.S. Senate and 435 Members of the House. They come from States and districts as diverse as Nevada and New York, Alaska and Alabama. No two States or regions of the United States have identical needs, backgrounds, interests, or even prejudices. And one of the jobs of the Congress is to reconcile such differences through the process of compromise and accommodation. What sometimes seem to the naive and untutored eye to be legislative obstructionisms, often are no more than the honest expressions of dedicated representatives trying to make clear the attitudes and the interests of their States and regions, sometimes trying to gain time for public understanding of vital issues. As Sir Richard Grenfell once observed: "Mankind is slowly learning that because two men differ neither need be wicked."

From the earliest days of this Republic—at the Constitutional Convention—the leaders of this Nation have maintained an unswerving commitment to moderation. Now, if our Founding Fathers had not understood the need to overcome extremes in drafting our Constitution, this noble experiment of ours in the art of self-government would surely have foundered years ago on the rocks of dissension and discord.

As in the deliberations of the Constitutional Convention, the heart of congressional activity are skills of negotiation, of honest bargaining among equals. My willingness to compromise, and I have done so more times than I can count, is the respect that I pay to the dignity of those with whom I disagree. Yes, I have come to the conclusion that possibly all of my original suggestions may not have been right. There may be others, you know, who have solid and constructive views. Dogma and doctrine have little place in a society in which there is respect for the attitude and the opinion of others.

Through reasonable discussion, through taking into account the view of many, Congress amends and refines the legislative proposals so that once a law is passed it reflects the collective judgment of a diverse people. This is consensus, the word that is used so much in these days. Consensus is nothing but agreement, obtained by a constructive dialog between persons of different points of view, based upon mutual respect and understanding. Surely this is a remarkable service for a people that aspire to orderly progress. Surely the habits of accommodation and compromise are of universal consequence. These are the very skills and attitudes so desperately needed on the larger stage of world conflict, and possibly our difficulties on that world stage can be better understood when we recognize that where there are despotic forms of government or dictatorships, the art of negotiation and compromise has been sacrificed to power, to arrogance, and to the strong will of the man who knows he is right. We possibly have some teaching to do before the processes of peace may reach a maturity and an achievement.

World order and the rule of law will be secure on this earth only when men have learned to cope with the continuing conflicts of peoples and nations through the peaceful processes of bargaining and negotiation. And might I admonish my fellow Americans that we too need to be cognizant of the differences in other lands, that we seek no pax Americana, we seek no trademark "Made in the U.S.A." we seek above all to negotiate, to accommodate, to adjust so that peoples realize their hopes in their way.

A second lesson that I have learned from my congressional teachers is the importance of the congressional role of responsible surveillance. There are roughly 70 separate departments and agencies in the Federal Government. Now if you should notice two Cabinet officers wince a bit, as I speak of congressional surveillance, may I say that I have not been long from the Chambers of the Congress. I am not fully purified as yet in the executive climate. There are roughly 70 departments, some are small, some are large. All are engaged, however, in doing what they believe is carrying out the will of the people as expressed by the Congress.

In the interest of efficiency, economy, and responsiveness, these departments and agencies need, even if they don't want it, a continuing critical review, constructively critical it is to be hoped, by the committees and the Houses of Congress. The genius of our Founding Fathers is nowhere more in evidence than in that section of those sections of the Constitution which provide for checks and balances. Uncomfortable as those checks and balances may be sometimes to those who seek to administer, through its review of the executive budget, in the appropriations process, yes, through committee and subcommittee investigations, through advice and consent on appointments and treaties, and through informal discussion, Congress seeks to improve and to support the executive branch of our Government. My fellow Americans, I know that this cross-examination can be interpreted in other lands as division in our ranks, but it appears to me that it is more important that the American people know what is being done in their country, that they have the opportunity to reflect upon the policies and the decisions that are to be made, than it is that we should always have the image abroad of having a sort of monolith mind. I am not that worried. Let those who feel that we may discuss too often and that we may argue too much, let them remember that freedom is hammered out on the anvil of discussion, dissent, and debate, which ultimately yields to a decision that can be supported by the public.

This exercise in congressional freedom protects and extends personal freedom. And that is our goal. If legislative voices are occasionally strident, and they are, citizens should take stock of what their world would be like if no legislative voices were heard at all.

We know what happens in countries without independent and constructively analytical legislatures. Mankind invented a word for such systems centuries ago, and the word is as old as its practice—tyranny.

There's one other lesson that I've learned from my congressional teachers: the creative joy of politics. I can say in personal testimonial that I would not give my life to it unless I found in it a sense of fulfillment and joy. Each Congress is devoted in substantial measure to the development of new public policies designed, as our Constitution says, to promote the general welfare and provide for the common defense, the national security of this Nation.

Congress is not a battlefield for blind armies that clash by night; it is a public forum operating in the light of day for men of reason. It is a place where national objectives are sought, where presidential programs are reviewed, where great societies are endlessly debated and implemented. Oh yes, I know at times the congressional process exasperates and confounds us, it's clumsy, sometimes it's slow and unresponsive to what some of us believe is urgent need. Its strength and its weakness is the fact that it is representative of our country, of our human institutions. It reveals in its conduct and makeup all of the crosscurrent of social, economic, and political forces. It is like a huge mirror suspended over the Nation, reflecting and revealing us for what we are, dirty face and all at times, our prejudices as well as our ideals, our fears and our hopes, our poverty and our wealth. There it is in the Congress representative of the people. Oh, to be sure, we should seek to constantly improve its rules and its institutions of operating machinery, but ultimately, my fellow Americans, the Congress will behave as the Nation behaves, the Congress will represent the spirit of the American people.

It was Emerson who once wrote that Congress is a "standing insurrection." You don't need a revolution here; you have one built in. It is a standing insurrection against the ancient enemies of mankind: war and poverty and ignorance and injustice and sickness, environmental ugliness, and economic and personal insecurity.

Now, graduates of this class, few careers offer such remarkable opportunities for translating dreams into reality. Congressman HANLEY, I am not seeking opposition to you, I am merely encouraging this group of fine graduates to take a new interest in the affairs of state, in Government, in public life. A new bill, a creative amendment, a wise appropriation, may mean the difference to this generation and generations ahead, between health and sickness, jobs and idleness, peace and war for millions of human beings.

And stemming from ancient parliamentary origins, the main job of Congress is to redress the grievances, to right the wrongs, to make freedom and justice living realities for all. What higher calling, I ask you, exists than this? This is the essence of politics: to translate the concerns and the creative responses of a vast citizenry into effective and humane laws. And, I submit, no country does it better than ours. Our competence in the field of self-government is the envy of mankind.

I cannot conclude without a personal note. For almost 20 years, Congress has been my home. As Vice President, my relationships with my former colleagues are inevitably a bit more formal and more intermittent than in past years. Yet I can say unashamedly that I cherish them dearly. I have seen their weakness and they have seen mine.

I have been on occasion restive of delays and procedural anachronisms—and so have they. But I have seen in the Halls of Congress more idealism, more humaneness, more compassion, more profiles of courage than in any other institution that I have ever known.

And like many of you today, I find in my heart to praise and to thank my teachers.

Perhaps some of these words of tribute to the institution of freedom known as the U.S. Congress may stay with you. I hope so; I know it well; I respect it greatly. As long as the Congress of the United States continues to function as a responsible and viable element in our constitutional system, the promise of American democracy will forever endure—the torch of freedom will forever light the path to our future.

Each of you, however, must also assume a personal responsibility for preserving freedom in these perilous times. This is not the business of someone else, it is your business. Freedom is the personal commitment and responsibility of each and every one. And the nature of this responsibility, I think, is best illustrated by John Adams' notion of the spirit of public happiness.

It was this spirit, said John Adams, that possessed the American colonists and won the Revolution even before it was fought—a spirit which is reflected in delight in participation in public discussion and public action. It is a sense of joy in citizenship, in self-government, in self-control, in self-discipline, and in wholehearted dedication.

An important part of the mission of this great university has been to instill in each of you this spirit of public happiness. And it will be this dedication to the public service—found in the hearts of Americans alive today and the generations yet unborn—that will insure the ultimate victory of freemen in their struggle against the forces of tyranny and oppression.

Your work is ahead of you. The time awaits no man. Seize this opportunity to serve the cause of mankind.

DILEMMA: STOP ADVERSE U.S. PAYMENTS BALANCE WITHOUT WORLDWIDE DEFLATION

Mr. PROXMIRE. Mr. President, because international monetary arrangements are complicated and confusing, because their impact seems remote from our daily lives, and the consequences of international monetary policy seem subtle and indirect, many Americans, including those in high office, choose to ignore the tough details of the problem.

This is particularly true because the consequences of international monetary policy are not agreed on by the experts. These consequences are subject to sharp dispute. When economic experts argue in their technical language, the dispute seems dull, meaningless—or both.

In spite of this, it is most important that Members of Congress make the effort to focus on this tough problem of how we are going to handle our money arrangements with other countries.

What is at stake is literally the prosperity of this country, and the prosperity of the free world. Unwise expansionary money policies could lead directly to international inflation. They could undermine confidence in our dollar. They could paralyze our trade and commerce.

On the other hand, unwise do-nothing policies could provoke international deflation and a worldwide depression.

It is well known that this country has been losing gold at a rapid rate for more than a decade. Even more significant is the exodus of dollars into foreign hands and the buildup those dollars represent as a potential future drain on our remaining gold supply.

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

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

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

Mr. PROXMIRE. Mr. President, at the same time, there is an ironic complementary consequence of this drain of U.S. dollars and gold. This U.S. loss has been precisely the fuel that has enabled the world to expand its trade at a record rate in the past 15 years, an expansion which has broken all records. World trade has more than doubled. The soaring strength of free world countries has, of course, been fostered by precisely this rise in trade and the ready cash fuel which has permitted it: U.S. dollars by the billions flowing in export from this country.

In a sense, it can be said that America has paid the price of spending its gold and its immense credit to build a stronger, more prosperous, more abundant free world.

But now, nearly half our great World War II gold supply is gone. The huge outpouring of dollars now held by foreigners far, far exceeds the remaining U.S. gold supply, and, of course, those foreign-held dollars can be presented to the U.S. Treasury for that remaining gold.

It is obvious to the President of the United States, and all of his top advisers, that the dollar and gold outflow must stop. Of course, this has been evident to our top leaders for some time.

Back in 1963, the Kennedy administration discussed the possibility of stemming the outflow of dollars with an interest equalization tax that would tax the income from foreign investments and discourage American dollars from seeking this investment.

This proposal worked brilliantly until it was enacted. As long as it was threatening, American investors over-discounted its effect and sharply diminished their export of U.S. dollars to buy foreign investments. But within a few months after it was enacted, American dollars poured out in a Niagara of investment abroad.

Then last February, the President inaugurated his voluntary loan restriction program with the cooperation of American banks and industry. The results have been, at first, sensationally successful.

The President and the Treasury Department together with the Federal Reserve have handled this brilliantly. And in the second quarter of this year the adverse balance of payments actually disappeared and became a substantial surplus.

But once again—as with the interest equalization tax—the favorable results are likely to be temporary. American funds abroad were repatriated. Investments abroad were temporarily postponed and, of course, in the long run, any big moratorium in American investment abroad simply means that American exports which grow and thrive on these investments, and American dividends and interest from foreign loans that flow into this country from investments, will diminish.

What all this means is that we have not solved our adverse balance of payments—not by any means. And we must solve it.

Mr. President, I have such confidence in the determination of President Johnson and his advisers, and in the financial and economic muscle of this country once it is organized and unified in pursuit of an objective, that I know we can and will solve this tough problem without gutting our international security programs; that is, our military defense of the free world, and our economic—foreign aid—defense of the free world.

But the fact is that we have not solved it to date.

At the same time, Mr. President, we should be—we must be—well aware of the fact that when and as we do solve this adverse balance of payments—and we must—we are going to take from the channels of trade growth, the American deficit dollars and gold which have been a prime ingredient of its growth. This is exactly why it is necessary as well as wise for Secretary Fowler to work now as he has been doing on developing a reformed international monetary program to provide the liquidity that the correction of U.S. payments deficits will take away.

This, Mr. President, is why the kind of rational and thoughtful proposal for monetary reform suggested by Robert Roosa recently should have our careful and thoughtful study.

Mr. Roosa was perhaps the most brilliant international monetary expert our Treasury has had in a long, long time. When he resigned as Under Secretary of the Treasury for Monetary Affairs, the American banking community, as well as the American economic experts, recognized him as a man of consummate ability who had helped us greatly in the tough monetary years of the Kennedy administration with a series of imaginative and workable and practicable proposals.

Now he has come up with a thoughtful, carefully planned proposal for a sound and responsible solution to our international problem of creating the international ready cash we are going to need as American dollars and gold stop flowing abroad.

This morning's Wall Street Journal carries a superlative question-and-answer analysis of this Roosa proposal. This proposal, in my judgment, is likely to become the foundation, the basis for the American proposal to other leading trading countries for a solution to this tough problem that confronts us.

The proposal deserves our attention, our criticism, our evaluation.

I ask unanimous consent that the Wall Street Journal analysis of the Roosa plan be printed at this point in the RECORD.

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

[From the Wall Street Journal, Sept. 17, 1965]

ROOSA MONETARY PLAN: AN ANALYSIS

WASHINGTON.—The annual meeting of the International Monetary Fund here later this

month will dwell on ideas for insuring that world trade and general prosperity don't bog down for want of enough of the reserves that nations keep on hand to tide themselves over temporary balance-of-payments deficits, which result when more money goes out of a country than comes in.

It will probably be years before the member nations finally agree on whether to adopt any such plan, but if they do the impact on business around the world could be profound.

Of the many such ideas, the "Roosa plan" has sprinted to the fore in recent days. Here—based in large part on the author's explanations—are answers to questions about it:

What is the Roosa plan intended to do?

To create through the existing 102-member International Monetary Fund an entirely new unit of exchange, which governments will use in addition to gold, dollars, and pounds for settling payments deficits among themselves. The underlying assumption is that supplies of gold and currencies that nations currently consider sound enough to hold as reserves won't grow enough to meet needs arising from future growth in world trade.

Is the plan an official Johnson adminstration policy?

No, but it has many elements the administration likes and which planners think may prove acceptable compromises with the views of other countries. Robert V. Roosa is on President Johnson's Monetary Reform Advisory Committee, and his service as Under Secretary of the Treasury for Monetary Affairs from 1961 through 1964 ranks him an expert on both the theories and practical politics of international finance. He is a partner in the New York banking firm of Brown Bros., Harriman & Co.

There are a lot of monetary ideas around; what makes the Roosa plan better than some others?

Supporters say that it preserves intact the proven international institutions and practices, such as the IMF and the wide use of gold and the dollar; that it would build onto this foundation a new responsiveness to changing needs, and that it would allow the more responsible, highly developed countries to deliberately plan additions to world reserves instead of leaving them to chance or to the whims of poorer countries.

What are the arguments against it?

Critics question whether the world's monetary authorities have the skill and the consensus needed to wisely make fairly frequent decisions about expansion of reserves.

Moreover, many Europeans dispute the fundamental prediction about reserves being in short supply unless some remedy is adopted. They say arbitrary creation of new reserves would be like printing new money without any increase in wealth as backing for it and thus would generate global inflation.

Finally, it's wondered whether, given new ability to live with balance-of-payments deficits, nations will put off the internal changes needed to attain balance or surplus. The Roosa plan is designed to tide nations over "temporary" balance-of-payments deficits, but who is to say what is temporary and what is likely to be chronic? The longer a nation delays unpleasant but essential domestic reforms and belt tightening, the worse the resulting crisis may be when it finally comes.

How would the Roosa plan alter the IMF?

At present, the IMF merely lends foreign currencies to members; they must repay the loans in 3 to 5 years. The Roosa plan would have the IMF, in addition to its lending activity, create new reserves—to be known as fund units—which the recipient countries would own outright.

Just how would these fund units be created?

A small group of key industrialized nations would form a committee within the IMF. Most likely, they would include the Group of 10 that has been doing most of the studying of monetary reform: The United States, Great Britain, Belgium, Canada, France, West Germany, Italy, Japan, the Netherlands, and Sweden. They would take the initiative in recommending to the full 102-member IMF how many fund units should be created and when, and they alone would be eligible for the units at the outset.

Would these new reserves be created out of thin air?

Proponents of the plan say no. They explain that the recipient countries would have to pay offsetting amounts of their own currencies from their treasuries to the IMF. They insist this would mean giving up real resources, because the money could otherwise be spent in their own countries. The money they chip in would be pooled as backing for the fund units; in effect, as Mr. Roosa puts it, every unit would represent a bouquet of all these currencies.

Why can't these countries simply keep their money as reserves?

Because reserves are what a country uses to buy up its own currency from foreigners when that money threatens to become a glut on the world market. To reduce the supply of a currency in foreign hands, gold or some other currency must be used.

Also, some countries use reserves of foreign currencies for actual trade. A U.S. exporter, for instance, probably wouldn't want to be paid in Indian rupees, so India must keep widely useful foreign currencies, not its own money, in its reserves.

Does this mean the Fund unit countries would get something for nothing?

Only in the sense that the money they pay for Fund units can be used for their own official reserves and the Fund units can, say Roosa-plan backers. In fact, for this privilege each country would pay IMF 3 percent annually on its contribution.

Could inflation reduce the worth of the pooled currencies backing the Fund units?

Proponents say no, because the plan would require each country to guarantee its currency's value to the IMF in gold. If inflation cheapened its currency, a country would have to make up for this with extra contributions. It's also hoped that other countries would, like the U.S. pledge to pay out gold to other governments in return for their currencies at the fixed price of $35 an ounce.

Could others force the United States to contribute more dollars and accept more reserve units than it really wants?

No. While one nation couldn't stop the committee and the full IMF from creating a certain amount, any nation would have the right to refuse to contribute and receive its share; the other participants would make up the difference.

Could many poorer countries dominate the process and cause an inflation of reserves?

Not if the voting follows the IMF's usual rules, which weigh votes by a nation's contributions, which in turn are geared to its wealth. The United States alone casts about 25 percent of the votes and the whole group of 10 can muster about 60 percent. Under the usual two-thirds majority rule, it could block any action it opposed.

How would the new units be doled out?

According to the extent each participant's currency has been used as reserves in the past, under detailed criteria yet to be worked out. This would be a "self-qualifying test," Mr. Roosa asserts, allowing other nations to enter the inner circle as they show enough economic responsibility to make their currencies prized by others. If it went into effect now, the United States would get about half the initial units issued, he estimates.

What form would each country's contribution take?

This isn't spelled out, but contributions to the IMF are typically in the form of special Treasury notes, a sort of check the IMF could cash for actual currency any time it wishes. The IMF, based in Washington, stashes the notes in the central bank vaults of a number of its members.

Could a government use the Fund units it gets in return as freely as it uses its own money?

Not quite. It could use them to buy another country's currency from the issuing government, or its own currency from other governments. It could donate them as foreign aid, enabling a poorer country to take them to another government to buy that nation's currency, with which it in turn could buy real goods. It could lend them to a country needing more reserves. So that they could be freely interchangeable with gold and dollars in reserve dealings, they would have to have a set value in these terms. But Fund units couldn't be used in private transactions. Their use would be so rigidly limited to intergovernmental transactions that a government couldn't even use them to buy foreign currencies on exchange markets.

Doesn't it sound as if the IMF would be a sort of credit-creating Federal Reserve bank for the world?

Roosa-plan proponents insist it wouldn't, although there would be parallels. The Federal Reserve System in the United States can allow, but not require, commercial banks to make more loans by adding to their legally required reserves. The commercial banks can then make more loans by creating new checking account deposits for their customers. Gradually, the whole banking system can create about $7 of the checking account money for each $1 addition to its reserves.

But commercial banks wouldn't have any part in the Roosa system, so new money usable by businesses or individuals wouldn't be created by it—at least not directly. It would let the IMF create new reserves that the Federal Reserve or other central banks or governments would hold, though. If these extra reserves made a country feel more confident about allowing a high level of imports, that could contribute to the economic growth of that country and of its trading partners, Roosa-plan proponents contend. But any country's citizens would still need real domestic money to buy goods that have been imported.

Could a country's central bank use the Fund units to support more expansion of money and credit domestically, perhaps to the point of inflation?

Conceivably, it could, proponents concede, but they doubt that it would happen.

For one thing, any outside currencies add to a country's domestic money supply only if its commercial banks sell them to their central bank and get additions to their reserve accounts in exchange, allowing the commercial banking system to expand loans to their customers. Domestic money expansion couldn't happen in this way with fund units because they'd never be owned by any private bankers or other persons.

Any country could change its laws, of course, to include fund units in the base that limits its domestic money supply, as the United States at present uses gold as a base. But the trend is away from such arbitrary limits on money expansion. With or without new units, the Roosa school holds, the basic defense against inflation must be the firmness of each country's central bankers.

What, then, is the source of the uneasiness of the plan's critics?

They fear future political pressures will cause the governments themselves to rationalize use of the plan as an instrument of inflation. If the U.S. Treasury or Federal Reserve Board—or their counterparts in other countries—just issued additional currency or Treasury notes to exchange for the IMF's new fund units, they would be inflating the money supply. If, on the other hand, they withdrew their IMF contributions from the stream of existing domestic purchasing power

liberal economists and politicians almost certainly would build up pressure to run budget deficits or manipulate the traditional domestic monetary mechanisms to pump an equivalent amount back into the domestic economy to avoid deflation. These politicians and economists could argue this wasn't inflationary but merely an attempt to keep the domestic money and credit supply at the level that existed before the siphoning off of funds to the IMF mechanism. But, as a practical matter, paper currency or credit would have been created that hadn't existed before, without any corresponding increase in real wealth backing it up.

The orthodox cure for balance-of-payments deficits is to cut domestic consumption, reducing imports, and to lower domestic prices, spurring exports. This can be done by making credit scarcer and more expensive, or by other steps that some call deflationary and that others prefer to call anti-inflationary. To the extent the Roosa plan deflated the domestic money and credit supply to buy the new fund units, and thus finance payments deficits, it would accomplish the same end by a different means. And, say the Roosa-plan critics, if there were any evidence that most modern governments were willing to impose such discipline in their economies, they could have deflated in orthodox fashion without any need for new monetary reform plans. The only way the Roosa plan could function without introducing an element of deflation into domestic economies, say its critics, would be by inflating the world money supply. "You can't get something for nothing," the critics argue. "The only way you can create that illusion is by inflation."

Furthermore, critics fear that the United States, Britain, and other countries, arguing their payments deficits were temporary, could consider it comparatively painless to put up billions of dollars and pounds in exchange for the new currency units and continue living beyond their means for many years, particularly if they chose the "mild inflation" route. At present, the loss of gold and the other wherewithals to trade imposes a certain discipline, forcing nations running a deficit to trim their spending to match their earnings. Critics of the Roosa plan fear that participating governments might find it much less disagreeable to shovel out large sums of their domestic currencies, persuade the other industrial nations to authorize a corresponding increase in the new fund units and thereby postpone essential basic corrective steps.

How do Roosa-plan backers answer these criticisms?

They concede there could be pressures to turn the IMF into an engine of inflation but argue that there are always likely to be enough countries in the inner group actively worried about inflation in their own lands to prevent others from running away with the process of creating new fund units. These countries wouldn't have control over each other's domestic fiscal and monetary policies, however.

Roosa-plan proponents also say that if a country such as Britain, for instance, did think at the start that pouring out pounds for fund units is painless, it would before long discover that this isn't so. This is because under the plan a country would be obliged to pay out its currency to other countries for units, up to the amount of its currency it has contributed to the fund. So eventually the fund units others receive can become claims on real resources—on goods and services—from Britain. Because Britain would have to pay out pounds in return for fund units from any other country, that country would get British money with which its people could buy British goods. To avoid an outflow of goods big enough to cause prices to be bid up in its own country, each government would want to limit its contributions to the IMF pool. Also, contributions would be limited under the rules by the extent to which the country's currency has been used recently in reserves of others.

Would the United States stop losing gold if the new units were regarded "as good as gold"?

Basically, that would depend on whether the United States stops running the big deficit in its balance of payments that it had most of the time in recent years. Even assuming the United States does largely eliminate the deficit, Mr. Roosa figures we might not stop losing gold right away because foreigners still own quantities of dollars; but after the new unit gradually earns full confidence, we might even get some gold back. The aim, of course, is to have a new unit regarded with as much confidence as gold. This would be helped by the requirement that the new units be exchangeable for good.

If nations will think so highly of the new unit, might they not defeat its purpose by hoarding it as jealously as they do gold?

For this, Mr. Roosa says he has "no pat answer." He says he can only hope that neither would be hoarded, that both would be freely used. But, supporters add, the only reason countries have for wanting to take part in the plan at all is to gain usable reserves.

What would happen to the dollar?

Other countries presumably would continue to hold massive amounts of it in their reserves, but—according to the Roosa theory, at least—most of the fresh supplies that would trickle out through small deliberate future deficits in the U.S. balance of payments would be kept in private foreign hands for actual use in trade. Increasingly, as fund units filled much of the old demand of governments for dollars to add to their reserves, the dollar would be freed for even wider use in world trade and finance.

How would the fund units differ from other schemes—for instance, the French idea of pooling a group of currencies into a "composite reserve unit," or CRU?

Those usually call for settling payments deficits in a fixed ratio of gold and CRU's, such as two-thirds gold and one-third CRU's. Mr. Roosa's units wouldn't have to be passed about in a fixed ratio with gold but are intended to be freely interchangeable with gold. He worries that the fixed ratio amounts to a disguised increase in the fixed $35-an-ounce price of gold and thus a devaluation of the dollar. Administration men agree that any change in the gold price risks touching off a speculative run on gold by those who would then expect further increases in gold's value and further reductions in the dollar's worth.

How would the Roosa plan differ from the Bernstein plan?

Washington economist Edward M. Bernstein, also an administration consultant, would have leading nations agree on more or less automatic creation of a fixed amount of CRU's each year over a 5-year period; this, he believes, would avert recurring arguments over how much to create. Mr. Roosa expresses more confidence in the ability of international authorities to meet needs for extra reserves flexibly as situations change. "No simple rules," he says, "can be a substitute for judgment."

NEW WORLD CURRENCY COULD LEAD TO CONSERVATIVE WORLD ECONOMIC GROWTH

Mr. PROXMIRE. Mr. President, John Chamberlain is one of Washington's outstanding columnists. He is perceptive, writes with insight, and I always find his comments informative and useful.

However, as we all know, every rule has its exception. And I think we find an exception in the case of Mr. Chamberlain in his column "What Value the CRU?" printed in the Washington Post on September 16.

Mr. Chamberlain states that the creation of a collective reserve unit, or CRU, would "turn the economic fate of the world over to a superbank designed to clip the power of all national central banks." This is, I think, a basic misconception. The CRU proposal, in fact, has been advanced as an alternative to the creation of a superbank, not as a device for achieving that objective. There is nothing inherent in creating a new currency reserve unit that detracts from national sovereignty or the power of individual central banks. Of course, the creation of such CRU's implies that participating countries will accept them for the settlement of international balances. But that is entirely different from turning the economic fate of the world over to a superbank. I think it is noteworthy that Mr. Robert V. Roosa, formerly the Under Secretary of the Treasury for Monetary Affairs, has as I have just said recently advanced his own variant of the CRU proposal. Mr. Roosa is known as an opponent of the idea of a world superbank.

Mr. Chamberlain finds it hard to see "how the creation of a CRU can save the nations from the consequences of domestic policies of an inflationary nature." But, with this statement, he reveals a lack of understanding of the proper role of international reserves. No form of international reserves can save nations from the consequences of economic folly. The purpose of international reserves is to permit nations to finance temporary deficits in their international accounts without having to adopt restrictive policies that disrupt domestic and international prosperity. All nations have imbalances in their international payments from time to time. Therefore, all need international reserves. As world trade grows, so do the imbalances that must be financed. It follows that the larger world trade, the larger the legitimate need for reserves.

Thus, the purpose of creating CRU is not to save nations from the consequences of folly. It is to provide nations with sufficient reserves that they may act with reasonable, not undue, speed to eliminate imbalances. The failure of the CRU proposal to save nations from the consequences of folly—something none of its sponsors have intended it to do—is hardly a legitimate criticism.

Mr. Chamberlain argues that if other countries continued to find the dollar as acceptable in the future as it was in the past, there would be no need for CRU's. This is true, but not much of a contribution to the solution of the world's liquidity problem. The fact is that other countries do not want to acquire very large additional dollar balances. And I do not believe that the threats suggested by Mr. Chamberlain such as pulling out of Saigon, would make the dollar much more attractive in their eyes. Recent gold losses have intensified our determination to bring to an end our balance of payments deficit on the official settlements definition. In this effort, we have made substantial progress.

Because of this progress, because dollars will no longer fill the gap between world liquidity needs and new supplies of gold, we must find an alternative. I do not say that the CRU proposal is the only or the best way to do it. There are a number of alternatives and I would like to see all of them explored thoroughly. In that connection, I call attention to the hearings and the report on "Guidelines for Improving the International Monetary System" of the Joint Economic Committee's Subcommittee on International Exchange and Payments. This subcommittee, chaired by my colleague from Wisconsin, Representative REUSS, has done an excellent job in developing the prerequisites of an improved world monetary system. It is in the direction charted by the Reuss subcommittee that our best hope for the future of the international monetary system lies.

I ask unanimous consent that the Chamberlain column, "What Value the CRU?" be printed at this point in the RECORD.

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

WHAT VALUE THE CRU?

(By John Chamberlain)

STRESA, ITALY.—American tourists seem to be spending as they please all over Europe, quite as if President Lyndon Johnson had never said anything last winter about seeing America first. But this is quite in line with Washington's real policy, which is to let enough dollars go abroad to enable individuals, as distinct from nations, to live and prosper.

The "let the dollars move" atmosphere is evidently due to the persuasiveness at the White House of Senator EUGENE MCCARTHY of Minnesota, who is unimpressed with the theory that international payments must always be close to balance.

The feeling that "dollars must move" has formed the underlying motif of a distinguished panel of international monetary theorists here at the Mont Pelerin conference of economists. But it has been the only unifying thread that a layman could gather from the separate voices.

Between Prof. Milton Friedman, of Chicago, and Prof. M. Heilperin, of Geneva, there was little common ground aside from the idea that the present international money system is highly unsatisfactory.

Prof. Friedman, who believes in "free floating international exchange rates," considers the various nations' central bankers unnecessary; it is their "professional deformation" that makes them insist on trying to "play a part" in influencing events.

Friedman would let the citizens of all countries buy and sell as they please, using any acceptable currency supported by access to gold at free market prices. Prof. Heilperin, on the other hand, would return to an old-fashioned gold standard at a new fixed price in gold for the dollar and other currencies.

Since the nations insist on central banking institutions, and since there is little immediate likelihood of a return to the old-fashioned gold standard, neither Prof. Friedman nor Prof. Heilperin is likely to be called into instant consultation by statesmen. The actual intergovernment deliberation between "experts" at the moment involve talk about a proposed international monetary unit called the CRU, or "collective reserve unit," which would be a combination of dollars, pounds, francs, and whatnot.

In effect, the sanctioning by separate nations of the CRU would turn the economic fate of the world over to a superbank designed to clip the power of all national central banks. The question then would be whether sovereign nations would be willing to put up with a money boss, a William McChesney Martin, endowed with global powers.

The layman, listening to the experts, finds it hard to see how the creation of a CRU can save the nations from the international consequences of domestic policies of an inflationary nature. Any antipoverty program that is paid for in an unbalanced national budget would be bound to create a distrust of at least a portion of the international "collective reserve unit."

In other words, we are always brought back to where we start. A CRU, to be acceptable as an international reserve unit, would be only as good as its component parts. But, assuming the acceptability of its components, it would not be needed.

It all comes back to commonsense at home in the end—and commonsense is what pressure groups resist when they are fighting for control of national policies. The CRU would be no better than the thinking of the British trade unions and the American AFL–CIO, or the desire in Texas or Nottinghamshire for easy credit. The fact at the moment is that the two main "key currencies" of the world, the dollar and the pound, are both distrusted. The question of why this is so goes back to domestic policies in the two great Anglo-Saxon countries.

But the problem is complicated by the fact that the outer world must trust the dollar, "or else." A Dutch economist, A. de Graaf, argued eloquently here at Stresa that if the dollar is good enough to pay for NATO and the anti-Communist war in Vietnam, it is good enough to deserve the trust of everybody.

The basic soundness of the dollar is proved by the fact that Americans could easily balance their international payments simply by withdrawing their soldiers from Europe, taking their fleet out of the Mediterranean, going home from Saigon, and cutting out foreign aid. The free world would hardly like that.

This plain fact puts a powerful engine of persuasion in Lyndon Johnson's hands. If he can use it with his ordinary Texas skill, the CRU will hardly be needed.

ADMIRAL RICKOVER ON NAMING POLARIS SUBMARINE FOR BEN FRANKLIN

Mr. PROXMIRE. Mr. President, all of us know of the remarkable contributions Admiral Rickover has made to his country's military and educational strength.

Recently he wrote me of the naming of the 30th Polaris nuclear submarine, the U.S.S. *Benjamin Franklin.*

In the course of his letter, Admiral Rickover, the sophisticated and brilliant scientist-statesman of 1965, pays a remarkable tribute to Benjamin Franklin, the scientist-statesman of the earliest days of this Republic.

Admiral Rickover calls attention to the remarkable scientific accomplishments of the amazingly versatile Poor Richard. He writes:

In the 6 years between 1746 and 1752 his (Franklin's) contributions to electricity changed it from a curiosity to a science, and in the process made him world famous. His writings were compared with Newton's optics; he became the friend of most contemporary scientists, was made a member of virtually every scientific society and received honorary degrees from 20 universities. He was the first American scientist to win universal acclaim; the first American author to have his books translated and read as widely in Europe as in America.

Admiral Rickover concludes his tribute to Franklin this way:

His philosophy of life, the virtues he cultivated—competent workmanship, honesty, industry, and frugality—are within everyone's grasp; they are as important to a good and successful life today as in his time. No American child ought to grow to adulthood without having read the autobiography of this talented, wise, and good man, who personified all that is best in America. "Merely by being himself," wrote Mark Van Doren, "he dignified and glorified his country."

I ask unanimous consent that the letter from Admiral Rickover be printed at this point in the RECORD.

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

AT SEA, NORTH ATLANTIC,
August 30, 1965.

HON. WILLIAM PROXMIRE,
U.S. Senate.

DEAR SENATOR PROXMIRE: We have just successfully completed the first sea trials of the U.S.S. *Benjamin Franklin,* our 30th Polaris nuclear submarine. We also have in operation 22 attack-type nuclear submarines, making a total of 52. The *Benjamin Franklin* was built by the Electric Boat Division, General Dynamics Corp., Groton, Conn.

This ship is named for Benjamin Franklin (1706–90), one of the most illustrious of our Founding Fathers. A plain man of the people, his life was the American success story writ large. In his autobiography he speaks of his "lowly beginnings" and notes with quiet pride that he "emerged from the poverty and obscurity" of his birth to "a state of affluence and some degree of reputation in the world." He did so purely on merit, for he was, in every sense of the word, a self-made man, owing little if anything to luck or the assistance of others, never pushing ahead at the expense of a fellowman.

Franklin was the youngest son of a poor tallow chandler who had migrated to Boston from England and married as his second wife the daughter of a former indentured serving maid. With 17 children to raise, he could give Benjamin only 2 to 3 years of schooling, but he encouraged him to study on his own, a habit which was to remain with Franklin all his life. At 10 the boy went to work in the family shop; at 12 he was apprenticed to his half-brother to learn the printing trade, this being considered a suitable vocation for one whose love of books was already manifest.

In later life Franklin often remarked that he could not remember a time when he did not read. Books were his teachers. Through them he made himself a well-educated man. Taking the best authors as his models, he worked hard at perfecting his writing, eventually achieving a simple, lucid style. His thirst for knowledge never ceased. Since he wanted to read foreign books, he decided at 27—a busy young merchant—to teach himself to do so. "I soon made myself so much the master of the French," he remarked, "as to be able to read the books with ease. I then undertook the Italian." Later on, "with a little painstaking, acquired as much of the Spanish as to read their books also." He read not only for instruction but for enjoyment. His taste was catholic. All his life, men of learning and position, who would ordinarily not bother with an artisan, sought Franklin's company. He supposed it was because "reading had so improved my mind that my conversation was valued."

At 17 Franklin had learned all his brother could teach him and was ready to make his

own way in the world. He went to New York but could find no work there, so continued on to Philadelphia. This is how he describes his arrival there after a long and uncomfortable trip—walking 50 miles, getting nearly shipwrecked, and helping to row a boat part of the way: "I was dirty from my journey; my pockets were stuffed out with shirts and stockings; I knew no soul, nor where to look for lodging. I was fatigued with traveling, rowing, and want of rest. I was very hungry and my whole stock of cash consisted of a Dutch dollar." He bought three large bread rolls. Wandering about town, munching, he met a fellow traveler. He gave her and her child two of his rolls. Thus did Franklin enter the town that was to become his permanent home, where he would rise to wealth and fame.

Seven years later he owned his own print shop, a stationery store, and a newspaper. He had in the meantime perfected his art by working for 18 months in England and could do the most intricate and difficult print jobs. At 26 he began the highly profitable annual publication of Poor Richard's Almanac. He managed his affairs so ably that at 42 he retired with an income equivalent to that of a royal governor. Though he was good at it, moneymaking never interested him, except as a means to obtain leisure for the things he really enjoyed: reading, study, scientific experimentation, social discourse and correspondence with men of similar interests.

While still a journeyman printer, he had founded a club for sociability and self-improvement, called the Junto, of which he later said that it was "the best school of philosophy, morals, and politics" then existing in Pennsylvania. Its membership of about 12 consisted of alert, intelligent young artisans, tradesmen, and clerks who liked to read and debate. They met Friday evenings to discuss history, ethics, poetry, travels, mechanics arts and science (then called natural philosophy). It has been said of this group that it "brought the enlightenment in a leather apron to Philadelphia."

Franklin, who was full of ideas for improving life in Philadelphia and the colonies in general, submitted all his proposals to the Junto where they were debated. Once accepted, members worked hard to get them put into effect. As a result, improvements were made in paving, lighting, and policing the town; a volunteer fire department and militia were formed; a municipal hospital was established; the foundations were laid for what became the University of Pennsylvania and the American Philosophical Society. Of most lasting importance, perhaps, was Franklin's plan for a subscription library, the first in the colonies. Access to books, he felt, meant that "the doors to wisdom were never shut." The idea caught on. He noted with satisfaction that the numerous libraries springing up everywhere "have improved the general conversation of Americans, made the common tradesmen and farmers as intelligent as most gentlemen from other countries, and perhaps have contributed in some degree to the stand so generally made throughout the colonies in defense of their privileges." The value of knowledge to man and society has never been put more succinctly.

When he was 40, Franklin discovered electricity. It was then a sort of magic, a parlor trick. Franklin—ably supported by his Junto—threw himself into experimentations and developed a workable theory which he proved in his famous kite experiment. In the 6 years between 1746 and 1752 his contributions to electricity changed it from a curiosity to a science, and in the process made him world famous. His writings on electricity were compared with Newton's "Optics"; he became the friend of most contemporary scientists, was made a member of virtually every scientific society and received honorary degrees from 20 universities. He was the first American scientist to win universal acclaim; the first American author to have his books translated and read as widely in Europe as in America. When he was sent to Paris, as America's first Ambassador to a major power, the admiration of France for Franklin's scientific achievement in catching lightning and putting it to man's use contributed not a little to the success of his mission: winning the help of France to the revolutionary cause.

As a man of leisure, Franklin found himself more and more drawn into public service, this being expected of anyone who had the time and ability to serve. He became a member of the Pennsylvania Legislature, the Committee of Five charged with drafting the Declaration of Independence, the Second Continental Congress and the Constitutional Convention. In one way or another, he represented America abroad a total of 25 years, becoming an exceedingly skillful diplomat. His statement, in hearings before Parliament, of the case of the colonies against the hated Stamp Act was masterly and helped bring about the repeal of this act. He was among the first to recognize that not merely "taxation" but "legislation in general" without representation could not be borne by Englishmen, whether they lived at home or abroad. The bond uniting England and its colonies, he argued, was the King, not Parliament. Had his "dominion status theory" been accepted, the war might have been prevented but, as he sadly remarked, "there was not enough wisdom."

At 65, Franklin began his autobiography, intending it for his son. When pressure of public duties interrupted work on the book, one of his friends pleaded with him to complete it. All that had happened to Franklin, he urged, was of great historic interest since it was "connected with the detail of the manners and situation of a rising people." Moreover, the way he had planned and conducted his life was "a sort of key and explained many things that all men ought to have once explained to them, to give them a chance of becoming wise by foresight."

His philosophy of life, the virtues he cultivated—competent workmanship, honesty, industry and frugality—are within everyone's grasp; they are as important to a good and successful life today as in his time. No American child ought to grow to adulthood without having read the autobiography of this talented, wise, and good man, who personified all that is best in America. "Merely by being himself," wrote Mark van Doren, "he dignified and glorified his country."

Respectfully,

H. G. RICKOVER.

RELIEF OF CERTAIN ALIENS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to call up Calendar No. 728, S. 1898.

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

The LEGISLATIVE CLERK. A bill (S. 1898) for the relief of certain aliens.

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 on page 1, line 5, to strike out "Yung Soon Noh," and insert in lieu thereof "Kim Kwang Ja."

Mr. MANSFIELD. Mr. President, on this bill, S. 1898, for the relief of certain aliens, I offer an amendment showing the proper name of one of the individuals contained in the bill.

The PRESIDING OFFICER. Will the Senator permit action first on the committee amendment?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. The committee amendment will be stated by the clerk.

The LEGISLATIVE CLERK. On page 1, line 5, it is proposed to strike "Yung Soon Noh," and insert in lieu thereof "Kim Kwang Ja."

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

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will now state the amendment of the Senator from Montana.

The LEGISLATIVE CLERK. On page 1, line 10, it is proposed to strike out "Yung Soon Noh" and insert in lieu thereof "Kim Kwang Ja."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Soo Un Chun, Soo Hoy Chun, Soo Kyung Chun, Kim Kwang Ja, Yung Joo Song, Ok Jung Hang, and Jung Ok Im may be classified as eligible orphans within the meaning of section 101(b)(1)(F) of the said Act and petitions may be filed by Ray and Jane Potter, citizens of the United States in behalf of the said Soo Un Chung, Soo Hoy Chun, Soo Kyung Chun, Kim Kwang Ja, Yung Joo Song, Ok Jung Hang, and Jung Ok Im pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in these cases.

THE 25TH ANNIVERSARY OF THE PASSAGE OF THE WATER CARRIER ACT

Mr. MAGNUSON. Mr. President, September 18, 1965, marks the 25th anniversary of part III of the Interstate Commerce Act, which extended regulation to the domestic water carrier industry. This act also for the first time spelled out our national transportation policy.

Prior to 1940, the Commission's water carrier jurisdiction involved principally those carriers engaged in through routes and joint rates with rail lines or controlled by railroads. The inland water transport industry, at that time, had been in decline since the heyday of the river packets before the turn of the century. Water carrier companies were small, poorly equipped to meet the transportation needs of shippers and industry, and underfinanced.

Inland water carriers have shown a steady advancement since the passage of the 1940 act. Ton-miles on inland

waterways, including Great Lakes, more than doubled from an estimated 96 billion in 1939 to 220 billion in 1960. The preliminary ton-mile figure for 1964, shows an increase of 248 billion ton-miles.

The water transportation industry has been among the leaders in transportation innovation during the last 25 years. In 1956, for example, towboat horsepower was in the range of 3,200. These tugs could move an average 1.25 million ton-miles a day. The big 6,000- and 9,000-horsepower tugs of today can produce about 4 million ton-miles upstream and down. Powerful towboats can push a tow of 40 barges carrying 40,000 tons of cargo. These modern towboats are equipped with radar for navigation, depth finders, automatic steering devices, swing indicators to keep long tows on course, and air-conditioned pilothouses and crew quarters. Even the barges have been changed. Today barges are of many different specialized kinds, of greater size, and have been designed to be assembled into an integrated tow.

The Transportation Act of 1940 also added a declaration of our national transportation policy. The policy of the Congress was established providing for fair and impartial regulation of all modes of transportation, so administered as to recognize and preserve the inherent advantages of each, to the end of developing, coordinating, and preserving a national transportation network by water, highway and rail adequate to meet the needs of commerce and the national defense.

The present growth and health of our domestic waterways carriers, operating within the framework of part III of the Interstate Commerce Act, and the national transportation policy, affords dramatic evidence that fair and impartial regulation can assure prosperity and progress for an industry and promote the national interest of the shipping and consuming public.

I would like to take the occasion of the 25th anniversary of the passage of the Transportation Act of 1940, to salute the record of growth of the domestic water carrier industry, and also the national transportation policy which has enabled the development of our transportation industry under private enterprise in the national interest.

I request unanimous consent to insert in the RECORD at the conclusion of my remarks an article from the June 1965 issue of Dun's Review & Modern Industry, entitled "High Tide on the Waterways," and our national transportation policy.

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

HIGH TIDE ON THE WATERWAYS: THE SPUNKY, CHUNKY TOWBOATS ARE PUSHING MORE FREIGHT THAN EVER BEFORE

The words were spoken by wiry, raspy President W. L. Mapother of the Louisville & Nashville Railroad: "Transportation by river?" he snorted. "How can anyone take seriously something that is dried up all summer and fall, frozen up all winter, and too high in spring for any real boats to get under the bridges?"

While Mapother made that statement in 1922, a low-water year for the barges, he would have been astounded if, in 1965, he could have floated along the broad Mississippi, the narrow Missouri, the twisting Ohio, the Tombigbee, the Green and the Barren, the Kanawha, or any of the Nation's 23 principal waterways. On them he would see the spunky, chunky little towboats pushing a massive cluster of barges, perhaps one-third of a mile long and nearly six acres in area. If he could have added up the tonnage moving on the Nation's 25,260 miles of usable inland channels, he would have found that it came to more than 139 billion ton-miles—no less than 10 percent of all the Nation's freight.

He would have been astounded, moreover, at the diversity of goods on these barges. On the Alabama River he might see the vast coal movement that has left his own competing railroad, the L. & N., with only a narrow, steady earnings record. At Cairo, Ill., where the Ohio tumbles into the mighty Mississippi, he would see the barges carrying a true jet-age cargo: Saturn space vehicle boosters for rockets and space capsules, built at Huntsville, Ala., and moving to Cape Kennedy, Fla., by the only method of transportation that can handle them.

But it is on the banks of the rivers that Mapother would receive his biggest surprise. There, the customers quite literally are building plants to be near the barges. At one point last year, for example, U.S. industry had committed itself to build no less than $400 million worth of new chemical plants along the stretch of Mississippi River between Baton Rouge and New Orleans. The beaches, bars and bikinis of Biloxi, Miss., were being joined by a brandnew canal, so far only 9 miles long but with four new industries already camped on its banks. And at Michoud, La., the National Aeronautics and Space Administration was building a ground-testing station for rocket stages and engines simply because of its nearby canal.

Even more amazing, much of the activity in this oldest of American industries is due to two of the Nation's most forward-looking industries. Ideally suited to moving massive commodity shipments, where time is not a compelling factor, the barges count on the oil and chemical companies as their two best customers. All told, 150 million tons of petroleum and petroleum products go sailing down the Nation's rivers every year. The chemical industry, only a step behind, ships 140 different chemical commodities by barge—ranging from anhydrous ammonia, moved under a pressure of 250 pounds per square inch, to liquid hydrogen, which must be transported at a temperature of minus 423° F.

With both industries booming, the barges have been moving in a swift current themselves this year. Even the heavy floods of early spring were not slowing them up. "Our first quarter," says President Floyd H. Blaske of American Commercial Lines, operator of the Nation's largest fleet, "has been excellent—up about 42 percent from last year."

It was much the same story at St. Louis Shipbuilding-Federal Barge. "How was the winter traffic?" asks Chairman Herman T. Pott. "It's been good. The floods haven't affected us. Some of the companies have had barges stuck up in Minneapolis, but not us."

"The flood will prevent us from having a tremendous year," says President Wesley J. Barta of the Mississippi Valley Barge Line Co. "As it is, our earnings will be higher than last year. Without the flood, we were looking for earnings of $3. Now we're counting on something about $2.75, up from $2.64 last year."

WHY THE BOOM?

But what accounts for this boom on the bargeways? No matter how rushed, the barges can do no more than move along at a stately average of 6 miles an hour. Why, then, was industry building plants along the waterways of American Commercial Barge, Union Barge and other lines?

First of all, there was that most prime of all economic inducements: cost. No other form of transportation is as cheap as the barge. According to the American Waterways Operators, the industry's trade association, the cost to a customer of barging comes to just 3 mills per ton-mile. In contrast, says the same group, rail service costs 15 mills per ton-mile, truck service 64 mills and airfreight a high-flying 20 cents per ton-mile.

In part, of course, that is because the barge rides down the river as freely as Huck Finn's raft. The Army's Corps of Engineers, for example, works constantly to keep the bargeways open, recently canalized the Chattahoochee River and even now is building 19 locks and dams on the Arkansas-Verdigris River system. Again, if a tow has 5, 10 or 15 barge loads waiting to be pushed down the river, it is a simple and highly economical maneuver to add another 1, 5, 10 or 25 (a tow or tug may push or pull anywhere up to 40 barges).

Sometimes even nature lends a hand. "I don't mean flood height," says Herman Pott. "But when the river is high, we can bring the bigger boats up the river. And navigation is easier too. We have more room to navigate when we reach those normally tight spots."

But there is a second reason why industry is moving to the river. For all their colorful history—as early as 1819, 500 keelboats moved on the Ohio River and its tributaries, pushed by men using iron-tipped poles that reached to river bottom—the barge operators have always been careful not to fall behind the times. Unlike the railroads, for example, they have not held back on buying new equipment or on keeping up with the march of technology.

Reason: The barge industry always has had to run scared. Bitter competition is rooted in its earliest history. The railroads of the era of Jay Gould, Jim Fisk, and Commodore Vanderbilt bought up river lines and lake lines, using them as fighting ships to bleed the competing lines to death, and bought still other lines, only to let their vessels, terminals and docks rot on the shore. Not until 1912, with the Panama Canal Act, were the railroads prevented from owning water carriers.

The depredations were so bad that even today most bargemen have never really been able to forget those days. Asked about the new piggybacking, the unit trains and the massive hoppers now appearing on the railroad tracks, Wesley Barta of Mississippi Valley Barge gives what is a typical bargeman's answer. "The railroads," he notes, "are able to participate in larger bulk movements than they did in the past. But we're innovating to compete. We're building larger barges and reducing labor costs through modernization and mechanization."

The effect has been, however, that the bargemen always could offer up-to-date equipment to shippers. In recent years, particularly, the canals and rivers have been swept by a high tide of technology. In towboats alone, for example, the range of horsepower has jumped from 3,200 horsepower as recently as 1956 to 6,000 and 9,000 horsepower today.

Weighting a downstream time against upstream, the less powerful tugs of 1956 could move an average 1.25 million ton-miles a day. Today? "The big boats today," says Capt. A. C. Ingersoll, Jr., president of Federal Barge Lines, "will produce about 4 million ton-miles upstream and down."

A prime example of the new tows is the 9,000-horsepower *United States*, built by St. Louis Shipbuilding-Federal Barge (the "Federal" goes back to the days when it built ironclad gunboats during the Civil War). The most powerful towboat in the world, the *United States* can push a tow of 40 barges

carrying 40,000 tons of cargo. In fact, it moves a cargo three to four times the size of that carried by the average ocean freighter.

The other lines also have been strengthening their tugs and tows. At American Commercial Lines, President Floyd H. Blaske and Chairman Jacob W. Hershey last year put into service the *Hugh C. Blaske* (named after Floyd Blaske's father, whose Blaske lines merged with American Barge in 1956), a 4,800-horsepower twin-screw towboat. While not as large as some of the Federal tugs, the Blaske has exceeded all of the company's expectations.

So much so, in fact, that Blaske and Hershey promptly started building a second tow of the same type, the *Clyde Butcher*. A third towboat of this type will follow some time late this year.

DRESSING UP BARGES

Along with adding muscle to their tows, the lines also have been dressing up their barges. And while it is true that the awkward, ungainly barge still resembles the craft that the railroadmen ran off the river, it really is not. There have been any number of innovations. For one, barges have been designed to be assembled into an integrated tow. With each one shaped slightly different, the whole group has an underwater shape that is roughly the equivalent of a single vessel; thus the water resistance of the integrated tow is nearly equivalent to the smooth underwater lines of a single vessel of equivalent total strength.

As a compromise on this type of barge (whose drawback is that it must be operated as a unit), the bargemen have produced a vessel with a well-designed rake on one end and a square on the other. Assembled square end to square end, two such barges have an 8 percent increase in capacity with 18 percent less resistance in the water.

Like the railroadmen, moreover, the barge operators have developed many different types of barges, following the transportation industry trend to specialized equipment. Open hopper barges, for example, move roughly one-fifth of all the coal pouring from U.S. mines. In addition, they move massive amounts of raw materials for steel and aluminum, as well as sand, gravel, crushed rocks, outsized tanks, pressure vessels, and hundreds of other items.

A variant is the covered dry-cargo barge. It carries a long list of items, including grain and grain products, coffee, soybeans, paper and paper byproducts, dry chemicals, aluminum and aluminum products.

Still another type—the tank barge—carries liquid commodities. Here, the cargo may range from acetic acid to molten sulfur that moves in barges especially designed to keep the brimstone as hot and ready for use as its Biblical counterpart. All told, more than 2,500 tank barges, with a total cargo capacity of almost 4.25 million tons, are moving along the river and waterways.

The barges also have been growing in size. "A few years ago," says Wesley Barta, "we thought 1,200 tons was the maximum bulk load for a hopper. Now, for our largest coal account—Commonwealth Edison Co. in Chicago—we use hoppers with 1,650-ton capacity."

With revenues and profits running at high tide, all the barge lines have been adding to their fleets. Thus Dravo Corp.'s Union Barge last year added 30 new units to its 300-barge fleet, and expects to make further additions this year. Similarly, American Commercial Barge added 82 new barges to its fleet, which already is the largest in the Nation.

St. Louis Shipbuilding-Federal Barge, for its part, has spent roughly $17.5 million since 1953 to modernize its barge fleet. Last year the company added 27 barges to its fleet at a cost of about $1.8 million. This year the company expects to spend $4.5 million.

As further strengthening of their operations, it should be noted that most of the lines also have been diversifying. While there are exceptions, such as Mississippi Valley Barge's heavy purchases of stock in the Water Treatment Corp., most of the lines have stayed fairly close to the bargeways or to transportation.

American Commercial, for example, last year paid out $18.2 million for the Bauer Dredging Co., which operates 12 dredges, 23 tugs, 45 barges and a Texas shipyard, along with owning large amounts of real estate. By so doing, of course, American Commercial not only enlarged its barging operations, it got a firm stake ($13.2 million a year in gross revenues) in hydraulic dredging, oyster-shell dredging and marketing and the contracting of jetty and harbor construction.

LIKE THE RAILROADS?

But with the tide running so heavily in their favor, are the bargemen likely to forget the days of strife behind them? Are they, in short, likely to become overly complacent as the railroads did in their heyday?

It is hardly likely. First of all, the waterway is hardly an iron rail that can go unattended for fairly long periods. So far this year, for example, there have been the problems of ice on the Mississippi, which usually clears by late March but did not open up until late May, the massive flood that gripped so much of the Midwest, and a strike in New Orleans.

Then there is one of the biggest problems of all: the stretch of the Mississippi River between St. Louis and Cairo, Ill. Along this stretch, "Old Man River" rises and falls in what appears to be 10-year cycles. Currently, the river is in the shallow phase of the cycle. During some of the worse periods, barges cannot carry capacity weight between the two points—and much of the history of barges revolves around the key point of Cairo—and some of the industry's bigger boats cannot even attempt the journey. "I think," says Floyd Blaske, of American Commercial Lines, "that they will construct low-water dams at Grand Tower, Ill., and Commerce, Mo. At these points, rock ledges cross the river, and here is where most of the trouble is."

Until then, though, the bargemen must somehow ease their way along. The matter is still in the study stage by the Army Corps of Engineers, the Mississippi Valley Association, the mayor's committee of St. Louis, and a host of other groups.

What about competition? There is, for example, the railroads. After long years in the doldrums, the rails are coming back with a vengeance, particularly in that barge-line specialty, the moving of bulk commodities.

Though keeping a wary eye on their traditional enemy, the bargemen argue that they have not yet felt the impact of the railroad renaissance. Take the two- and three-level rack cars that now carry so many of the Nation's new autos. "They affect the trucks more than the barges," says Herman Pott. "In the old days, we used to put cars on top of oil barges, but that was ended by the Common Carrier Act. And after the war, two tows were build to carry 600 cars each. They ran for 10 or 15 years and made money, but they aren't used anymore. Now, piggyback is used."

Indeed, it might even be said that the barges now have reached the point where they are willing to join hands with the railroads. For industry not located on the riverbanks, a combination of river and rail transportation could mean the lowest transportation rates yet. Most bargemen advocate the development of such a system.

So far, however, the railroads have built a "Chinese Wall" around themselves. They will not develop through rates, and many bargemen charge that, even if the rails can coordinate a shipment with the barge lines, they stick to the rails. "I'm glad to see the railroads trying to improve their operations," says Floyd Blaske. "But one chief criticism of them is their reluctance to join the river transporters to develop through rates."

If they needed any further assurance that the tide was running their way, the bargemen could find it on one of the principal waterways of Europe. Of all the great rivers that pass through the Continent, the greatest surely must be the Rhine, and the Europeans always have pulled their barges along it. Last year, with an eye on the success of the Americans, the 2,000-year-old European industry started pushing its barges along the Rhine.

[September 18, 1940]

NATIONAL TRANSPORTATION POLICY

It is hereby declared to be the national transportation policy of the Congress to provide for fair and impartial regulation of all modes of transportation subject to the provisions of this act, so administered as to recognize and preserve the inherent advantages of each; to promote safe, adequate, economical, and efficient service and foster sound economic conditions in transportation and among the several carriers; to encourage the establishment and maintenance of reasonable charges for transportation services, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices; to cooperate with the several States and the duly authorized officials thereof; and to encourage fair wages and equitable working conditions;—all to the end of developing, coordinating, and preserving a national transportation system by water, highway, and rail, as well as other means, adequate to meet the needs of the commerce of the United States, of the Postal Service, and of the national defense. All of the provisions of this act shall be administered and enforced with a view to carrying out the above declaration of policy.

Mr. MAGNUSON. Reference is made at great length to the improvement of the twisting Ohio River to facilitate the carriage of millions of tons of cargo.

ROCKY RIVER CO. AND MACY LAND CORP.

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 1390, a private claim bill for the relief of Rocky River Co. and Macy Land Corp.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1390) for the relief of Rocky River Co. and Macy Land Corp., which was, on page 2, line 10, strike out "shells: *Provided*, That no" and insert "shells. The payment of the amount authorized by this Act shall be conditioned on a full and final release executed by the said Rocky River Company and the Macy Land Corporation forever releasing the United States as to any claims by the said Rocky River Company and the said Macy Land Corporation or their transferees or assigns, based upon the condition of the lands referred to in this Act or upon any ordnance material remaining in that land, or damage or injury therefrom, and the release shall further provide that the Rocky River Company and Macy Land Corporation further agree in return for the payment of the amount provided in this Act that they will assume all liability for injury or damage which may result

from any ordnance material remaining in said land and will indemnify and hold harmless the United States for any claims asserted by reason of injury or damage caused by such ordnance material. No".

Mr. MANSFIELD. Mr. President, the bill, as amended by the House of Representatives, is agreeable to the sponsor of this legislation and also the Committee on the Judiciary.

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 Montana.

The motion was agreed to.

MRS. HARLEY BREWER

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to S. 1198, a private claim bill for the relief of Mrs. Harley Brewer.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1198) for the relief of Mrs. Harley Brewer which were, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,500 to the estate of Harley Brewer, deceased, in full satisfaction of the claims of the decedent against the United States for compensation authorized to be paid to him by Private Law 88-360, approved October 14, 1964, but which was not so paid to the said Harley Brewer by reason of his death prior to enactment of the said private law: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

And to amend the title so as to read: "An Act for the relief of the estate of Harley Brewer, deceased."

Mr. MANSFIELD. Mr. President, the bill, as amended by the House of Representatives, is agreeable to the sponsor of this legislation and also the Committee on the Judiciary.

I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

OH WHA JA (PENNY KORLEEN DOUGHTY)

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 402.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 402) for the relief of Oh Wha Ja (Penny Korleen Doughty), which was, to strike out all after the enacting clause and insert:

That, for the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, Oh Wha Ja (Penny Korleen Doughty) shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Edwin Doughty, citizens of the United States: Provided, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. MANSFIELD. Mr. President, on May 24, 1965, the Senate passed S. 402, to enable the 22-year-old beneficiary adopted by U.S. citizens to qualify for nonquota status as an eligible orphan.

On August 17, 1965, the House of Representatives passed S. 402, with an amendment to grant the beneficiary second preference status as the natural-born alien daughter of U.S. citizens.

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 Montana.

The motion was agreed to.

VICE PRESIDENT HUMPHREY BRINGS GREAT SOCIETY TO LOCAL COMMUNITIES

Mr. YARBOROUGH. Mr. President, Vice President HUBERT H. HUMPHREY has become a great spokesman of the Great Society and the programs of this administration. In his speech at the Virginia Municipal League in Virginia Beach, Va., last Tuesday, September 14, 1965, Vice President HUMPHREY outlined the opportunities, challenges and potentials of our local communities to become the leading part in the Great Society.

Mr. President, as a tribute to one of the most inspirational speakers in politics today, and a man who personifies a dynamic government by his own personal characteristics, I ask unanimous consent that the fine speech delivered by Vice President HUMPHREY be printed in the RECORD.

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

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, VIRGINIA MUNICIPAL LEAGUE, VIRGINIA BEACH, VA., SEPTEMBER 14, 1965

I am pleased to be your guest at your 60th annual meeting today.

Several months ago the President asked me to act as his liaison with officials of local government. As a former mayor—one who knows local government first-hand—I welcomed that assignment. Because I know how distant and remote Washington can seem to the man with local responsibility. I have been trying, in these months, to make Washington less distant, less remote, more able to help.

Virginia has a national reputation for good municipal government. The city manager form of government was born in Virginia in 1908. Today your excellent training programs in municipal administration are being adopted in other parts of the country.

You have recognized the great opportunities, the great challenges, the great potentials today for creative local government.

This administration is pledged to the goal of a Great Society—a society of opportunity.

This administration and the Congress are launching creative new programs toward that opportunity.

But the future of our Nation lies not only with the Federal Government and the legislative branch. It lies in our heartland—in individual American communities.

The Great Society will be an America made up of thousands of great communities. It will be an America built where you serve.

It is your communities that will have good schools or bad ones.

It is your communities that will have decent homes or slums.

It is your communities that will have racial harmony or racial antagonism.

It is your communities that will either wage intelligent, coordinated drives on the causes of poverty—or will ignore this social cancer.

My 20 years in political life—from mayor to Vice President—have taught me what I only vaguely understood when I was a political science teacher: That the key to success of great national programs is local implementation and imaginative leadership.

My experience in public life has also taught me that we cannot blame our problems on some other level of government. There are too many manufactured antagonisms between the local, State, and Federal levels—antagonisms too often manufactured to escape responsibility at home base.

No greater opportunity faces all of us today than the opportunity to strengthen the economic and social structures of our communities, of our Nation.

We are moving ahead in seizing that opportunity. We are investing in both the material and human resources of this Nation.

Our goal is nothing less than this: To give each American citizen, and each American community, the opportunity to contribute to and share in our American progress.

We can do nothing less. For we must build a stronger and better America—a country running on all its cylinders—to meet the change and challenge of the years ahead.

There is one change we all know about: The change of our country from a rural nation to an urban nation.

It was only 45 years ago that people in American cities first began to outnumber people on our farms.

But by 1970, we can expect that three-fourths of our people will be living in towns, cities, and suburbs, compared to 70 percent in 1960. At the end of 1964, two-thirds of our population lived in 219 such areas, an increase from 59 percent in 1950. By 1980 that proportion will increase to three-fourths and by the year 2000 to four-fifths.

This growth has imposed new and unprecedented burdens on local government for schools, housing, streets, and highways, commercial expansion, transit, and welfare programs.

Today there are over 9 million American homes which should not be lived in, but are. Four million of those homes have no running water or plumbing.

There is congestion in our cities which cause a man to take more time to get to and from work than it does for an astronaut to orbit the earth.

There are water shortages.

There are millions of children who will, without a doubt, be on the welfare rolls a few years hence if something isn't done. One out of every three children now in fifth grade will not finish high school, if the present dropout rate continues.

There is a general shortage of clean, fresh air—of open space—of park land—of the things that make life livable.

No single community in this age of change can meet these demands alone and without help. That is why there are more than 15 major programs of Federal assistance to local governments. In fiscal 1965 there will be a total of $11.4 billion in Federal aid payments to State and local units. Of that amount, the Federal Government is paying $1.4 billion to our 91,186 local units.

To those who fear that the Federal Government is usurping the power and province

of State and local governments—that the Federal Government is growing too large, I point to a few salient facts:

State and local share of all Government revenues has increased more than 50 percent in the last 20 years. At the same time, State and local spending have increased more than 200 percent.

This year, State and local purchases of goods and services will exceed those of the Federal Government for the first time since 1950.

The Federal debt has increased approximately 20 percent in the last 20 years; State and local debt has increased 420 percent.

In the last 20 years, the number of Federal civilian employees has increased by 100,000—that is, about 4 percent. State and local government employees have increased by 3.7 million—an increase of over 200 percent.

No, the Federal Government is not swallowing State and local government. In fact, there is a case to be made that the Federal Government has not done enough.

All governments—Federal, State, and local—must act as partners in solving the complex problems facing the city.

No, good fences do not make good neighbors when those fences are built between people who must work together to get a job done.

This administration is taking active steps to help cities. In this legislative session alone, the American Congress has passed historic laws to provide that help, to provide lower-cost housing, to create more jobs, to strengthen the local tax base, to provide better sharing of costs, to reduce crime, to improve health conditions, to stop discrimination, and to give the American city a voice at the highest levels of Government through a new Department of Housing and Urban Development.

We will not turn our backs on the problems of our neighbors.

We will not try to pay for needed services at one level of government alone—be it Federal, State, or local government.

We will work together to meet the needs of our citizens and provide opportunity for all.

Our American economy is prosperous and expanding. We look forward to a trillion-dollar economy in 10 years' time.

We have the means, we have the energy, we have the will—we have the leadership to meet change and make it our ally, not our enemy. We can achieve a Great Society.

I said earlier that the building of that Great Society will depend on the building of great communities.

And these communities, in turn, must be built by great people—people of tolerance, compassion and understanding; people of education and good health; people seeking and using opportunity; people of hope and confidence; people who have faith in themselves, their country and the future.

President Johnson has made his commitment to this task. I join him in that commitment. We ask your help.

COMMENDATION FOR AIR RESCUE SERVICE DETACHMENT 4 AT PAINE FIELD

Mr. JACKSON. Mr. President, Donald F. Jennings, sheriff of Snohomish County, Wash., has provided me with a copy of a letter he wrote to Secretary of the Air Force Zuckert on August 16 concerning the excellent cooperation the people of Snohomish County have received from Air Force personnel stationed at Paine Field there. He particularly praises the work of a helicopter unit at Paine Field, citing many instances where the men of this unit have risked their own lives in saving others. Sheriff Jennings also provided copies of this letter to Senator MAGNUSON and Representative MEEDS, and they join me in stating our appreciation to the men of Air Rescue Service Detachment 4 at Paine Field. I ask unanimous consent to insert Sheriff Jennings' letter in the RECORD.

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

SNOHOMISH COUNTY, WASH.,
August 16, 1965.

EUGENE ZUCKERT,
Secretary of the Air Force,
Washington, D.C.

DEAR SIR: In the latter part of 1962, Snohomish County received the first of a continuing installment gift. This gift has been impossible to assay as it consists of total devotion to duty and beyond duty, and a total devotion to the community in which they found themselves, of a group of uniformed men of the U.S. Air Force. The number of times various members of the group risked their lives in attempting to alleviate suffering and preserve the lives of others during the time between 1962 and this writing has never been fully recorded, but the records and files of this office and available news sources furnishes sufficient information from which to understand something of the deep gratitude we feel toward Air Rescue Service Detachment 4, Western Air Rescue Center, Paine Air Force Base, Paine Field, Wash.

Capt. Robert McDougal, Capt. Karl G. King, Capt. Ronald L. Bachman, 1st Lt. William Austin III, M. Sgt. Thomas A. Sternad, T. Sgt. James Johnson, A/1 James M. Brennan, A/2 Eugene H. Doucett, A/3 James W. Smith, and A/3 Phillip W. Mittelstaedt, were the men we have come to know so well and so favorably. Unfortunately during this period some other friendly and helpful crew members who worked with us went to new assignments before we had any record of them.

Besides the deep gratitude we feel for the service to the community by these men, we of this Department have benefited enormously from their assistance. On many, many assignments, their efforts have made our duties easier, and in a number of cases were certainly the difference between failure and success when the penalty for failure was death.

Our privilege of working with these men in common community efforts has served to increase our respect for our National Government and those who serve as national leaders. The care in selection and the intensity of training and the community orientation which this group so exemplifies reflects the greatest credit on the U.S. Government and its elected servants.

Details of the many rescue efforts during which the detachment 4 personnel gave assistance fill a cubic foot of our records, equal to several volumes of print. It is impractical to attempt to describe every incident and the dangers encountered and surmounted. However, I think it might be useful to describe generally the terrain and the types of involvement.

Snohomish County is approximately 2,200 miles in area, with a western coastal area on Puget Sound and an eastern area extending to the summit of the Cascades and including great stretches of national forest divided by numerous high peaks and rocky escarpments. The Cascades receive the very considerable rainfall generated in the neighboring Pacific so that our county must carry the runoff in its two principal river systems, the Skykomish-Snohomish and the Stillaguamish, and the numerous small contributing rivers. All of the rivers are subject to flooding. The abundance of water and natural barriers have also created many lakes.

A characteristic of all of our rivers is a very rapid current. This naturally follows from the rather short distance of roughly 50 miles from the summit of the 8,000- to 10,000-foot Cascades to the sea.

The abundance of water and its rapid runoff together have created a mountain condition of heavy forest blanket and deep stream erosion. Very little of the high mountain area can be fairly described as hospitable to 'copters. The Pacific provides us with fairly brisk winds, and the mountains have their own vigorous thermal currents.

Snohomish County has an estimated population itself of some 232,000 people, and lies immediately adjacent to King County with over a million. The terrain of the county constitutes a first-class tourist and vacationer attraction, so that the number of people stumbling about on the average weekend is astounding. Even experienced mountaineers find it extraordinarily easy to slip and slide on our well-greased slopes into almost inconceivable positions of danger, usually damaging their skeletal structures so as to interfere with easy walking.

In extricating these folk we have seen our friends from Paine Field maneuver their machines just a yard or two over the rivers and lakes, between the trees, under and around our telephone and electric wires, into and out of tiny canyons—one of which they actually had to back out of for lack of any other possible escape—within inches of rocky cliffs and pinnacles, and out over our very wet ocean. Many, many of these maneuvers were accomplished in high wind, cloud, fog, mist, failing light, or heavy rain, and frequently a combination of these.

We have added, as exhibits, some pictures and some news stories illustrating and explaining a small part of their work as we have known it. I am sending you this letter and material so that there will be some record of their achievements other than our own files. Most of the men named here are transferring to new stations in the next week or two so that the time seems appropriate to note their records while here.

A copy of this letter and its enclosures is being sent to our two Senators and our Congressman. These men, of course, are fully aware of the contributions given by detachment 4 and I believe they would be willing to confirm the facts as I have presented them.

Respectfully,

DONALD F. JENNINGS,
Sheriff.

DRAFT EMPHASIZES NEED FOR NEW GI EDUCATION BILL

Mr. YARBOROUGH. Mr. President, the stark realities of existence in our world today point to an extended period of American military preparedness. With the constant increase in political tensions throughout the world and with the consequent addition of responsibility upon the shoulders of our Armed Forces personnel the need for educational readjustment assistance for cold war veterans is magnified. We are calling 27,400 men for the month of September 1965, and 33,600 men for the month of October 1965, through the Selective Service System. If we call these young men from home and school to fight for and defend American freedom we cannot fail to extend them an opportunity to begin again on their journey to intellectual and technical attainment when they return from service.

Mr. President, I ask unanimous consent that a letter from Mr. Edgar F. Peterson, of Tuscaloosa, Ala., dated September 10, 1965, be printed in the RECORD.

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

SEPTEMBER 10, 1965.

HON. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR MR. YARBOROUGH: This letter is in regard to educational aid for cold war veterans after February 1, 1955. Since I am a cold war veteran, I feel that the passage of an educational aid bill would be of great help to me and other veterans in obtaining a better education.

I am one of many cold war veterans who served during the Lebanon crisis. I was drafted from my science teaching job, but I was happy to serve my country as were other cold war veterans. During this time, my chances to continue my education were hindered as it was for many other veterans.

I feel that one of the best ways the Government can help the people of the United States is by providing for better educated citizens. The expense involved will be paid back in a few years through more income tax revenue. I feel that many of the billions being spent for foreign aid could be spent for the improving of our own country.

Since I have been reading the controversial issues on this educational aid bill, I would like to drop this letter to you in support of the educational aid bill for cold war veterans since 1955. I will greatly appreciate your continued support of this bill, and I'm sure other cold war veterans will appreciate your support of this bill.

Yours very truly,

EDGAR F. PETERSON.

PRESIDENT JOHNSON'S REMARKS ON INTERNATIONAL EDUCATION

Mr. FULBRIGHT. Mr. President, in a wise and eloquent statement to scholars of 80 nations attending the bicentennial celebration of the Smithsonian Institution President Johnson developed the theme, in his words, that "history is made by man and the ideas of men."

The President pointed out that education is the foundation both of our hopes for a Great Society in America and for the enrichment of life throughout the world. Learning, said the President, "is basic to our hopes for America. It is the taproot which gives sustaining life to all our purposes." This Nation's dream of a Great Society, he added, "is not just an American dream. All are welcome to share in it. All are invited to contribute to it."

In his remarks President Johnson develops the theme that education is the key to programs for the health and happiness of our own people, to our hopes for world peace, and to hopes for a better life for the hundreds of millions of people around the world who live in desperate poverty.

With these considerations in mind, President Johnson has directed a special task force to recommend a plan of worldwide educational endeavor. Having accomplished more for education within the United States than any of his predecessors, President Johnson is now directing his thoughts and his energies to the needs of international education. This is indeed a most happy development, and one for which the President is to be highly commended.

Mr. President, I ask unanimous consent that President Johnson's remarks to the international gathering of scholars attending the Smithsonian bicentennial celebration be inserted in the RECORD.

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

Distinguished scholars from 80 nations, amid this pomp and pageantry we have gathered to celebrate a man about whom we know very little but to whom we owe very much. James Smithson was a scientist who achieved no great distinction. He was an Englishman who never visited the United States. He never even expressed a desire to do so.

But this man became our Nation's first great benefactor. He gave his entire fortune to establish this Institution which would serve "for the increase and diffusion of knowledge among men."

He had a vision which lifted him ahead of his time—or at least of some politicians of his time. One illustrious U.S. Senator argued that it was "beneath the dignity of the country to accept such gifts f rom foreigners." Congress debated 8 long years before deciding to receive Smithson's bequest.

Yet James Smithson's life and legacy brought meaning to three ideas more powerful than anyone at that time ever dreamed.

The first idea was that learning respects no geographic boundaries. The Institution bearing his name became the very first agency in the United States to promote scientific and scholarly exchange with all the nations of the world.

The second idea was that partnership between Government and private enterprise can serve the greater good of both. The Smithsonian Institution started a new kind of venture in this country, chartered by act of Congress, maintained by both public funds and private contributions. It inspired a relationship which has grown and flowered in a thousand different ways.

Finally, the institution financed by Smithson breathed life in the idea that the growth and spread of learning must be the first work of a nation that seeks to be free.

These ideas have not always gained easy acceptance among those employed in my line of work. The Government official must cope with the daily disorder he finds in the world around him.

But today, the official, the scholar and the scientist cannot settle for limited objectives. We must pursue knowledge no matter what the consequences. We must value the tried less than the true.

To split the atom, to launch the rocket, to explore the innermost mysteries and the outermost reaches of the universe—these are your God-given chores. Even when you risk bringing fresh disorder to the politics of men and nations, these explorations must go on.

The men who founded our country were passionate believers in the revolutionary power of ideas.

They knew that once a nation commits itself to the increase and diffusion of knowledge, the real revolution begins. It can never be stopped.

In my own life, I have had cause again and again to bless the chance events which started me as a teacher. In our country and in our time we have recognized, with new passion, that learning is basic to our hopes for America. It is the taproot which gives sustaining life to all our purposes. Whatever we seek to do—to wage the war on poverty, set new goals for health and happiness, curb crime, and bring beauty to our cities and countryside—all these and more depend on education.

But the legacy we inherit from James Smithson cannot be limited to these shores. He called for the increase and diffusion of knowledge among men—not just Americans, not just Anglo-Saxons, not just the citizens of the Western World, but all men everywhere.

The world we face on his bicentennial anniversary makes that mandate more urgent than it ever was. For we know today that certain truths are self-evident in every nation on this earth:

That ideas, not armaments, will shape our lasting prospects for peace.

That the conduct of our foreign policy will advance no faster than the curriculum of our classrooms.

That the knowledge of our citizens is the one treasure which grows only when it is shared.

It would profit us little to limit the world's exchange to those who can afford it. We must extend the treasure to those lands where learning is still a luxury for the few.

Today, more than 700 million adults—4 out of 10 of the world's population—dwell in darkness where they cannot read or write. Almost half the nations of this globe suffer from illiteracy among half or more of their people. Unless the world can find a way to extend the light, the force of that darkness may engulf us all.

For our part, this Government and this Nation is prepared to join in finding the way. During recent years we have made many hopeful beginnings. But we can and we must do more. That is why I have directed a special task force within my administration to recommend a broad and long-range plan of worldwide educational endeavor. I intend to call on leading educators outside the Government to join with us.

We must move ahead on every front and at every level of learning. We can support Secretary Ripley's dream of creating a center of advanced study here at the Smithsonian so that great scholars from every nation will come and collaborate. At a more junior level, we can promote the growth of the school-to-school program started under Peace Corps auspices so that our children may learn about, and care about, each other.

We mean to show that this Nation's dream of a Great Society does not stop at the water's edge. It is not just an American dream. All are welcome to share in it. All are invited to contribute to it.

Together we must embark on a new and noble adventure:

First, to assist the education efforts of the developing nations and the developing regions.

Second, to help our schools and universities increase their knowledge of the world and the people who inhabit it.

Third, to advance the exchange of students and teachers who travel and work outside their native lands.

Fourth, to increase the free flow of books and ideas and art, of works of science and imagination.

And, fifth, to assemble meetings of men and women from every discipline and every culture to ponder the common problems of mankind.

In all these endeavors, I pledge that the United States will play its full role.

By January, I intend to present such a program to Congress.

Despite the noise of daily events, history is made by men and the ideas of men. We, and only we, can generate growing light in our universe, or we can allow the darkness to gather.

DeToqueville challenged us more than a century ago: "Men cannot remain strangers to each other or be ignorant of what is taking place in any corner of the globe." We must banish the strangeness and the ignorance.

In all we do toward one another we must try, and try again, to live the words of the prophet: "I shall light a candle of understanding in thine heart which shall not be put out."

THE EAST-WEST CENTER ON THE UNIVERSITY OF HAWAII CAMPUS

Mr. INOUYE. Mr. President, more than 600 students from 25 countries were enrolled at the East-West Center on the University of Hawaii campus in Honolulu last year.

I know that many of my colleagues will be surprised to learn that this Federal institution which was established to promote better understanding and cooperation between East and West is already 5 years old.

The Honolulu Advertiser published some interesting comments on the development of the East-West Center in a September 15 editorial. I ask unanimous consent that this editorial be printed in the RECORD.

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

EAST-WEST CENTER AT 5

There is the theory that underdeveloped nations can reach a point after initial years of struggle, inexperience, and building when their economy takes hold and starts generating its own growth. This is called "the takeoff stage" of development.

And so it might be with the East-West Center 5 years after its first student grantee arrived on the University of Hawaii campus.

Nobody who has followed the Center's growth would pretend these initial years have been either easy or uncontroversial.

Looking back, it might have been naive to expect otherwise, just as it would be naive to expect the world's new nations to emerge with fully matured development.

The East-West Center is a unique experiment, not only in international relations but also in American education. It is the first such Federally sponsored institution for civilians.

Furthermore, it was founded as Hawaii was beginning to move into an era of sweeping change.

The jet age and statehood had just arrived with a dramatic rush. There has been ferment and turnover since in the University of Hawaii itself as it started to move into its own take off stage toward becoming a first-class institution with a deeper understanding of Asia.

Yet, if the Center has admittedly disappointed some in its initial development, it would be a mistake not to acknowledge its early accomplishments.

Its student program has grown from 99 students from 14 countries in that first fall semester of 1960 to over 600 from 25 countries last year.

Its technical training program—providing special practical courses in such fields as agriculture, printing, public health, and radio broadcasting—has served another 1,000 grantees.

The third major division, the Institute of Advanced Projects, has provided grants and facilities for 133 Asian and American senior scholars to do research and write on international problems.

In addition, the institute has sponsored a series of important international development seminars which have brought dozens of East-West experts together for discussions of major problems.

Along the way, the Center and the university have worked out a relationship based on practical experience and better understanding. In this, some feel it was a blessing as well as a personal burden that university President Thomas Hamilton was forced by circumstances to spend over a year as the Center's acting chancellor.

If the Center has yet to achieve major world stature, there is the balancing thought that educational institutions, unlike movie or recording stars, are best inclined to build their image in a slower, more solid form.

And there is also the fact that increasing numbers of Asian and Pacific island students have received degrees and gone back with generally favorable impressions. The Center is succeeding in its major function, promoting better East-West understanding.

This certainly does not mean that major improvements and the real potential of the Center do not lie ahead.

We now have the basis for the takeoff stage—improved understanding with Washington, smoother relations with the university, and in Howard P. Jones, a new full-time chancellor with wide experience and knowledge of Asia and its problems.

This makes it especially fortunate that the executive committee of the Center's distinguished National Board of Review has been here this week to study programs and activities.

This group includes the Very Reverend Laurence McGinley, former president of Fordham University and chairman of the executive committee; Roy Larsen, chairman of the executive committee of Time magazine; Dr. Hugh Borton, president of Haverford College, and Hawaii's Dr. Hung Wo Ching, chairman of the board of Aloha Airlines.

Gov. John A. Burns, who was instrumental in the founding of the Center and is chairman of the National Review Board, joined in the committee sessions here.

Father McGinley has praised the Center's achievements amid difficulties and stressed its high potential.

We are certain his committee members are also aware of continuing problems; these will be pointed out to Center officials and to members of the full National Review Board meeting in January.

Their findings and their perspective are important as the Center emerges from its first difficult years and into a period in history when the East-West understanding and cooperation it seeks may well become the most critical need in our world.

TRIBUTE TO ADLAI STEVENSON

Mr. YARBOROUGH. Mr. President, time is allowing us to better assess and appreciate the many wonderful contributions which Adlai Stevenson made to the future of this Nation and to the progress of the entire world. The grief and shock of his death is slowly yielding to a deepening appreciation of the wonderful character of this man, the conscience of America, and the manifold accomplishments of a man who left the world in a better condition than he entered it, due mainly to his own abilities and convictions.

As a tribute to his passing, I ask unanimous consent that two articles from the Progressive magazine of August 1965, which appear on pages 3 and 4, being an editorial and an article by Donald Grant as well as a resolution which was passed by the Texas Democratic Women's State Committee, together with the authenticating signatures, and the cover letter accompanying it, be printed in the RECORD.

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

[From Progressive magazine, August 1965]

ADLAI EWING STEVENSON

More than any political leader in our time, Adlai Stevenson spoke for the conscience of America. It will take time to assess and appreciate the most important things that Adlai Stevenson did for us and said to us. It may well be as important as life and death for civilization as we know it that we soon grasp and act upon the wisdom of his words, and honor him with the only memorial commensurate with the man—peace on earth.

In 1956, at the height of his second campaign for President, he had the courage to propose that the United States suspend nuclear testing. He was excoriated as a dreamer—and later vindicated by an Eisenhower administration that suspended testing; eventually, he was vindicated a second time by the signing of the treaty banning atomic testing under the Kennedy administration.

Long before poverty became popular Stevenson proposed programs designed to eliminate poverty; and he spoke up for civil rights at a most critical place and time—Little Rock, Ark., a decade ago.

John F. Kennedy's thinking was in part reshaped by the mind of Adlai Stevenson, just as Stevenson expanded the horizons of men and women who have been elected to the Congress of the United States, to Governors' offices, or who have won renown in halls of learning and on the councils of diplomacy.

Viewed in its entirety, Stevenson's public life equals that of any public man in American history for courage, high principle, selfless commitment, and the ability to conceive great plans for the betterment of his countrymen and all humanity. It was his capacity to create new ideas that should be remembered most. Those who ignore this fact and dwell largely upon his wit and eloquence understand neither the man nor what he was trying to do.

Three times—in 1952, 1956, and in the vain attempt to nominate him in 1960—the Progressive supported Adlai Stevenson for President. It was not that we agreed with every detail of his program. In 1952 the editorial in the Progressive announcing its endorsement of Stevenson for President was entitled "Adlai, Warts and All," and we found a number of warts. Again in 1956 our support of Stevenson was tempered with reservations, especially on some of his views on foreign policy.

But there was a quality in Adlai Stevenson that irresistibly overcame differences in detail. It was his basic approach to the real and ever-changing problems of mankind, an approach eloquently stated by Stevenson himself in a memorable address in 1959:

"An examination of what you might call our collective conscience is to my mind far more important than particular projects or programs. You can have a perfect assembly of pieces in your watch, but they are worthless if the mainspring is broken."

It was his deep and noble humility, his recognition of the need for constant soul-searching, and his willingness to adopt fresh ideas on the basis of new-found knowledge that we found so appealing in Stevenson. It was this depth of character that made Stevenson, a loser in national elections, a winner in the more vital race of man against his own destructive nature.

Stevenson's two defeats at the hands of Dwight D. Eisenhower were tragic for the country, but even in defeat Stevenson began the education of millions of his countrymen on behalf of ideals far nobler than affluence and armaments. It was the Stevensonian education of millions of voters that helped make the election of John F. Kennedy possible, made the election of Barry Goldwater impossible, and truly laid the foundations for what is best in the New Frontier and the Great Society.

We believe that if Adlai Stevenson had lived, he might yet have performed at least one more great service to peace. He might have chosen—if the White House persisted in widening the war in Vietnam—to break free,

regretfully, from the restrictions placed upon him as the administration's ambassador to the United Nations. He might have resigned his U.N. post, as many of his admirers across the land wanted him to do. Then, as a member of the loyal opposition, he could have spoken truth to power. With his independence regained, his ideas might have acquired enough weight with the White House to require it to modify some of its perilous and fruitless foreign policies.

It was clear that Stevenson was deeply troubled in his role as our ambassador to the United Nations. His inner conflict was well known to his close friends. He disagreed with several aspects of the Johnson administration's foreign policy—positions he was obliged to defend before the world community against his better judgment. According to radio correspondent David Schoenbrun, Stevenson, a few days before his death, told roving ambassador Averell Harriman that U.S. intervention in the Dominican Republic was a massive blunder and that defense of that policy "took several years off my life. I could not believe in some of the things I had to say." Several weeks before Stevenson's death, James A. Weschler, in the New York Post, wrote of Stevenson's association with the Johnson administration, "Too often Stevenson is reduced to the role of debater rather than creator." In a warm note to Weschler, Stevenson wryly responded: "There you touch the nerve with precision." But he stayed on because he felt his country needed him.

Certainly the world is a more dangerous place without Adlai Stevenson. But his words and ideals can still speak to us if we have the wit to listen. That compassionate and brave and often lonely man is gone forever, and yet his hopes for, and belief in, the human race would be justified if his death were to begin a new flowering of the American conscience and a new dedication to peace and the betterment of our brothers everywhere.

[From Progressive magazine, August 1965]

A WALK WITH STEVENSON

(By Donald Grant)

(NOTE.—Donald Grant, United Nations correspondent for the St. Louis Post-Dispatch, was a close friend and confidant of Adlai Stevenson.)

UNITED NATIONS.—This is written on the day that Adlai Ewing Stevenson died.

I am looking down the street where I walked with him so recently. That was after breakfast at his apartment in the Waldorf Towers. I scrambled the eggs; typically, he had given his cook time off for some reason of personal need. There were dirty dishes in the kitchen sink. His driver also was off for the day—it was, after all, a Saturday. Hence our walk to the building which houses the U.S. Mission to the United Nations, just across the street from the United Nations itself.

After he left me, Stevenson—"Governor," we called him—was going to write the speech, or a draft of the speech he hoped would be delivered by President Johnson at the San Francisco session of the United Nations General Assembly commemorating the 20th anniversary of the world organization Stevenson helped found.

Walking beside me, Stevenson's step was full of bounce, and so were his ideas. Our breakfast talk had ranged over a wide variety of subjects—the future of the United Nations, Vietnam, the Dominican Republic, relations with Russia and with China, and more. As we walked to his office he brought all this into focus on a single suggestion.

"I have been thinking," he said, "of going to Moscow myself, to see if something could be done about the problem of communications between the Soviet Union and the United States. I feel I have good relations with [Soviet President Anastas] Mikoyan and I do believe something must be done."

We had talked at breakfast about the lack of meaningful discussion between the two great nuclear powers. Stevenson was convinced that the future of peace depended on improved relations between the Soviet Union and the United States. On a previous occasion he had told me of his conversations with President Johnson on the China problem. This, of course, included Vietnam. Stevenson felt the United States and the Soviet Union had many interests, especially in holding China within bounds of reason until the processes of time and maturity could work with that vast country, now so isolated, so unrelated to the general system of collective security.

This was one of many items of unfinished business with Adlai Stevenson when he died.

I followed Stevenson to San Francisco. The first night there, the night before President Johnson spoke, I saw Stevenson at the big reception given all the delegates. He was a sobered man, his face twisted with an inner pain; he knew then that President Johnson had rejected his suggestions of ideas to be included in the Presidential speech, and he told me so, adding, "Maybe there will be a last-minute change." There wasn't any.

Until the last minute, Stevenson had hoped Mr. Johnson would give some real assurance that the United Nations General Assembly would resume normal sessions this fall, that the issue of voting by nations refusing to contribute to peacekeeping operations which they believed were illegal would not be raised. Stevenson had never been in full accord with the American policy which threatened the voting rights of two great powers, Russia and France, and hence the future of the whole United Nations. It was a complex issue, and Stevenson never thought American policy wholly wrong, but he was not one to kill flies with sledgehammers.

The world organization, Stevenson thought, was more important than legalistic arguments. By the time of the San Francisco meeting, in any event, Stevenson, along with most U.N. diplomats, believed the issue was dead. He also believed it would give the United Nations a much needed stimulant for the President to make an appropriate statement on the subject.

So far as I could judge, Stevenson was not bitter, afterwards. He was confident the U.N. Assembly, anyway, would resume normal sessions this fall. If he knew why the President had rejected his advice—that Mr. Johnson include in his speech reaffirmation of American support for collective security generally, and of U.N. political and economic functions in particular—Stevenson never told me. The speech given by the President, though containing some sentiments apparently favorable to the United Nations, was greeted by Stevenson's diplomatic colleagues, and by his staff, as a slap in the face for the chief U.S. delegate.

It is no secret that Stevenson was to one degree or another out of sympathy with the "shoot-first-and-talk-later" style of Johnsonian diplomacy. Bombing North Vietnam, landing the Marines in the Dominican Republic, bringing Belgian parachutists into the Congo in American planes were not in the Stevenson manner. Last fall he carried, with his strong recommendations for approval, a proposal for peace talks in Vietnam from U.N. Secretary General U Thant to President Johnson, who promptly rejected the suggestion, which already had the support of Ho Chi Minh of Hanoi. After the Dominican landings, Stevenson urged in vain that U.S. influence be used to return Juan Bosch, the legally elected president, to power in Santo Domingo. Johnson remained deaf.

Too frequently, Stevenson's friends thought, Johnson did not consult Stevenson until after decisions were made—and too often refused to accept his advice when Stevenson found an opportunity to give it. Why, then, did Stevenson reject the advice of friends who urged him to resign?

A swift answer may be misleading. No doubt Stevenson's own personality was involved. He was not a simple man, nor a man free from doubts, divisions, and possibly unrealistic hopes. He was an eminently reasonable man, given to an inordinate faith, perhaps, in human intelligence. If one could divest the word of a tendency toward cliche—as alien to Stevenson as an affront to the dignity of any fellow human creature—the term "good" might apply as well. Out of his own goodness, he found it impossible to impute "evil" to his enemies, either inside the Johnson administration or elsewhere.

His function, Stevenson felt, was to pull together the goodness in all men, the yearning for peace, for justice; to help all men to achieve the good life his brain and his heart told him was possible for mankind. The "revolution of rising expectations"—a phrase he invented—took place in the first instance inside Stevenson, and he learned to expect much of his fellow man, whether a President Johnson, a Mikoyan—or, I think, a Mao Tse-tung.

He was not always disappointed. Out of two defeats in national presidential campaigns he gained the respect of the world. Hoping to be President Kennedy's Secretary of State, he settled for the position of United Nations Ambassador—only to find that he had not been properly informed about the invasion of Cuba at the Bay of Pigs and mistakenly made statements about American innocence not consistent with facts later revealed. He did not resign then. In the Cuban missile crisis he was able to play a major, though largely quiet, role in avoiding nuclear war.

Later, partly as a result of the surmounting of that crisis, President Kennedy at American University announced a policy for the United States that was "Stevensonian" in essence—moving forward toward a detente with the Soviet Union and strengthening American participation in the United Nations.

Under Johnson, Stevenson kept hoping: There are many roads to Damascus.

There also are various kinds of immortality. So soon after his death, it is impossible not to believe that Stevenson has led us in a direction we can follow for ourselves, now. We must try.

As I was writing this, I received a telephone call from a very humble Indian—the personal servant of a diplomat with the Indian delegation at the United Nations. He had served Stevenson at receptions; he knew Stevenson was my friend.

"Is it true?" asked the Indian. And when I sadly assured him it was, he asked, "Who will help us keep the peace from now on?"

WALLER, TEX.,
September 9, 1965.

HON. RALPH YARBOROUGH,
U.S. Senator,
Washington, D.C.

DEAR SENATOR: At the last meeting of the Texas Democratic Women's State Committee, a resolution was proposed in tribute to Adlai Stevenson.

We were asked to send you a copy.

Sincerely yours,

MARGARET READING.

RESOLUTION

Whereas Adlai Stevenson brought to the world of politics a sense of truth, of sincerity and beauty of the English language. These qualities together with his wit and understanding furnished an effective leadership. He raised us all to a greater maturity and gave us all a greater understanding of the peoples of the world; and

Whereas he helped in the formation of the United Nations and was later the U.S. Ambassador to that body. Death came while on a United Nations' assignment. He died in the active service of his country; and

Whereas his death is a great loss to all of the world, but his greatness will be felt for ages to come: Now, therefore, be it

Resolved, That the Texas Democratic Women's State Committee pay tribute to the life and service of Adlai Stevenson, outstanding citizen of the United States; and be it further

Resolved, That copies of this resolution be prepared and sent to the United Nations and that copies be prepared for members of his family as an expression of sympathy and in recognition of the greatness of Adlai Ewing Stevenson.

MARGARET READING.
LILLIAN COLLIER.

IZAAK WALTON LEAGUE OF AMERICA HONOR ROLL AWARD TO THE LEAGUE OF WOMEN VOTERS

Mr. JACKSON. Mr. President, the Izaak Walton League of America this week presented its Honor Roll Award to the League of Women Voters for the league's work in conservation, outdoor recreation, and pollution abatement.

The League of Women Voters is a volunteer nonpartisan organization of 145,000 persons with local leagues in every State, the District of Columbia, and Puerto Rico.

The league has made intelligent studies in many facets of our Government, and it has made extremely helpful contributions in the area of interest in which it is honored by the Izaak Walton League.

I feel particular pride in this latest recognition, in that the national president of the League of Women Voters is a constituent of mine, Mrs. Robert J. Stuart, of Spokane, Wash. She is providing this organization with most able leadership.

I ask unanimous consent to insert in the RECORD the press release issued by the Izaak Walton League of America on the occasion of this award.

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

WASHINGTON, September 19.—The League of Women Voters of the United States was cited today by the Izaak Walton League of America for its effective leadership and activity in conservation, outdoor recreation and pollution abatement. The Izaak Walton honor roll award was presented to Mrs. Robert J. Stuart, Spokane, Wash., president of the national women's group by Reynolds Harnsberger, Markham, Va., national president of the sportsman-conservation organization.

Harnsberger in making the award commented that studies in recent years had shown that a substantial portion of all outdoor recreation activity is water-related—swimming, fishing, boating, camping, picnicking, waterfowl hunting and on down the long list. "It is perfectly plain," he said, "that if we want to assure an adequate supply of high-quality outdoor recreation opportunity to meet the needs of our burgeoning population, we must conserve and protect the Nation's vital water resources.

"It has been stated, and without exaggeration," he continued, "that if all water pollution were eliminated, the usable outdoor recreation potentials of the United States would be doubled.

"The League of Women Voters," Harnsberger emphasized, "has mobilized its membership to study, become informed and to act vigorously and intelligently in behalf of clean water. The League's contribution to outdoor recreation and community well-being across the Nation has been immeasurable."

VICE PRESIDENT HUMPHREY'S ADDRESS AT THE URBAN DEVELOPMENT SEMINAR

Mr. HART. Mr. President, our distinguished Vice President and President of the Senate addressed the Urban Development Seminar, sponsored by the Housing and Home Finance Agency and Agency for International Development at Detroit on September 15.

As always, the Vice President effectively raises our vision and points the road which as a people we should follow if we seek to realize the potentials that are ours and advance the interest of mankind.

I ask unanimous consent that the address may be printed in the RECORD at this point in my remarks.

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

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, URBAN DEVELOPMENT SEMINAR, SPONSORED BY HOUSING AND HOME FINANCE AGENCY, AGENCY FOR INTERNATIONAL DEVELOPMENT, STATLER-HILTON HOTEL, SEPTEMBER 15, 1965

We Americans have been more urban than rural since 1920. But as you know, it was only this summer that we fully accepted this fact and established a Cabinet-level Department of Housing and Urban Development.

This doesn't mean we haven't been working on urban problems for a long time. As mayor of Minneapolis, I worried about financing school expansion, improving housing, carving playgrounds and parks out of packed city blocks, about highways and bus service, and building a tax base to pay for the things our people had to have.

As a Member of the U.S. Senate I continued to work toward providing for these same needs.

Today, as Vice President, I act as the President's liaison with mayors, city managers, and local government—with the people who deal day to day with the problems of urban America.

Our new Department of Housing and Urban Development will make possible coordination of Federal programs for the cities—it will serve as a focal point for what we are doing.

With this new Department, I believe we'll do a better job of designing cities, of meeting problems like mass transit and water supply, of improving welfare programs, of providing educational opportunity—of making our cities places to live in and not to escape from.

Our rich and strong country is today dedicated to this task, and to the task, in all our society, of helping create a life of both quality and quantity, a life in which each man has the equal opportunity to build something better for himself, his children, his country.

And your objectives, I suspect, are not too greatly different. But your nations do not have our wealth and strength, your nations do not have as ready access to human and material resources. And, therefore, your task is even more difficult than ours.

Looking at our own economic assistance programs—at the kinds of things we're doing in partnership with other countries—I think it is clear that we have begun to place a much higher priority than we once did on urban development as a major concern in the problem of nation building.

As recently as 5 years ago, you would have had a hard time finding many AID projects that could be called part of an urban development program.

The need was right before our eyes: people by the millions were streaming in from the rural areas in Bombay and Caracas and Cairo, running from the poverty they knew on the farm to the opportunity they thought beckoned in the city. But as recently as that, there was a feeling on your part and on ours that things like housing were luxury investments that would have to wait on the building of more factories, more powerplants and more roads. Housing, so they said, wasn't productive.

But that's not true. You can build houses and community centers and schools and clinics with local materials. It takes little precious foreign exchange. The biggest cost in laying sewers or water mains is labor. As far as being productive is concerned, in the United States the home-building industry is responsible for one out of every $18 of our national product, and it provides jobs for 1 out of every 20 Americans.

And it is anything but productive to sit by and permit the mushrooming of miles of slums and shacks, crowded with sick and illiterate and miserable human beings whose very misery makes them receptive to any proposal, however violent and destructive, that seems to promise some hope.

In the last 5 years we have come quite a distance. The increase in AID assistance for urban development is remarkable, especially in Latin America under the Alliance for Progress. AID alone has made more than $150 million in loans for housing construction and more than $200 million has been loaned by the Inter-American Development Bank.

To get private American capital investment in international housing, the Congress has given AID authority to make $400 million in housing investments guarantees for Latin America, and reserved another $125 million in guarantee authority for housing investments in Asia and Africa. Right now, private American investors are using this authority to launch joint housing ventures in Taiwan, Thailand, Nigeria, and Tunisia.

By themselves, the raw statistics of what we have achieved seem impressive. In fiscal year 1965 for example, the U.S. AID program helped other countries add decent dwelling units for 680,000 people, 470,000 of these in Latin America. Compared with what was happening 5 years ago that is impressive. But compared with the need it is hardly a start. I know of no developing country in which the construction of new, decent housing has yet kept pace with the raw increase in urban population.

If there is cause of optimism it is not because of the statistical results to date, but because of what lies behind these statistics. I am encouraged by the growth of institutions and programs that will make a decent home economically possible for more and more people in the less developed countries.

The growth of savings and loan associations in Latin America, for example, has been remarkable, and I'm proud of the role that private American groups like the National League of Insured Savings Associations and the U.S. Savings and Loan League have played in this growth through the AID program. In Chile, Ecuador, Peru, Venezuela, and Guatemala alone, 70 associations have been organized with more than 200,000 members, $55 million in savings and $99 million in loans out for the purchase of new homes.

To me, the experience with savings and loan associations, with credit unions, and with housing cooperatives now being organized with the support of American labor unions, makes it clear that the local funds

to finance much of the needed urban housing are present, if they can only be mobilized.

I'm encouraged too, by the success of self-help housing programs in countries as distant and diverse as Nicaragua, Nigeria, and Korea. The very poor have no buried savings to share in a cooperative or a savings and loan association, but they can contribute their own labor. This device has cut costs by as much as 40 percent, and it has given the people who live in these houses a sense of participation and dignity that may be as important as the home itself.

Our commitment to help with the problems of urban development is a firm one. But it is also clear to us, as I'm sure it is to you, that the problems of the growing city can be solved only partially within the city itself.

In the 15 years or so since the beginning of our partnership for development with your countries and other countries in Asia, Africa, and Latin America, the pattern and the problems of progress have become fairly clear. We have seen some great achievements. Together, we have very nearly wiped out the threat of malaria for half the 1.3 billion people in the malarious areas of Asia, Africa, and Latin America. We've done pretty well at building factories and putting up powerplants. Industrial output has increased at an average of better than 6 percent a year.

But farm output, in nearly every one of the less-developed countries, has barely kept pace with the increase in population. In many of your countries, it has fallen behind, despite sizable investments in fertilizer imports and factories, in rural roads, in irrigation projects.

The result is more than food shortages in the cities. The result is rural poverty and the flight of more people to the cities. In most of your countries, rural people still account for better than two-thirds of the population. If the farmers are not producing more, if their incomes are not rising, where is the growing internal market to provide more orders for urban factories, more jobs for city people?

It is clear to us that we are also going to have to pay far more attention in our assistance programs to raising agricultural output. There is no other way to ease the pressure of migration on your cities, or broaden the internal markets that will create more city jobs.

In his message this year on the foreign assistance program, President Johnson pledged the United States to use its own agricultural abundance and technical skills to help the less-developed countries increase their own ability to produce food of their own.

Some of the steps involved are obvious: more fertilizer, better produce distribution, improved pricing practices, more irrigation. We in the United States are going to make better, more extensive use through the AID program of our own unique experience in agricultural development by involving our land grant universities and our own Department of Agriculture specialists. We are continuing to expand our use of experts from American farm cooperative groups in helping other countries raise farm productivity.

We can't reproduce our own American experience in your country. Countries are different and you can't transfer institutions willy-nilly. But we can provide wonderfully skilled people from our universities, our cooperatives, our Agriculture Department to help work out solutions that do make sense in another situation. If we persist together, I don't doubt for a moment that we will turn up on the farms and in the villages the same buried resources of human drive and ingenuity, and maybe even a good deal of capital, that the savings and loan experiment has turned up in the Latin American countries I mentioned earlier.

As you may know, I have something of a reputation as an optimist. Well, I am. It is easy to be discouraged by the troubles of men and nations. Certainly we're all sobered by what's happening in India and Pakistan today. And Vietnam is disturbing and tragic. For, while men are at war, we can't get on with the most important human battle in southeast Asia: the battle to develop the promise of a rich and fertile land for the people who live there.

But when I look back on our common history since World War II, what I'm impressed with is not the troubles or the problems—the world has always had those. I'm impressed with the new element in international relations: the steady effort, crystallized in our mutual development programs, our aid programs, by independent countries to work together on solving problems.

That is new, and different, and a cause for optimism.

For our part, I can assure you that we approch our role in the development partnership in the same way we have learned to view our investment in the development of our own cities. We don't see this as something we are doing for somebody else. We see it as an investment in our own future and in the world we share with you.

In closing, may I say this: The American character is one of activism and, sometimes, impatience. It is one which leads us, from time to time, into mistakes. It is one, I am sure, which is often not fully understood in other places.

But I want to leave this message with you: We Americans are committed—committed beyond recall—to the building of a freer, better, happier world for all men.

There have been times, I know, when you may have doubted this. But today, as never before, our American Nation has come to appreciate the oneness of mankind. This appreciation makes possible the great national programs we undertake today to build better cities, to fight poverty, to eliminate discrimination in our own society, to do something on behalf of our fellow men.

And today, as never before, we know that we cannot live rich in a world too long poor.

I, for one, mean to do in my lifetime whatever I can to extend mankind's benefits to more of mankind. And I am joined by the overwhelming majority of the American people. I am joined, certainly, by our President.

Let us, then, together pledge ourselves to creating the world of justice, hope and peace that all men long for, but have not yet achieved.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

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

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the bill.

The Senate resumed the consideration of the bill (H.R. 2580).

Mr. MANSFIELD. Mr. President, if the Senator from Ohio [Mr. LAUSCHE], who is to be recognized to make some remarks at this time, will yield without losing the right to the floor or having the time for the quorum call taken out of the time allotted to him, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Chair recognizes the Senator from Ohio.

THE DOMINICAN REPUBLIC

Mr. LAUSCHE. Mr. President, on the floor of the Senate within the last few days there has been a discussion of what the conditions were in the Dominican Republic in April, when the U.S. Government determined to send in its Marines. A statement was made that an erroneous judgment was reached by the President because he was misinformed as to the purpose in sending in the troops. I must express vigorous disagreement with that argument.

I am a member of the Foreign Relations Committee and had the opportunity of listening to the representatives of the Department of Defense, the State Department, and the CIA in describing what took place in the Dominican Republic when the revolt of last spring began.

I can say unhesitatingly to Senators on the floor of the Senate that the proof was clear and convincing that unless we had stepped in we would have at our shores another Cuba.

We know of the difficulties that are facing us because of Cuba. In my judgment, those difficulties would be multiplied many times if another Castro and Cuba were established within 100 miles of the banks of our land on the south.

When the coup began it was led by persons who were not connected with the Communist Party. But it is an established fact that there were three groups in Cuba.

One group was known as the 14th of June movement with complete fidelity to Castro. Its members obtained guerrilla training in Cuba, especially in the year of 1964. That group is oriented to Castro and is Communist. It is the largest of the extremists parties, but does contain some non-Communist members.

The second group, that was latent and hidden in the Dominican Republic, was the PSPD, oriented to Moscow. Its members received training in Czechoslovakia in 1963. Others obtained indoctrination in Moscow in 1964.

Then, there was a third group, the APCJ, oriented to Peiping. Members of the APCJ went to Communist China late in 1964, where they received guerrilla military training.

We thus have the situation with three groups in the Dominican Republic led by Communists, with some of their members non-Communists. They were hidden, waiting for action. When the coup began, they immediately sprung to the forefront, and within a few days they

were occupying the leading positions in what was happening.

When the military members of the coup began distributing arms, these three Communist oriented organizations were in the frontline. Their leaders were distributing military equipment, and they were seen at vital places in command. All of the indications were that they were practically in control.

Military equipment was delivered to them in large quantities and taken to their headquarters, where it was distributed to their members, many of whom were Communists, and others who did not know exactly what was in the making.

There has been some criticism, particularly in the press, about the relatively small number of Communists identified as having taken part in the rebellion in the Dominican Republic.

In my judgment we miss the seriousness of the revolutionary situation by adding up the number of Communists that were identified in it.

When we add the number, we completely miss the point about the ability of Communist leaders to dominate a situation where disorder, rioting, and mob rule prevails. By skilled manipulation, propaganda, by assertion of leadership in proper points, in street fighting, by aggressive activity, these Communists take hold. That is what they did in the Dominican Republic.

A few skilled people can do this in the proper circumstances. In the Dominican Republic the circumstances were existent, enabling the Communists to seize the leadership, and to install their government.

When a temporary government was established in April, in charge of the investigative forces, there was placed at its head the most ardent Communist of the whole group.

That is a technique of Communist activity which is generally understood: Get control of the police; get control of the investigating agency; and when there is control of them, begin arresting all citizens who are in disagreement with the party in control who have the potential ability of interfering.

I merely want to remind Senators of what has happened in Cuba. Castro immediately arrested 500 of the leaders whom he thought would cause trouble to him. He had a hippodrome trial. The 500 persons were put to death under the semblance of the administration of justice, when it was nothing but the act of a tyrant, giving the semblance of a trial to the accused, with all judgments foreordained, and then putting them to death.

I have already stated that the man that was placed at the head of the investigative forces was one of the leading Communists in the Dominican Republic.

But one word about the hearings before the Committee on Foreign Relations. They were called by the chairman of the committee [Mr FULBRIGHT]. The committee did not make the decision to hold the hearings.

I regret to say this, but it is nevertheless my judgment, that the meeting was contemplated to establish that we were in the Dominican Republic by error and injustice.

Someone had prepared a sheaf of cards, I should say 1½ inches thick. When the witnesses appeared, the questions on the cards were systematically asked. One question was read, and the card was turned over. Then the second question was read, and the third. I should say that 150 cards were in the sheaf. Every question contained implications about the impropriety of the presence of the United States in the Dominican Republic.

During the hearing, I complained about what was taking place. One of the questions asked was: "Did not Mr. X, of Y newspaper, make this statement?" The statement Mr. X made had challenged the presence of the United States in the Dominican Republic. I intervened and asked, "Is it not also true that another newspaperman during the Cuban episode, said that Castro was a Lincoln and a Robin Hood, devoted to the cause of the poor, robbing the rich, and turning his gains over to those who were in need?"

Certain newspapermen have said that we were improperly in Cuba and in the Dominican Republic. But our plight in Cuba, in my opinion, is the primary consequence of a misevaluation we made of Castro. Castro came to the United States and was given the dignity of appearing before the Committee on Foreign Relations. I deliberately did not attend that meeting. I could not dignify Castro's appearance before the Committee on Foreign Relations, having in my mind the knowledge of the circus trial that he had conducted.

Castro was a guest of the National Press Club. During the entire time he was here, the stories told about him were, in effect, that to Cuba had come a messiah gifted with charitable qualities; a friend of the free West; a friend of the United States. We took those stories as true. The result is the problem which now exists in Cuba.

I am firmly of the conviction that if the President had not acted as he did in April of this year, we now would have practically at our shores another Cuba. I cannot agree with the statements made by the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] on the floor of the Senate on September 15. I do not believe that I am what may be called a hard realist; but I do not want to be labeled as a soft-minded idealist, one who is absolutely indifferent to realistic facts. I would feel myself to be a dupe if I daily believed what the Communists of the world are saying. The Communists have their techniques. They know how to operate subversively. They know how to foment riots. They are fomenting them in the United States. All that is needed is some small disorder followed by an invasion of well-equipped tchnicians who know how to exaggerate a situation; and before one knows it, mobs are in action. It was mobs that took charge of the Dominican Republic uprising.

I say to the people of my State that while I have agreed with many of the things that have been recommended by the administration on this subject, I now stand foursquare behind what was done. I do so in the belief that it was serviceable as a security to our country and to the free world.

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

Mr. LAUSCHE. I yield to the Senator from South Dakota.

Mr. MUNDT. First, I congratulate the distinguished Senator from Ohio for the presentation he has made today. As a Republican member of the Committee on Foreign Relations, I have watched, listened, and read with more than uncommon interest the discussions emanating from the other side of the aisle concerning the activities in which the United States was engaged in the Dominican Republic, and the criticisms and replies which have been made with respect to that action.

While I dislike to inject myself into what is pretty much a Democratic discussion, it does, after all, relate to hearings which were held in the Committee on Foreign Relations. I attended most of the hearings. They involved a rather searching analysis of what transpired in the early days of revolutionary activities in Santo Domingo and other parts of the Dominican Republic. I was curious about the nature of the hearings and the reasons for them, because, while I was in attendance for many hours, I heard no questions directed to the long series of witnesses as to what they felt our future policy should be or what they felt the solution ought to be, so far as the aftermath of the revolutionary period was concerned.

It all seemed to be a questioning in a somewhat critical search for knowledge as to why we got into the affair in the first place; whether we got in with the right number of people and at the right time; and whether the information that caused us to go in at all was accurate or inaccurate. The inquiry seemed to be principally a contest as to whether the writings of little men in the employ of big newspapers was correct so far as the situation in Santo Domingo was concerned; and whether the reports from the CIA, the State Department, and the OAS were accurate.

At the end of the hearings, I felt completely convinced, as did the Senator from Ohio [Mr. LAUSCHE], that all the verities and all the facts seemed to be with the representatives of the Department of State and the American Government, rather than in the proclamations being made by the little men who were writing for big newspapers.

I concurred in and completely supported emphatically the action of President Johnson and the actions of the State Department, so far as their immediate reaction to the situation in the Dominican Republic was concerned. I believe they did the right thing in the right place at the right time with the right number of military personnel.

I am inclined to question a little some of the latter day activities of the Government so far as they relate to problems existing in the Dominican Republic. I dislike to see my Government connected

with a so-called kidnaping operation, in which one of the valiant fighters for freedom, Wessin y Wessin, was rather forcibly removed from the land of his origin and transferred to American soil.

As I understand the facts, he walked to the plane which took him out of the Dominican Republic. However, he walked reluctantly and involuntarily, and apparently with a bayonet which bore the imprimatur "made in the United States" at his back.

I dislike to see our Government injecting itself to that degree and in that manner in an activity which was certainly pleasing to the revolutionaries of the Dominican Republic and pleasing to the Communists. I am not a great advocate of Wessin y Wessin. I do not know how good a military leader he was. He would not be my candidate for President of the Dominican Republic if I were sitting at a political convention selecting nominees.

I should think that, slowly but surely, Uncle Sam would be learning that we do not make very many good guesses when we inject ourselves in that fashion and that forcefully into the internal affairs of another country. We should have learned something, I should think, from our experiences in Vietnam when we were permitting or promoting the ousting of Diem. We have never since then found a successor who seemed to have the capacity to develop the loyalty of his followers and fellow citizens that Diem possessed.

My skepticism is enhanced when I reflect that, with respect to Tshombe in the Congo, we spent much time, effort, and money in apparently kicking him out. Then, after we had created a vacuum, we spent much time, effort, and money in bringing him back. We were certainly wrong in either one instance or in the other so far as Tshombe in the Congo was concerned.

The Senator from Ohio pointed out that, in the situation in Cuba while we were making a transfer from Batista, who was bad, to Castro, who was worse, there was an apparent failure on the part of American officials generally to recognize that we were permitting or promoting there the control of Cuba by a Communist who had been trained in Communist training camps and who was completely dedicated to the Communist cause and subservient to the Russian Communist whiplash.

I am not at all sure that this administration is acting wisely or prudently or properly in conjunction with the Dominican Republic situation, since we took the initial action and since we put down the resolution and stabilized the situation. If, in fact, we are now to have a coalition government in Santo Domingo, we shall have failed to have secured the dividend which should have been available from the very wise and prudent and proper action which President Johnson originally took. I am not charging that we are going to do that. I am concerned about the way in which we moved in on Wessin y Wessin. It is a straw in the wind because of the indication that the little writers for the big newspapers are having influence with people in big places in Washington.

I dislike to see that kind of indication. We should make sure that the people in the Dominican Republic have a democratically inclined, freedom-loving friend of freedom as their leader, and we should not dilute his capacity for success by making further concessions to the defeated Communist influences in that revolution.

Primarily I am glad that the distinguished Senator from Ohio has helped to set the record straight. He has related accurately what transpired in the Committee on Foreign Relations, in my opinion. I saw no evidence throughout the hearings to indicate that President Johnson had acted either inadvisedly or on inadequate information in making the decisions that he made in those early critical days.

The PRESIDING OFFICER (Mr. BASS in the chair). The Senator from Ohio.

Mr. LAUSCHE. Mr. President, I do not want my statement to be construed as indicating approval or disapproval of what has recently happened. I have not had an opportunity to learn from the State Department what has taken place. However, I have apprehension about the removal of Wessin y Wessin. At this time, I should like to read some notes which I made when Bosch's government was overthrown several years ago. These are my notes concerning General Wessin y Wessin:

> Wessin is about 33 years old. He was active in trying to drive the Trujillos and the Communists out of the army of the Dominican Republic. He wanted to raise the moral fabric of the army. He wrote an article pointing out the infiltration into the army of Communists. He is still the head of the Aviation School of the Military Division. He was a colonel and is now a general. He could have been the head of the government, but he declined.

These notes were written at the time of the Bosch overthrow. They wanted him to take the headship and he declined. To me that is testimony of great weight in showing the character of the man. Yet he is the one who was taken out of the Dominican Republic with a bayonet at his back and is now in Miami.

Mr. MUNDT. Mr. President, I am glad that the Senator gave that additional information concerning Wessin y Wessin.

As I say, I am not one of his advocates. I do not know enough about him. However, I do know that when a great many of the other military people were fleeing, he was fighting. He was standing up. He stepped into the critical breach, precisely as the U.S. Government stepped into the breach at a critical time, and together they set back the Communists.

I do not like to reward that kind of fighting for freedom by having my government associate itself with a movement to kidnap him and take him out of the country and send him to the United States against his will.

That is far different from saying that we should put him in high office. However, that kind of concession to the Communist groups who dislike him is a failure to show the kind of stamina and stature now that was properly shown at the time the revolution began.

Mr. LAUSCHE. Mr. President, the notes which I made were based upon testimony given by Government witnesses—witnesses from the State Department primarily. I have these notes here. It can be readily seen that they are merely scribbled memorandums of what was said.

The Government stood firm last April. I do not know whether it is now beginning to yield to the attacks that are being made. I hope that it is not.

A coalition government which is friendly to the West will not survive. The Communists would take over in due time in the event a coalition government were established.

Mr. President, I yield the floor.

Mr. KENNEDY of Massachusetts obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield about 13 minutes to me without losing his right to the floor?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Massachusetts yield to the Senator from Montana?

Mr. KENNEDY of Massachusetts. I yield.

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

SENATE DISCUSSION OF DOMINICAN SITUATION

Mr. MANSFIELD. Mr. President, there has been a good deal of discussion about the situation in the Dominican Republic. The distinguished Chairman of the Foreign Relations Committee [Mr. FULBRIGHT] has, on the basis of an analysis of hearings held before his committee, made a speech in which he gave his views on the developments inherent in the early days preceding and following our involvement.

Senator FULBRIGHT was very careful to stress that the material on which he based his speech was testimony heard by the Foreign Relations Committee. Unfortunately, except for a 15-minute interval, I was unable to attend these hearings and, furthermore, I have not had the time to read the testimony, so I am unable to comment on the hearings.

There have been exceptions taken to as well as support of FULBRIGHT's remarks by various Members of the Senate. I think it should be pointed out that the chairman of the committee stated emphatically that what he said represented his own views, based on his understanding of the hearings.

As one who participated in the White House conferences on the subject of intervening in the Dominican Republic, I do not intend to say anything specific as to what went on at the meeting. But I feel that in view of the developments which have occurred over the past day or so, that it is appropriate to comment in general terms. When the difficulty occurred, the President did call the leadership and ranking members of certain committees to the White House to discuss what had happened and was happening in the Dominican Republic. He did state

that there were 5,000 nationals of foreign countries in Santo Domingo of whom 1,500 were Americans. He had received urgent requests and pleas from the chiefs of the various American agencies and I believe from some foreign embassies stating that the situation was extremely dangerous and he was told that if steps were not undertaken to insure the safety of these nationals that there could well be a substantial loss of life. There was no other country prepared or capable of giving the protection which was needed at the time except the United States. The President had to make a decision involving the safety of these nationals on the basis of the cables, telephone calls, and advice which he had received. When he announced his decision at the White House Conference there was no opposition raised at that time on the matter which was discussed in great detail.

The President, on the basis of his authority as Commander in Chief and his constitutional responsibility as President in the field of foreign policy, undertook to land military forces to protect these nationals. He selected a most capable man in the person of Lieutenant General Palmer to take command of the American Forces in Santo Domingo, and he laid the matter repeatedly before the OAS as an organization. Prior to that, he had brought it to the personal attention of as many Ambassadors of the American nations as could be contacted. He was desirous, at the earliest opportunity, of shelving the initial unilateral responsibility which the United States had undertaken and gave his wholehearted support to the creation of an Inter-American Police Force. He agreed, without hesitation, to a Brazilian becoming the overall commander of this force and the placing of General Palmer in a subordinate position under him. He dispatched various missions to try and bring the opposing groups together.

Finally, in the past 2 weeks, the OAS committee, which included Ambassador Ellsworth Bunker of the United States, was able to bring about a creation of an interim and provisional government under Hector Garcia Godoy. This interim government is to remain in power for 9 months. There is to be a 6-month period to try and bring some degree of stability to the Republic and in the last 3 months of the 9-month period, political campaigns are to be undertaken by means of which the Dominican people will be given the opportunity, it is hoped, to elect a government of their own choice.

All the obstacles have not been removed in the Dominican Republic, and I am of the opinion that in this uneasy though encouraging situation, there may yet be further trouble of one kind or another. However, I do think that significant progress has been made and I know that the President is very hopeful that it will be possible to reduce the OAS force still further as the Dominicans achieve a greater degree of stability. Certainly, it is his deepest desire that the situation will be ironed out so that the Dominicans themselves can assume, at the earliest moment, full control of their own affairs.

This has been a most difficult and delicate situation in which the President found himself and he has done his very best, on the basis of advice he has received, to bring the matter to a head. I feel that we owe him a debt of thanks for what he has been able to accomplish and to the OAS for what it has been able to bring about in a way of a reasonable agreement looking to a secure future for the Dominican people.

I would certainly underscore what the distinguished chairman of the Foreign Relations Committee has time and again said, that the President's decisions were fully understandable in the light of the circumstances as they were brought to his attention. I feel, also, that the chairman of the Foreign Relations Committee was endeavoring to present to the Senate a thoughtful analysis of the views which he distilled from the hearings before his committee. An analysis of the circumstances surrounding major foreign policy decisions is of concern to the Senate and out of this can come constructive reactions from Senators which could well be useful in the field of foreign policy in the future. There has been some strenuous debate on the Dominican situation in this Chamber and there may well be more in the future.

In my opinion, the important thing at the moment is to recognize the fact that at long last, after a period of months, what looks like a lead to the solution has been worked out for the Dominican Republic and that solution was arrived at by the Organization of the American States in which we participated as a full member. A provisional government has been established. An interim President is in office. There has, according to available reports and to the best of my knowledge, been a general laying down of arms. The decision now is up to the Dominican people and the provisional government for the time being to adjust themselves to this situation to prepare for elections 9 months hence, and to establish a government based on the will of the people which can furnish and which can bring a degree of stability and economic prosperity to the Dominicans themselves. The United States has spent a large amount of money to aid in the rehabilitation of the Republic. It is prepared to continue to help if the Dominican people themselves take control of their own state and guide it to anchor in fairly calm political and economic waters. To that end the President has pledged his full support to the efforts of the OAS and I feel quite certain that the American people and their representatives in the Congress support him fully.

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

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I completely commend the statement of the distinguished Senator from Montana. I do not see how the President could have done anything except intervene. I believe he showed firmness in his handling of foreign relations which should commend him to the entire Nation.

I wish to make an additional point: I know he had tried before intervention to persuade the OAS to move. Apparently it moved too slowly. Since intervention, he has continued that effort. I am greatly heartened by the apparent activation, within OAS, of direct participation by many nations in the peacekeeping procedure, which for the first time, as I have observed that fine organization, indicates its willingness to come to grips with serious problems in various parts of the hemisphere.

I believe that from the leadership of the President, from his urging of the OAS, and from his taking unilateral leadership for a few days as the situation required, there will come a reactivation and rejuvenation of the OAS which will be of great importance to the entire hemisphere. His action will eventually commend itself to peace-loving people throughout the hemisphere as a wise act, because it brought about results so long desired, and only now about to be achieved.

Mr. MANSFIELD. I thank the distinguished Senator.

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

Mr. MANSFIELD. I yield.

Mr. AIKEN. Mr. President, the Senator from Montana has made a forthright and fair presentation of the situation as it prevailed in the Dominican Republic in April and as it prevails today.

I have had very little correspondence from those on either side of the situation. I have received only about 50 letters, some condemning the President for the action he took and others commending him. The letters indicated that the writers really were not in possession of the facts and did not know exactly what the situation was. I personally believe that the President was warranted in sending forces into the Dominican Republic on the night when the rebellion started.

I also believe, as the chairman of the Foreign Relations Committee has stated, that the President received some rather poor advice, that plenty of mistakes were made, and that it probably took much longer to restore order in the Dominican Republic than would have been necessary had certain mistakes not been made.

Now, however, the OAS has accomplished its purpose. It is providing for the setting up of a government to be established by the people of the Dominican Republic themselves, and I hope that we shall not undertake to interfere with the setting up of that government, unless it actually threatens the security of the United States, which I doubt it will do.

If I were a Communist from a foreign country, looking for a place in the Western Hemisphere to locate from where I could work with safety, I would never have chosen the Dominician Republic. I believe that to be about the worst place a Communist could find anywhere for his purposes. If I were looking, I believe there would be many cities in the United States which would be more likely places than the Dominican Republic was at the time of the rebellion.

However, I believe that if the people of that Republic desire to set up a government of their own which is progressive and forward-looking, even though it meets with the disapproval of certain interested parties, we should support them and work through the Organization of American States as far as we possibly can.

I believe that the situation now is such that we can safely conclude that the Dominician Republic is going to establish its own Government, and that it will be a government with which we can work, one which will improve the economy and the security of the Dominican Republic.

Mr. MANSFIELD. I thank the distinguished Senator from Vermont and the distinguished Senator from Florida for what they both had to say. I join them in expressing hope that the Organization of American States will become a stronger, more efficient, and more effective organization in the weeks, months, and years ahead.

The distinguished Senator from Vermont was at that fateful meeting in the White House when the President informed us of the situation then developing in the Dominican Republic. Because we are both bound by the executive nature of the meeting, we cannot say too much, but we were aware of what happened at the time, and we both gave our full endorsement to the policy undertaken in connection with the President's announcement to us in the Cabinet Room.

Mr. AIKEN. Mr. President, let me express the hope I expressed for the Dominican Republic, that it will apply to all the Latin American countries in the Western Hemisphere. I do not believe that we should undertake to dictate to them just what kind of government they should live under, or whom they should have to head that government so long as it does not actually threaten the security of the United States.

I am still not convinced that what went on in the Dominican Republic in April threatened the security of the United States. It seemed to me that there would have been more bloodshed during that rebellion had the President not intervened. However, as I said before, I believe that he received some advice, as has been pointed out by the chairman of the Foreign Relations Committee, which caused us to make more mistakes than we otherwise might have made, and which delayed plans for the establishment of a popular government in that country.

Mr. MANSFIELD. Mr. President, to some extent the discussion relates to events in the past.

Now we are faced with the present.

It seems as though there is a good possibility—although nothing is sure in this world any more—of a reasonably good government coming out of the situation in the Dominican Republic.

I thank the distinguished Senator from Massachusetts [Mr. KENNEDY] for yielding to me, and if he will allow me just this once, to suggest the absence of a quorum, without his losing the right to the floor, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 16 and 31 to the bill and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 8, 10, 24, and 62 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10323) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

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. 1483. An act 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;

S. 2042. An act to amend section 170 of the Atomic Energy Act of 1954, as amended;

H.R. 948. An act to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia;

H.R. 5883. An act to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act;

H.R. 10014. An act to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives, and the act of June 27, 1956, relating to office space in the States of Senators; and

H.R. 10874. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to eliminate certain provisions which reduce spouses' annuities, to provide coverage for tips, to increase the base on which railroad retirement benefits and taxes are computed, and to change the railroad retirement tax rates.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. KENNEDY of Massachusetts. Mr. President, the bill we are considering today accomplishes major reforms in our immigration policy. This bill is not concerned with increasing immigration to this country, nor will it lower any of the high standards we apply in selection of immigrants. The basic change it makes is the elimination of the national origins quota system, in line with the recommendations of the last four Presidents of the United States, and Members of Congress from both parties.

For 41 years, the immigration policy of our country has been crippled by this system. Because of it we have never been able to achieve the annual quota use authorized by law. We have discriminated in favor of some people over others, contrary to our basic principles as a nation, simply on the basis of birth. We have separated families needlessly. We have been forced to forgo the talents of many professionals whose skills were needed to cure, to teach and to enhance the lives of Americans.

The present law has caused thousands of instances of personal hardship, of which every Senator is aware. Several times Congress has tried to correct the twisted results of the national origins system through emergency legislation. Six times between 1948 and 1962 laws were passed for the admission of refugees. Four times between 1957 and 1962 we have made special provisions for relatives of American citizens or orphans. In addition, each year we are called upon to consider thousands of private bills to accommodate persons caught in the backwash of this origins system.

These efforts at circumvention are further proof that the national origins system is in disrepute. We cannot continue to respect a law we constantly seek to circumvent. To continue with such a law brings discredit upon ourselves as legislators. The national origins system has even failed in the purpose for which it was intended: to keep the ethnic balance of our country forever as it was in 1920. In 1920, 79 percent of our white population was of northern and western European origin. During the first 30 years of the national origins system, only 39 percent of our total immigration came from such areas. Since 1952, some 3.5 million persons have been admitted to this country as immigrants. Two-thirds of them came outside the national origins quota. Since 1952, we have authorized 2.1 million national origins quota numbers. Only one-half of these numbers were used.

I ask unanimous consent to have printed in the RECORD a statistical summary of immigrants admitted from June 30, 1953, through June 30, 1964.

There being no objection, the summary was ordered to be printed in the RECORD.

Immigrants admitted to the United States, by classes under the immigration laws, years ended June 30, 1953–64

Class	1953–64	1953 [1]	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964
Total immigrants admitted	3,197,857	170,434	208,177	237,790	321,625	326,867	253,265	260,686	265,398	271,344	283,763	306,260	292,248
Quota immigrants (total)	1,140,479	84,175	94,098	82,232	89,310	97,178	102,153	97,657	101,373	96,104	90,319	103,036	102,844
Immigration and Nationality Act	1,124,863	78,053	88,016	79,617	88,825	97,084	102,077	97,651	101,352	96,074	90,305	102,995	102,814
1st preference quota:													
Selected immigrants of special skill or ability	30,600	77	1,429	1,776	1,946	2,992	3,941	3,518	3,385	3,460	3,313	2,288	2,475
Their spouses and children	28,676	45	1,027	1,236	1,420	2,739	3,197	3,109	3,681	3,758	3,721	2,374	2,387
Skilled agriculturists, their wives and children (1924 act)	321	321											
Parents or husbands of U.S. citizens (1924 act)	4,290	4,290											
2d preference quota:													
Parents of U.S. citizens	35,847	983	2,783	2,394	2,843	3,677	2,608	3,406	3,451	3,381	2,252	4,006	4,063
Unmarried sons or daughters of U.S. citizens [2]	2,409								376	931	341	392	369
Wives and children of resident aliens (1924 act)	4,133	4,133											
3d preference quota:													
Spouses of resident aliens	28,450	291	3,180	2,604	2,902	2,848	2,719	3,409	2,767	2,132	1,786	1,832	1,980
Unmarried sons or daughters of resident aliens [3]	36,618	220	2,824	2,821	4,064	3,783	2,668	4,134	3,225	3,265	2,419	3,266	3,929
4th preference quota:													
Brothers or sisters of U.S. citizens	22,406	63	1,556	1,955	1,690	1,715	2,903	2,162	1,956	2,346	2,162	2,187	1,711
Married sons or daughters of U.S. citizens [2]	7,928	22	374	1,120	431	1,443	2,029	1,275	425	244	205	199	161
Spouses and children of brothers or sisters, sons or daughters of U.S. citizens [4]	11,580								1,044	2,572	2,548	2,887	2,529
Adopted sons or daughters of U.S. citizens [2]	137								55	62	16	1	3
Nonpreference quota	911,468	67,608	74,843	65,711	73,529	77,887	82,030	76,638	80,987	73,923	71,542	83,563	83,207
Special legislation (quota immigrants)	15,616	6,122	6,082	2,615	485	94	76	6	21	30	14	41	30
Displaced persons (Displaced Persons Act of 1948 (quota))	15,121	5,759	6,082	2,615	485	94	76	6			3	1	
Skilled sheepherders (act of Apr. 9, 1952 (quota))	363	363											
Foreign government officials adjusted under sec. 13, (act of Sept. 11, 1957 (quota))	132								21	30	11	40	30
Nonquota immigrants (total)	2,057,378	86,259	114,079	155,558	232,315	229,689	151,112	163,029	164,025	175,240	193,444	203,224	189,404
Immigration and Nationality Act	1,681,285	85,015	112,854	126,135	156,808	147,243	125,591	111,341	133,087	152,382	169,346	183,283	178,200
Wives of U.S. citizens	236,980	15,916	17,145	18,504	21,244	21,794	23,517	22,620	21,621	20,012	17,316	17,590	19,701
Husbands of U.S. citizens	73,418	3,359	7,725	6,716	5,788	5,767	5,833	6,913	6,140	6,059	6,646	6,035	6,437
Children of U.S. citizens	70,896	3,268	5,819	5,662	4,710	4,798	5,970	6,869	6,454	6,480	6,354	6,981	7,531
Natives of Western Hemisphere countries	1,227,778	58,985	78,897	92,620	122,083	111,344	86,523	66,386	89,566	110,140	130,741	144,677	135,816
Their spouses and children	27,482	2,114	1,629	1,654	1,949	2,144	2,052	1,810	2,135	2,696	2,764	3,067	3,468
Persons who had been U.S. citizens	902	104	427	87	44	58	43	22	36	15	25	23	18
Ministers of religious denominations, their spouses and children	5,107	387	385	307	350	403	435	558	485	406	451	462	478
Employees of U.S. Government abroad, their spouses and children	205	2	4	9	2	8	23	24	27	10	3	32	61
Children born abroad to resident aliens or subsequent to issuance of visa	12,117	326	358	348	412	701	926	1,228	1,458	1,411	1,495	1,611	1,843
Aliens adjusted under sec. 249, Immigration and Nationality Act [5]	22,795							4,321	4,773	5,037	3,399	2,680	2,585
Other nonquota immigrants	3,605	[6] 554	465	228	226	226	269	590	392	116	152	125	262
Special legislation (nonquota immigrants)	376,093	1,244	1,225	29,423	75,507	82,446	25,521	51,688	30,938	22,858	24,098	19,941	11,204
Displaced persons (Displaced Persons Act of 1948 (nonquota))	1,030	1,030											
Orphans (act of July 29, 1953)	466		399	67									
Refugees (Refugee Relief Act of 1953)	189,021		821	29,002	75,473	82,444	1,012	198	43	9	15	3	1
Skilled sheepherders (act of Sept. 3, 1954 (nonquota))	385			354	31								
Immigrants (act of Sept. 11, 1957)	61,948						24,467	24,834	6,612	3,982	1,809	213	31
Hungarian parolees (act of July 25, 1958)	30,701							25,424	5,067	122	51	20	17
Azores and Netherlands refugees (act of Sept. 2, 1958)	22,213							1,187	8,870	5,472	4,796	1,888	
Immigrants (secs. 4 and 6, act of Sept. 22, 1959)	29,337								10,314	13,255	5,488	280	
Immigrants (act of Sept. 26, 1961)	15,525										11,912	2,848	765
Other nonquota immigrants (special legislation)	412	214	5		3	2	42	45	32	18	27	12	12
Refugee and escapees (act of July 14, 1960)	6,111											2,005	4,106
Immigrants (act of Oct. 24, 1962)	18,944											12,672	6,272

[1] In 1953 figures include admissions under Immigration Act of 1924.
[2] Prior to act of Sept. 22, 1959, all sons or daughters of U.S. citizens over 21 years of age were classified as 4th preference quota under the Immigration and Nationality Act. Adopted sons and daughters with petitions approved prior to Sept. 22, 1959, remained 4th preference.
[3] Prior to act of Sept. 22, 1959, included only children under 21 of resident aliens. Adult sons or daughters of resident aliens were classified as nonpreference quota.
[4] Prior to act of Sept. 22, 1959, classified as nonpreference quota.
[5] Not reported prior to 1959.
[6] Includes 321 professors of colleges and universities, their wives and children.

Mr. KENNEDY of Massachusetts. Mr. President, from these figures, it was obvious to the Judiciary Committee that the current system is as much a failure as a device as it is an embarrassment as a doctrine. The bill now before the Senate abolishes it altogether.

The new policy in the bill before us was developed under the administration of President Kennedy by experts both in Congress and the executive branch. Extensive hearings were held, both last year and this, in the Senate and the House. The Senate Immigration Subcommittee has sat regularly since last February. We have heard over 50 witnesses. I can report, Mr. President, that opposition to this measure is minimal. Many of the private organizations who differed with us in the past now agree the national origins system must be eliminated.

The current bill phases out the national origins system over a 3-year period. Beginning July 1, 1968, our immigration policy will be based on the concept of "first come, first served." We no longer will ask a man where he was born. Instead we will ask if he seeks to join his family, or if he can help meet the economic and social needs of the Nation. Favoritism based on nationality will disappear. Favoritism based on individual worth and qualifications will take its place.

When this system is fully in effect, 170,000 quota numbers will be available to the world, exclusive of the Western Hemisphere. Parents, spouses, and children of U.S. citizens will be considered as "immediate relatives" and, as such, will be under no numerical limitation at all. Due to the existence of backlogs of applicants in those nations discriminated against by the national origins system, an annual limitation per country of 20,000 quota immigrants is established, so that in the short run no one nation will be able to receive an unduly disproportionate share of the quota numbers. It is anticipated that after 3 years, these backlogs of intending immigrants will be eliminated in all instances but for one category of Italians, and that situation will be rectified shortly thereafter.

The total number of authorized quotas is not increased substantially by this bill. Currently, we authorize the use of 158,561 numbers per year, but this is exclusive of refugees. Under the new

law, provision is made for the acceptance of some 10,200 refugees. This is what accounts for the increase in total numbers under this bill from 158,561 to 170,000.

Under our new "first come, first served" system, while all immigrants will be in worldwide competition, we will retain certain preferences and, of course, our traditional stringent safeguards. The preferences under this bill reflect our strong humanitarian belief in family unity as well as personal merit. The 170,000 numbers will be made available in the following order of preference:

First, 20 percent, or 34,000 quota numbers, to unmarried sons and daughters of U.S. citizens;

Second, 20 percent, or 34,000 quota numbers, to the spouses and unmarried children of permanent resident aliens;

Third, 10 percent, or 17,000 quota numbers, will be available to persons who can qualify as professionals or people of ability in the arts or sciences who will substantially benefit the United States;

Fourth, 10 percent, or 17,000 numbers, to the married sons and daughters of U.S. citizens;

Fifth, 24 percent, or 40,800 numbers, to the brothers and sisters of U.S. citizens;

Sixth, 10 percent, or 17,000 numbers, to qualified persons capable of performing permanent labor for which a shortage of employable and willing persons exists in the United States;

Seventh, 6 percent, or 10,200 numbers, for refugees as defined in the bill. In any given year, one-half of these numbers may be used to adjust the status of previously paroled refugees who can qualify as permanent resident aliens.

The numbers stated in these preference categories are fixed for the professionals, the laborers, and the refugees. Any other preference category dealing with family relationships receives the unused quota numbers of the preference category before it. Finally, all numbers unused in all the preference categories flow in the end for the use of nonpreference or "new seed" immigrants.

Mr. President, the foregoing is a general description of our immigration policy on July 1, 1968. On that date no nation will have a quota number assigned to it—except for the equalizing limit of 20,000 per nation—and no immigrant will be penalized by his birth or ancestry. Between now and then, we have adopted a simple and equitable phasing-out system. For the 3 years beginning July 1, 1965, each nation will maintain its national origin quota, but the quota numbers unused by any nation will be placed in an immigration pool for redistribution to other nations the following year. We will start the pool out with the 55,600 numbers unused last year. During the 3 years certain parts of the new system will be in effect; no one nation can receive more than 20,000 numbers per year. The immigration pool will be available only to immigrants qualifying under the new preference system. The total number available to the world will be the new total of 170,000. Because refugees are included in our general immigration law for the first time, both the Senate and House committee intended that the 6 percent of our total immigration numbers, allocated to refugees, or 10,200, will be available for use from the pool during the phaseout years. Refugees were never under the national origin system and should not be now: thus the numbers available for this purpose will be present both before and after July 1, 1968.

Mr. President, in addition to eliminating the national origins system, this bill makes other reforms in our immigration policy that support the principles of merit and of first come, first served. I am especially gratified that we are wiping out the Asia-Pacific triangle. Established by the McCarran-Walter Act of 1952, this geographic triangle is used to identify those nations of the East to which a specially discriminatory rule applies. Any person, regardless of his place of birth, whose ancestry can be traced to a nation or nations within the triangle is chargeable to the quota of that nation, or to a general triangle quota of 100. The elimination of this crude device means that finally, after almost 100 years, Asian peoples are no longer discriminated against in the immigration laws of our country.

The plight of refugees has been of special concern to us since the end of World War II. Every outbreak of violence between nations leaves its toll in the homeless and dispossessed. Our concern for refugees was capped in 1960 by the passage of the fair share law, under which we agreed to accept up to 25 percent of persons displaced to other lands in a prior 6-month period, if these persons fell under the mandate of the United Nations High Commissioner for Refugees. This law was passed in keeping with World Refugee Year. By placing refugees under our general immigration law for the first time, the bill before us will do away with the main provisions of the fair share law, thus allowing the United States to make its own determination of who is or is not a refugee.

As defined in this bill, refugees are those persons displaced from Communist-dominated countries or areas, or from any country in the defined area of the Middle East because of persecution, or fear of persecution, on account of race, religion, or political opinion. They must be currently settled in countries other than their homelands.

The bill also will make quota numbers available to refugees displaced by natural calamities, as defined by the President. This provision is designed to assure the world that we will remain a haven for the displaced. It means that when situations arise, like the earthquakes in the Azores in 1963, and floods in southeastern Europe, we will be able to assure that the cases of greatest need can be processed at once, while special legislation is being considered.

Another change brought about by this bill relates to the controls exercised by the Secretary of Labor to protect our economy from whatever harsh effects immigration could create. Under current law, aliens who enter to seek employment are excluded from the country only if the Secretary of Labor has determined that their presence would have an adverse effect on the employment or the wages and working conditions of American citizens. Under this procedure, the Secretary certifies that aliens falling under certain occupational or skill definitions should be excluded because they will threaten domestic employment. The new bill reverses this procedure. It places the burden of proving no adverse effect on the applying alien. The intending immigrant must receive a certificate from the Secretary of Labor that his presence will not affect U.S. employment, wages, or working conditions.

Mr. President, this provision was included in this bill to further protect our labor force during periods of high unemployment. But it was included with the intent that it be meaningful only where it has some meaning. Section 212(a)14 of the act which is amended here relates only to those aliens who come here for the purpose of performing skilled or unskilled labor. Hence one would not expect a nonpreference housewife to be forced to seek a specific case clearance from the Secretary.

Mr. HOLLAND. The Senator is talking about aliens who come here seeking to stay permanently under the immigration laws and not aliens who come here for seasonal employment as temporary supplemental agricultural workers?

Mr. KENNEDY of Massachusetts. The Senator is correct.

Mr. HOLLAND. I thank the Senator.

Mr. KENNEDY of Massachusetts. Moreover, Mr. President, it was not our intention, nor that of the AFL–CIO, that all intending immigrants must undergo an employment analysis of great detail that could be time consuming and disruptive to the normal flow of immigration. We know that the Department of Labor maintains statistics on occupations, skills, and labor in short supply in this country. Naturally, then, any applicant for admission who falls within the categories should not have to wait for a detailed study by the Labor Department before his certificate is issued. On the other hand, there will be cases where the Secretary will be expected to ascertain in some detail the need for the immigrant in this country under the provisions of the law. In any event we would expect the Secretary of Labor to devise workable rules and regulations by which he could carry out his responsibilities under the law without unduly interrupting or delaying immigration to this country. The function of the Secretary is to increase the quality of immigration, not to diminish it below levels authorized by law.

The final major change brought about by this legislation affects the nations of the Western Hemisphere. The bill will modify the current nonquota status of these nations by placing a ceiling of 120,000 on the entire hemisphere, exclusive of parents, spouses, and children. This ceiling, effective July 1, 1968, will place no numerical limit on any one

country, however, nor will it incorporate the preference system in force for the rest of the world.

The bill also creates a Select Commission on Western Hemisphere Immigration. This Commission will conduct a complete study of the demographic, economic, and social changes underway in this hemisphere and draw conclusions pertinent to our immigration policy. The Commission will make its first report to the President and the Congress by July 1, 1967, and its final report by January 15, 1968.

Mr. President, there are other amendments to the Immigration and Nationality Act in this important bill. Some are of a technical nature, causing the law to conform to the basic change in our policy; others are more substantive. For example, the newly independent nations of Jamaica and Trinidad-Tobago are included within the definition of the Western Hemisphere by a change in the definition of the Western Hemisphere to include any independent foreign country in this hemisphere. This broad definition, rather than the current restrictive one, will also encompass areas that might gain their independence in the future.

Also, with regard to this hemisphere, current law does not allow for the adjustment of status of aliens who arrive as nonimmigrants from the nations contiguous to the United States or the adjacent islands. In the light of some abuses, whereby Western Hemisphere persons have come as visitors and then sought an adjustment to permanent residents, the current restriction on adjustment was extended to cover the entire hemisphere. An important exception has been made in the Senate committee, however, to provide for those who have fled, or will flee in the future, from a hemisphere nation to escape persecution because of race, religion, or political opinion. This was devised to ease the situation of many Cubans who have entered the United States in recent years.

In general, the various exclusions that exist in our current law have been retained. This bill does, however, recognize the advances made in the treatment and control of epilepsy, and removes persons so afflicted from the exclusions of the law.

In addition, those who are classified as mentally retarded, and those who have suffered past mental afflictions will be treated in the same manner as we currently treat those who are classified as tubercular. That is, the conditions and controls for the admission of such people will rest with the Attorney General. He shall establish the regulations for admission in consultation with the Surgeon General of the Public Health Service.

Section 8(c) of the bill is a consolidation of the definition of "eligible orphan" from different sections of the current law. It was meant to merely restate the definition while in no way changing it from current usage.

Finally, alien crewmen who entered illegally will no longer be treated differently than other illegal entrants when seeking an adjustment of status.

This is the bill before the Senate. It was drafted in the belief that, in drafting an immigration law, Congress should provide our country with a source of strength, not a source of problems. We should be responsive to human needs, but mindful of economic realities. We should not add to the difficulties our country is having, but rather try to aid in the solution of these difficulties. I believe that a fair reading of this bill will show that these responsibilities are discharged.

There have been, however, certain questions raised in the course of our hearings that indicated certain fears or concerns in the minds of some interested people. I would like to set them straight.

First was the fear that this legislation would result in a significant increase in overall immigration. As I have previously stated, the number of quotas authorized each year will not be substantially increased. The world total—exclusive of Western Hemisphere—will be 170,000, an increase of approximately 11,500 over current authorization. But 10,200 of that increase is accounted for by the inclusion of refugees in our general law for the first time.

There will be some increase in total immigration to the United States—about 50,000 to 60,000 per year. This results from changing the law from an individual country quota system to a worldwide system. These are the numbers that go unused each year because quota numbers given to a country that are not utilized are wasted. By removing that obstacle to use, all numbers authorized will now be used, thus the increase in immigration will be about the same as the number of quotas now wasted. More specifically, the future use of numbers can be estimated as follows. Under this bill, we will use the 170,000 numbers given to the world, exclusive of the Western Hemisphere, and about 60,000 more for immediate relatives. Over the past 10 years we have averaged 110,000 per year from the Western Hemisphere. This should continue, along with approximately 15,000 immediate relatives. Thus we will admit an estimated total of 355,000. This is but a 60,000 increase in total immigration over our average total for the last decade.

We are talking about 60,000 people, in a population nearing 200 million, that is growing, without immigration, at a rate of 3 million per year. The percentage increase that immigration will represent is infinitesimally small. This legislation opens no "floodgate." Rather it admits about the same number of immigrants that current law would allow, but for the national origins restriction.

Another fear is that immigrants from nations other than those in northern Europe will not assimilate into our society. The difficulty with this argument is that it comes 40 years too late. Hundreds of thousands of such immigrants have come here in recent years, and their adjustment has been notable. At my request, many voluntary agencies that assist new immigrants conducted lengthy surveys covering people who have arrived since the late 1940's. The results would be most gratifying to any American. I have only found five case of criminal complaints involving immigrants in our studies of many thousands. Unemployment rates among these people are much lower than the national average; business ownership between 10 percent and 15 percent higher; home ownership as high as 80 percent in one city and averaging about 30 percent elsewhere. Economic self-sufficiency after approximately 4½ months from the date of arrival. By every standard of assimilation these immigrants have adjusted faster than any previous group.

In whatever other definition we wish to give to assimilate, we would find our new residents doing well. Family stability is found to be excellent; cases of immigrants on public welfare are difficult to find; 85 to 95 percent of those eligible have become naturalized citizens, and so forth.

The fact is, Mr. President, that the people who comprise the new immigration—the type which this bill would give preference to—are relatively well educated and well to do. They are familiar with American ways. They share our ideals. Our merchandise, our styles, our patterns of living are an integral part of their own countries. Many of them learn English as a second language in their schools. In an age of global television and the universality of American culture, their assimilation, in a real sense, begins before they come here.

Finally, the fear is raised that under this bill immigrants will be taking jobs away from Americans at a time we find it difficult to lower our unemployment rate below 4 percent. Mr. President, I have already described the more stringent controls that this bill gives to the Secretary of Labor to insure against any adverse effects of immigration on American labor. I would also point out that this measure has the complete support of the AFL–CIO; support that would not be forthcoming if the fear of job loss for Americans were real.

The fact is that most immigrants do not enter the labor market at all—they are consumers and create demands for additional labor. Since 1947, only 47 percent of our total immigration entered the labor force, while 53 percent became consumers only, providing a net increase in the demand for goods and services. Of our total immigrant work force since 1947, approximately one-third entered professional and technical occupations—a ratio higher than that for our own domestic labor force. Last year alone, some 20,000 immigrants entered jobs defined as critical occupations by the Selective Service System. These are the people whose creativity makes more jobs, not fewer. In this connection, I ask unanimous consent to have printed in the RECORD two tables summarizing occupational distribution of recent immigration, which bear this out.

There being no objection, the tables were ordered to be printed in the RECORD.

TABLE 1.—*Number and percent distribution of immigrants by broad occupational groups, for fiscal years 1947–64 and for selected years*

Occupational groups	Total, 1947 through 1964		1964		1954		1947	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total admitted	4,424,460	100.0	292,248	100.0	208,177	100.0	147,292	100.0
With occupation	2,077,594	47.0	131,098	44.9	96,110	46.2	65,583	44.5
No occupation	2,346,866	53.0	151,076	51.7	[1] 112,067	53.8	[1] 81,709	55.5
No occupation reported	(1)		10,074	3.4	(1)		(1)	
With occupation [2]	2,077,594	100.0	131,098	100.0	96,110	100.0	65,583	100.0
Professional, technical and kindred workers	343,414	16.5	28,756	21.9	13,817	14.4	10,891	16.6
Farmers and farm managers	92,180	4.4	1,732	1.3	3,846	4.0	3,462	5.3
Managers, officials and proprietors, except farm	101,708	4.9	6,822	5.2	5,296	5.5	5,886	9.0
Clerical, sales, and kindred workers	367,845	17.7	30,015	22.9	16,018	16.7	13,691	21.3
Craftsmen, foremen, and kindred workers	321,453	15.5	17,568	13.4	15,396	16.0	8,726	13.3
Operatives and kindred workers	279,646	13.5	14,243	10.9	16,755	17.4	10,580	16.1
Private household workers	157,306	7.6	8,451	6.4	8,096	8.4	4,922	7.5
Service workers, except private household	125,053	6.0	10,396	7.9	5,203	5.4	3,882	5.9
Farm laborers and foremen	78,044	3.8	3,988	3.0	1,622	1.7	442	.7
Laborers, except farm and mine	210,945	10.2	9,127	7.0	10,061	10.5	2,831	4.3

[1] "No occupation" includes "no occupation reported" group.
[2] Includes immigrants 14 years of age and over.

NOTE.—Detail may not add to totals due to rounding.

Source: Annual reports of the Immigration and Naturalization Service, U.S. Department of Justice.

TABLE 2.—*Number of immigrants in selected critical occupations admitted each year, fiscal years 1954–64* [1]

	Total, 1954–64	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954
Biological scientists	601	112	81	49	48	53	57	56	51	35	36	23
Chemists	6,335	825	814	474	551	504	645	626	668	494	351	383
Dentists	1,429	160	177	115	119	110	99	129	132	159	113	116
Engineers	36,461	3,660	3,966	2,909	2,868	3,338	3,936	4,008	4,524	2,794	2,067	2,391
Geologists and geophysicists	659	85	73	88	66	42	59	58	62	51	41	34
Mathematicians	345	50	56	39	24	31	29	32	35	17	18	14
Nurses	36,858	4,230	4,355	3,700	3,449	3,828	3,620	3,729	3,517	3,064	1,864	1,502
Physicians and surgeons	18,424	2,249	2,093	1,797	1,683	1,574	1,630	1,934	1,990	1,388	1,046	1,040
Physicists	1,610	242	216	187	151	162	155	145	128	75	75	74
Professors and instructors	4,767	839	761	589	500	367	340	352	372	290	173	184
Teachers not specified	27,218	4,086	3,727	3,182	2,686	2,532	2,670	2,471	2,304	655	1,549	1,356
Technicians	17,209	2,448	2,197	1,838	1,635	1,632	1,821	1,346	1,553	1,095	840	804
Machinists	10,252	969	897	681	819	993	1,476	836	1,393	1,106	594	488
Toolmakers, diemakers, and setters	7,334	423	473	369	460	706	654	858	1,150	894	587	760

[1] The occupational categories listed in this table are those which immigrants reported on their arrival in the United States. It was not possible, in a few instances, because of lack of sufficient occupational detail to make a precise match with the occupations which appear on the list of currently critical occupations as determined by the Technical Committee on Critical Occupations of the U.S. Department of Labor. For this reason, totals are not shown.

Source: 1959 through 1964, annual reports of the Immigration and Naturalization Service, U.S. Department of Justice; 1954 through 1958, data furnished by the Immigration and Naturalization Service, U.S. Department of Justice.

Mr. KENNEDY of Massachusetts. In effect then, immigration benefits our economy and labor force, as long as it is selective and controlled. This bill will allow greater selectivity and greater control.

Mr. President, what we are about to consider is the fruit of the efforts of many people over many years: voluntary organizations, who year after year raised their voices against the hardship of the quota system; members of the other body, such as Representative CELLER of New York and Representative FEIGHAN of Ohio, who have vigorously pursued reform; and many others. May I say that my efforts on this subject have been brief in comparison with theirs. If this is a historic occasion, if we are about to take a long awaited step, there are many Senators, here now and with us in the past, whose efforts made them far more worthy of the honor of guiding this bill to passage than those of the junior Senator from Massachusetts.

I think of the late senior Senator from New York, Herbert Lehman, who introduced the first bill to repeal the national origins quota system after the report of President Truman's Commission in 1953.

I think of our distinguished Vice President, who cosponsored such a bill in each Congress, and spoke for it around the country.

I think of President Kennedy, who as a Senator sponsored much of the legislation that breached the quota system to unify families and who first proposed the principles of this bill in 1963. I thank the Senator from Michigan [Mr. HART], who has introduced his own bills in the past, as well as this bill on behalf of the administration.

And I think of all their colleagues who joined with them, year after year, to make this fight. Without their efforts we would not have this opportunity.

Mr. President, George Washington prescribed an immigration policy almost 200 years ago saying:

> The bosom of America is open to receive not only the opulent and respectable stranger but the oppressed and persecuted of all nations and religions; whom we shall welcome to a participation of all our rights and privileges, if by decency and propriety of conduct they appear to merit the enjoyment.

This bill is in keeping with the wish of our first President, and with the wiser strains of our immigration policy that run through most of our history. After 40 years we have returned to first principles. Immigration, more than anything else, has supplied America with the human strength that is the core of its greatness. Let us keep the strength renewing.

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

Mr. KENNEDY of Massachusetts. I yield.

Mr. KUCHEL. The presentation just made by my able friend from Massachusetts is excellent. He need not apologize for the manner in which he will guide the proposed legislation successfully through the Senate.

I recall that when the Senator's late illustrious brother occupied the White House, he made recommendations to the Senate in this field, and I supported him. I recall that when President Kennedy's predecessor, General Eisenhower, was our Chief Executive and made recommendations in this field, I supported him.

Years ago, legislation tending toward what the able junior Senator from Massachusetts has now presented was passed by the Senate, only to suffer an unkind fate in the House.

In my judgment, the junior Senator from Massachusetts and other members of the Committee on the Judiciary have reported a bill of which all of us may be proud.

Specifically, is it not true that the manner in which the bill applies to the problem of refugees is simply and solely a continuation of the policy first established in the administration of President Eisenhower, carried forward in the administration of the late President Kennedy, and now recognized for the first

time, as the able Senator from Massachusetts has said, in the bill to provide for the amendment of the Immigration Act, which he has presented to us?

Mr. KENNEDY of Massachusetts. The Senator from California is correct. As he has stated, the bill includes a provision specifically for the consideration of the refugee problem. This is the first time that refugee provisions have been placed in our permanent immigration law.

The bill contains a definition of the refugees that we will accept, of how they will be admitted, and from what particular parts of the world they may come.

I refer the Senator from California to page 35 of the bill, which establishes quite clearly what we mean by refugees—those fleeing from Communist domination, from the effects of natural calamity, or from the defined areas in the Middle East.

Mr. KUCHEL. I thank the Senator. I shall watch the debate closely.

Mr. ERVIN. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. ERVIN. Before I take the floor in my own right, as I shall do in a few moments, I take occasion to pay tribute to the floor manager of the bill, the able junior Senator from the Commonwealth of Massachusetts.

The late President Kennedy was deeply interested in this field, and many of the provisions of the bill represent a realization of a dream entertained by him. So it is quite fitting that the bill should be guided to passage through the Senate by his able brother.

The junior Senator from Massachusetts presided over the hearings of the subcommittee which began last February and continued until comparatively recent days. Throughout that time, he always presided with courtesy, with tact, with an understanding of the problems involved, and with an eloquent presentation of his own views on the subject.

I pay tribute also at this time to the distinguished junior Senator from Michigan [Mr. HART], who is now presiding over the Senate, and who introduced the bill which formed, in large measure, the blueprint for the consideration of the committee and has culminated in the reporting of the bill now before the Senate.

In paying tribute, I should also say that the subcommittee labored hard on this subject. High commendation is due to the distinguished senior Senator from Hawaii [Mr. FONG] for his interest, efforts, and untiring devotion to the work of the subcommittee. His amendments considerably improved the bill.

The distinguished minority leader [Mr. DIRKSEN], the distinguished senior Senator from New York [Mr. JAVITS], and the distinguished Senator from Nebraska [Mr. HRUSKA], who is not a member of the subcommittee, but is of the full committee, deserve much credit for the work which has resulted in the presentation of the bill to the Senate today.

I compliment the distinguished junior Senator from Massachusetts for his eloquent presentation and his excellent analysis of the bill.

Mr. KENNEDY of Massachusetts. I appreciate the comments of the Senator from North Carolina. More than anyone else, he was in constant attendance at the committee hearings, and labored long and hard in bringing this measure to the floor today. To a great extent, his exhaustive probing, questioning, and analyzing brought many worthwhile recommendations for the improvement of the bill. So I appreciate particularly the kind comments of the distinguished Senator from North Carolina.

Mr. President, I desire to mention one additional matter. The distinguished junior Senator from Florida [Mr. SMATHERS], a member of the Committee on the Judiciary, who is absent from the Senate at this time on official business, brought to my attention certain language that appears in the third paragraph on page 26 of the report, pointing out to me that this was not the language that was agreed to by the committee. With his point of view, I thoroughly concurred. Let me now read the language about which the Senator from Florida expressed concern:

> The attention of the committee was directed to the situation which exists with reference to the practices and procedures controlling the importation of aliens to perform temporary services under section 214(c) of the Immigration and Nationality Act, both as it relates to the importation of actors and other performers and as it relates to other types of employment.

Further, there appears in the report the following language in the last sentence of the same paragraph:

> The Attorney General will be requested to study this matter of consultation with the Secretary of Labor in those cases involving the importation of nonimmigrant aliens under section 101(a)(15)(H)(i) and (ii) and report seasonably to the committee the results of his study.

The Senators from Florida expressed concern that the words "and as it relates to other types of employment" which appear in the first sentence of the third paragraph and the words referring to section 101(a)(15)(H) in the last sentence of the same paragraph was not the language approved by the committee, and could conceivably include nonimmigrant farm labor which the committee had no intention of including in the report.

I informed the junior Senator from Florida that it was the intention of the committee that the language in the report refer solely to the importation of actors and performers of exceptional ability and related employees in the entertainment field, such as theatrical technicians, electricians, wardrobe personnel and so forth.

There is a clear understanding between myself, the junior Senator from Florida, and other members of the committee with respect to this language that the committee had no intention of including nonimmigrant farm labor in the language agreed to.

I regret that this language is in such a form that it could be misconstrued and want to say very definitely now that the committee makes no change or reference to nonimmigrant farm labor either in the report or the bill before us. As a matter of fact this was made clear in the committee in connection with the colloquy that was had between the junior Senator from Florida, myself, and other members of the committee.

The language that I have referred to was added to cover those temporary workers who accompany theatrical performers to assist them in their performances and again was not included to refer to nonimmigrant farm labor.

Let me make it abundantly clear that no change is made in existing law with respect to nonimmigrant farm labor and that the language in the report was meant to be confined as I have previously stated to the importation of actors and other performers of exceptional ability and related employees in the entertainment field. I can assure the members of the Senate that had this report not been printed that most certainly the words in the first sentence of the third paragraph on page 26 and those words in the last sentence referring to section 101(a)(15)(H) would be deleted from the report, so that there could be no possible misconstruance.

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

Mr. KENNEDY of Massachusetts. I yield.

Mr. HOLLAND. I thank the Senator for making so clear the point which has just been clarified relative to the inclusion of certain unfortunate wording in the committee report.

The Senator will recall, as will other Senators, that the Senate recently had a rather sturdy debate on this question relating to the importation of temporary workers for agricultural labor from foreign nations, which workers are not admitted as applicants for permanent residence.

In that debate the Senate was evenly divided, as the Senator will recall. The controlling vote was cast by the distinguished Vice President, which made a total vote, as I recall, of 46 to 45. Shortly after that action, and after the amendment sponsored by the senior Senator from Florida and by my distinguished colleague the junior Senator from Florida [Mr. SMATHERS], and the distinguished Senator from California [Mr. MURPHY], had been omitted from the farm bill then pending, by the vote of the Vice President, we had heard that there would be included in the immigration bill a provision relating to the same subject and applying in a different way, of course, from that which was pursued by our amendment.

The senior Senator from Florida inquired at once of the committee and the committee staff and found that, just as his friend has now stated, no such provision was included in the bill. It had been agreed in the committee that the bill should make no reference to nonimmigrant farm labor. It had also been agreed in the committee that there should be no reference to the subject matter in the report. However, when the report was available, immediate anx-

iety was created in certain agricultural circles by the wording to which the Senator has referred.

The senior Senator from Florida at once took up this matter, first with his distinguished colleague the junior Senator from Florida, and later with the chairman of the full Committee on the Judiciary [Mr. EASTLAND], with the distinguished Senator from North Carolina [Mr. ERVIN], and with other members of the committee, and found that the wording of the report, if it applied to agricultural labor, was unfortunate because it had not been approved by the committee.

Later we found that was exactly the understanding of my distinguished friend who has so ably explained the provisions of this bill, the junior Senator from Massachusetts.

I appreciate the fact that he has cleared up this matter so thoroughly by his statement.

As I now understand it, there is no reference in the bill itself to the subject matter of supplemental agricultural labor from foreign countries coming to this country to help harvest or to help produce our crops, and there is no reference contained in the report. The words quoted by the distinguished Senator from the report were meant to relate and do relate solely to actors and persons in the entertainment field and technicians and specialists who accompany them when they come to this country. Is that a correct statement?

Mr. KENNEDY of Massachusetts. The Senator is correct in his understanding. This legislation before us is a very important, but limited, adjustment to the McCarran-Walter Act. This bill takes a particular part of existing law, as I mentioned in my speech, relating to immigration factors such as the national origins quota system, the Asia-Pacific triangle, and the preference categories, and modifies them to remove a longstanding form of discrimination in our immigration laws.

This specific legislation does not consider in any way, nor does the report, the matter which the Senator from Florida has mentioned, though certainly the matter which the Senator from Florida has mentioned is included generally within the total framework of the McCarran-Walter Act.

Mr. HOLLAND. It is included within the framework of existing law, but not included in any way within the proposed changes in the existing law nor within the purview of the report of the committee.

Mr. KENNEDY of Massachusetts. That is correct.

Mr. HOLLAND. Mr. President, I thank the Senator. I am not surprised that that is the case.

The Senator and I had a short conference on this subject generally as we were going back to our respective offices. I remember that I assured the distinguished Senator that the suggestion might not be presented by those of us who think differently from himself on this subject. I had felt from what I had heard from the committee that a similar situation existed in the committee.

I was particularly impressed that that must be the case when I noted the decision of the committee and the voting in the Senate on the amendment to which I have referred. I found that the Committee on the Judiciary was seriously divided in its vote. Eight members of the committee voted for the position taken by my distinguished colleague and myself, and seven members voted against that position. The absent member of the committee, making up the 16 in all, declared for that position. So there was a division of 9 to 7 in favor of the position taken by my colleague and myself.

It seemed to me impossible in that situation for the committee to have taken any affirmative position on this issue.

I thank the Senator for having made it abundantly clear by his statement that the committee neither in the bill nor in the report intended to or has taken any position whatever on the question of the admission of nonimmigrant agricultural labor.

I thank the distinguished Senator.

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

Mr. KENNEDY of Massachusetts. I yield.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The Senator from Michigan is recognized.

Mr. HART. Mr. President, I join the able Senator from North Carolina [Mr. ERVIN] and the distinguished minority whip [Mr. KUCHEL] in commending the junior Senator from Massachusetts [Mr. KENNEDY], who has opened the debate on this historic bill in a fashion which will do great credit to the Senate, quite aside from the distinction which it will bring to him. With him, I hope that the hour is at hand when we may achieve a goal which many of us shared with his brilliant brother. I am very grateful for the kind words he has spoken.

I reassure the Senator from Florida that I heard the colloquy with respect to agricultural labor, and I share the view of the floor manager of the bill that there is nothing, in the new legislation which we hope will be enacted, that would change existing law or procedures with respect to the admission of migrants or anybody else. The same procedures and clearance requirements which exist today will remain after enactment of this bill.

I join the Senator from Massachusetts also in the deserved high praise he gave the distinguished senior Senator from North Carolina [Mr. ERVIN], whose keen mind and persuasive speech we all admire, who applied those rich gifts to the development of a record upon which the Senate may confidently act.

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

Mr. KENNEDY of Massachusetts. I yield.

Mr. HOLLAND. Do the remarks of the Senator from Michigan concerning nonimmigrant agricultural labor apply equally to the report of the committee?

Mr. HART. Yes. We are again confronted with the problem that whatever the report might have contained, the bill does not change a line of the existing law with respect to the admission of that category of agricultural labor, or others.

Mr. HOLLAND. The wording in the report which might be construed as applicable to that field was not so intended, and does not in fact apply to nonimmigrant farm labor.

Mr. HART. That is correct. It should not be so construed.

Mr. ERVIN. Mr. President, I have been involved, as a member of the Subcommittee on Immigration and Naturalization since February, with the processes which have led to the presentation to the Senate of the pending bill. I believe I can truthfully say that the bill in its present form is a result of the legislative process working in its finest fashion. The bill represents the combined efforts of many men who entertain divergent views upon many aspects of the legislation; and it represents a compromise of those divergent positions of interested members of the subcommittee on various features of the bill. In its present form, it is a bill which I can support with good grace.

I do not know whether I could have said that in February, because I frankly concede that I believe in the national origins quota system of the McCarran-Walter Act; and had I been permitted to have my way in the framing of the bill, I should have retained the national origins quota system of that act.

I wish to say a few words as to the reason why I believed—and still believe—that the national origins quota system of the McCarran-Walter Act presents a desirable formula for the admission of immigrants for permanent residence and ultimate citizenship in the United States.

I disagree with the view that the national origins quota system devised by those two great American legislators, Senator Pat McCarran and Representative Francis Walter, is discriminatory either in purpose or in effect. To be sure, the national origins quota system prescribed by the act which bears the names of those two eminent Americans gave larger quotas to certain of the countries of western and northern Europe than to countries elsewhere in the Eastern Hemisphere. It did so for what I conceive to have been a very good reason, that is, because the people who originally came to the United States from those countries and their descendants constituted the major portion of the population, and thus had made the greatest contributions to the culture and development of America.

In making that statement, I do not assert that the people from northern or western Europe, notably from the British Isles, Ireland, France, the Netherlands, Germany, and the Scandinavian countries, are superior to persons in other nations. To the contrary, I assert that anyone who believes in the equality of man should share my views, because if men are truly equal, the people who constitute the most numerous part of the population of any nation are necessarily those who contribute most to that country and its development.

The purpose of the national origins quota system under the McCarran-Walter Act was to receive for permanent residence in America, and for eventual

citizenship, immigrants who had cultural backgrounds similar to those of the people already here, and who for that reason were most readily assimilable into our way of life.

When the committee report was filed, I incorporated certain additional views which appear on pages 56, 57, and 58. These additional views set forth in more detail the reasons why I accept as wise the national origins quota system of the McCarran-Walter Act.

Mr. President, I ask unanimous consent that the additional views be printed in full at this point in the RECORD.

There being no objection, the additional views of Mr. ERVIN were ordered to be printed in the RECORD, as follows:

ADDITIONAL VIEWS OF MR. ERVIN

While I support H.R. 2580, as it is reported by this committee, and while I subscribe to much of the majority report, I must take exception to parts of the purpose of the legislation, as stated by the majority, and amplify the reasons immigration reform is necessary.

As long as I have served in the Senate, there have been constant and consistent harangues—from lobbyists and well-meaning humanitarian organizations, from politicians and Presidents—to the effect that the national origins quota system, as embodied in the McCarran-Walter Act, constitutes a most invidious and evil discrimination against all the people of the world living outside of northern and western Europe. It has been declared in political pamphlets and in congressional hearings that the Congress in 1924 and that two-thirds of the House and two-thirds of the Senate in 1952, declared through legislation that the people of northern and western Europe are superior to those of the rest of the world.

To me, this is mischievous nonsense and sanctimonious propaganda.

The national origins system, just as the system which is encompassed in the present bill, recognizes the necessity for placing restrictions on immigration to the United States. Present law undertakes to assign to each nation in the Eastern Hemisphere a specific quota of immigrants in proportion to the number of Americans whose national origin is traceable to such country.

However philosophers or anthropologists may differ over the correctness of the thesis, the national origins system is based on the proposition that all men are created equal, and that the peoples of various nationalities have made contributions to the development of the United States in proportion to their numbers here. The McCarran-Walter Act is, therefore, based on conditions existing in the United States, and is like a mirror reflecting the United States, allowing the admission of immigrants according to a rational and uniform mathematical formula.

Those who oppose the system do so because relatively larger quotas than they feel are fair are assigned to the United Kingdom, Ireland, France, Germany, Holland, and the Scandinavian countries. This is true, however, only because these countries constitute the most numerous groups in our population and, therefore, have made the greatest contributions to America. In support of this I cite the British Isles, which, in addition to supplying us with a substantial part of our inhabitants, has given us our language, our law, and much of our literature.

When it adopted this definite and uniform rule of law with the view to maintaining the historic population pattern of the United States, Congress did not act upon the theory that the people of one nation are superior or inferior to those of another. Rather, it recognized the obvious and natural fact that those immigrants can best be assimilated into our society who have relatives, friends, or others of similar backgrounds already here. Again, to use the British Isles as an example, it is abundantly clear that their citizens are quickly and easily assimilable into our life and culture.

As the Christian Science Monitor has editorialized:

"It is no reflection on the many fine American citizens of all races, creeds, and national origins to recognize realistically that some nations are far closer to the United States in culture, customs, standards of living, respect for law, and experience in government."

In spite of the endless protestations against the much maligned national origins system, there is absolutely nothing unjust in it. On the contrary, it admits immigrants from all areas of the earth on an exact mathematical basis having no relation to political pressures.

On the other hand, the bill which was originally presented to this committee, S. 500, was manifestly unjust, both to the American people and to those from other lands who would like to join us. Badly conceived and badly drafted, every provision was sufficiently complex to induce an acute case of mental indigestion. Almost all of the witnesses defending it differed among themselves over the meaning of several sections.

Other than poor draftsmanship, there were two fatal defects in the bill. First, the mathematical formula by which immigration is theoretically determined under the McCarran-Walter Act would be destroyed, and in its place immigration would be managed in the virtually uncontrolled discretion of officials of the executive department, subject to political pressures. Second, S. 500 would have done nothing to control Western Hemisphere immigration. To me, the lack of hemispheric restrictions is the one major defect of the McCarran-Walter Act.

In a speech before the Senate on March 4, 1965, I recognized that the present law is not perfect. But I stated then that "I shall not vote to abandon the national origins quota formula until someone devises a better rule sufficiently strong and certain to insure that immigration to the United States is controlled by the rule of law and not by the caprice of men."

For the reasons outlined in the majority report, I now think such a law has been devised and reported by this committee. As the report states, the McCarran-Walter Act has been largely nullified by amendments and special legislation and no longer effectively restricts immigration. New legislation is now in order for both the Eastern and Western Hemispheres—legislation which will restrict immigration within predictable limits.

This has been accomplished by the committee through adoption of a clear and intelligible bill utilizing a mathematical formula with a numerical ceiling applying to the Eastern Hemisphere, with preferences given to the members of families now in the United States and to members of the professions and arts who can make the greatest contributions to our society. We owe a great debt to the House Immigration Subcommittee and its staff for the creation of this system.

The amendment which I offered and was adopted by the Senate subcommittee, and which would place a ceiling on total Western Hemisphere immigration, must be retained if we are to have a fair, restrictive immigration law. This should be the heart of any reform of our immigration laws. The present rate of immigration from the independent North American countries is already alarmingly high, and, coupled with the population explosion in South America, our duty is clear. It is inconceivable to me that we could enact a law with the alleged purpose of eliminating discrimination and, at the same time, continue the most apparent discrimination of all—that is, the nonquota status of the Western Hemisphere.

Retention of my amendment in the bill will finally bring us to the point at which we no longer discriminate in favor of the people of Chile over the people of England, or the people of the Dominican Republic over the people of France, our traditional allies since our fight for independence.

There are, of course, other efficacious amendments to present law, some added by the House and others by the Senate subcommittee; and there are other important reasons for reporting H.R. 2580 than those I have mentioned. However, these are adequately covered in the majority report.

In closing these separate views, I would like to acknowledge my personal gratification, which I am sure is shared by all members of the subcommittee, to the staff of the Senate Subcommittee on Immigration and Naturalization, for the devotion and tireless efforts which they gave to us over these months of hearings and executive session. Without their dedication, we could not have accomplished our task of processing an intelligent and effective bill.

SAM J. ERVIN, Jr.

Mr. ERVIN. Mr. President, I knew, however, as the subcommittee began its work upon the immigration bill originally introduced by the able and distinguished junior Senator from Michigan [Mr. HART], and various cosponsors, that the McCarran-Walter Act had been the subject of prolonged attack, and had fallen into disfavor with a majority of the Members of Congress, and that those who did not entertain my view about the wisdom of the provisions of the McCarran-Walter Act relating to the national origins quota system had sufficient votes to eliminate that formula from the pending legislation.

That discovery presented to me two possible courses of action. The first was that I might concentrate my efforts in a forlorn fight to preserve the national origins quota system and suffer defeat in such fight without rendering any service to my country, other than that of loyalty to an ideal which I cherished.

The second possible course of action which confronted me was to join with other members of the subcommittee in an effort to present to the Senate the best possible obtainable immigration law, curing the defects of present law, without the retention of the national origins quota system.

I felt that I could serve my country best by adopting the second alternative. That is the reason which prompted me to join the other members of the subcommittee, and particularly those whose names I enumerated in my colloquy with the Senator from Massachusetts [Mr. KENNEDY], in fashioning the present bill, which in my judgment represents the best immigration law obtainable at present.

Also, as the Senator from Massachusetts has stated—and he has cited statistics which support his statement—the number of nonquota immigrants received in this country in recent years from the Eastern Hemisphere has exceeded the number of immigrants we have received under the quotas established by the national origins system. This has been due, among other things, to the necessity for admitting many refugees who were

fleeing religious and political oppression. The fact is, as the Senator stated, that the system is simply not working.

The House subcommittee, and its members deserve the thanks of the country for devising an intelligent, intelligible and precise mathematical formula for the Eastern Hemisphere by which immigration will be impartially determined. Under it, the most important and admirable purposes of the administration will be accomplished far more effectively than would have been true under the original bill. The reunification of families will be achieved, and we will be assured of receiving the best qualified immigrants. The preference system adopted by the House will assure America of receiving the most easily assimilable and most desirable prospects for citizenship.

The House also imposed new labor restrictions on all prospective immigrants which will have the effect of removing their threat to increased unemployment. Too, it added new and greatly needed security measures without removing any of those presently existing.

This is not to say that H.R. 2580 as it was reported to the Senate was a perfect bill, or even one which I could support, for it still lacked the key ingredient of any meaningful reform—that is, a limitation on Western Hemisphere immigration. However, the genesis of good legislation was there, and the Senate Subcommittee proceeded with the same resolve and dedication as did the House subcommittee.

Several substantive, as well as technical and clarifying, amendments were added which improved the measure. Among these, is one I offered, to allow alien seamen who entered the United States illegally the same opportunity to apply for an adjustment of status for reasons of hardship after 7 years residence as have other immigrants who entered the country illegally. I have always felt that like people in like circumstances should be treated by the law in a like manner, and I see no reason to treat seamen differently from other aliens. Also, it seems to me that if a man has found a job and a home here and has been assimilated into our society, he should be allowed to remain. This is an elementary proposition, and I am confident the amendment will be retained. However, this is not the amendment which has aroused the most controversy concerning the bill in its present form.

There was one serious defect in the bill before us, and in the McCarran-Walter Act; and that defect arose out of the fact that while existing immigration laws placed a limitation upon the number of immigrants receivable from countries of the Eastern Hemisphere, they placed no limitation whatever upon the number of immigrants admissible from the Western Hemisphere.

I know of no one in Congress at the present moment who favors unrestricted immigration. I am satisfied, from my work with them, that all of the other members of the Subcommittee on Immigration and Naturalization of the Senate Committee on the Judiciary favor reasonable restrictions on immigration, and that such disagreements that may have existed in the past in respect to this point were concerned only with ways in which that objective could be best attained.

I felt that it was unjust to all the people of the Western Hemisphere for the United States to say, "We are willing to have all of you move into the United States," and at that same time place in the immigration laws provisions which would deny them admission, after such a broad invitation had been extended, because of their failure to meet certain labor requirements of the laws. To my mind, there was a certain amount of hypocrisy in the immigration laws which made that proclamation and had that effect. It seemed to me that it was like inviting a man to dinner, and then digging a pit for him to fall into before he could get to the dinner table.

Accordingly, I thought that, in order to abolish the hypocrisy which our existing immigration laws practice, telling the people of the Western Hemisphere that they are all welcome to move into the United States immediately, we should place a reasonable limitation upon immigration from the countries of the Western Hemisphere, as we did in the case of immigration from the countries of the Eastern Hemisphere.

I felt that in addition to there being something in the nature of legislative hypocrisy in the existing immigration laws in this respect, it was also a gross discrimination against all the people of the Eastern Hemisphere for us to have immigration laws which specified that only a limited number could come in from the Eastern Hemisphere but that, on the contrary, unlimited numbers could move into the United States from the Western Hemisphere.

For that reason, I submitted an amendment to provide a limitation on immigration from the Western Hemisphere. As the distinguished Senator from Massachusetts has stated, the pending bill, with that amendment, would place a limitation on immigrants from the Western Hemisphere of 120,000 annually, plus the spouses and the children of American citizens who may come from those countries outside and above the limitation.

To enable the immigration authorities to adjust their action to this new limitation, the bill would provide that it would not become effective until the 1st day of July 1968.

To me, it is vitally important for the amendment to be retained in the Senate and for the Senate conferees to insist upon its retention, in the event it should become necessary to have a conference with the House upon the bill.

Those who disagree with the wisdom of my amendment contend that special privileges are warranted by the special relationship which exists between us and our hemispheric neighbors.

I submit that there is no relationship which is closer or more special than that which our country bears to England, our great ally, which gave us our language, our law, and much of our literature. Yet, under the pending bill, those who disagree with me express no shock that Britain, in the future, can send us 10,000 fewer immigrants than she has sent on an annual average in the past. They are only shocked that British Guiana cannot send us every single citizen of that country who wishes to come.

Those who disagree with me on this point say that there is nothing invidious in the discrimination in favor of the Western Hemisphere, because the discrimination "is not based on race, religion, or ethnic origin." They fail to note that every witness at the hearings agreed with me that there was also no discrimination based on race, religion, or ethnic origin in the national origins quota system of the McCarran-Walter Act. Yet, those who disagree with me never failed to take the opportunity to castigate that system as discriminatory.

Mr. President, a man born in England, be he Catholic, Jew, or Protestant, is charged to the British quota. The system allows immigration according to place of birth, just as the present bill does. Under it, a person born in the Western Hemisphere would be charged to the Western Hemisphere ceiling. A man born in the Eastern Hemisphere would be charged to the Eastern Hemisphere ceiling.

This bill creates a commission to study the Western Hemisphere problem, among others. I suggest the possibility that this commission might find that the ceiling which the bill establishes for immigration from the Western Hemisphere is still too discriminatory, since it allows 45 percent of immigrants to come from only 15 percent of the world's population.

I have also heard it said that the ceiling will somehow adversely affect the Alliance for Progress. This is a perverse argument, indeed, since under the labor restrictions imposed, we will take only the best of those we are helping to train. I hope that those in charge of administering the Alliance for Progress will understand the necessity of keeping the best qualified where they are most needed, which is in the Latin American countries.

The substance of my amendment has been endorsed by the New York Times, the Christian Science Monitor, the Minneapolis Tribune, the St. Paul Pioneer Press, and the distinguished columnist Charles Bartlett.

On July 17, 1965, the New York Times published an editorial entitled "Progress on Immigration." I wish to read this portion:

> Secretary Rusk urges that Latin-American nations remain outside any ceiling, as they are now outside of the quota system. But this well-intentioned position could lead to trouble and ill will in the not so distant future if immigration from Latin America and the Caribbean should grow sharply—as there are signs that it will—and pressure were then built up to limit a sudden flood of immigrants for which the country was unprepared. While the entire law is being overhauled, it would be better to place all the nations of the world, including those to the south of the United States, on exactly the same footing.

I ask unanimous consent that the editorial from the New York Times may be

printed at this point in the body of the RECORD as a part of my remarks.

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

PROGRESS ON IMMIGRATION

The Johnson administration has intervened to unsnarl the tangled threads of the immigration reform bill in the House.

Personal animosity between Representative EMANUEL CELLER, chairman of the Judiciary Committee, and Representative MICHAEL A. FEIGHAN, the ranking member, has previously made agreement impossible on a measure to repeal the national origins quota system. In a letter from Secretary of State Rusk, the administration discloses that it does not regard adoption of major provisions of the Feighan bill as too high a price to pay for his support.

The national origins quota system would be abolished immediately, as Mr. FEIGHAN suggests, rather than phased out over the next 5 years. The administration has also softened its opposition to Mr. FEIGHAN'S proposal for an annual ceiling on immigration. If set at 235,000 persons, the ceiling proposed by Mr. FEIGHAN, this figure would be tantamount to a cut of 55,000 from the existing rate. If a ceiling is to be set, it should not be lower than the present level.

Secretary Rusk urges that Latin-American nations remain outside any ceiling, as they are now outside of the quota system. But this well-intentioned position could lead to trouble and ill will in the not so distant future if immigration from Latin America and the Caribbean should grow sharply—as there are signs that it will—and pressure were then built up to limit a sudden flood of immigrants for which the country was unprepared. While the entire law is being overhauled, it would be better to place all the nations of the world, including those to the south of the United States, on exactly the same footing.

Mr. ERVIN. Mr. President, the Christian Science Monitor for August 17, 1965, carried an editorial entitled "New World Immigration." I wish to read these words from that editorial:

It would seem that a reasonable, legal limitation on migration from Latin America, if adopted today, could prevent the need to adopt more stringent legislation tomorrow.

I ask unanimous consent that a copy of the editorial from the Christian Science Monitor be printed at this point in the body of the RECORD as a part of my remarks.

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

NEW WORLD IMMIGRATION

Applying intense pressure, the administration struck from the immigration reform bill a measure which many experts believe will have to be faced in the near future. This was a provision which would have placed a limit on migration into the United States from the rest of the New World.

Administration opposition centered on the claim that to impose such a limit would endanger diplomatic relations with several Latin American states. This seems like an inadequate excuse for several reasons. We find it hard to believe that any government believes its citizens have a right per se to migrate to any other country. In the second place, certain of the New World lands themselves place high hurdles before many U.S. citizens where immigration is concerned. Thus Mexico virtually demands that a newcomer, including one from the United States, be financially independent before going to Mexico to live, and there are signs that Canada unofficially discourages immigration of nonwhites, among them American Negroes.

But all such considerations aside, Washington must surely realize that, at any moment, it could face a deluge of would-be Latin American immigrants. The flood of Puerto Ricans which has poured into New York, and the wave of Jamaicans which has flowed into Britain during the last 15 years are but tokens of the vast numbers who might someday wish to leave underdeveloped homelands.

For two crucial facts must be faced. The first is that the population of Latin America is growing more rapidly than that of any other large area in the world. The second is that, on the whole, the Latin American nations are failing to solve their economic problems. Thus the pressure on resources grows and grows. Eventually Latin Americans from many lands may decide to do what Puerto Ricans and Mexicans have done in such large numbers: go to the United States.

It would seem that a reasonable, legal limit on migration from Latin America, if adopted today, could prevent the need to adopt more stringent legislation tomorrow.

Mr. ERVIN. Mr. President, on August 25, 1965, the St. Paul Pioneer Press carried an editorial entitled "New Immigration Danger." In the course of the editorial, the Pioneer Press made this observation:

For example, no more than 20,000 persons could be admitted from the United Kingdom in 1 year, but such countries as El Salvador, Paraguay, Nicaragua, and Argentina could send unlimited numbers.

This editorial proceeded to take the position that the better part of wisdom at this time required the placing of a limitation, as this bill does, upon immigration from the Western Hemisphere.

I ask unanimous consent that a copy of the editorial from the St. Paul Pioneer Press be printed at this point in the body of the RECORD as a part of my remarks.

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

NEW IMMIGRATION DANGER

Under the flimsy and foolish pretext of making a friendly gesture to Central and South America, the State Department and the Johnson administration propose to revise but maintain numerical limits on immigration from all the rest of the world, but to leave the doors wide open for a flood of Latin Americans.

A revolt against this dangerous and unjustified favoritism is forming among House Members. One of the leaders is Representative CLARK MACGREGOR, of Minnesota, backed by many Republicans, but also supported by numerous Democrats. Their efforts deserve backing from the public and from Congress.

What has happened in the House is that the bill to abolish the national origins quota system for regulating immigration has been twisted into a vehicle for a new form of discrimination. While an overall limit of 170,000 immigrants a year is set for all the nations outside the Western Hemisphere, including England, West Germany, the Scandinavian nations and Italy, no limits whatever are provided for the Latin American countries. Furthermore, there is an individual national quota maximum of only 20,000 for each nation outside the hemisphere, but no national limit in Latin American.

For example, no more than 200,000 persons could be admitted from the United Kingdom in 1 year, but such countries as El Salvador, Paraguay, Nicaragua, and Argentina could send unlimited numbers.

To call this bill nondiscriminatory is hypocrisy. It discriminates against the nations that have traditionally supplied America with desirable immigrants.

Such a policy does not make sense. If we are to replace the national origins principle with the theory that immigrants should be judged on their character and ability, regardless of nationality, then the Latin Americans should come under the same rules, and there should be a maximum quota for them as well as for others.

This is especially important now because Latin America is rapidly becoming one of the world's biggest surplus population areas. Latin America has millions more people than it can support or educate at decent levels, and is doing nothing to control its population explosion. In Salvador alone some 700,000 people have overflowed into neighboring Honduras. In Colombia the politicians are talking of wholesale exportation of emigrants into other countries because of unemployment and poverty.

The situation obviously could develop into a serious U.S. immigration problem if no checks are provided. Congressman MACGREGOR proposes to amend the House bill to put a yearly ceiling of about 140,000 on all Latin American imigrants, which would be in addition of the 170,000 to be permitted from other parts of the world. This is a generous allowance.

The flood of Puerto Ricans that has poured into New York in recent years, with all their problems of language and poverty, should be sufficient warning to the United States. Without reasonable restrictions, the rest of Latin America and the Caribbean islands could in the future provide a deluge of immigrants that would be difficult to assimilate.

Mr. ERVIN. Mr. President, on August 25, 1965, the Minneapolis Tribune, of Minneapolis, Minn., carried an editorial entitled "Immigration and the Population Problem." This editorial commented upon an amendment then pending to the House bill which had been offered by Representative MACGREGOR to place a limitation on immigration from the Western Hemisphere, and it referred to the opposition of the State Department to the placing of any such limitation upon immigration. It said this on that point:

The State Department argues that a limitation would be an affront to Latin America. MacGregor answers more soundly that the time to set restrictions is now, rather than when the problem becomes more acute.

His view is reinforced by an estimate from the international family planning conference at Geneva this week that the population of Latin America will increase 3.6 times by the end of this century. The pressure to escape to a more moderately expanding United States is likely to grow.

I ask unanimous consent that a copy of the editorial from the Minneapolis Tribune be printed at this point in the body of the RECORD as a part of my remarks.

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

IMMIGRATION AND THE POPULATION PROBLEM

Representative CLARK MACGREGOR, Republican of Minnesota, and House Republicans are trying to put a limit on the number of immigrants from other Western Hemisphere nations. At present there is no quota for them.

The State Department argues that a limitation would be an affront to Latin America.

MACGREGOR answers more soundly that the time to set restrictions is now, rather than when the problem becomes more acute.

His view is reinforced by an estimate from the international family planning conference at Geneva this week that the population of Latin America will increase 3.6 times by the end of this century. The pressure to escape to a more moderately expanding United States is likely to grow.

Indeed, in an era when overpopulation looms as one of the world's toughest questions, there is doubt about the United States undertaking an enlarged role as safety valve for nations which do not control their own numbers.

Present legislation bases immigration quotas on the ethnic makeup of this country in 1920. Quotas for western and northern European countries seldom have been filled. Applications from southern Europe and other areas far exceed openings. Thus some juggling of qualifications is needed.

But the effect of the pending bill would be to boost total immigration from the present 300,000 to about 350,000. About 130,000 now arrive annually outside the quotas from other western hemisphere nations. Without the limitation MACGREGOR seeks, this number could jump sharply.

Regarding U.S. growth rates, the Population Reference Bureau remarked: "At present we are on a collision course that could lead us to catastrophe, timed to arrive only a few decades after our sister nations (if they do not alter their growth rates) have crashed on the Malthusian reefs."

Mr. ERVIN. Mr. President, the Washington Evening Star for August 24, 1965, carried a column by Charles Bartlett entitled "Revolt Brewing on Immigration," in which he had some comments to make on this point. I shall read this portion of the column:

Since most Latin governments do not currently recognize their population problems, the imposition of a quota will provoke less diplomatic tension now than it will later when overpopulation becomes acute. Congress enactment of the quota may actually jolt the Latins into more realistic attitudes.

The arguments for establishing the quotas now are so compelling and the diplomatic consequences are so nebulous that some Congressmen suspect that Rusk and Mann are resisting it purely in terms of diplomatic expediency. Their stand on immigration is certainly inconsistent with their refusal to endorse preferential trade arrangements within the Western Hemisphere.

I ask unanimous consent that the entire column of Charles Bartlett, be printed at this point in the body of the RECORD.

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

REVOLT BREWING ON IMMIGRATION

(By Charles Bartlett)

There are signs of revolt by the House of Representatives against the intermingling of immigration policy and short-term diplomacy in the stand taken by Secretary of State Dean Rusk on the new immigration bill.

Rusk is urging Congress to abolish the individual country quotas that have controlled migration to the United States since 1924. He echoes the widespread sentiment that these quotas are discriminatory and damaging to the Nation's reputation for fairness. But Rusk also urges that the Latin American Republics continue to be excluded, as they have since 1924, from the overall limitation that the new bill will place upon migration to this country.

Representative MICHAEL FEIGHAN, Democrat, of Ohio, leading the move to revamp immigration policy, has doggedly questioned the special access of Latin immigrants. Why is it fair, he has asked, for people all over the world to stand in line for quota numbers while South Americans enter the United simply by showing that they are unlikely to become public charges?

FEIGHAN hoped to end this special status in the new immigration law but he met objections from the State Department after the crisis erupted in the Dominican Republic. Rusk and Under Secretary of State Thomas Mann argued earnestly that this move would weaken the U.S. standing in Latin America at a critical moment. Further persuasions by President Johnson induced FEIGHAN to agree to a compromise.

The Feighan bill now before the House requires the President to notify Congress when immigrations from the Western Hemisphere start to rise sharply. Latin immigrants will be subject, like all others, to the Labor Department's certification that they possess needed skills not already available in the pool of unemployed.

But this compromise has not allayed the alarm of some Members at demographers' projections that the population of South America will multiply in this century from 69 to 600 million. The growth of Latin migrations to the United States in this decade, from 95,701 in 1960 to 139,282 in 1964, has added substance to warnings that the time is ripe to erect a dam against a possible flood of immigrants.

The Latin political leaders, with a few exceptions, are so hesitant to acknowledge their population problems that a strong initiative by the Ecumenical Council will be necessary to prod them into a population control campaign. Most observers doubt that the council will produce a fulsome endorsement of birth control this fall. Meanwhile, about 700,000 Salvadorans have quietly overflowed into neighboring Honduras, and the Colombians talk of exporting masses of unemployed workers to Europe.

Representative CLARK MACGREGOR, Republican, of Minnesota, who proposes to establish an annual limit of 115,000 immigrants from the 24 nations of the Western Hemisphere, points out that the State Department merely wants to postpone the action. Rusk said during the hearings, "I am suggesting that Congress wait until there is a need to do it."

MACGREGOR argues that it will be wiser and more realistic to meet the problem during this reform of immigration policy than to wait until the crisis develops. Communists will maintain that the limitation is new evidence of Washington's detachmen from the hemisphere's problem, but their charges will be softened by the present scope of this country's contributions to the Alliance for Progress.

Since most Latin governments do not currently recognize their population problems, the imposition of a quota will provoke less diplomatic tension now than it will later when overpopulation becomes acute. Congress' enactment of the quota may actually jolt the Latins into more realistic attitudes.

The arguments for establishing the quotas now are so compelling and the diplomatic consequences are so nebulous that some Congressmen suspect that Rusk and Mann are resisting it purely in terms of diplomatic expediency. Their stand on immigration is certainly inconsistent with their refusal to endorse preferential trade arrangements within the Western Hemisphere.

The key virtue of the new immigration bill is that it has been drafted in a practical and unsentimental spirit of fairness toward all nations. The preferential treatment of South America cannot be maintained if the United States is to boast truthfully that its new policy does not put one nation or region ahead of another.

Mr. ERVIN. The Christian Science Monitor for September 3, 1965, contained a column by Richard L. Strout entitled "Immigration and Quotas," which makes some significant comments in urging the imposition of limitation upon immigration from the Western Hemisphere.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point in my remarks the article of Mr. Strout.

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

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

IMMIGRATION AND QUOTAS

(By Richard L. Strout)

WASHINGTON.—It seems a bit odd, doesn't it, that the United States should cut immigration from England by a third while it jumps immigration from Trinidad-Tobago from a limit of 100 a year to no limit at all?

The House of Representatives has just passed its version of the new immigration law, scrapping the old national origins system and substituting a new system. There has never been a quota system for the Western Hemisphere, and under the House version this situation will continue.

Trinidad-Tobago is only used in this article for the purpose of illustration. Trinidad-Tobago used to be a British colony and as such got the minimum of 100 immigrants a year in the old, "bad" national origins system. However, Britain has made Trinidad-Tobago independent, along with Jamaica. Independent nations in the Western Hemisphere are entitled to send as many immigrants to the United States as they wish, subject, however, to sharp administrative checks by the Labor and Justice Departments.

The generous United States, with 4½ percent unemployment, is throwing open its doors to these two countries at a time when the Socialist Labor government in England is cutting immigration from the Caribbean from 20,000 a year to 8,500. England has decided that immigration is not a cure-all for national problems, even among Commonwealth countries.

Nothing that I write is meant to be critical of either Jamaica or Trinidad-Tobago. The two new nations are delightful islands discovered by Columbus, with mixed populations, the one of about 1,700,000 and the other of around 900,000.

Theoretically, so far as fixed quotas go, their entire population will be able to move en masse to New York City. Actually, however, sharp restrictions are applied to immigration administratively, to protect the American economy from job competition.

The passé old national origins quota system is assailed on all sides today as being discriminatory. But isn't it a bit discriminatory to put a quota of 20,000 a year on England, which last year sent over about 30,000 people, and no quota on Trinidad-Tobago? The Western Hemisphere has always been exempt from quotas. Under the House version of the new bill it would stay exempt. Some Senators say, however, that it is time to bring the Western Hemisphere under the same rules as the rest of the world, that "nondiscriminatory" means what it says.

Secretary of State Dean Rusk wants the Western Hemisphere exempted, however, because it has a "special relationship" with the United States. The United Kingdom does not have this special relationship, it appears.

The proposed new bill puts an overall ceiling of 170,000 on immigration from all non-Western Hemisphere countries. This will be allocated on a first come, first served

basis, with preferences to families of immigrants already here, and with no nation getting more than 20,000. No nation, that is, outside of the Western Hemisphere.

Latin America currently has the highest growth rate in the world. Famine and the population may be on a collision course. Can the United States, with all the sympathy and pity in the world, really hope to solve foreign problems by taking in immigrants?

Mr. ERVIN. During hearings on the bill many outstanding Americans appeared before the committee. One of them who impressed me most was a distinguished and eloquent attorney of Wilmington, Del., Joseph A. L. Errigo. Mr. Errigo is the national chairman of the Sons of Italy.

Mr. Errigo disagreed with me in respect to retaining the National Origins Quota System of the McCarran-Walter Act.

After my amendment, limiting immigration from the Western Hemisphere, had been adopted by the subcommittee and approved by the full committee, I received from Mr. Errigo a fine letter endorsing the proposal.

With his consent, I quote the following words from the letter:

I am writing to congratulate you and to thank you for the excellent position you have taken relative to the immigration bill. Since we have established a ceiling for the rest of the world, it is altogether fitting and proper that we should establish a ceiling for the Western Hemisphere as well. This is in accord with our philosophy of equal justice under law for all.

Those of us on the Immigration Subcommittee know Mr. Errigo to be a persistent foe on all he considers to be unjust law. We know him also as a consistent champion of equal application of law.

Mr. Errigo knows we must eliminate the most apparent discrimination of all—that which gives preference to the people of Chile over the people of Italy, and the people of Cuba over the people of France, our historic ally since the time of our independence.

Although equal application of the law to all nations was my principal reason for proposing the amendment, there is another reason. There is a growing demand for immigration from our hemispheric neighbors.

Immigration from the Western Hemisphere increased by 50 percent in the past decade to our present average of almost 150,000 a year. As Senators know, our own population is also increasing alarmingly; yet 5 percent of the annual additions to our total population comes from Western immigrants, and the percentage is going up.

Of all the countries in our hemisphere, demographers tell us that only Mexico's rate of immigration—which numbers from 30,000 and 50,000 to the United States each year—will remain stable.

The problem in Canada is so serious, that officials of its Government have considered establishing restrictions to prohibit the great migration to the United States, which like Mexico's has averaged 30,000 to 50,000 a year. Presently, for every professional person who migrates to Canada, two leave, the principal reason being the higher salaries paid in the United States. There is also increasing pressure from the labor force for immigrant passports, this being the product of Canada's greatest domestic problem—unemployment. The unemployment rate in Canada has averaged 6 percent in recent years. If we accept the proposition that an increasing professional force generates employment in the labor force, then we must conversely also assume that Canada's problem will worsen and that migration to the United States will increase.

As my friends who oppose the amendment point out, "the majority of hemisphere immigrants come to us from Canada and Mexico." Although it is certainly true that the immigration from these two countries will not decrease, it is also clear that the time is fast approaching when we will receive even more from the other hemispheric countries.

The bill should not offend Canada and Mexico, because of the distinction it makes between the Eastern Hemisphere and the Western Hemisphere. The bill provides that no country of the Eastern Hemisphere shall be allowed to send to this country in any one year more than 20,000 immigrants, outside of members of families.

The bill places no such limitation upon the various nations of the Western Hemisphere, and for this reason Canada and Mexico can continue to send into this country their immigrants free from any limitation other than the overall hemispheric limitation of 120,000.

I spoke a moment ago about the probability—indeed, I say the certainty—that immigration from South America, Central America, and the Caribbean Islands will increase with the passage of years. Undoubtedly it will become unmanageable unless we place realistic limitations on immigration from the Western Hemisphere.

Immigration from South America has increased by a fantastic 230 percent in the last 5 years, and by almost 400 percent in the last 10 years. It is approaching the point where it will double each year. The figures for Central America are almost as high. This is not just a trend; it is a threatened avalanche.

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

Mr. ERVIN. I yield.

Mr. GORE. I find the able address of the distinguished Senator interesting and informative.

I wonder if the Senator would be so kind as to give the actual figures on immigration from South America, as well as percentages?

Mr. ERVIN. I will have my assistant mark the figures for me and I will give them to the Senator from Tennessee in just a few minutes. While he is doing that and to expedite matters, I will continue with my discussion.

The reason why the immigration from South America, Central America, and the Caribbean Islands is increasing is not hard to find. It has a population explosion unequaled in any other area of the world.

In 1900, the population of Central and South America was approximately 60 million. By the end of the century it will be 600 million. In 1900 1 of every 50 human beings who inhabited the earth lived in the nations of Central and South America; today the ratio is 1 in 15. This great, new mass is not shifting to the broad uninhabited expanse of the continent, but to the overcrowded cities, and then, often to America.

The situation is substantially the same in the Caribbean Island nations, except for the fact that there is less room. There, the population is increasing at a rate of 25 percent every 10 years, although the density of population is already too high for adequate support of the present inhabitants. To use one island as an example, if the present population growth rate of Barbados is maintained, in 200 years there will not be room for all the inhabitants to stand on the island.

The junior Senator from Massachusetts [Mr. KENNEDY], the junior Senator from Michigan [Mr. HART], and the senior Senator from New York [Mr. JAVITS] say there is no real hemispheric immigration problem now. They are correct insofar as their separate views were filed on September 15, 1965.

But the problem is coming fast and hard. Both the Attorney General and the Secretary of State testified to this in the hearings before the House subcommittee; and the Members of the Senate should make no mistake about it.

Attorney General Katzenbach and Secretary Rusk stated their preference for waiting until a later date to meet the problem. But at a later date we would be enacting special restrictions for a special area. The wrath of the hemisphere would be upon us.

I say the time is now—now, when we are broadly revising our whole policy; now, when we are supposedly abolishing discrimination; now, when it is politically and practically possible.

With my amendment. this is a good bill. To strike the amendment or to emasculate it would be to perform heart surgery on healthy legislation.

Without my amendment, or without its substance, it would be difficult for me to support the pending bill with any enthusiasm whatsoever. But with this amendment, I can support the pending bill with enthusiasm, because I know that it is the best bill upon immigration that can be obtained for our Nation at present.

First Timothy, verse 8, gives us some advice that we should follow in enacting an immigration law. It is more timely than the great poem by Emma Lazarus, which is inscribed upon the monument on Ellis Island. This world is confronted at this moment by a population explosion, and soon millions of immigrants will be begging for, indeed demanding, admission to the United States. The United States will have trouble providing employment for its own expanding and increasing population. Therefore, this is the opportune time to enact an immigration law which is based upon the theory that we should restrict immigration to immigrants whose presence

here will reunite families already partially in America and immigrants who have some real contribution to make by reason of their skills to the economic welfare of America.

We should fashion our immigration law in accord with the interests of the United States, and the interests of the United States alone, and not our supposition as to what the thoughts or desires of some people in foreign countries may be. I believe the writer of First Timothy had this in mind when he said, in chapter 5, verse 8:

> If any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.

In advocating the passage of the bill in its present form, I am appealing to the Senate to look after those of our own household by enacting an immigration law which takes cognizance of matters of the heart insofar as it will result in uniting families now divided, and which takes cognizance of the best interests of the United States in restricting other immigration to those who have something to contribute to the economic and cultural development of our Nation.

Mr. President, in answer to the earlier inquiry of the senior Senator from Tennessee [Mr. GORE], page 48 of the annual report of the Immigration Service shows that immigration from South America in 1955 was 5,500. In 1960, the number jumped to 13,000. In 1964, it jumped to 31,102. While these figures in and of themselves are not alarming, the trend which they reflect is greatly alarming.

In many nations of South America, most of the land is owned by persons who can only properly be called land barons. They show no interest whatever in taking a course of action which would provide for wide diffusion of ownership of the land among their people. If the United States places a limitation upon immigration from those countries, notice would be served on these land barons that they would have to do something like that which is suggested in the eighth verse of the fifth chapter of First Timothy; namely, look after some of their own household.

Mr. KENNEDY of Massachusetts. 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. THURMOND. 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. THURMOND. Mr. President, much has been said and written in connection with proposed changes in the Immigration and Nationality Act to the effect that there is something intrinsically evil about the national origins quota system on which the McCarran-Walter Immigration Act is based. Indeed, many have sought to picture the national origins quota system as a product of prejudice, bias, and racism, and, as such, an affront to many nations of the world constituting a detriment to the conduct of our foreign relations.

Such allegations indicate a lack of understanding, to put it charitably.

There is nothing in the national origins quota system which has any connotation of the idea of racial superiority or racial inferiority. This system is, indeed, inconsistent with any such concept.

The national origins quotas are based on the ethnic proportions of the American population in 1920, and are so constituted with the express and acknowledged purpose of preventing immigration from changing the national or ethnic composition of the American population.

The wish to preserve one's identity and the identity of one's nation requires no justification—and no belief in racial or national superiority—any more than the wish to have one's own children, and to continue one's family through them, need be justified or rationalized by a belief that they are superior to the children of others. One identifies with one's family, because it is one's family, and not because they are better than other people. For no other reason, one identifies with one's national group more than with others. This is the sole basis of the preference which is inherent in the national quota system.

There is no merit in the contention that the quota system is racist or morally wrong. Individuals, and groups, including nations, have an absolute and unchallenged right to have preferences for other individuals or groups, and nothing could be more natural than a preference based on a sense of identity.

No apology is necessary for an immigration law based on the national origins quota system, and I make none.

Having so stated, I would add that I do not consider the existing law without defect, nor do I believe that the immigration formula in the proposal now before the Senate, if properly administered, will result in drastic or undesirable changes in the patterns of immigration into the United States. The preferences which would be established by this proposal are based, I believe, on sound reasoning and meritorious considerations, not entirely dissimilar in effect from those which underlie the national origins quotas of existing law. Blood relationships and family ties stem from the same sense of identity and preference, and it is most desirable that unification of families be a major consideration in our immigration formula. The bill before the Senate also wisely provides protection for American workers against job displacement by immigrants.

I think the bill has been improved by the amendment added by the Senate Judiciary Committee which provides for a maximum limit on Western Hemisphere immigration. If passed, it would constitute a badly needed improvement in the existing law which has no numerical limitation on Western Hemisphere immigration.

It is inescapable, however, Mr. President, that the major changes proposed are in the formula for immigration and mechanics of selection. There is a larger, and I believe, a far more significant consideration, which has been ignored in considering what changes are needed in the Immigration and Nationality Act.

Both the present law, based on a national origins quota system, and the proposed changes now before the Senate, are based on the assumption that the country is underpopulated and could use substantial quantities of immigration to advantage. This assumption, formerly well founded, is no longer true or soundly based.

From a superficial view, it would appear that the comparative population density of the United States might justify a continuation, although hardly an increase, such as is likely under the proposed bill, of the very substantial flow of immigration into the United States. A comparative approach based on overall population density is completely misleading, however.

U.S. population distribution is unique, and destined to become more so. A major geographic proportion of the United States is devoted to agricultural pursuits, but the population density of this area is significantly slight. At the present time, less than 6 percent of the population of the United States is engaged in agriculture, and both the percentage and the number of persons so engaged is steadily declining. Even this relatively small percentage of the population is producing a substantial surplus of food and fiber for the Nation's needs. As the process of mechanization continues, even fewer people will be needed to farm this given area and to produce sufficient food and fibers for the rapidly growing population. In comparison to the 6 percent of the U.S. population now engaged in farming, other countries have the following percentages of their population working to produce food and fiber on the farms: France, 25 percent; Poland, 38 percent; Japan, 38 percent; Argentina, 20 percent; Soviet Union, 57 percent; and Canada, 12 percent.

As a consequence, the distribution of U.S. population is weighted more heavily in urban areas than in other nations. As the population expands, the increased population density falls almost entirely in urban areas.

Even in the absence of any immigration in the next half decade, the population of the United States will shortly pass the 200 million mark. And only shortly thereafter—a matter of not more than 2 or 3 years—there will be 200 million people in the urban areas alone. Our present rate of population growth, even exclusive of immigration, is the highest of any industrial nation. It is the population density in the urban areas of the United States, therefore, on which the need for further major immigration should be judged.

From this perspective, it becomes readily apparent that it is not advantageous to the United States to continue to encourage the massive immigration which prevails under present law, much less increased immigration, as would be the case under the proposed changes.

The wise course for the United States to follow is to limit immigration to special cases based on such factors as family reunification and some forms of political refugee accommodation. These

factors could be accommodated within an overall immigration ceiling of certainly not more than 50,000 per year from all sources.

Populationwise, the United States has reached maturity. The time has come for our immigration policy to reflect a corresponding maturity. This is not a harsh judgment, merely a realistic one.

Most of the countries of the world have problems stemming from expanding populations. We cannot solve the population problems of one of these other countries by permitting immigration to the United States, even if we concentrated immigration favoritism on any particular one of them, without exceeding by far any maximum level of immigration yet seriously proposed. We cannot help other nations by weakening ourselves, nor should we if we could.

Without the necessity for balancing the merits of the formulas in existing and proposed laws, therefore, I must conclude that neither is responsive to the national needs. The McCarran-Walter Act was designed to meet needs for immigration which clearly existed before the turn of the century, diminishingly so thereafter, and not at all in the circumstances of the last two decades. The changes here proposed are based on the assumption that the immigration needs of the country three-quarters of a century ago remain the same. The contrary is true.

For these reasons, I cannot support H.R. 2580. Perhaps the realization of the requirements stemming from the increased population density and necessarily uneven population distribution in the United States in the past few decades is not sufficiently prevalent to permit drastic changes toward limitations on immigration at this time. Under no circumstances, however, can the Nation afford an updating of the official acceptance of the myth that we can still benefit from a continuation or increase in the current level of immigration.

I hope that the Senate, in the best interest of the country, will reject the 19th century concept on which this bill is premised, and take no major action until the Congress is at least willing to meet the needs of the 20th century, not to mention the future.

Mr. HART. Mr. President, I support the pending legislation to amend the Immigration and Nationality Act of 1952.

The bill is modest and right. It falls in America's mainstream of morality and commonsense.

The bill represents a broadly based consensus on the kind of reform that is needed. It carries out goals sought by 33 Senators, from both political parties, who joined with me to introduce this legislation following President Johnson's immigration message to Congress last January.

The heroes, Mr. President, of this long and historic struggle to achieve the abolition of the national origins system of selectivity, are properly tens of thousands of Americans. They have organized through community, religious and fraternal groups to achieve the victory now being consummated in the Congress.

It is to these Americans, who in years past opened their homes, their communities, their businesses to welcome the refugee, the relative and the homeless of the world. These citizens conducted community conferences and urged their national organizations to press for immigration reform. Today is their victory.

It is impossible today to list each citizen, each fraternal chapter, each religious society that shares in this achievement. But two national organizations deserve special mention.

For many years the American Immigration and Citizenship Conference has led in education and information. Through national conferences and community workshops the hopes of Americans for this achievement were effectively directed.

This year an additional citizens group, the National Committee for Immigration Reform, whose outstanding membership is headed by former Presidents Harry S. Truman and Dwight Eisenhower, has organized to insure passage of this legislation.

Indeed, this proposal is supported by the most distinguished of our citizens, as well as the humble from every corner of the Nation. It is as though each wants to help brighten the light that shines its welcome in the torch of liberty.

To the peoples of Europe chiefly, but to others as well, the United States has long been a haven of opportunity and refuge. The stream of immigrants who have passed through America's gates are indeed the Nation's true wealth.

Today, America's worth and strength—morally, intellectually, politically, socially, economically—rest upon the contributions of people of many national backgrounds and races. This is the unquestioned genius of the American experience.

Throughout most of our history, accepted national policy was to encourage a free flow of immigration. And even though, beginning in 1882, our immigration history reveals a slow evolution from an open to a restricted policy, the gates stoop open to most until after the end of World War I.

Several things then worked to generate a widespread demand for immigration curbs. Among them were post-war urbanization, economic dislocation, waves of fear, and suspicion, and the degenerate nativism practiced by the Ku Klux Klan and its allies. The Quota Acts of 1921 and 1924 followed.

This legislation of the 1920's marked the turning point in America's immigration policy. A dual control system went into effect, which continues to our time. The first selection of immigrants was through the application of such standards of admissibility as health, literacy, security, and financial responsibility. These are sound and right, and have been retained in the pending bill.

The second control was restriction of quota immigration to a specified maximum number per year based on nation of birth.

No responsible citizen, Mr. President, questions the rightness of any nation to regulate immigration. But more than an attempt to set a reasonable rate of immigration, with reasonable standards, was involved in the dual control system. It was framed by an irrational element—the national origins quota concept, which said in echoing words that the people of some nations are more welcome to America than others. We know the story well. Unjustified ethnic and racial barriers became the basis of U.S. immigration policy.

The end of World War II brought hope for basic reform, especially following America's welcome to thousands of homeless and destitute people through the Displaced Persons Act of 1948. But this hope was short-lived. In 1952, over President Truman's veto, Congress enacted the present basic statute, the Immigration and Nationality Act of 1952. Revision and codification of immigration law was overdue. But so far as the basic selection of immigrants was concerned, the 1952 act followed the discriminatory policy of the twenties.

In his 1952 veto message, President Truman said:

> I am sure that with a little more time and a little more discussion in this country, the public conscience and the good sense of the American people will assert themselves and we shall be in a position to enact an immigration and naturalization policy that will be fair to all.

That time has now come. Moral and national interest reasons justify a new immigration policy. Aside from its racial and ethnic discriminations, the Immigration and Nationality Act of 1952 fails to give sufficient recognition to the principle of family unity. It fails to give sufficient recognition to the great dimensions of the world refugee problem and the urgent need in this country for special skill immigrants.

Little wonder President Kennedy labeled the present law "an anachronism," a system "without basis in either logic or reason," a policy which "neither satisfies a national need nor accomplishes an international purpose."

The major objectives of the pending legislation are:

First, to restore equality and fair play in our method of selecting immigrants. Discriminatory provisions against immigrants from eastern and southern Europe, token quotas for Asian and African countries, and implications of race superiority in the Asia-Pacific triangle concept, have no place in the public policy of the United States.

A newcomer should not arrive at our Nation's door apologizing for his parentage and birthplace. Such a system is blatantly un-American.

True, we need a careful selection of immigrants. We should be selective—but not with theories of racial or ethnic superiority.

Congress must enact a statute that will be discriminatory in the best meaning of the word—on the grounds of individual worth and capacity; on the grounds of national security, and of economic and scientific benefit; on the principles of family unity and asylum to the homeless and oppressed.

Such discrimination is tolerable and in our Nation's interest.

On such grounds alone, I urge support of the pending measure—for it removes the purely arbitrary barriers to immigration on the basis of race and national origins; it substitutes a new formula based on equality and fair play; it applies this formula without exception to the people of all nations.

In referring to the national origins system in his immigration message, President Johnson said:

> That system is incompatible with our basic American tradition * * * The fundamental, longtime American attitude has been to ask not where a person comes from but what are his personal qualities * * * Violation of this tradition by the national origins quota system does incalculable harm. The procedures imply that men and women from some countries are, just because of where they come from, more desirable citizens than others. We have no right to disparage the ancestors of millions of our fellow Americans in this way. Relationships with a number of countries, and hence the success of our foreign policy, is needlessly impeded by this proposition.

Mr. President, a compelling priority in any reform bill is the urgent need to facilitate the reunion of families. The measure before us today stresses family unity, and accords nonquota status to the children, the spouses, and the parents of U.S. citizens. There is little doubt this measure goes a long way in solving the most pressing problem in immigration matters—family reunion.

Mr. President, a third objective of the pending bill concerns the economic value of immigration. Selective immigration can help meet urgent manpower needs. This fact is recognized in the present law which affords first preference to immigrants with special skills. Experience indicates, however, that the national origins quota system has inhibited the full use of this preference.

Congress recognizes this situation, and has passed special legislation to permit the nonquota entry of selected immigrants. A good example is Public Law 87–885, to permit the nonquota entry of several thousand specialized immigrants. These were persons certified by the Attorney General as having services urgently needed in the United States because of their education, special training, or exceptional ability. The bill cleared the way for a number of distinguished scientists whose special talents are vital to the performance of important defense work. Nearly 50 hospitals, universities, and research organizations in all parts of the Nation are also benefiting by this special enactment. Under the national origins system these needed persons were inadmissible to our country.

There is a sincere and quite understandable concern in some quarters over the economic impact of the projected change in our method of selecting immigrants. But, I submit to the skeptics, the pending measure will continue the historic value of immigration to our economy.

Postwar immigration trends provide a reliable barometer for the future. Of the 4,400,000 immigrants who entered this country between 1947 and 1964, only 47 percent, some 2,100,000, actually entered the labor force. The percentage figure for 1964 was below this average—some 44 percent. The remaining immigrants were housewives, children, and retired people. But they all have become consumers in the economy.

Of this immigrant work force, some 16 percent, nearly 350,000, were professional and technical workers. Nearly an equal number were skilled workers.

The record will show that the occupational distribution of recent immigrants has coincided with the needs of our economy. When these needs were inadequately filled under the basic quota formula, they were met by Congress with special legislation.

In 1964 alone, over 20,000 immigrants in critical occupations, and listed by the Secretary of Labor, entered this country. Two out of every three professionals were in this category. Recent Labor Department reports reflect a continuing steady demand for qualified workers in many areas. Selective immigration under the pending legislation will help fill these jobs.

In a recent report the National Science Foundation investigated the contribution made to America's professional scientific manpower pool by foreign-born scientists and engineers. The report is directly related to the subject of immigration, the integration of immigrants into our society, and the continued need for specialized personnel. The conclusions stated in part:

> Migrations to the United States have generally brought valuable numbers of scientists and persons capable of being trained as scientists * * * It is particularly interesting that the percentage of immigrant scientists in the United States has tended to increase in proportion to the level of scientific imminence.
>
> The majority of immigrant scientists in the United States probably settle down quickly in their new environment and make valuable contributions both to the cause of American science and to the general good of the Republic. Social and cultural maladjustment among immigrant scientists appears to be quite slight.
>
> Despite the fairly large influx of foreign scientists during the 1950's, there is no evidence that native American scientists have been placed in any great disadvantage by their presence. Since domestic institutions of higher education do not yet produce the country's annual needed aggregate of scientists, it would seem reasonable to assume that the American scientific community could continue to absorb foreign scientists at approximately their present rate of entry for some time to come.

Under section 10 of the bill, there is set forth a new directive to the Secretary of Labor for determining the needs for skilled and unskilled workers. Properly administered, I believe these guidelines will enable the American worker to be assured that his job security is not threatened by any new immigration. And it ought not to be threatened. At the same time it will permit a more precise determination of the availability of employment for these particular skills in a specific labor market area.

It is my understanding that when an immigrant seeks admission under these categories as special immigrants or preference immigrants and a determination by the Secretary of Labor is required, the Secretary will make a certification in the case of the individual immigrant. He must ascertain the prospective immigrant's skill and will match those skills with the employment and manpower reports he has available from the labor market area where the immigrant expects to reside. On the basis of such an analysis the Secretary will be in a position to meet the requirement of the law, and provide the type of employment safeguards sought in this legislation.

Mr. President, the fourth objective of the pending measure reflects a sensitivity to the continuing problem of refugees, chiefly those from Communist dominated areas. In striking contrast to the lack of policy in present law, the legislation before us accords a preference status to some 10,200 refugees annually. This authority will provide a needed instrument in our foreign policy, and be a true reflection of all America's concern for the homeless and oppressed.

The inclusion of a refugee preference is progress, although I had hoped the bill would also include a more flexible provision to permit a speedy American response to emergency refugee situations such as occurred in the Hungarian revolution.

The parole provisions of present law, section 245, have been used in the past. This section is not repealed by the pending measure—and this is good. The House report, in outlining the specific use of the parole authority, might seem to attempt to exclude its application to large groups of refugees. At the same time, I would expect this general rule of thumb would not forego in all cases the use of section 245 for the conditional entry of refugees, if such were deemed in the national interest of our country. We cannot predict accurately what the future holds. But neither can we exclude a new Hungary and the terrible toll it will bring in human suffering and refugees. This will test the leadership of our country. The base provision in section 245 of existing law will continue to let our Nation respond quickly in dire emergency situations where freedom and lives of individuals are at stake.

Some 250,000 Cubans have fled to this country since 1959. It was while I served as chairman of the Judiciary Subcommittee on Refugees that much of this activity occurred. Their presence here was, and is, a new experience for America. For the first time America found itself the country of first asylum for a large group of refugees. The usual concerns associated with a sudden and abnormal influx of new people which were voiced in those first days have not materialized. The resettlement program for the victims of Castro's tyranny have proved successful. They will stand to the credit of the people of our own country.

The measure before us includes a provision affording the Cuban refugees the opportunity for adjustment of status from parolee to permanent resident. This provision is along the lines of a bill I introduced earlier this year. This is an important and needed provision for many who seek permanent asylum in our country.

The United States has also had a positive experience with the more than 30,000 Dutch-Indonesian refugees admitted to this country, under special legislation, following their expulsion from Indonesia in the late fifties. Today some of these expellees remain in unsettled status in the Netherlands. These people also are deserving of additional resettlement opportunities in this country. The record on this bill should indicate there is a general awareness of the Dutch-Indonesian refugee problem, and that every effort should be made to provide resettlement opportunities within the framework of the pending legislation.

Mr. President, I have discussed briefly the desirable goals this bill will achieve. There is still another reason why I support the legislation. It is a basic reason, but one which too often escapes consideration. A plain and simple fact is this: the national origins quota system has never worked.

The statistical record of immigration presented in this debate, and in the hearings, demonstrates conclusively that the national origins system is unworkable and out of step with reality. Even on its own terms, and quite apart from any special legislation, the system failed in its purpose to select and admit immigrants in accordance with a basic racial and ethnic ratio.

Some will argue the special measures have brought refinement to our immigration policy. Have they really, Mr. President? I think not. For these efforts stop far short of a stable and permanent policy to which the people of this Nation can point with pride and accomplishment.

A brushfire approach to immigration and refugee problems does not satisfy the requirements of a useful immigration policy. The national origins quota system is widely and unfavorably known. The temporary exceptions which modify it beyond recognition, and make it contemporarily workable, are not known.

Thus America suffers needless stigma abroad, which blemishes the leadership we claim is ours; which hampers our relations with other countries.

The pending legislation sets the record straight by updating our basic statute to conform more fully with our actual practice in the last several years.

Mr. President, the national origins quota system was conceived in a radical period of our history—a period of bigotry and prejudice. Thirty years later the system was reaffirmed—again in an atmosphere of fear and suspicion.

A measure of greatness for any nation is its ability to recognize past errors in policy, and its willingness to reform.

Today is a time for such action on the oldest theme of our Nation's history.

Even among those who favor the bill, there are many perspectives. Each person sees it through a different window and through prisms colored by prejudice, personal increase, idealism, and logic.

To a Polish-American housewife in Detroit, the bill means an opportunity to bring her father and brothers to this country, thus reuniting the family.

To a Coldwater, Mich., manufacturer of medical supplies, the bill means the opportunity to import a skilled East Indian skeleton assembler, a man whose skills cannot be found in this country.

To professors at a midwestern university, the bill means that they may be able to enlist the help of a highly-trained Japanese heart disease researcher.

To State Department officials, the bill represents a public relations coup that will relieve them of the necessity of explaining away what to many nations must seem an inconsistency in American thought.

To those of us in Congress who have pressed for this legislation, enactment may represent the chance to point out the fulfillment of a campaign promise.

And there is an Italian gentleman in Boston—whom I know through correspondence—who is delighted with the bill because it will let more Italians in and he thinks Italians are better than anyone else—exactly the sort of thinking that the bill seeks to get us away from.

And, of course, there are those thousands who are eager for enactment because current immigration policy seriously offends their sense of fair play, their loyalty to the treasured philosophies of Jefferson.

Yet, all of these viewpoints—favorable to the bill as they may be—must be considered subordinate to a greater perspective—the view that history will take on our actions here.

The viewpoint must necessarily be a very benign one. Because here is what this bill says:

It says that we have the right to limit the numbers who may come here.

It says we have the right to set qualifications to insure that newcomers will be loyal, law abiding, sound of mind and body.

It says that the unification of families is clearly desirable.

It says we have the right to say that those who come should bring a skill that will be useful to our society.

But what it says most clearly is this:

The desirability of any immigrant does not depend on his place of birth.

And that is why history cannot but applaud this action.

Because this bill confirms the notion—so often cherished in words but too seldom practiced in deed—that a man's ability to serve, to contribute, does not depend on his race, color, or birthplace.

When history counts the steps that were taken toward human dignity, toward world understanding, toward good feeling among men, when history counts the measures this Nation took to establish the principles of equality, to set an example of compassion, and to treat all men with equal grace, this legislation, this immigration bill, which I am proud to have introduced, will not go unmentioned.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. HART. I am glad to yield.

Mr. KENNEDY of Massachusetts. I wish to express my great appreciation for the comments of the Senator from Michigan this afternoon. I believe they will provide Members of the Senate with an understanding and enlightenment which will be extremely important during the next few days of debate.

I believe every Senator realizes that it was the Senator from Michigan who introduced administration bill S. 500. So this is a matter in which he has been deeply interested. He has served well as a member of the Immigration Subcommittee and he has displayed his deep interest by following the hearings closely and by making a major contribution to the development of this bill. I have always looked to him for guidance and understanding in meeting the many problems that we faced in revising the immigration laws.

I believe his statement this afternoon will be most helpful to the Senate. I commend the Senator from Michigan for his fine presentation and thank him again for his great assistance.

If this bill is successful in the Senate—and I am confident it will be—we can trace one of the important lines leading to the acceptance and adoption of the measure by the Senate to his personal interest and commitment to this question.

Mr. HART. I am grateful for the kind words of the Senator from Massachusetts. I shall share with him an excitement and sense of joy when the happy hour arrives and the roll is called and the bill becomes law under his management.

Mr. BARTLETT. Mr. President, it gives me a great sense of satisfaction to vote for H.R. 2580, the immigration bill. For those of us who have had to work with the existing laws and to witness the little tragedies the national origins test has caused to so many, it is, indeed, a fine day and a fine opportunity.

The real strength of our country comes from the diversity of our citizenry, joined by common goals, not common pasts. We are a nation of people devoted more to the future than preservation of what has gone before.

We have drawn upon the history of every nation and people to form our country and shape our thoughts, but we have gone beyond them all to mold a single, distinct culture.

The bill before us now promises greater opportunity for all of us to benefit from the thoughts, ideas, and desires of the rest of the world. As a nation we shall benefit far more from the removal of the national origins test than will any single immigrant, or all of them together.

Fears that this bill is an "Open, Sesame" are unfounded. In many respects it tightens the law. It gives the key to the golden door, primarily to families of Americans and to those others whose talents and skills we need.

I am proud, Mr. President, to vote for this bill. It does not do all I should want it to do, but I support it strongly nevertheless. I submitted for myself and Senators INOUYE, BREWSTER, GRUENING, HARTKE, MAGNUSON, MCGEE, MORSE, RANDOLPH, and YOUNG of Ohio, Amendment No. 56 to S. 500, the Senate version of the pending legislation. This amendment would have permitted people from Bermuda, the Bahamas and certain of the Antilles to be considered in respect

to our immigration policy as citizens of the Western Hemisphere instead of as citizens of subquota areas. From 1921 to 1924 the adjacent islands to the United States were excluded from those countries which had quota restrictions. These islands were, in fact, given the status which the bill before us accedes to the new republics such as Trinidad-Tobago.

The present bill contemplates, under the Western Hemisphere rule, only those countries which are independent and thus continues the hardship on the small island areas which can never become independent because of their accident of location, size and lack of natural resources. Yet, from 1921 to 1924, these adjacent islands enjoyed the same benefits as the rest of the Western Hemisphere. These islands will be grouped now ultimately into the world quota and, as a consequence, face a potential of no possibility of immigration to the United States.

It does seem incongruous that less than one-half of 1 percent of the total Western Hemisphere population should be excluded from consideration with the other 99½ percent.

I do not propose to offer my amendment from the floor at this time. Nothing should impede the progress of this legislation. I intend, however, to introduce legislation in the next session to allow people from the adjacent islands to immigrate as do all others from the Western Hemisphere nations. We should not permit such petty inequities to continue. I hope others will join me in this effort.

Mr. KENNEDY of Massachusetts. 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. CLARK. Mr. President, I ask unanimous consent that the order for quorum call be rescinded.

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

Mr. CLARK. Mr. President, a parliamentary inquiry. Is the rule of germaneness still in effect?

The PRESIDING OFFICER. The time under the rule of germaneness expired 9 minutes ago.

DOMINICAN REPUBLIC

Mr. CLARK. Mr. President, I rise in defense of the position taken with respect to the actions of the United States in the Dominican Republic by the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT].

To my deep regret, this puts me in opposition to my good friends the Senator from Florida [Mr. SMATHERS], the Senator from Louisiana [Mr. LONG], and the Senator from Connecticut [Mr. DODD].

I had occasion to call to the attention of Senators earlier this week a most interesting article which appeared in the Sunday magazine section of the New York Times, written by the able and veteran reporter, Tom Wicker, the principal Capitol Hill reporter for the New York Times, entitled "Winds of Change in the Senate."

In his article Mr. Wicker commented, and I think with reason, that the art of debate appears to have been more or less lost in this body to which I am so proud to belong.

Possibly even by speaking to a completely empty Chamber on a Friday afternoon—which I regret to state is usually the case when I rise to address the Senate—I hope I can do a little to revive the tradition of debate which down through the years has made our legislative body an institution of which I hope the American people are still proud.

Before addressing myself to the substance of the disagreement between the Senator from Arkansas [Mr. FULBRIGHT] and the three other Senators whom I have mentioned, I should like to make four preliminary remarks.

First, nobody—I repeat nobody—least of all the Senator from Arkansas—has attacked the President of the United States for what he did in the Dominican crisis. The position of the Senator from Arkansas, with which I agree, is that the President got bad advice—very bad advice. But having received that advice from individuals in his administration whom he had good reason to trust, particularly advice with respect to facts which turned out to be wrong, the President had no alternative except to do pretty much what he did. Therefore, I would make it clear that neither the Senator from Arkansas [Mr. FULBRIGHT] nor I, despite what the three Senators have said to the contrary, have said one single word in criticism of the President.

My second point is that what may or may not have happened when the President called certain legislative leaders to the White House to discuss the crisis in the Dominican Republic, after he had decided to send the Marines in, but before they had actually gone, is entirely irrelevant to the points raised by the Senator from Arkansas. The Senator from Arkansas has no responsibility whatever for the decision made at the White House. He was in no position at that point to disagree with what the President recommended, because his sources of information were no different from those of the President. I believe it grossly unfair for the Senator from Florida [Mr. SMATHERS] and the Senator from Louisiana [Mr. LONG] to criticize the Senator from Arkansas for having remained silent at the White House after the President announced he was going to send in the troops.

In fact, the Senator from Arkansas said in his speech that he agrees that it was probably necessary to send a small force of Marines into Santo Domingo to protect American lives, particularly in view of the intelligence information, much of it inaccurate, which had come to the White House at that time. I agree with that, too. I believe we were under an obligation, despite our treaty obligations to the contrary, to send in a small force to protect American lives.

Incidentally, it is interesting to note that no American lives were lost. Despite the gross exaggeration with respect to the alleged danger under which Americans and other foreigners found themselves in Santo Domingo in those critical days toward the end of April, not one single American life was lost.

So I reiterate that, in my opinion, the Senator from Arkansas is subject to no just criticism because he did not object when the President, at the White House, announced that he had decided to send in the Marines. This argument is especially irrelevant to any issue raised by the Senator from Arkansas in his carefully thought-through and closely reasoned speech. I hope we shall hear no more in criticism of the Senator from Arkansas for what he did or did not do at the White House conference.

My third preliminary comment is that the Senator from Arkansas based his speech on 6 weeks of testimony in executive session before the Committee on Foreign Relations, at which practically every witness from the administration who participated in the Dominican crisis, with three exceptions, was heard and examined at some length by members of the committee. The speech was based also on newspaper articles, weekly news magazine articles, and other information from reputable American journalists, information which was available to the Committee on Foreign Relations as well as to the three Senators I have mentioned.

I sat through those hearings. I either heard the testimony—and I usually did hear the testimony and the cross-examination—of each of the witnesses, or, if I could not be present, I went to the committee room later and read the testimony, including the cross-examination. I can testify from my own personal knowledge that the comments of the Senator from Arkansas are fully and accurately documented by the classified record in the files of the Committee on Foreign Relations. If any Senator doubts what I say, I urge him or her to read that record.

I do not know whether the Senator from Connecticut [Mr. DODD], the Senator from Florida [Mr. SMATHERS], or the Senator from Louisiana [Mr. LONG] have read that record. Perhaps they will tell us in due course. However, I do know that, with the possible exception of a total of approximately one-half hour, when one of those Senators may have been present at one of those hearings, they did not show up at all. Therefore, their criticism of what the Senator from Arkansas has said is not based on any knowledge of that record in the Committee on Foreign Relations.

This is not necessarily a cause for serious criticism. No doubt the Senators have other sources of information than those which were available to me and to the Senator from Arkansas and to the members of the committee. They are certainly entitled to come in on the floor of the Senate and say whatever they think about it.

The point I want to make is that every single statement of the Senator from Arkansas is carefully documented in the official record of the hearings over which he presided. I raise several questions as to whether these other three Senators can document what they have said.

The fourth preliminary point that I should like to make is that the real issue with respect to the Dominican Republic is not: "Did we do the right thing or did we not do the right thing? Did we, as the Senator from Arkansas says, react too slowly in the first place and then overreact in the second place? Were our activities on the whole in the best interests of the United States of America or not?" These are not the issues.

The real issue is, Where do we go from here? What have we done, if anything, by this action to downgrade the influence of the United States of America through all of Latin America? And what can we do to remedy the harm?

If, as I firmly believe, we have lost many friends and made some enemies, what can we do to remedy that situation so that we can get back to the foreign policy to which John Fitzgerald Kennedy so ably led us when he advocated and pressed through Congress the Alliance for Progress bill, when he revived the good neighbor policy of his predecessor, Franklin Delano Roosevelt, when he offered the hand of friendship to those democratic nations of Latin America which believe that through social, economic, and political democracy Latin America can arise and defeat communism.

I ask the question whether we help defeat communism by standing up for a landed oligarchy governed by military junta groups which have come to be known in Latin America not as guerrillas, but as gorillas, by defying and suppressing efforts for land reform, for housing reform, for education, for health, for feeding the poor, by keeping in office economically as well as politically discredited oligarchies, or do we do better in the interest of the United States in supporting men like Betancourt, and Leoni in Venezuela, and Belaunde in Peru, and the successors of Jose Figueres in Costa Rica, and Frei Montaha and other splendid Latin Americans who are pressing to carry into effect the principles of the Alliance for Progress? Or do we do better if we put our blue chips on the military who come back, having learned the American way of life at the Command and General Staff School in Leavenworth?

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CLARK. Mr. President, I say to my friend from Louisiana that I am most happy that he is on the floor.

I have a prepared address that I should like to deliver. Nevertheless, I should be very glad to yield to my friend from Louisiana, and I am sure that with that self-restraint for which he is so well known, he will ask a few questions and I shall do what I can to reply, and then I shall be permitted to continue.

I now yield.

Mr. LONG of Louisiana. Mr. President, I regret that I could not be here when the Senator commenced his address. I was attending a hearing of the Committee on Foreign Relations which dealt with the problem of wheat shipments to countries behind the Iron Curtain.

Mr. CLARK. I was present this morning at the same hearing and made my position clear. I hope that, in that event at least, the Senator from Louisiana and I will find ourselves on the same side.

Mr. LONG of Louisiana. Mr. President, I hope that we can discuss it. Perhaps we can agree.

As the Senator indicated, I did not have the opportunity to sit through the hearings to which he has referred. I have consulted with people who were either there and have read the record. I am not completely in the dark about what occurred in those hearings.

The Senator knows that I am the ranking member on the Committee on Finance. During that period I was attending hearings of the Finance Committee and also representing the Senate in conference with the House on a number of major bills and conference reports, some of which are now at the desk.

I would like to have been present at the hearings, but I was not able to be there. During that same period of time I was attending meetings at the White House, as the assistant majority leader, and did have available to me the same information which was available to the President.

My judgment of this situation is simply this: That what started in this area as a revolution by people who were not Communists, but who were seeking to overthrow what could perhaps be described as a rightwing government.

Mr. CLARK. Is the Senator referring to the Reid Cabral government?

Mr. LONG of Louisiana. I was referring to the so-called military junta.

Mr. CLARK. To the junta which succeeded the military government.

Mr. LONG of Louisiana. The Senator is correct. The three Communist Parties in that country moved in on this situation, as Communists always seek to do when chaos exists. They had gained a great deal of power and were on their way toward achieving control of this revolution.

The military junta group requested our Government to go in. Our Government inquired, "Are you requesting us to go in because you can no longer protect the Americans who are there?"

As I understand it, even the Senator from Arkansas does not dispute that the answer to that question was yes, and that it was proper that the United States send troops.

Mr. CLARK. Mr. President, from the attention that I was able to give to the problem, I understood that the Reid Cabral government had fallen for reasons which we do not need to go into. The government under Moreno Urillo, who was the legitimate successor of Bosch, thinking that it was defeated, had taken refuge in other Latin American and foreign embassies. At the instance of the CIA—I believe it can be documented—a new junta headed by a certain Colonel Benoit had been formed, although it was pretty well confined to the San Isidro airbase. That junta sent word to Ambassador Bennett, "You had better send American troops in because a Communist takeover threatens."

Ambassador Bennett sent word back, "I can't get away with bringing Americans in on that ground because the evidence is not clear. If you will change your request and make it in writing, and ask American forces to intervene in order to protect American lives, then I believe that we can persuade Washington to do it."

So Benoit changed his position and put it on the basis of protecting American lives. Bennett forwarded that post haste to the State Department and to the White House, and troops were sent in.

The President announced that he was doing it to protect American lives. However, Bennett also sent to Washington the original statement of Colonel Benoit, and, the day the troops landed, a totally unauthorized statement was made by one of the chief naval officers of the U.S. Navy in Santo Domingo that we were going in to crush the Communists.

It is all very well to talk about protecting American lives, but the real reason that the marines went in there was to prevent a Communist takeover.

At that point Admiral Rayburn, who had been sworn in as the new head of the CIA perhaps 24 hours before that—and a fine man he is; no doubt he had to rely entirely on the information which was coming to him from Santo Domingo—was able to produce the names of only three Communists who were said to be connected with the revolutionary movement. This was obviously not enough to impress the American people. Seventy-two hours later, they produced the names of 58 Communists, and thus made a somewhat better showing.

I do not have a shadow of a doubt that after we did what we did, by sending in around 20,000 troops, the three tiny Communist parties in the Dominican Republic, one of them Castro dominated, one of them Moscow dominated, one of them China dominated, were able to take such advantage of the confusion and lack of order in downtown Santo Domingo. The fact is that a lot of the Bosch people became scared and ran away to embassies because they thought they were defeated. I have no doubt that thereafter, the rebel movement was very strongly influenced by the Communists. But it was not in the beginning, and actually the Communists never deposed Caamano Deno, the constitutionalist leader who is not a Communist.

Mr. LONG of Louisiana. My understanding of the matter was that the Communists had gained a great amount of control, and were in command in a substantial number of positions, many of them key positions in the revolution.

Based on what little we know, when we look at a situation of that sort, the revolution had more the earmarks of a Communist takeover than had Castro's, when Castro was taking over Cuba.

Mr. CLARK. The Senator made that argument very eloquently the other day on the floor. All I can say is, my sources of information are possibly different than his. I know this is the information put forth by the administration, and particularly by Mr. Thomas Mann, who was the architect of our policy. I merely disagree with it.

Mr. LONG of Louisiana. It is a matter of judgment. Perhaps the Senator would agree with me, that when the President of the United States becomes convinced, first, that American lives are in danger, he has a duty to protect those American lives; and, second, when he becomes convinced that failure to act means he is risking a Communist takeover of another nation in this hemisphere, in my judgment, if he fails to act, he is failing to discharge his responsibility to the American people.

In my judgment, had President Eisenhower known that the Castro takeover in Cuba was going to work out the way it did, things might have been different.

There were in the Castro movement a number of Communists who claimed they were not Communists—Castro claimed he was not a Communist. He lied to us. That is part of the Communist technique.

As a matter of fact, under Communist doctrine, as I am sure the Senator knows, truth from the Communist viewpoint is that which advances the spread of communism. So, if I say this man taking these notes is a man, if that does not promote the spread of communism, from the Communist point of view I have told a lie; according to Communist teaching, I should have said, "That's a woman."

Castro used those techniques on us. We did not know who all the Communists were in the Dominican Republic, but we knew many of them. Some were Castro-trained. As the Senator pointed out, some of them were the Peiping-type Communists, who would blast us off the face of the earth tomorrow if they had enough atom bombs, and some were the Russian type, experts in subversion. But they had enough help that they were in the process of taking over the revolution. That was the information available to the President; and if the Senator will check, he will find out that is what was happening.

If what the Dominican people want is a progressive reform government, a government with liberal ideas, such as the Senator has and as I myself have, then the people will have the opportunity to elect that sort of government and, in my judgment, they will be able to thank the United States of America that they have that opportunity, because if those Communists had taken over they would never have had it.

Mr. CLARK. The Senator made this same argument very eloquently on the floor of the Senate just a few days ago. I respect his integrity and his conviction. I said, perhaps before the Senator came in, that I thought he and the Senator from Florida were quite unfair to the Senator from Arkansas [Mr. FULBRIGHT] by trying to throw the blame on him for not objecting to sending in the troops when he was summoned to the White House with some of the other leaders in the last days of April.

I pointed out then, and I point out again, that nobody is attacking the President of the United States—neither the Senator from Arkansas nor I. He said and I say that if we had had to make our decision on the basis of the information that came to him at the time he determined to send the troops in, we would have sent troops in, too. I do not think we would have sent so many, but we certainly would have sent in some.

I think the Senator from Florida and the Senator from Louisiana really do a disservice and an injustice to the Senator from Arkansas by trying to say that he or I or anybody else is attacking the President of the United States, or that he or I or anybody else should have spoken up before the troops went in.

That is not the issue. The issue is: Was the advice that came to the President of the United States accurate? I say it was not. Were the recommendations that came to him from his subordinates sound? I say they were not.

But with the information he had, he had no other choice.

With respect to the position of the Senator from Louisiana about Castro's Cuba, it seems to me that is largely irrelevant and, in the end, the difference of opinion between the Senator from Pennsylvania and the Senator from Louisiana is just this simple: Whose judgment is right?

I firmly believe that had we not done what we did in the Dominican Republic in the last days of April, the posture of the United States throughout Latin America would be far higher today than it is. Santo Domingo would have had the kind of government we wanted months before it did, and the whole posture of our relationship with the world in general, but with Latin America in particular, would have been better.

I point out to the Senator from Louisiana, as he knows, that I am a stanch supporter of the Johnson administration, as is the Senator from Louisiana. Every now and then, we stray off the reservation a little bit, but most of the time, we are supporting the President and his program, and the Great Society.

But if the balance of powers and the separation of powers means anything, then the Senator from Louisiana and I have not only the right but the duty to speak our minds when we disagree with the policy laid down by the Chief Executive; and with deep regret, that is what I am doing now. I say to my friend from Louisiana, I shall be back on the team on Monday when the immigration bill comes up. I hope he will be there, too, with me.

Mr. LONG of Louisiana. May I say to the Senator that it seems to me that fundamentally, his case is to establish that the Communists had no substantial influence, and were not achieving increased influence, in that revolutionary group. If he cannot establish that; if the contrary was true, and the Communists were achieving more and more power in that revolt, it seems to me the Senator has not established his case, but rather the case which supports the President and his advisers.

Mr. CLARK. Let me say, with all the deep affection I feel for my friend from Louisiana, that I do not think I have to make any case. The case has been made by the chairman of the Foreign Relations Committee [Mr. FULBRIGHT]. All I am doing now is to rebut the efforts of the Senator from Louisiana [Mr. LONG], the Senator from Florida [Mr. SMATHERS], and the Senator from Connecticut [Mr. DODD] in their attack on the case made by the Senator from Arkansas.

I stand foursquare on the speech made by the chairman of the Foreign Relations Committee. The Senator from Louisiana has ably attempted to oppose that case. But I am not here making any case at all. I stand foursquare on what I consider the brilliant, able, and constructive speech made by the chairman of the Senate Foreign Relations Committee.

Mr. LONG of Louisiana. Did the Senator from Pennsylvania hear the speech of the Senator from Ohio on the floor today?

Mr. CLARK. Which Senator from Ohio?

Mr. LONG of Louisiana. The senior Senator from Ohio [Mr. LAUSCHE].

Mr. CLARK. No; but out of the deep affection and high regard that I have for my close friend the senior Senator from Ohio, I shall certainly be happy to read his speech. I am sorry I did not hear it. I certainly would not wish to prejudge the position taken by my good friend from Ohio, but I can say, generally speaking, that in matters of this sort the senior Senator from Ohio and I rarely find ourselves in agreement.

Mr. LONG of Louisiana. Is the Senator aware of the speech made by the majority leader today in support of the President's action? It seems to me that the Senator ought to be aware of the fact that he is answering more than three Senators.

Mr. CLARK. If it is necessary to answer five, I shall be glad to take on five. As the colloquy thus far indicates, I am having great difficulty taking on one Senator, my good friend from Louisiana.

Now, Mr. President, I return to the major part of my speech. I suggest that the three Senators I have mentioned have not only failed to refute the seven specific conclusions reached by the Senator from Arkansas, but for the most part have refused to meet him head on and have tended to go off on irrelevant side channels having nothing whatever to do with the major impact of the speech of the Senator from Arkansas [Mr. FULBRIGHT].

Let me give an example. The Senators from Louisiana and Florida have both argued that there was need for hasty action in that fatal last week of April of this year, and that there was no time to evaluate the situation judiciously. Then they make the basic and I believe false assumption that the only rapid form of action which could be taken was that which was taken; namely, massive military intervention on the side of the militarists who had kicked out the only legitimate, democratically elected government the Dominican Republic had had in the course of 38 years.

Actually, the Senator from Arkansas criticized the administration for timidity as well as for overreaction. He pointed out that we should have moved long before we did to support the legitimate

government of the Dominican Republic, represented in the first stages of the revolution by the acting president, Molina Urena.

The Senator from Arkansas pointed out that there were two opportunities, first, on April 25, when the PRD, which was the Bosch party, and the only really democratic party of the moderate left in the Dominican Republic, requested a U.S. presence, by which they meant our Government's support for return to constitutional government under Bosch; and, second, 2 days later, on April 27, when the constitutionalists—sometimes erroneously called the rebels—thinking themselves defeated, appealed to Ambassador Bennett for mediation, a request which he refused on the ground that it would have constituted intervention.

Thus, the Senator from Arkansas called not for inaction, but for even more rapid action, which was eventually taken—and on the wrong side.

The issue is not whether it should have been action, but what kind of action. The administration ended intervening in a massive way with military forces on April 28. The Senator from Arkansas would have had us intervene politically either 1 or 3 days earlier.

The Senator from Louisiana [Mr. LONG] contends, on page 23863 of the RECORD, and the Senator from Connecticut [Mr. DODD] suggested, on page 5 of a judiciary subcommittee document entitled "Organization of American States Combined Reports on Communist Subversion," that the OAS mediation team sent to Santo Domingo, by the 10th meeting of consultation of the Ministry of Foregin Affairs of the American Republics wholly and completely justified the unilateral intervention of the United States in Santo Domingo. But, a reading of the report establishes, clearly indeed, that this is not the fact. The report describes the situation as one of chaos in security replete with human suffering. It supports the efforts of members of the OAS committee to bring about a cease-fire. It contains a proposal for the dispatching of an inter-American force which, in fact, had already been decided upon, but it contains no statement whatever endorsing the unilateral action of the United States, although the two Senators I have mentioned state categorically that the committee's report did exactly that.

Critics of the Senator from Arkansas contend that there was clear danger to American lives in Santo Domingo, and that this was the prime reason for the intervention of the United States. I have dealt with that comment earlier in this talk. I can only say now that I agree with the Senator from Arkansas that there was danger to Americans, although no American was, in fact, killed or wounded until after the marines went in and started exchanging fire with the constitutional forces.

I say that on the basis of Monday morning quarterbacking—and I agree that what I am doing, what the Senator from Arkansas did, and to some extent what the Senator from Connecticut [Mr. DODD], the Senator from Florida [Mr. SMATHERS], and the Senator from Louisiana [Mr. LONG] have been doing is Monday morning quarterbacking—on the basis of a calm and judicious review of what happened, there is very little doubt that the principal motive for American intervention was to save military and dictatorial forces in the Dominican Republic from a military defeat.

Ambassador Bennett requested walkie-talkies for the military junta, and he got them. When Colonel Benoit, then head of the military junta, asked for American intervention, he got it. He got it on a ground which, to put it mildly, was not a candid statement of the facts.

In any case, it is a documented fact that Ambassador Bennett, on April 27, when the militarists were winning, refused to intervene to support the constitutional government which was the successor of the only democratically elected government the Dominican Republic had had for over a generation.

Then, the next day, when it looked as though the Constitutionalists were going to win, Ambassador Bennett pleaded desperately and successfully for intervention on the side of the militarists.

The Senator from Connecticut [Mr. DODD] states in the RECORD, on page 24168, and not for the first time, that the Senator from Arkansas' criticism of the recommendations of the President's advisers is organically related to a document entitled "Background Information Relating to the Dominican Republic," which was prepared by the staff Committee on Foreign Relations, with the assistance of the Legislative Reference Service.

The Senator suggests that this documentation and supporting chronology have been heavily slanted against the administration by the careful process of editorial selection.

I hold in my hand the document in question. It starts out with what I believe all will admit to be a definitely nonpartisan statement, that on December 5, 1492, Columbus discovered America. It happened to be the island of Hispaniola, and of course he stopped off on his way at the little island in the Bahamas, San Salvador.

But I submit to any objective observer who wants to test the validity of the charge of the Senator from Connecticut [Mr. DODD] that the rest of the chronology is just as objective and unslanted as the original statement which I have just read—and it is composed largely of official administration statements which may have turned out to be damaging to the administration's case, but certainly were not consciously intended to achieve that result—actually this chronology was not drawn, as the Senator from Connecticut contends, from anti-administration press sources, but, rather, primarily from a noncontroversial source entitled "Deadline Data on World Affairs," and from major metropolitan newspapers, including the New York Times, the New York Herald Tribune, the Washington Post, the Times of London, Der Weldt of Hamburg, the London Economist, the London Observer, Le Monde of Paris.

I submit, and I would hope the Senator from Connecticut would agree, that these are reputable metropolitan journals, which, by and large, tend to support the administration. If they were critical of U.S. policy in the Dominican Republic, this might suggest that there is something wrong with that policy rather than that the committee and its staff, and the editorial and reportorial writers who prepared this documentation, were biased.

Actually, as the Senator from Arkansas [Mr. FULBRIGHT] pointed out, the only nonadministration witness whom the Committee on Foreign Relations heard was the former Governor of Puerto Rico, Munoz Marin, a strong supporter of the administration. I felt the committee should have heard witnesses in opposition to the administration's policy. The chairman, and I suspect a majority of our colleagues on that committee, felt that if we had opened the hearing up to press reporters who had been on the scene, we would have gotten into a Donnybrook which would have been difficult to bring to a conclusion, and the decision was made not to call the other witnesses.

I said earlier that I think there were three witnesses who should have been called. One was John Bartlow Martin, who wrote what I believe to be a highly inaccurate story of what he found in the Dominican Republic. He was down there as a representative of the administration, and upon his return, he wrote this rather extraordinary article in one of the leading outlets of the Luce publications.

I think it is a little unusual, from the protocol point of view, for a former Foreign Service officer—in fact, the former Ambassador to the Dominican Republic—to go down to the Dominican Republic, spend a week, fail in his efforts to bring peace, and then come back and write his side of the story for Life magazine.

It is not for me to criticize. I think he should have been called as a witness, and we should have had an opportunity to question him with respect to his participation in the crisis.

The second witness who I think should have been called was McGeorge Bundy, who went to the Dominican Republic at the request of the President, and spent 10 days down there, trying, unsuccessfully, to bring the crisis to an end. Mr. Bundy, in what I consider to be a disregard of the relevant precedents took refuge in executive privilege and refused to appear before the committee. At one point he said he would come and have tea with us, but then he refused even to do that.

The third witness, whom I hope we still may call when the time is right, is that wise, experienced, extraordinarily able veteran of the Foreign Service, who appears as of now, to have brought the crisis to a successful conclusion, with a display of diplomacy which evokes my admiration and I am sure that of every other member of the committee, regardless of their point of view with respect to this particular crisis, Ambassador Ellsworth Bunker.

I hope, when the smoke settles a little and the present temporary government of President Garcia Godoy is a little more firmly on its feet, Ambassador Bunker

will come and tell the Foreign Relations Committee about the situation he found when he went down there, and how he was able to bring about this near miracle, an instance of pulling a rabbit out of a hat, worthy, in my opinion, of the late Houdini.

The background information prepared by the staff of the Foreign Relations Committee and the Legislative Reference Service contains excerpts from the Rio de Janeiro Treaty and the Charter of the Organization of American States. A reading of articles 15, 17, and 19, of the OAS Charter and of article 6 of the Rio Treaty make it clear beyond peradventure of doubt that the United States of America's unilateral intervention in the Dominican Republic was illegal and unauthorized; and since these provisions of the inter-American agreements suggest unfavorable inferences about the administration's policy, perhaps the Senator from Connecticut is correct in regarding their inclusion in this document to which he objects as a reflection of prejudice upon the part of the committee and its staff.

I point out that all this week there has been meeting in the city of Washington an extraordinary group called the International Conference on World Peace Through World Law. Legal and judicial delegates from more than 110 nations attended. The President of the United States went before them yesterday morning and made an extraordinary able and moving address before that body, in which he placed the United States of America squarely on record as supporting the rule of law as against the rule of force. I was happy, indeed, to see the President of the United States take that position, and I hope from here on in the United States of America will practice what it preaches, and not talk about the rule of law out of one side of its mouth and violate it out of the other side.

Mr. President, I do not wish to be misunderstood, because I say again, as the Senator from Arkansas said before, that I believe the initial intervention, had it been solely for the purpose of protecting American lives, was justified on humanitarian grounds. My position is that when that initial intervention was multiplied by many thousands of troops, and when the ostensible objective to protect American lives was converted by advisers of the administration into an effort to intervene in a civil war to prevent an alleged Communist takeover, its illegality became obvious and apparent.

I suggest that the Senator from Connecticut, an extremely useful Member of this body and a good friend of mine, will, on second thought, want to withdraw the suggestion which he made at pages 24171 and 24172 of the CONGRESSIONAL RECORD that the Senator from Arkansas is soft on communism.

I suggest that the freedom of both public and private men to speak out in candor, either for or against official policy, is an integral part of the American form of liberty, and also an integral part of our constitutional form of government, which requires that the Senate of the United States, as a part of the legislative branch, advise and consent to the activities of the executive.

Mr. President, in this connection I ask unanimous consent to have printed in the RECORD as a part of my remarks an editorial which appeared on September 17, in the Washington Post entitled "Panic Button."

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

[From the Washington (D.C.) Post, Sept. 17, 1965]

PANIC BUTTON

Senator DODD's reply to Senator FULBRIGHT's critique of the American military intervention in the Dominican Republic is essentially to try to depict Mr. FULBRIGHT as soft on communism. This tawdry if familiar tactic does Mr. DODD no credit. There is legitimate ground for disagreement with Mr. FULBRIGHT's analysis, which had the benefit of 4 months of hindsight, without attempting to smear his motives.

That there were, and are, Communists in the Dominican Republic no one disputes; here Mr. DODD is tilting at the wrong windmill. What is disputed is whether they were in a position to capture the revolution that the United States in effect halted when representatives of the American Embassy induced the administration to push the panic button. Some influential anti-Communist Dominicans think they were not.

Nowhere does Mr. DODD deal with several basic questions raised by Mr. FULBRIGHT: Did the United States fully use the resources available to it without sending in the marines—and was the administration candid with the public? Obviously the United States must be alert to Castroite maneuvers, including efforts to take over and direct local grievances. But if we allow American policy to be dominated and even paralyzed by fear of another Cuba, we shall soon find ourselves sending marines around the hemisphere losing friends and alienating people.

Mr. DODD contends, and some in the administration agree with him, that Mr. FULBRIGHT's speech damaged the country because the criticism will be picked up abroad. On the contrary the intervention, whether or not it was necessary, is what started the process. One of the strengths of America in the eyes of other peoples—and a point that can belie Mr. FULBRIGHT's complaint that the United States appears unsympathetic to demands for social justice abroad (by contrast with the social revolution taking place at home)—is that we can debate issues publicly and seek to learn from experience. But to argue that all's well that ends well in the Dominican Republic is like insisting that because a broken leg ultimately heals it somehow is good for you.

Mr. CLARK. The editorial concludes that those who "argue that all is well that ends well in the Dominican Republic, is like insisting that because a broken leg ultimately heals it somehow is good for you."

I suggest that the criticism of our Dominican policy made by the Senator from Arkansas was healthy, salutary, and in the long run will be helpful to the administration and to the future conduct of our foreign policy in Latin America.

Senator FULBRIGHT needs no defense from me against the charge that he is soft on communism. I suspect that every one of the other 99 Senators in this body, including the Senator from Connecticut, on second thought, would stand up and defy anybody who, outside these halls, said that he was.

There is no more loyal, intelligent, and able American in our country than the chairman of the Committee on Foreign Relations.

I say again that I am sure, on further reflection, that the Senator from Connecticut will wish to withdraw the implication contained in the quotation from the CONGRESSIONAL RECORD which I have just made.

I further suggest that, as I said earlier, the current debate reflects great credit on the spirit of liberty and the spirit of freedom of speech in the Senate and the country at large.

In fact, the criticism of Senator FULBRIGHT is already beginning to have a positive effect in Latin America. Conversations with Latin Americans in Washington, especially the younger ones who were not tied to either the militarists or economic oligarchists, suggest that by bringing this matter into the open, as the Senator from Arkansas has done, he repairs the bitter disillusionment with the United States some of our best friends south of the border now feel. It is reviving some feeling of hope that the United States is still the friend of Latin American democracy.

This position is well developed by Senator FULBRIGHT on pages 23860 and 23861 of the CONGRESSIONAL RECORD.

I suggest that the further point may now be stressed: that strong self-criticism of our country, of the administration, of its foreign policy, both in the Senate and elsewhere, is essential to clearing the air and restoring an honest and friendlier relationship between the United States and the democratic nationalist reformers who are our best friends in Latin America.

Acknowledgment of error, mistaken action, and lack of candor is not only essential to dispel lingering disillusionment, but it is also a convincing demonstration of good faith on the part of the people of the United States toward those able and dedicated Latin Americans who are devoting their lives toward establishing in that important area of the world the same kind of democratic pluralistic society of which we are so proud in the United States of America.

I conclude to some extent as I started. The questions are not so much what did we do in the months of April, May, June, July, and August in the Dominican Republic, but first what are the implications of what we did on the future of our Latin American policy?

And second, if we did make mistakes—and I think we did—what can we now do to remedy them?

I suggest that Under Secretary of State Mann and Assistant Secretary of State Jack Vaughn would be well advised, and I hope they will be, if they devote their best efforts from here on in patching up our damaged relationships with those men in Latin America and the countries they represent who are our real friends: the democratic, the liberal, and, if you will, the slightly left-of-center leaders, not the military juntas or the oligarchical landowners, who are cheering what we did in the Dominican Republic.

I suggest we look to Belamunde Terry, Leoni, Betancourt in Venezuela, Jose

Figueros and his successors in Costa Rica.

I suggest we look to President Frei, of Chile, at this moment the greatest of them all, who fought Communists to a standstill and obtained a free liberal democratic, New Deal, Fair Deal, New Frontier, Great Society government in that magnificent and hard-pressed thin stretch of liberty in South America, a government which supports the same essential freedoms which we are so proud of here.

I suggest we look to Alberto Lleras in Colombia, and the men who support his policy there.

These are the true friends of America. These are the countries where the Alianza para el Progreso has the best chance of success. It is here that we should be looking to bolster American policy, to give these men and these countries our assistance, to hearten them, and congratulate them, because that is where the friends of the United States of America are located.

ADJOURNMENT UNTIL MONDAY

Mr. CLARK. Mr. President, I move that the Senate stand in adjournment until Monday next.

The motion was agreed to; and (at 4 o'clock and 39 minutes p.m.) the Senate adjourned until Monday, September 20, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 17, 1965:

U.S. ATTORNEY

William H. Murdock, of North Carolina, to be U.S. attorney for the middle district of North Carolina for the term of 4 years. (Reappointment.)

William Medford, of North Carolina, to be U.S. attorney for the western district of North Carolina for the term of 4 years. (Reappointment.)

POSTMASTERS

ALASKA

Herbert Apassingok, Sr., Gambell, Alaska, in place of John Apangalook, resigned.

ARIZONA

Homer L. Fancher, Bullhead City, Ariz., in place of B. E. Fox, retired.

CALIFORNIA

Dorothy M. Collis, Brentwood, Calif., in place of R. J. Wallace, retired.

Maynard Green, Covina, Calif., in place of C. G. McCarn, retired.

Theodore F. Locicero, Monterey, Calif., in place of L. S. Brown, retired.

Ellen C. Cothran, Westmorland, Calif., in place of F. F. Johnson, deceased.

COLORADO

Susan L. Thompson, Frisco, Colo., in place of R. S. Foote, retired.

James A. Guadnola, Grand Junction, Colo., in place of H. W. Cross, retired.

Robert W. Shewfelt, Parker, Colo., in place of Sophia Johnson, retired.

CONNECTICUT

Vincent P. Nolan, Southington, Conn., in place of E. C. Butler, deceased.

IDAHO

Daniel K. Wilson, Lapwai, Idaho, in place of C. F. Angel, retired.

ILLINOIS

Joseph A. Stal, Georgetown, Ill., in place of A. T. Humrichous, retired.

Marlin H. Ferguson, Hartford, Ill., in place of P. L. Reilley, deceased.

KENTUCKY

Franklin A. Orndorff, Adairville, Ky., in place of J. R. Trimble, retired.

MAINE

Chester W. Curtis, Richmond, Maine, in place of Don O. Cate, retired.

MASSACHUSETTS

Frieland C. Peltier, Oxford, Mass., in place of R. C. Taft, retired.

William F. Griffin, Rutland, Mass., in place of D. M. Lincoln, retired.

MICHIGAN

Leonard E. Amidon, Interlochen, Mich., in place of R. J. Buller, retired.

James R. Budak, Lakeside, Mich., in place of M. B. Perham, retired.

Calvin P. Leach, Le Roy, Mich., in place of H. B. Erickson, retired.

Mark C. Dilts, Mesick, Mich., in place of Ernest Belville, retired.

Lawrence A. Frith, Vermontville, Mich., in place of R. K. Kilpatrick, transferred.

MISSISSIPPI

William T. Hudspeth, Hickory Flat, Miss., in place of N. L. Hall, retired.

MISSOURI

John Rowlett, Jr., Maitland, Mo., in place of H. R. Cowan, retired.

NEBRASKA

Audrey A. Adams, Lyman, Nebr., in place of B. E. McKee, deceased.

Theodore R. Gaedke, Wellfleet, Nebr., in place of P. D. Coder, transferred.

NEW YORK

William B. Chavis, Long Eddy, N.Y., in place of S. F. Kenney, retired.

NORTH CAROLINA

William E. Twiford, Kill Devil Hills, N.C., in place of I. L. Twiford, retired.

NORTH DAKOTA

Edward A. Seel, Rugby, N. Dak., in place of H. D. Walland, retired.

OHIO

Henry C. Waggoner, Amsterdam, Ohio, in place of R. N. Croskey, resigned.

Carl J. Burkhart, Leavittsburg, Ohio, in in place of C. M. Burkhart, retired.

Willard C. Geis, Massillon, Ohio, in place of J. E. Snee, retired.

William P. Moran, Roseville, Ohio, in place of M. D. Sowers, deceased.

OKLAHOMA

Charles M. McCurdy, Tupelo, Okla., in place of M. J. Finch, deceased.

PENNSYLVANIA

C. Jean Steinkirchner, Jennerstown, Pa., in place of E. K. Hay, retired.

SOUTH DAKOTA

LaVerne V. Johannesen, Erwin, S. Dak., in place of Catherine Kazmerzak, retired.

TENNESSEE

Robert M. Sams, Dandridge, Tenn., in place of R. S. Hill, deceased.

Harold A. Hutcheson, Soddy, Tenn., in place of J. H. Davenport, retired.

TEXAS

Edison Monroe, Eustace, Tex., in place of W. H. Wheeler, deceased.

Harold A. Doane, Jr., Haslet, Tex., in place of H. M. George, Jr., removed.

UTAH

Pete L. Bruno, Price, Utah, in place of William Grogan, retired.

Ernest R. Farnsworth, Santaquin, Utah, in place of R. J. Peterson, retired.

WASHINGTON

David L. Gray, Reardan, Wash., in place of L. A. Schultz, retired.

WEST VIRGINIA

William S. Penn, Jr., Bluefield, W. Va., in place of H. B. Faulkner, retired.

Charles H. Gillilan, Jr., Frankford, W. Va., in place of C. H. Gillilan, deceased.

WISCONSIN

Silas J. Paul, Montfort, Wis., in place of Harvey DiVall, retired.

Richard H. Vollmer, Mukwonago, Wis., in place of W. H. Ruppert, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 17, 1965:

U.S. COAST GUARD

The following-named officers to be permanent commissioned officers in the Coast Guard in the grade indicated:

To be lieutenants

Charles F. Reid.
Warren H. Madson.

To be lieutenants (junior grade)

Vincent E. Abrahamson
John R. Malloy III
Roy L. Foote
Gary L. Rowe
Carl D. Bossard
Richard S. Bizar

The nominations beginning John J. Soltys, Jr., to be lieutenant (junior grade), and ending Ted B. Bryant to be lieutenant (junior grade), which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 31, 1965.

HOUSE OF REPRESENTATIVES

FRIDAY, SEPTEMBER 17, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: I Corinthians 13: 13: *And now abideth faith, hope, and charity, these three; but the greatest of these is charity.*

Almighty God, our help in ages past, our hope for years to come, we thank Thee for the heritage of our beloved country which Thou didst lead through many difficulties and dangers to this day, and keep us in the highway of a divine mission.

We beseech Thee to awaken our minds and hearts with the wonder of Thy eternal presence and teach us to hush the beating of our own hearts that we may hear Thy voice in the storms and tumult of our days.

Give us a new sense of Thy power, when we are torn by dismay and despair, to guide us safely through the upheavals of these perilous times.

May our President, the Speaker, and all the Members of the Congress have an unwavering trust in Thee as they serve Thy cause of good will in the world where there is so much hatred and confusion.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the Senate of the following title, in which the concurrence of the House is requested:

S. 2084. An act to provide for scenic development and road beautification of the Federal-aid highway systems.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1483. An act 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.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 618) entitled "An act for the relief of Nora Isabella Samuelli."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 602) entitled "An act to amend the Small Reclamation Projects Act of 1956," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. BIBLE, Mr. Moss, Mr. KUCHEL, and Mr. ALLOTT to be the conferees on the part of the Senate.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works, which was referred to the Committee on Appropriations:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 10, 1965.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
The Capitol, Washington, D.C.

MY DEAR MR. SPEAKER: Pursuant to the provisions of section 7(a) of the Public Buildings Act of 1959 for the construction and alteration of public buildings, and pursuant to the provisions of the Independent Offices Appropriation Act of 1965 for lease construction, the Committee on Public Works of the House of Representatives on September 9, 1965, approved prospectuses for the following projects which were transmitted to this committee from the General Services Administration:

CONSTRUCTION OF NEW BUILDINGS

California: Van Nuys (1) post office, (2) Federal office building.

Connecticut: New Haven, post office, courthouse, Federal office building.

Delaware: Dover, Federal office building.

Louisiana: Houma, post office, Federal office building.

Michigan: Saginaw, Federal office building.

New York: New York, Court of Appeals.

Ohio: Akron, (1) post office, (2) courthouse, Federal office building; Dayton, (1) post office, (2) courthouse, Federal office building.

Puerto Rico: San Juan, (1) courthouse, Federal office building, (2) warehouse and motor vehicle facility.

Virginia: Quantico, FBI Academy.

Total: 14 projects.

ALTERATION PROJECTS

Ohio: Cincinnati, post office annex.

Oklahoma: Oklahoma City, post office, courthouse.

Washington: Seattle, Federal office building.

Washington, D.C.: Executive office building.

Total: Four projects.

LEASED OFFICE PROJECTS

Missouri: Columbia, Department of Agriculture (see attached amendment).

New York: New York, Bureau of Customs (World Trade Center).

Total: Two projects.

Sincerely yours,

GEORGE H. FALLON,
Chairman.

AMENDMENT TO PROSPECTUS FOR COLUMBIA, MO.

All necessary Federal agencies which are to be housed within the proposed building will be located therein, with the exception of the Federal Crop Insurance Agency, located at Sedalia, Mo., which will remain at its present location.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 305]

Adair	Gilligan	Rivers, Alaska
Anderson, Tenn.	Gray	Rivers, S.C.
	Hanna	Roncalio
Andrews, George W.	Hansen, Iowa	Rooney, Pa.
	Hébert	Roudebush
Arends	Ichord	Roybal
Berry	Karth	Senner
Bolton	Latta	Shipley
Bonner	McClory	Smith, Iowa
Brown, Calif.	Mackay	Smith, N.Y.
Cahill	Mackie	Sullivan
Clark	May	Taylor
Clawson, Del	Miller	Thomas
Craley	Moeller	Thompson, Tex.
Dawson	Morris	Todd
Evins, Tenn.	Morse	Toll
Fallon	Nelsen	Tunney
Farnsley	Olsen, Mont.	Tupper
Fino	Ottinger	Van Deerlin
Foley	Pepper	Vigorito
Ford, William D.	Powell	Widnall
	Pucinski	Wilson, Bob
Gallagher	Reifel	

The SPEAKER. On this rollcall 368 Members have answered to their names, a quorum.

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

COMMITTEE ON PUBLIC WORKS

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file a conference report on S. 4, the water pollution control bill.

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

Mr. CRAMER. Mr. Speaker, reserving the right to object—and I do not intend to object—I should like to say that I agree with the request of the gentleman. I believe this a matter finally getting here for final decision which should have been here a long time ago before the House.

I have consistently, as ruling Republican of the House conferees, insisted upon our holding conferences in respect to water pollution. This matter went to conference way back in May. Unfortunately, the attitude of the other body was rather unyielding. We have finally come up with a conference which shows some willingness to give and take, to reach a consensus, and to exercise our legislative judgment. I would say to the gentleman from Minnesota and to the House—and I say this with regard to the minority and the majority, as well as the other body—it is most unfortunate that a similar attitude of willingness to give and take, to try to come up with a consensus and to do what is right, has not prevailed this week so far as the highway beautification bill which is being demanded by certain parties in the executive branch of the Government is concerned and this is because of executive interference. I would hope that a similar attitude would prevail in our committee relating to this matter as existed on water pollution. On S. 4, the water pollution bill, as amended in the House was, after successful bipartisan draftsmanship, the House worked unanimously for. This was accomplished because we were permitted to work our will—not dictated to by the White House or the Executive.

I will say frankly that I have never before seen such pressures and arm twisting from the executive branch of the Government in my experience in the House of Representatives, as I have seen with respect to the highway beautification bill. I hope the Executive will withdraw the pressure troops that have swarmed over the Hill this week and will give us an opportunity to work our will over this weekend. Congress should not be a rubberstamp for the Executive, and especially when this week's Executive interference with the proper legislative process has resulted in the Senate passing a wholly unworkable bill and resulting in passing Executive dictated amendment that do not make sense and that are unworkable.

For instance, the Senate took verbatim section 131(b) so that 10 percent of State highway funds will be withheld upon noncompliance "when payable" and thus would include some $7 billion in unpaid vouchers for work already completed but unpaid even though some of this construction was completed some 10 years ago. How stupid. Yet the Executive demands our rubber stamping such obviously unfair amendments.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

MILITARY CONSTRUCTION APPROPRIATIONS FOR DEFENSE, 1966

Mr. SIKES. Mr. Speaker, I call up the conference report on the bill (H.R. 10323) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1018)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10323) "making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5 and 10.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$323,443,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$316,305,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$348,273,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$64,268,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$665,846,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$39,845,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$65,862,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$70,934,000"; and the Senate agree to the same.

ROBERT L. F. SIKES,
JOHN J. MCFALL,
EDWARD J. PATTEN,
CLARENCE D. LONG,
GEORGE MAHON,
E. A. CEDERBERG,
CHARLES R. JONAS,
FRANK T. BOW,
Managers on the Part of the House.

JOHN STENNIS,
RICHARD B. RUSSELL,
ALAN BIBLE,
ALLEN J. ELLENDER,
HARRY FLOOD BYRD,
THOMAS H. KUCHEL,
LEVERETT SALTONSTALL,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10323) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1—Military Construction, Army: Appropriates $323,443,000 instead of $319,732,000 as proposed by the House and $332,039,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Troop housing	+$1,500,000
Fort Sam Houston, medical laboratory	+1,300,000
Anniston Arsenal, combat vehicle shop	+837,000
New Cumberland Depot, administrative space	+400,000
Walter Reed, alterations to incinerator	+414,000
Cameron Station, dispensary	−168,000
Army Pictorial Center, rehabilitation of buildings 1 and 2	−572,000

The House approved $70,042,000 for enlisted men's barrack complexes at seven locations. The Senate approved $72,443,000 for complexes at six locations. The conferees have approved $71,542,000 for the six locations approved by the Senate.

Amendment No. 2—Military Construction, Navy: Appropriates $316,305,000 instead of $312,357,000 as proposed by the House and $320,603,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

NSY, Bremerton—BOQ	+$765,000
NAS, Oceana—aircraft maintenance hangar	+2,983,000
MCAS, Cherry Point—barracks rehabilitation	+295,000
Naval Academy—science building	+176,000
NS Roosevelt Roads—gate house	+45,000
NAF El Centro—community facilities	+1,041,000
NAS Iwakuni—barracks	+1,143,000
NAS Norfolk—flight hazard removal	−2,500,000

Amendment No. 3—Military Construction, Air Force: Appropriates $348,273,000 instead of $337,478,000 as proposed by the House and $355,410,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Griffiss AFB—electronics laboratory	+$1,608,000
Tinker AFB—base exchange	+427,000
Lackland AFB—theater	+492,000
Williams AFB—aircraft maintenance shop	+432,000
Andrews AFB—headquarters addition	+1,650,000
Grand Forks AFB—base exchange	+150,000
Air Force Academy	+250,000
Elmendorf AFB — heating mains	+1,225,000
MacDill AFB—headquarters facility	+3,600,000
Ballistic missiles/space—contingencies	+750,000
Osan, Korea—division headquarters	+400,000
Toul Rosieres, France—radio facility	+92,000
Minor construction	+837,000
Ent AFB—dormitory	−419,000
Holloman AFB—commissary	−193,000
Carswell AFB—auto maintenance shop	−201,000
Tachikawa AB, Japan—BOQ	−305,000

The conferees have approved the action of the House in denying funds for certain additional administrative facilities at McClellan AFB, California; Tinker AFB, Oklahoma; and Wright-Patterson AFB, Ohio. Adequate consideration has not been given to determining the most economical means of meeting the requirements for administrative facilities at these installations, including maximum utilization of existing facilities and the extent of the total requirements at each base. The Department of Defense should make additional studies as to these requirements and, if additional funds are necessary, include requests therefor in future military construction programs.

The conferees have approved the action of the House in denying funds for bachelor officer quarters at Chanute AFB, Illinois in the amount of $329,000. The Air Force should consolidate all of the BOQ requirements at this installation in a single building in the manner contemplated in the authorizing legislation.

Amendment No. 4—Military Construction, Defense Agencies: Appropriates $64,268,000 instead of $63,468,000 as proposed by the House and $65,131,000 as proposed by the Senate. The conferees have agreed to the following additions to the amounts and line items as proposed by the House:

Defense Atomic Support Agency, Johnston Island AB:

Parallel taxiway	+$500,000
Swimming pool	+300,000

Amendment No. 5—Military Construction, Naval Reserve: Appropriates $9,500,000 as proposed by the House instead of $9,590,000 as proposed by the Senate. The conferees are in agreement that the project approved by the Senate in the amount of $90,000 for the Naval and Marine Corps Reserve Training Center, Little Rock, Arkansas shall be accomplished with the funds available for this appropriation item.

Amendment No. 6—Family Housing, Defense: Appropriates $665,846,000 instead of $683,960,000 as proposed by the House and $647,731,000 as proposed by the Senate. The conferees have approved funds for the construction of 8,500 units of new family housing instead of 9,500 units as proposed by the House and 7,500 units as proposed by the Senate. These funds are to be allocated to the military services by type and location by the Secretary of Defense. The Secretary is directed to inform the Committees on Appropriations of the House of Representatives and the Senate of the allocations to the several services prior to the execution of this program.

Amendment No. 7—Family Housing, Defense: Authorizes not to exceed $39,845,000 for the construction of family housing for the Army instead of $42,282,000 as proposed by the House and $37,408,000 as proposed by the Senate.

Amendment No. 8—Family Housing, Defense: Authorizes not to exceed $65,862,000 for the construction of family housing for the Navy and Marine Corps instead of $73,415,000 as proposed by the House and $58,309,000 as proposed by the Senate.

Amendment No. 9—Family Housing, Defense: Authorizes not to exceed $70,934,000 for the construction of family housing for the Air Force instead of $79,058,000 as proposed by the House and $62,809,000 as proposed by the Senate.

Amendment No. 10—General Provisions: Deletes language proposed by the Senate.

ROBERT L. F. SIKES,
JOHN J. MCFALL,
EDWARD J. PATTEN,
CLARENCE D. LONG,
GEORGE MAHON,
E. A. CEDERBERG,
CHARLES R. JONAS,
FRANK T. BOW,
Managers on the Part of the House.

Mr. SIKES. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain tabulations showing a summary of the congressional actions to date on the budget estimates for military construction with appropriate comparisons.

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

There was no objection.

Mr. SIKES. Mr. Speaker, this bill provides approximately $1.1 billion—$1,090,789,000—for the military construction and family housing program for the Department of Defense. The conference report is $2.9 million—$2,869,000—below the amount approved by the Senate and $1.1 million above the amount approved by the House. It is $292.4 million—$292,365,000—below the budget estimates.

The principal difference between the two bills was in the area of family housing. The House approved funds for the construction of 9,500 units at specific locations. The Senate reduced this to 7,500 units to be located as determined by the Secretary of Defense. The conferees have approved the construction of 8,500 units to be located at sites as determined by the Secretary of Defense from among those athorized by law and after notification to the Committee on Appropriations of the House of Representatives and the Senate of his proposed action.

A detailed list of the action of the conferees on the specific line items is contained in the conference report.

It is with some pride that the Committee again points to the fact that we have done more this year than in many years previous to improve troop housing.

The conference report is unanimous on the part of the managers, on the part of the House, and the Senate. I feel that it will provide an excellent construction program for fiscal year 1966 and I urge its adoption.

Military construction appropriation bill, 1966

Item	1965 appropriation	1966 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1965 appropriation	1966 budget estimate	House	Senate
MILITARY CONSTRUCTION									
DEPARTMENT OF THE ARMY									
Military construction, Army	$300,393,000	$441,400,000	$319,732,000	$332,039,000	$323,443,000	+$23,050,000	−$117,957,000	+$3,711,000	−$8,596,000
Military construction, Army Reserve	5,000,000					−5,000,000			
Military construction, Army National Guard	10,800,000		10,000,000	10,000,000	10,000,000	−800,000	+10,000,000		
DEPARTMENT OF THE NAVY									
Military construction, Navy	247,867,000	338,300,000	312,357,000	320,603,000	316,305,000	+68,438,000	−21,995,000	+3,948,000	−4,298,000
Military construction, Naval Reserve	7,000,000	9,500,000	9,500,000	9,590,000	9,500,000	+2,500,000			−90,000
DEPARTMENT OF THE AIR FORCE									
Military construction, Air Force	332,101,000	422,000,000	337,478,000	355,410,000	348,273,000	+16,172,000	−73,727,000	+10,795,000	−7,137,000
Military construction, Air Force Reserve	5,000,000	4,000,000	4,000,000	4,000,000	4,000,000	−1,000,000			
Military construction, Air National Guard	14,000,000	10,000,000	10,000,000	10,000,000	10,000,000	−4,000,000			
OFFICE OF THE SECRETARY OF DEFENSE									
Military construction, Defense agencies	12,656,000	83,200,000	63,468,000	65,131,000	64,268,000	+51,612,000	−18,932,000	+800,000	−863,000
Loran stations, Department of Defense	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000				
Total, military construction	939,817,000	1,313,400,000	1,071,535,000	1,111,773,000	1,090,789,000	+150,972,000	−222,611,000	+19,254,000	−20,984,000
FAMILY HOUSING, DEFENSE									
Family housing, Army:									
Construction	35,600,000	54,064,000	42,282,000	37,408,000	39,845,000	+4,245,000	−14,219,000	−2,437,000	+2,437,000
Operation, maintenance, and debt payments	173,328,000	181,156,000	180,649,000	180,649,000	180,649,000	+7,321,000	−507,000		
Family housing, Navy and Marine Corps:									
Construction	64,544,000	92,140,000	73,415,000	58,309,000	65,862,000	+1,318,000	−26,278,000	−7,553,000	+7,553,000
Operation, maintenance, and debt payments	97,739,000	96,948,000	96,812,000	86,812,000	96,812,000	−927,000	−136,000		
Family housing, Air Force:									
Construction	57,589,000	99,290,000	79,058,000	62,809,000	70,934,000	+13,345,000	−28,356,000	−8,124,000	+8,125,000
Operation, maintenance, and debt payments	198,859,000	209,307,000	209,049,000	209,049,000	209,049,000	+10,190,000	−258,000,000		
Family housing, Defense agencies:									
Construction	981,000	406,000	406,000	406,000	406,000	−575,000			
Operation, maintenance, and debt payments	2,511,000	2,289,000	2,289,000	2,289,000	2,289,000	−222,000			
Total, family housing	631,151,000	735,600,000	683,960,000	647,731,000	665,846,000	+34,695,000	−69,754,000	−18,114,000	+18,115,000
Grand total	1,570,968,000	2,049,000,000	1,755,495,000	1,759,504,000	1,756,635,000	+185,667,000	−292,365,000	+1,140,000	−2,869,000

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

Mr. SIKES. I am glad to yield to the gentleman from Kansas.

Mr. MIZE. Will the gentleman from Florida explain why an item of $9,300,000 for enlisted men's barracks at Fort Riley, Kans., which was in the original authorization bill was knocked out of the appropriations bill? And can I be reasonably assured it will be put back next year?

Mr. SIKES. I shall be happy to answer the question of the distinguished gentleman from Kansas. An item of $9 million for Fort Riley was included for barracks and other facilities in the House version of the bill. The item was deleted in the Senate. In the conference and in discussion with the military it was brought out that Fort Riley is in the process of losing, because of shipment overseas, a division of troops. Earlier it had been anticipated housing spaces and training facilities would be required for them. This action relieves the pressing demand at this time for

troop housing and training facilities at Fort Riley. It is something that had not been anticipated at the time hearings were held on the bill in the House. I should think, however, there is little doubt there will be a requirement for these facilities in the future, and it is my understanding that the Department of Defense expects to ask for them to be included in next year's bill. Fort Riley is a permanent facility and there is a need for modernization of its facilities.

Mr. MIZE. I thank the gentleman from Florida.

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

Mr. SIKES. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I thank the gentleman for yielding.

The gentleman will recall, I am sure, that when this matter went through the House I raised a question with regard to the MacDill Air Force Base Headquarters facility which, I understand, was requested by the Air Force; $3,600,000 would be required, and that was not included in the House bill but, as I understand, was included in the bill in the other body. It has now been included in this conference report; it was agreed to, is that not correct?

Mr. SIKES. May I state to my distinguished friend that much important evidence has been submitted in behalf of the administrative facility at this base since the action of the House, which had not been presented at that time. The Army and Air Force both submitted strong additional evidence and made a more convincing case for the construction of the facility. Undoubtedly the present facilities are badly overcrowded due to the influx of Air Force personnel in other units which had not been anticipated at the time this headquarters was stationed at MacDill.

In addition to the interest of the gentleman from Florida [Mr. CRAMER] let me emphasize the strong and active interest of the distinguished gentleman from Florida [Mr GIBBONS] who represents the district in which the base is located; in fact, the interest of most of the Members of the Florida delegation, and that of the two United States Senators from Florida.

Mr. CRAMER. Mr. Speaker, will the gentleman yield further?

Mr. SIKES. I yield further to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I congratulate the gentleman as chairman of the House conferees for accepting the headquarters facilities in this appropriation. It certainly is needed.

Mr. Speaker, I am sure the gentleman knows of my interest, even though MacDill is not now in my district, it having been in my previous district for some 8 years.

I believe the gentleman further knows that many of those working on base at MacDill live in my district which is located right across the bay.

Third, during the Eisenhower administration, when this decision to locate the base there was under deliberation, I was one to take a lead in an effort to get the Defense Department to see the benefits and the merits of this particular location. Those are the reasons for my continuing interest in this matter. I congratulate the gentleman from Florida for agreeing to include it in the conference report.

Mr. SIKES. I appreciate the comments of the gentleman.

A great many people urged that Strike Command be located in Florida, just as a great many people have been interested in this headquarters command faculty. I find it is doing a very good job. Strike Command at MacDill is commanded by one of the outstanding persons in the military service, General Paul Adams. It is an alert, up-to-the-minute, ready command—an important part of the Nation's defense. Any State could well be proud, as Florida is proud, to have it in our midst.

Mr. Speaker, I now yield such time as he may consume to the distinguished gentleman from Michigan [Mr. CEDERBERG], the ranking minority member of the subcommittee.

Mr. CEDERBERG. Mr. Speaker, the time that I shall take on this conference report will be very, very brief.

Mr. Speaker, the gentleman from Florida, the chairman of our subcommittee, has stated very clearly the important points involved in this conference report.

If there is any area where I would have any difference of opinion, it would probably be in family housing.

Mr. Speaker, as the gentleman from Florida stated, we put 9,500 units in our bill and the Senate put 7,500 units. We compromised at 8,500 units.

I believe the 9,500 units which we placed in the original bill were needed in view of the housing situation at the military installations. However, as is true in all conferences, a compromise was reached, and I support this compromise.

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

Mr. CEDERBERG. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I ask the gentleman from Michigan if the same housing for the troops and airmen at Chanute is contained in this conference report that was in the bill as passed by the House?

Mr. CEDERBERG. Yes, I believe it is.

Mr. SPRINGER. It has not been changed?

Mr. CEDERBERG. It has not been changed.

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

Mr. CEDERBERG. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, may I state that the troop housing for Chanute is the same as that which was approved in the bill as passed by the House. It was approved by the Senate in the same amount. That item was not before the conference. As I recall, it provides barrack spaces for 1,600 troops and also provides for certain messing facilities. It goes far toward meeting troop housing modernization requirements at Chanute.

It will be recalled that the initial budget request would have provided housing spaces for 600 persons, without new messing facilities. The authorization was for a greater number of mess facilities. The action taken by the appropriations committees is for a larger number than was recommended by the Department of Defense and the Bureau of the Budget.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. SIKES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the conference report just agreed to.

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

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. 1006)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9221) "making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 61.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, and 59; and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,135,000,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$125,000,000"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

"SEC. 638. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project."

And the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 640. None of the funds provided in this Act shall be available for the expenses of the Special Training Enlistment Program (STEP)."

And the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows: In lieu of the number proposed in said amendment, insert: "641"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 8, 10, 16, 24, 31, and 62.

GEORGE MAHON,
ROBERT L. SIKES,
JAMIE L. WHITTEN,
DANIEL J. FLOOD,
ALBERT THOMAS,
JOHN J. MCFALL,
GLENARD P. LIPSCOMB,
MELVIN R. LAIRD,
WILLIAM E. MINSHALL,
FRANK T. BOW,
Managers on the Part of the House.

JOHN STENNIS,
RICHARD B. RUSSELL,
CARL HAYDEN,
LISTER HILL,
JOHN L. MCCLELLAN,
ALLEN J. ELLENDER,
HARRY FLOOD BYRD,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
MARGARET CHASE SMITH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments; namely:

TITLE I—MILITARY PERSONNEL

Military personnel, Army

Amendment No. 1: Appropriates $4,092,291,000 as proposed by the Senate instead of $4,096,100,000 as proposed by the House.

Amendment No. 2: Deletes, as proposed by the Senate, House language relating to limitation on permanent change of station travel.

Amendment No. 3: Deletes word, as proposed by the Senate, correcting introduction to proviso.

Military personnel, Navy

Amendment No. 4: Deletes, as proposed by the Senate, House language relating to limitation on permanent change of station travel.

Military personnel, Marine Corps

Amendment No. 5: Deletes, as proposed by the Senate, House language relating to limitation on permanent change of station travel.

Military personnel, Air Force

Amendment No. 6: Deletes, as proposed by the Senate, House language relating to limitation on permanent change of station travel.

Amendment No. 7: Deletes word, as proposed by the Senate, correcting introduction to proviso.

Reserve personnel, Army

Amendment No. 8: Reported in disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide that the Army Reserve be programed to attain an end strength of 270,000 in fiscal year 1966.

It is the intention of the Committee of Conference, by its actions in connection with amendments 8, 10, and 62, to expressly disapprove a realinement or reorganization of the Army Reserve and Army National Guard as had been proposed in the budget estimates for fiscal year 1966. It is further intended to express disapproval of a subsequently offered plan providing for a limited realinement or reorganization in 17 States. It should be clear from this action that the realinement or reorganization of the Army Reserve Components can be effected only through the enactment of appropriate law.

National Guard personnel, Army

Amendment No. 9: Appropriates $271,800,000 as proposed by the Senate instead of $266,200,000 as proposed by the House.

Amendment No. 10: Reported in disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide that the Army National Guard be programed to attain an end strength of not less than 380,000 in fiscal year 1966.

TITLE II—OPERATION AND MAINTENANCE

Operation and maintenance, Army

Amendment No. 11: Appropriates $3,483,600,000 as proposed by the Senate instead of $3,475,200,000 as proposed by the House.

Operation and maintenance, Defense Agencies

Amendment No. 12: Appropriates $533,490,000 as proposed by the Senate instead of $533,762,000 as proposed by the House.

TITLE III—PROCUREMENT

Procurement of equipment and missiles, Army

Amendment No. 13: Appropriates $1,204,800,000 as proposed by the Senate instead of $1,205,800,000 as proposed by the House.

Other procurement, Navy

Amendment No. 14: Appropriates $1,135,000,000 instead of $1,120,000,000 as proposed by the House and $1,149,900,000 as proposed by the Senate.

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Emergency fund, Defense

Amendment No. 15: Appropriates $125,000,000 instead of $150,000,000 as proposed by the House and $100,000,000 as proposed by the Senate.

TITLE V—EMERGENCY FUND, SOUTHEAST ASIA

Amendment No. 16: Reported in disagreement.

It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment providing $1,700,000,000 for the Emergency Fund, Southeast Asia.

TITLE VI—GENERAL PROVISIONS

Amendment No. 17: Corrects title number.

Amendments Nos. 18, 19, 20, 21, 22, and 23: Correct section numbers.

Amendment No. 24: Reported in disagreement.

It is the intention of the managers on the part of the House to offer a motion to recede and concur in the amendment of the Senate providing authority for the purchase of milk for enlisted personnel heretofore made available through the Department of Agriculture, with a technical correction to the legal citation.

Amendments Nos. 25, 26, 27, 28, 29, and 30: Correct section numbers.

Amendment No. 31: Reported in disagreement.

It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment which provides notification to the Committees on Appropriations of use of authorities contained in section 612 and provides for a report of obligations monthly in connection therewith.

Amendments Nos. 32, 33, and 34: Correct section numbers.

Amendments Nos. 35 and 36: Provides language proposed by the Senate limiting household goods shipments to 11,000 pounds net in any one shipment instead of language proposed by the House allowing 13,000 pounds for general officers, 12,000 pounds for colonels, and 11,000 pounds for all others.

Amendments Nos. 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, and 59: Correct section numbers.

Amendment No. 60: Restores language proposed by the House respecting sharing of costs of research project grants, and corrects section number.

The committee of conference, in agreeing to the language of the House, does not intend to approve the granting of funds in excess of the total amount justified in the budget presentations.

Amendment No. 61: Strikes language proposed by the Senate with respect to the allocation of funds for repair, alteration, and conversion of naval vessels.

The committee of conference is agreed that the most effective practical use of both public and private shipyards must continue to be made since both are essential to the security of the Nation. The committee of conference is in agreement that allocations of funds for ship repair, alteration, and conversion should be made to both public and private yards on a reasonable and equitable basis consistent with the national interest. It is requested that the Secretary of Defense keep the appropriate committees of Congress informed at least quarterly of the allocations of funds for such purposes.

Amendment No. 62: Reported in disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide that funds may be transferred to implement a realignment or reorganization of the Army Reserve Components only upon the approval by Congress through the enactment of law of such a realignment or reorganization.

Amendment No. 63: Provides that no funds be used for expenses of the special training enlistment program, as proposed by the Senate, and corrects section number.

Amendment No. 64: Corrects section number.

GEORGE MAHON,
ROBERT L. F. SIKES,
JAMIE L. WHITTEN,
DANIEL J. FLOOD,
ALBERT THOMAS,
JOHN J. MCFALL,
GLENARD P. LIPSCOMB,
MELVIN R. LAIRD,
WILLIAM E. MINSHALL,
FRANK T. BOW,
Managers on the Part of the House.

Mr. MAHON. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the House passed the defense appropriation bill last June 23. It

was passed by the other body on August 25. Some time has elapsed since the action of the other body on this measure.

There were certain items in controversy with which we had some difficulty, but all of the controversies were settled, and we bring you a conference report today which I think will be reasonably satisfactory to the membership of the House.

The bill provides for total appropriations for the Department of Defense in the sum of $46,887,163,000. This is considerably in excess of the amount which passed the House, $1,698,919,000, to be exact. When the bill passed the House no funds, especially identified as such, were provided for southeast Asia. In the defense supplemental bill for 1965 enacted earlier in the session we provided for a special appropriation of $700 million for the southeast Asia operation.

For fiscal year 1966, a budget amendment went to the other body, after this bill was passed by the House, in which the additional sum of $1.7 billion was requested for use in the conflict in southeast Asia.

That amount was incorporated in the Senate version of the bill and the House conferees have accepted precisely the language and the amount for southeast Asia as proposed in the budget amendment and as recommended by the other body.

With respect to the items in controversy, there has been, as Members of the House know, considerable discussion throughout the year of a proposed realinement or reorganization of the Army National Guard and the Army Reserve. When the House passed the defense bill in June, mention was made of this problem in the report and the committee stated that the matter was, in the view of the Committee on Appropriations, a legislative matter which should be handled by the legislative committee. However, in conference it was determined there was no likelihood of legislation in this session of the Congress. The House had already approved separate funds for the Army National Guard and Army Reserve and the other body did likewise. But the other body inserted a mandatory provision which would require maintenance of a certain average strength in the Army National Guard and in the Army Reserve. It also provided that there could be no transfers of funds for a revision of the alinement of the Guard and Reserve without the passage of legislation by the Congress. So a compromise was worked out with respect to this situation which I think is agreeable. The Department of Defense will not be able to effect a realinement or reorganization of Guard and Reserve forces without the enactment of legislation.

The Senate-proposed mandatory strength levels for the Guard and Reserve were modified in conference so as to provide that the Reserve would be programed to attain an end strength of 270,000 men and the Guard would be programed for an end strength of not less than 380,000 men. This would give the National Guard an opportunity to increase the size of that component, which increase is already underway.

I should make reference to the so-called 65–35 provision having to do with the allocation of ship repair, alteration, and conversion work between the public and private shipyards. The House version of the bill did not contain any language in regard to the division of work. Earlier in the year the Congress had modified the law and the House report urged that every effort should be made to make an equitable distribution of the work for repair, conversion and alteration. The other body put into the bill the so-called 65–35 provision which had been in the bill in previous years, with an escape clause authorizing that it be set aside under certain conditions. The Senate receded and the language of the 65–35 provision was stricken out of the bill and is not before you at this time.

The Department of Defense has been very much interested in a program known as STEP—the special training enlistment program. This program was aimed at assisting those volunteers who are not able in the first instance to pass the requirements for voluntary enlistment.

That program was stricken out in the other body, and the action of the Senate was adopted in the conference.

I believe it is fair to say that adoption of the conference report today will reemphasize the attitude and the position of the Congress with respect to America's position in the world. The passage of the bill providing for $46.8 billion will tell friends and foes alike that the Congress proposes that the United States shall remain strong and determined to maintain its position in the world and promote, wherever it can, the cause of freedom and security. I think that that is the best position for the Congress to assume. There is nothing in the bill today to lead anyone to believe that Congress in any sense embraces a policy of vacillation or appeasement. I think we all agree that firmness and strength are very important at this uncertain hour.

Under leave to extend, Mr. Speaker, I should like to summarize the bill and the conference agreement, by titles of the bill.

TITLE I—MILITARY PERSONNEL

Few items were at issue in the appropriations for "Military personnel" other than those previously discussed with respect to the Army Reserve components, and the STEP program. As a result of agreements reached on the Reserve situation and the STEP program, the Senate figures were accepted in connection with military personnel, Army, and National Guard personnel, Army.

Provisions written into the bill and approved by the House with respect to limitations on permanent change of station travel were deleted inasmuch as the situation in South Vietnam obviously requires more such travel than had been contemplated in the budget estimates and thus any figures related to the budget are no longer necessarily applicable.

TITLE II—OPERATION AND MAINTENANCE

Here again, little was at issue. Action on the Reserve components matter and the STEP program established that the amount in the appropriation "Operation and maintenance, Army," should be that of the Senate bill.

The Senate position with respect to a few minor items under the heading "Operation and maintenance, Defense agencies" was agreed to.

TITLE III—PROCUREMENT

The conference agreement indicates the restoration of about one-half of the House reduction in funds for "Other procurement, Navy," where it is felt that additional recoupments can be expected, thus supporting the House position. However, it is also obvious that additional requirements will exist because of the situation in South Vietnam.

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION EMERGENCY FUND, DEFENSE

The conference agreement, on the only item in this title in conference, provides an appropriation of $125 million for the emergency fund instead of the $15 million requested and provided by the House and the $100 million provided by the Senate. The $125 million provided is the same amount as was appropriated last year. The emergency fund is available for transfer to any of the research, development, test, and evaluation appropriation accounts or for procurement or productions related thereto in order to make available to the Department of Defense, without delay, such funds as may be required to expeditiously exploit unforeseen scientific and technological breakthroughs.

Both the House and Senate committee reports voice opposition to the actions of the Department of Defense in using the emergency fund to finance low-priority programs which were not of an emergency nature and for expending considerable amounts from the emergency fund during the last month of the fiscal year for programs which were otherwise unfunded or insufficiently funded in order to obligate the money before the appropriation expired.

The nature of research and development is such that an emergency fund is a useful and important device and its proper use could save the Government money and time since the emergency fund can be provided in lieu of contingency amounts for various programs.

TITLE V—GENERAL PROVISIONS

I believe that the statement of the managers on the part of the House, and remarks previously made, generally cover the items which were in conference on this title. There is, however, a problem in connection with research grants.

The Defense appropriation bill is the third appropriation bill this year to include a new, more flexible limitation on the sharing of the costs of research grants by recipient institutions and the Government. Heretofore, the same bills had carried a limitation which provided that the Government should not pay a sum for indirect costs of research grants which exceeded 20 percent of the direct costs of each such grant.

That limitation did not adversely affect the basic research program of the Department of Defense in any significant way since the Defense Department depends primarily on research contracts, not on grants. This seems to be proper.

Other agencies of the Government have the primary responsibility for the advancement of basic scientific knowledge and such agencies very properly make large numbers of research grants. The Department of Defense, while a user of scientific knowledge, has as its primary responsibility the maintenance of military forces.

The conferees agreed that the new and more flexible provision would be given a trial. They also agreed that this action should not be construed by the Department of Defense to be permission to rapidly enlarge its research grant program and stated, in the statement of the managers on the part of the House, that the amount of funds expended for grants should not exceed the amount justified in the budget presentations.

The committee of conference is in agreement that while the new provision does not include specific percentages for cost sharing, the costs to be borne by the recipients should be more than token. The Federal Government should encourage cost sharing on the part of the recipients of Federal research grants to the maximum extent equitable to both the recipient and the Government. No specific target percentage or floor was agreed on. If a recipient wishes to assume 95 percent of the cost of a project the Government should let him do so. Requirements for expensive special equipment and facilities, for instance, vary widely according to the nature of the research undertaken. The flexibility of the new provision is intended to enable the Government to more equitably provide for such differences and is not intended to downgrade the principle of cost sharing. It is hoped that the Bureau of the Budget, in prescribing standards for the executive branch, will give adequate consideration to the necessity for cost sharing.

I now submit the usual summary of appropriations tabulation showing the appropriations for 1965, the budget estimates, the action of both House and Senate, and the conference agreement with appropriate comparisons:

Summary of appropriations

[In thousands]

Item	1965 appropriation	1966 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1965 appropriations	Budget estimate	House	Senate
Title I—Military personnel	$14,666,009	$14,618,100	$14,656,600	$14,658,391	$14,658,391	−$7,609	+$40,291	+$1,791	
Title II—Operation and maintenance	12,445,878	12,534,244	12,547,144	12,555,272	12,555,272	+109,394	+21,028	+8,128	
Title III—Procurement	13,422,047	11,411,700	11,390,000	11,418,900	11,404,000	−2,018,047	−7,700	+14,000	−$14,900
Title IV—Research, development, test, and evaluation	6,448,520	6,708,800	6,594,500	6,544,500	6,569,500	+120,980	−139,300	−25,000	+25,000
Title V—Emergency fund, southeast Asia	700,000	1,700,000		1,700,000	1,700,000	+1,000,000		+1,700,000	
Total, titles I, II, III, IV, and V	47,682,445	46,972,844	45,178,244	46,877,063	46,887,163	−795,282	−85,681	+1,698,919	+10,100
Distribution of appropriations by organizational component:									
Army	11,412,659	10,961,403	10,963,903	10,973,094	10,973,094	−439,563	−11,691	+9,191	
Navy	14,326,271	13,932,600	13,942,200	13,972,100	13,957,200	−369,071	+24,600	+15,000	−14,900
Air Force	18,608,601	17,602,100	17,519,600	17,519,600	17,519,600	−1,089,001	−82,500		
Defense agencies/OSD	3,334,914	4,476,741	2,762,541	4,412,269	4,437,269	+1,102,355	−39,472	+1,674,728	+25,000
Total, Department of Defense	47,682,445	46,972,844	45,188,244	46,877,063	46,887,163	−795,282	−85,681	+1,698,919	+10,100

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

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. The bill provides for an amount just short of $47 billion. I wonder if the gentleman could give us at this time an estimate of the other amounts that have been carried in other bills, supplemental appropriation bills for the Defense Department, exclusive of military construction, thus far this year. Does the gentleman have that figure before him? Would the gentleman have any estimate of the total appropriations?

Mr. MAHON. Earlier in the year we provided a special appropriation for southeast Asia in the amount of $700 million. That measure the House has passed.

Mr. GROSS. Will the gentleman permit me to interrupt?

Mr. MAHON. Surely.

Mr. GROSS. Is that item contained in the military construction bill? I note $700 million——

Mr. MAHON. No. Final action has been taken on the $700 million earlier in the year on the Defense supplemental appropriation bill. If we add the $700 million to the amount carried in the bill before the House, and then if we add the amount of the military construction bill, which I believe is about $1.1 billion, that would be the greater portion of the funds appropriated this calendar year for Defense.

I point out that the $700 million, which was provided for southeast Asia in previous action, applied to the fiscal year 1965 rather than fiscal year 1966, in which we now find ourselves, but it does represent part of the funds voted for Defense by this session of Congress.

In addition to these funds for Defense, there are funds provided for the Atomic Energy Commission, in connection with nuclear weaponry, and there are funds for military assistance carried in the so-called foreign aid bill. So this package of $46.8 billion is by no means the whole package related to Defense appropriations for this session of Congress.

Mr. GROSS. At least $1.1 billion is involved.

Mr. MAHON. Yes, the foreign aid bill carried in excess of $1 billion for military assistance.

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

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The gentleman from Iowa was correct in his question, but I point out that there have been no supplemental requests for the Department of Defense for the fiscal year 1966. The $700 million was a supplemental appropriation for the fiscal year 1965.

There has been request for $1.7 billion in the form of a budget amendment included in the regular appropriation bill for the Department of Defense over and above the budget request.

The $700 million will be expended, although approved for fiscal year 1965, in fiscal year 1966. In addition to that, the $1.7 billion additional request is in this conference report for Vietnam.

In addition to that, there are estimates running as high as $10 billion which will be requested at a later time to finance the operations in Vietnam. I do not personally believe it will be $10 billion, which Senator STENNIS talks about. I believe in January there will be an additional request for some $5.5 billion, which will be before this Congress to finance the cost of the Vietnam war.

Mr. MAHON. It is true, of course, that as a result of the war in Vietnam additional men will be called into service. About 340,000 additional men will be called into service. This will, of course, require supplemental funds of some magnitude to finance pay and allowances and to finance to some extent the equipping of these men.

It is true, as has been said many times before, that next year an additional appropriation for fiscal year 1966 will be required to finance the war in South Vietnam. That amount of money will be several billion dollars, provided the war there continues at its present degree of intensity. We are not able to predict at this moment exactly what the amount will be.

Mr. Speaker, I now yield 7 minutes to the ranking minority member of the Defense Subcommittee on Appropriations, the gentleman from California [Mr. LIPSCOMB] who, along with others, has worked very diligently on this bill throughout the year.

Mr. LIPSCOMB. Mr. Speaker, the distinguished chairman of the Defense Appropriations Subcommittee and the full Committee on Appropriations has explained the major differences which are included in the conference committee report.

This is a good conference committee report, and I urge the House to adopt it.

The gentleman has explained three of the major and significant differences in the report compared to the House version of the bill. One of the most important, of course, is the Army Reserve and Army National Guard amendment, which will stop any realinement or reorganization of the Army Reserve and Army National Guard. By these actions it is the intention of the committee on conference to expressly disapprove a realinement or reorganization of the Army Reserve and Army National Guard that has been proposed.

Another item of further interest to the House is that the committee of conference further expressed disapproval of a subsequently offered plan providing for a limited realinement or reorganization in 17 States.

It should be clear from this language and from this action of the committee on conference that the realinement or reorganization of the Army Reserve components can be effected only through the enactment of an appropriate law.

Another item in this conference report is the deletion of the STEP program. By the action of the conference committee the STEP program, which is the special training enlistment program, cannot be started in this fiscal year. This is a good move. This was a recommendation of the minority when the bill was before the House. I commend the conference committee and the Senate, and I urge the House to adopt this particular amendment. By this amendment it can be pointed out that we are saving, right at this point on this program alone, $24.2 million.

Nine million dollars of it is being left in the bill for high priority use and the cut in the bill is actually $15.2 million.

As far as the 35–65 language is concerned that is being deleted, I would personally have preferred to see it in the bill, but it is the decision of the conference committee that it should be deleted and the language in the conference report is specific. The committees of Congress will keep an active interest in this particular matter and see that our business of constructing, repairing and altering ships is taken care of in an economical and in a good manner in the interests of our national security.

Mr. Speaker, a highly significant difference between the House version of the fiscal year 1966 defense appropriation bill and the Senate bill is the Senate amendment which adds a new section for the "Southeast Asia Emergency Fund" in the amount of $1.7 billion. This item was submitted by the President in a supplemental request after the bill had already passed the House. The House of Representatives has never had the opportunity to fully debate this request.

Secretary of Defense McNamara appeared before the House Subcommittee on Department of Defense appropriations and gave a statement and a brief justification of the request, but the hearing was in executive session and the testimony has not been printed or released.

The House-Senate conference committee approved these additional funds and I urge the House to approve the conference committee's recommendation. But the House in taking this action should know that the $1.7 billion is a very small installment on the increased cost of our Nation's commitment in South Vietnam, and in other areas of the world.

The President has made various far-reaching decisions which escalate the war in Vietnam and we as a nation have a commitment which must be upheld. We equally have a commitment to our men in uniform, which requires that they be given all the support necessary in equipment, materials, and in any other form needed to permit them to perform their mission effectively for the security of our Nation and give the greatest assurances for their safety.

These commitments require adequate funding so they may be carried out in a responsible, expeditious manner.

The President, at his press conference, July 28, 1965, when he announced the expanding role and commitment in Vietnam, more or less glossed over the whole question of what should be adequate funding to effectively carry out the actions he was ordering, with merely a passing remark to the effect that Secretary McNamara planned to ask the Senate Appropriations Committee to add a limited amount of funds to the previously passed House defense appropriation bill for fiscal year 1966 which was pending in the Senate to help meet part of this new cost. He did indicate he expected to submit a request for additional supplemental funds when Congress reconvenes in January 1966.

The President, the Secretary of Defense, and many others recognize and have stated that the fiscal year 1966 Defense budget, including the $1.7 billion, is not adequate to sustain our total worldwide commitments for fiscal year 1966.

The administration therefore should come before Congress with a complete estimate of what is needed and a request for funds while we are in session and give us an opportunity to act in a timely, responsible way. It is, after all, Congress' constitutional responsibility, as set forth, in part, in the Constitution, to raise and support Armies, and to provide and maintain a Navy.

Even apart from the constitutional duties of Congress in this area and the right of the people to know the size and nature of the commitment to the war, it should not be fought and funded on a piecemeal basis. Such an approach not only creates problems such as causing unnecessary disruptions in plans, programs, and the budgetary process itself, but could also be interpreted by the Communists as a sign of irresolution to our commitment.

The additional views submitted in the committee report on the fiscal year 1966 Defense bill, and statements subsequently presented on the floor of the House and in the other body, contain various examples that clearly illustrate the inadequacy of the Defense budget, even prior to the President's decision to step up activities in Vietnam, to cover such increased activities while maintaining our units in other areas in a high degree of readiness.

It has been admitted that the $1.7 billion additional will cover only a portion of the added cost due to the Vietnam war. Moreover, Secretary McNamara has stated that the additional amount does not include extra funds at all for two major defense areas, military personnel and operation and maintenance. This is all the more significant when it is pointed out that the testimony presented during the review of the fiscal year 1966 budget, shows that both these categories had extremely tight budgets even without the escalated activities. Considering the magnitude of the escalation in Vietnam and our overall needs, the additional amounts necessary could well run into billions of dollars.

In the category of military personnel, all the services in their budget requests showed either very minimal increases or decreases from prior year levels. This action is now obviously way out of line and inadequate, for a decision has already been made to increase the active forces by 340,000 personnel. If the Vietnamese conflict continues to escalate or go on for a prolonged period of time, both of which are quite possible, the amount of personnel needed could increase even further.

Aside from the fact that the budget before us does not include funds to cover personnel compensation, increases in other areas of personnel costs are not covered. This would include transportation of personnel. Combat pay has not been included, which now covers most military personnel in Vietnam. This bill does not include funds for the increase in the recently signed military pay bill, which amounts to approximately $1 billion. In addition to military personnel increases, there is an increase in civilian personnel amounting to 36,000 "direct hire" civilian employees. These, too, have not been covered in this budget request.

Operation and maintenance includes the day-to-day operational cost of running the Department of Defense and is a large item. Approximately 25 percent of the regular fiscal year 1966 Defense budget, over $12.5 billion is for this purpose. A statement to the committee on February 16, 1965, during the regular hearings on the Defense Appropriations bill for fiscal year 1966, by Assistant Secretary of Defense Hitch on the Operation and Maintenance budget request shows that the budget request for operation and maintenance is tightly drawn. Furthermore, he said it did not include fund requests for any anticipated increases. Secretary Hitch declared:

> It is important to again point out that the increases requested for these appropriations are related to the requirements for daily operational and logistic support of our weapons systems, facilities, and personnel. This budget is $788 million less than the amounts requested by the services and de-

fense agencies in their submissions to the Secretary of Defense. Further, no provision has been included for wage board increases other than those experienced before the submission of initial requests to the Secretary of Defense on October 1, 1964. Unbudgeted wage board increases experienced during the fiscal year normally require more than $40 million and must be accommodated by curtailing or eliminating approved programs for which funds have been apportioned. Also, no allowance has been made for increases in the costs of goods or contractual services incident either to necessary program volume changes or unit costs. In short, this request is based on prices and programs known at the time of its submission without compensation for any anticipated increases. Thus, these requests represent the very basic requirements of the forces and their support. (Fiscal year 1966 House Defense appropriations hearings, pt. 2, p. 6.)

If, as Secretary Hitch indicates, even wage board increases of $50 million would require curtailing of eliminating approved program, what must the condition of this budget be in view of the increases in the operations and maintenance category for Vietnam and elsewhere amounting to hundreds of millions of dollars.

New bases are being established and existing bases are expanding which requires equipment and supplies. It is obvious that significant increases of fuel and oil are required for aircraft, ships, and vehicles. Large increases have been required for supplies of all kinds. Many other items could be listed which are required in much larger numbers than estimated in this budget. In view of Mr. Hitch's assessment of the budget for operation and maintenance, the condition and status of the programs not involved with Vietnam must be seriously questioned.

In spite of all this, Secretary McNamara's statement dated August 4, 1965, which covered his request for the additional $1.7 billion, made it clear that such funds would not cover costs for additional military personnel and the added costs for operations and maintenance. What he proposed instead is that the additional costs be financed during the interim under section 512 of the fiscal year 1966 defense appropriations bill. Section 512a provides emergency authority to spend money in advance rather than on the prescribed quarterly basis. Section 512c provides that the President may increase the number of military personnel on active duty beyond the number for which funds are provided in this act.

In the category of procurement, for which the $1.7 billion is largely requested, there is no doubt that the total funds for procurement in this budget are inadequate to support the escalated activities in Vietnam while maintaining our other commitments for fiscal year 1966.

Adequate funding for military personnel, operations and maintenance, and procurement is absolutely vital to our defense posture. Why should not these items be properly funded now, instead of through manipulation and shifting?

President Johnson and Secretary McNamara have themselves indicated that another request would probably be submitted toward the early part of next year. During the debate on the bill in the other body, it was indicated by members of the Senate Defense Appropriations Subcommittee that we can expect an additional request of anywhere from $7 to $10 billion. This assessment reflects, in addition to the needs in Vietnam, the need for funds for those items that have been taken from other units and stocks for Vietnam and which must be replaced.

Although information has not been furnished concerning specifically what areas will require additional funding, it is reasonable to assume, based upon available reports, that additional requirements would include: weapons, particularly small arms; ordinances, all types; equipment, particularly communications; and vehicles and aircraft, particularly those related to ground support. These and other needs, however, must not be thought of just in terms of Vietnam. Funds will have to be appropriated to replace equipment and material which has been diverted to Vietnam from other units or reserves. At the same time our other units and reserves must be maintained to a high degree of readiness should another conflict area erupt somewhere else in the world. We cannot allow ourselves to be weakened or short handed in any area that would cause either the Communists or our allies to question our capabilities or our will to resist aggression.

In addition to the concern that must be expressed as to the adequacy of funds, the approach which has been taken by the executive branch amounts in my opinion to misuse and undermining of the budgetary process. The established budgetary procedures are for the purpose of creating an orderly process for the executive branch to develop their funding requirements and for the Congress to perform their function of review and control. Certainly budget estimates should cover all the anticipated programs and costs which are recognized as occurring or which will require commitment during the budget period being estimated.

Secretary McNamara admits that in the areas of military personnel and operation and maintenance he is utilizing various fiscal mechanisms in order to provide adequate funds for Vietnam in these two categories. In this regard it is important to realize that procedures such as transfers, reprograming, and related activities are meant to be utilized in emergencies, or in situations which were not in existence or known when the original budget request was developed.

Basically Vietnam does not fall in these categories. Vietnam has been discussed by the President, the Secretary of Defense, the Secretary of State, and many others in the executive branch, who have outlined the problems and in general our approach to our plans for their solution. During the subcommittee hearings held in executive session the discussions have delved into these matters in more detail. It is a situation, therefore, that is known.

Congress is in session. If given the facts and the request we could act now in a timely, positive fashion.

Indeed if that is not possible then there is cause for real concern. Aside from the insufficiencies of funds, the question of the adequacy of our planning would have to be raised.

In view of the defense budgetary situation and the fiscal manipulation going on, the following are some pertinent questions that must be asked now in view of the urgency of the situation and their importance to our national security.

What programs are being canceled due to transfers or reprograming?

What programs are being delayed or schedules extended due to shifts in funding?

What programs have been changed in any way?

What risks are we assuming from all these program manipulations?

Is the vital area of research and development being adversely affected by the shifting of funds? If so, we must then also ask what future risks are we assuming that will not be recognized until 5 to 10 years from now?

If hundreds of millions of dollars are being manipulated between programs and categories, how much control has been lost by Congress in appropriating for defense programs?

Will Congress in reviewing subsequent supplemental requests or regular fiscal year budgets be able to know what is happening so that an intelligent evaluation can be given to the new requests?

In defending the adequacy of the original fiscal year 1966 defense budget Secretary McNamara, on June 9, 1965, said in a memorandum to Defense Subcommittee Chairman MAHON:

To summarize, the fiscal year 1966 defense budget request now before the Congress would provide all the funds we need at this time to continue the strengthening of our overall military posture and to carry out whatever combat operations our forces are called upon to perform during the next 12 months. The special transfer provisions contained in the bill and the reprograming arrangements approved by the committees provide sufficient flexibility to meet all foreseeable requirements until the Congress reconvenes next January and can act on a possible fiscal year 1966 supplemental.

Less than 2 months later, however, Secretary McNamara submitted a request for the additional $1.7 billion. He also made it clear that these funds are "required to finance these actions—Vietnam—pending the submission of a detailed fiscal year 1966 supplemental request to the Congress when it convenes in January."

We know, therefore, that the amount presently contained in the fiscal year 1966 defense budget is insufficient. Will the executive branch decide again in several weeks that it needs a few more billion when Congress may have adjourned and is not available to act upon the request? The manner in which the executive branch has approached the financing of the defense program in general, and the Vietnam action in particular, is open to serious question.

Though it is clear that we should not and will not keep needed equipment and materials from our boys in Vietnam or anywhere else, a piecemeal approach to financing a war could be viewed by the

Communists as a sign of weakness. While the executive branch does possess certain authority to shift and utilize funds, there has been a lack of candor in the discussions and dealings with the Congress in regard to funding the Department of Defense. The Congress has the prime responsibility for fiscal matters under our Federal system. There is an orderly appropriation process which should have been followed. Unfortunately, the executive branch has not chosen to take the proper reasonable approach.

Every Member should support this conference report but with full knowledge that the funding provided is considerably inadequate for the current fiscal year and that they will be called upon to approve additional funds within the next few months.

Mr. MAHON. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. LAIRD] a member of the subcommittee.

Mr. LAIRD. Mr. Speaker, in the colloquy a few minutes ago on the floor of the House between the gentleman from Texas and myself concerning the funding that is to be made available for the fiscal year 1966, I think it is important for us to realize that the budget which came to this Congress in January of this year can be considered a fraud as far as the total dollar funding request for the Department of Defense for fiscal year 1966 is concerned.

The fact that the figures requested for the Department of Defense in the 1966 budget presentation was in error and inaccurate is no secret to anyone. This conference action by itself with its increase of $1.7 billion is proof beyond any doubt of this observation. This is but the second of three or four increases which will be made in connection with our increased activities in Vietnam.

This point was amply illustrated in the additional views which were filed under the leadership of the gentleman from California [Mr. LIPSCOMB]. Mr. Speaker, I include at this point in the RECORD these additional views:

ADDITIONAL VIEWS

We the undersigned strongly support a superior defense posture in order to maintain peace and insure the safety and integrity of our Nation now and in the future.

We support the Department of Defense appropriation bill for fiscal year 1966, but feel compelled to call to the attention of the Congress certain aspects of the bill and certain policies relating to the defense effort which in our judgment give cause for concern.

The major areas of concern involve Vietnam, advanced weapons developments and overall policy. There are other areas of concern, one of which, the special training and enlistment program (STEP), will be discussed in these additional views.

VIETNAM

The situation in Vietnam and the overall problem caused by Communist aggression in southeast Asia is of extreme concern to everyone. It is our judgment, based on the testimony before this committee, that the fiscal year 1966 budget request reflects inadequate funding for the Vietnamese effort. Policy decisions affecting our position and commitments in Vietnam were made by the President. This commitment included the large-scale introduction of American personnel and equipment. We believe these decisions to commit American lives and American prestige must be backed up and supported with the appropriations necessary to carry them out successfully.

Discussion

In light of the President's decision to escalate the war in Vietnam in recent months, the Defense Appropriations Committee interrogated witnesses on the adequacy of the fiscal year 1966 budget request. The questions were primarily directed at the effect of the Vietnam situation on the budget request for such items as procurements, operations and maintenance, personnel, and other areas.

Subcommittee questions, in one form or another, sought to determine whether or not the fiscal year 1966 budget request was adequate in view of the escalated activities in Vietnam. In response after response from principal witnesses, the devastating point was made that the budget was inadequate, that it did not take into consideration the increased activities in Vietnam, and that no budgetary adjustments occurred after the escalation began. This means that while our international prestige and thousands of American servicemen were committed in this area of the world, the fiscal requirements to back them up were not forthcoming. Specific examples of these responses include:

Response by Secretary of the Navy Nitze, March 11, 1965:

"There have been no changes in this budget since our problem became more complicated." [1]

Response by Maj. Gen. B. F. Taylor, Director of Army Budget, Office, Comptroller of the Army, February 4, 1965:

"There were no changes at the time that this budget was finally formalized, sir. There have been some changes resulting from our midyear review in which certain internal programing actions have been taken." [2]

Response by Maj. Gen. B. F. Taylor, Director of Army Budget, Office, Comptroller of the Army, March 22, 1965:

"Under the present level of Army operations, including Vietnam at its present level of activity and troop dispositions, we do not contemplate a supplemental appropriation. However, in the event of escalation of activities in Vietnam or the implementation of any other contingency plan, action would be taken to speed up the flow of deliveries and increase procurement of selected items. These actions would require additional funds. The amount would depend on the extent of combat encountered and envisaged." [3]

Response by Maj. Gen. Crow, Director of Budget, Comptroller of Air Force, March 15, 1965:

"No, sir, it does not." [4]

Response by General Chesarek, Assistant Deputy Chief of Staff for Logistics (Programs), March 22, 1965:

"I would say, sir, if the war escalates in Vietnam, we are going to have to have more money. Depending on the degree of escalation." [5]

Response by General Green, Commandant of the Marine Corps, March 11, 1965:

"No, sir; there has not." [6]

Question by Mr. Sikes, March 25, 1965:

"Within recent weeks the Marines have been brought more prominently into the trouble we are experiencing in southeast Asia. Does this budget reflect an anticipated higher level of requirements, weapons, ammunition, equipment with which to meet that increased level of activity in Vietnam?" [7]

Response by General Henderson, Assistant Chief of Staff, G–4 Headquarters, Marine Corps, March 25, 1965:

"No, sir; this budget does not include any moneys for the reasons you stated." [8]

These quotes make it eminently clear that there are inadequate funds in the fiscal year 1966 budget. It is true that the President saw fit to supplement the fiscal year 1965 budget with a $700 million request which the Congress granted. We are at a loss to understand the absence of similar adjustments for fiscal year 1966. Not only is the need obviously greater in 1966 but members of this committee specifically asked that a review of the fiscal year 1966 requirements be made.

But perhaps of even greater importance than the fact that there are inadequate funds in this budget is the realization that the services were given outdated "guidelines" which had to be followed in preparing their budget requests and which did not anticipate increased needs in southeast Asia. These "guidelines" were established by the Office of the Secretary of Defense. As an example of this, the following colloquy took place:

Question by Mr. Lipscomb, March 26, 1965:

"In view of the fact that this budget was prepared sometime ago, did the figures for Vietnam, or southeast Asia get into this budget?" [9]

Response by General Gerrity, Deputy Chief of Staff, Systems and Logistics, March 26, 1965:

"The guidelines in the budget did not fully reflect the increased activity that has occurred out there. We put the budget together based on the guidelines which were within our program activities." [10]

Question by Mr. Mahon, March 26, 1965:

"Would you have any refinement, General Crow, of the statement which has been made by General Gerrity?" [11]

Response by Maj. Gen. Crow, Director of Budget, Comptroller of the Air Force, March 26, 1965:

"The statement that General Gerrity has made, generally reflects the situation as we developed the budget. The guidelines for the preparation of the budget as they pertain to Vietnam were actually a carry forward of the guidelines that were used in the preparation of the 1965 budget, and they did not anticipate increased activity, per se, in Vietnam." [12]

It should be noted in the latter comment by General Crow that the "guidelines" he refers to were formulated in calendar year 1963. This means, in effect, that we are financing today's war in Vietnam with "guidelines" that are at least 18 months old. It should not be forgotten that the fiscal year 1965 "guidelines" were formulated at a time of apparent detente and mellowing, at a time when a test ban treaty was negotiated and at a time when Secretary McNamara was predicting we could pull our "advisers" out of Vietnam within a year or so. Budget "guidelines" based on these premises do not lend themselves to the demands of a war situation.

Aside from inadequate funding, we would like to express our deepest concern that our planning did not more fully anticipate these developments. Inadequate planning not only affects the budget but, more importantly, the actual operations of the conflict itself. Events in the past few weeks, we believe, bear out this concern. We would

[1] Department of Defense Appropriations for 1966, pt. 3, p. 694.
[2] Ibid., pt. 3, p. 554.
[3] Ibid., pt. 4, p. 156.
[4] Ibid., pt. 3, p. 849.
[5] Ibid., pt. 4, p. 156.
[6] Ibid., pt. 3, p. 696.
[7] Ibid., pt. 4, pp. 341–342.
[8] Ibid., pt. 4, p. 342.
[9] Ibid., pt. 4, p. 388.
[10] Ibid., pt. 4, p. 388.
[11] Ibid., pt. 4, p. 388.
[12] Ibid., pt. 4, p. 388.

also caution very strongly that equipment and material priorities for Vietnam must not be permitted to so deplete active force inventories as to impair the readiness of our forces not committed to Vietnam.

Recommendations

It is our firm belief that appropriations must be sufficient to carry out successfully U.S. commitments anywhere in the world.

American personnel in Vietnam must be equipped and supported in such a degree as will give maximum assurance of safety and a capability to carry out their duties. We believe the President should immediately revise this fiscal year 1966 defense budget with a view toward requesting the Congress to provide for the unplanned and unprogramed expenditures which have resulted from his decision to assume a greater role in southeast Asia.

ADVANCED DEVELOPMENTS

Of particular concern in our defense posture is the level of effort in advanced developments. Military effectiveness is largely determined by the state of scientific and technological advancements. New weapons systems must be aggressively pursued, based upon both the assessment of the threat and the pace of technology. Testimony during the course of the hearings reflect an approach falling far short of what we believe must be done in this vital area.

Discussion

The level of effort in advanced developments in a number of areas gives cause for concern. Two of the more important—antisubmarine warfare and the military uses of space—are highlighted here.

1. Antisubmarine warfare: All of the witnesses unanimously agreed that one of our most critical and difficult areas is antisubmarine warfare, both offensively and defensively. When asked, however, about the adequacy of the fiscal year 1966 budget, Admiral Martell, director of the newly created coordinated ASW program, responded: "I think that the funding in the 1966 budget is a very tight, very carefully examined program".[13] It was also stated by Dr. Morse, Assistant Secretary of the Navy (Research and Development), that the "emphasis in this budget this year in ASW has been very much at the operational level."[14]

We therefore have a situation where, in one of the most difficult and critical areas, the research and development budget is both "tight" and emphasizes primarily operational improvements. Although we do need improvements on existing operational systems, an evaluation of the threat clearly shows our needs become even more crucial in the late 1960's and early 1970's, for which we need new concepts and new systems. A "tight" approach does not permit the flexibility to explore potential concepts that might provide some of the solutions being sought. We are not implying that money should be wasted on projects that are not needed, but when faced with problems in an area that is both crucial and extremely complex, new ideas and new programs cannot be straitjacketed by either a lack of funds or a lack of encouragement to explore new avenues.

2. Military use of space: Testimony on the military use of space revealed a lack of positive direction. The committee was told that military applications of space were being pursued, but at the same time it was said that many of the military requirements in space had not been established. As a result, there was considerable evidence of delays in programs, a hesitation to start others, and an overall reluctance to pursue this new field vigorously.

Air Force General Ferguson, when asked how well we are doing in staying ahead of the Soviets technologically in the field of space, answered: "* * * We have $1 billion invested in space or we are requesting this amount in fiscal year 1966 * * * I am really frankly concerned at the outlook * * *."[15]

As an expression of concern that the military uses of space are not proceeding at an expeditious pace, the committee placed a limitation on the funds for the manned orbital laboratory program. This limitation provided that the funds would not be utilized for any other program. Far too many delays have already been incurred in getting this program started, particularly considering that it is the only major program directed toward utilizing the military man in space.

The overriding concern in the space field should be to overcome the military lag in space technology. One major step forward would be to proceed immediately with development of the manned orbital laboratory.

This concern with the delays in our military space effort has been expressed by other Committees of the Congress having cognizance in this area. The House Committee on Government Operations, for example, in its report, "Government Operations in Space," made the following recommendation:

"Recommendation No. 1: The committee believes that in the interest of national security, the potential manned military uses of space deserve immediate increased attention. As a large step forward in exploring potential military uses, the Department of Defense should, without further delay, commence full-scale development of a manned orbital laboratory (MOL) project."[16]

Other space oriented programs could be cited to show delays, cutbacks, and schedule stretch-outs, that clearly show a lack of vigorous effort in pursuing this vital area.

Our concern about the lack of progress in the area of advanced developments, is not confined to ASW and military uses of space. Secretary McNamara has indicated that it takes anywhere from 10 to 15 years to develop and deploy a weapons system; and even this schedule, long as it may seem, reflects the need for a reasonable level of funding. It is true that the results of these delays, cutbacks and lack of aggressiveness will not become obvious until the late sixties and early seventies. Nevertheless, many decisions must be made soon so that corrective effort can get underway.

A corollary matter that is also of concern to us is the effort on initiative and morale in both the services and industry which have responsibility for conceiving and developing new weapons systems. Considering the challenge which faces us militarily, due to the advances in technology and the capability of our opponent, we should be encouraging, not stifling, our military and scientific people to generate new ideas and new weapons systems. By holding down the level of funds and delaying decisions to go ahead on development and production programs, the tendency of such actions is to discourage initiative from which new concepts might be realized.

In our judgment, it became apparent during the course of the hearings that there was a tendency on the part of some of the principal witnesses to believe we have essentially reached a plateau in new weapons developments. We find this very difficult to believe based upon both the overall testimony and other statements from some of our foremost scientists, engineers, and military people. This was clearly expressed by General McConnell in a recent speech where he stated:

"I would like to see a still greater effort in trying to make quantum advances, preferably in entirely new fields, which will raise our military technology to new plateaus of deterrent capability. A past example of such a major advance is the development of the atomic bomb which gave us unchallengeable military superiority for a number of years. I am confident that we have the scientific competence and industrial resources to make advances of similar magnitude in the future."[17]

Recommendations

We believe that we have the capability to make quantum advances if pursued aggressively and purposefully. Such effort will pay off by continuing to give us a deterrent capability in future years to insure the security of our Nation and the free world.

But these efforts cannot succeed if impeded by too rigid demands that operational requirements be specifically defined before allowing new technological developments to be undertaken. Such restrictions stifle creativity, the evolution of new ideas, and the incentive to explore new horizons of science and technology. It is strongly recommended that the Department of Defense reevaluate its rigid and often narrow attitude toward advanced developments.

The pace of advanced development must also be a reflection of both a realistic assessment of the threat and the advances in science and technology.

A reorientation to reflect this approach, coupled with the necessary decisions to implement it, is required so that we will not become increasingly vulnerable in the late 1960's and early 1970's.

Let us make clear that we are not recommending the expenditure of funds on worthless items. We do believe that if we err, it should be on the side of too much rather than too little. In other words our approach should be to pursue aggressively new concepts and new systems so that they will be operational if the requirement ever arises.

SPECIAL TRAINING AND ENLISTMENT PROGRAM (STEP)

STEP is a proposal under which medical care and educational training would be given to enlistees who do not presently meet Army standards. The personnel needs of the Army will not be met by STEP. Testimony before this subcommittee clearly indicated that the major manpower problems faced by the services is to attract and retain skilled personnel. STEP is ill-conceived, duplicates existing programs such as the Job Corps, and would create additional problems without remedying existing ones.

Discussion

The cost of the STEP program as contained in the fiscal year 1966 defense appropriation bill is $24.2 million, which would provide for training 15,000 personnel. Under the proposed STEP program, the Army would take marginal enlistees, those it would not otherwise accept, and try to qualify them through a basic training program stretched out from 8 to 14 weeks, or longer, depending on the progress of the individuals.

The subcommittee received considerable testimony about the STEP program, and we simply cannot agree that a need for it has been established. This matter first came up as a reprograming action in February of this year with a scheduled starting date of April 1, 1965. The Army sought to shift $7.4 million from fiscal year 1965 funds into the STEP program. The request was denied.

The Army clearly does not require this program to obtain adequate manpower. In

[13] Admiral Martell, pt. 3, p. 755.
[14] Dr. Morse, pt. 5, p. 459.
[15] General Ferguson, pt. 5, p. 148.
[16] Report on "Government Operations in Space," p. 17.
[17] Speech of General McConnell, National Press Club, May 5, 1965, General McConnell, Chief of Staff, U.S. Air Force.

terms of overall members, it receives sufficient men through enlistments and the draft. The major manpower problems the Army has, as were discussed at length during the hearings, revolve around its need to acquire and retain skilled personnel. The problem of how to retain skilled and experienced career personnel is growing more and more acute. Obviously, the STEP program, which would be geared to taking marginal enlistees into the Army, would do next to nothing toward solving the problems in this area.

Aside from the lack of a demonstrated need for STEP, the proposal, we feel, has been justly criticized on many counts. STEP would be duplication of work more properly being done in other areas, on other levels of government and privately. It would, for example, parallel the efforts of the Job Corps, one of whose aims is training youths for placement in the Armed Forces. Specifically, in the Job Corps, Conservation Center Administrative Manual, it is stated that "Youth selected for the Job Corps would include those who * * * have been unable to pass the educational part of the Selective Service examination * * *."[18] The manual further states that as part of its responsibility, the Corps will help place those youths who have completed their training, and that one of the principal areas mentioned for placement is the Armed Forces.

STEP would aggravate the already admitted shortage of qualified teachers and counselors. It is difficult to determine just what type of curriculum would be offered the Stepees, but it is clear that a major subject would be "Social Studies," which leaves the door open as to specific subject matter and the point of view stressed.

Furthermore, it could produce serious disciplinary problems. The Army has made encouraging progress over recent years toward solving disciplinary problems. In light of the testimony that these stem primarily from those in the lowest 10 or 20 percent of the enlistment or draft standards, we feel it would be completely unrealistic to hold that the STEP program will not bring about a sizable increase in Army disciplinary problems. Also, even if the men in STEP prove to be incapable of retention in the Army, they would still be veterans and eligible for peacetime veterans benefits on the basis of their having been in the "Army".

Could it be supposed that the Army would readily admit failure in its training if a large amount of the STEP enlistees do not measure up after the training period? We think not, and that the tendency would be to keep as many in the Army as possible—to the detriment of the Army.

If there is no clear-cut demonstrable need for the STEP program to enable the Army to obtain personnel, and on the other hand there are many actual and potential problem areas, why should the Army insist on spending $24.5 million for STEP during fiscal year 1966? (The original budget request for STEP for fiscal year 1966 was $31.2 million. The reduction is due to the additional delay in schedule in starting this program.)

Despite the many skepticisms that were raised about STEP in the hearings, essentially the response was a dogged persistence that the Army should go ahead and that good could come of it. But to our mind the Army failed to produce concrete evidence as to why such an undertaking is properly a part of the Army's mission.

Recommendations

We believe it is commendable for the Army to show persistence, but that persistence should be directed toward doing the job it was established to do, which is to help provide for our national defense. The Army was not meant to nor should it be called upon to conduct programs such as this.

We believe that the funds included in this budget for the STEP proposal should not be deleted, but that a limitation should be provided in the legislation that none of the funds appropriated shall be utilized for the Special Training and Enlistment program. The funds which had been requested for the STEP program, and which we recommend to be retained in the budget, should be used for emergency problems, such as the necessary increases in Vietnam. This is made necessary by the administration's decision to increase our efforts in Vietnam which have not been adequately provided for in the budget.

* * * * *

We, the undersigned, strongly believe that the overriding requirement of our Defense Establishment is to maintain peace and preserve freedom. It is our belief that this requirement can best be served by maintaining a superior defense posture.

Few would disagree that a country's foreign policy determines in large measure its defense posture. Paraphrasing this principle, Secretary McNamara indicated to this committee that the military force structure should be developed to support our foreign policy.

In this, we concur. Disagreement, where it exists, arises from the fundamental policies upon which this administration bases its defense posture.

Despite conflicting voices to the contrary, we believe that the threat from communism has not diminished, that a genuine mellowing has not taken place in the Soviet Union and in many of the satellite countries, and that tensions between the Communist bloc and the free world have not been eased.

The basic administration defense policy reflects more of a policy of seeking to achieve a balanced deterrent, rather than insuring a decisive superiority.

We have grave reservations about the wisdom of such a policy. There are differing opinions on this subject. However, they revolve primarily around differing evaluations of the capabilities and intentions of potential enemies, particularly the Soviet Union.

Secretary McNamara's policy produces a minimum force structure and a less vigorously pursued research and development effort in the area of advanced weapons developments. Under this approach, there is a greater risk that we will face future challenges without adequate means to deter aggression or prevail in any conflict that might develop.

On the basis of the information and the testimony generated during the hearings, we have serious doubts about the premise that changes in policy, capability or defense efforts have taken place in the Communist bloc would warrant reductions or a general leveling of our defense effort. We believe a defense posture of superiority has been the No. 1 deterrent to Communist expansion.

Available evidence strongly indicates that the Soviet Union and the Communist bloc as a whole are not reducing their efforts.

We must cease, therefore, viewing conditions in the world as we would like them to be, and view them as they are.

We must view the world realistically, recognizing that an aggressor does exist, who seeks to dominate the world, and is building up a capability to do so. This recognition demands an approach which dictates superiority—military, economic, technological and political.

To do less, based upon the progress of events in the world, would be to invite disaster rather than assure peace.

Our primary concern at this time involves the late 1960's and early 1970's. It is during that time period and beyond that the effects of today's decisions will be felt.

It is up to our leaders today—in foreign and defense policy—to make realistic assessments of the needs of tomorrow.

It is up to Congress to see that they do.

We, the undersigned members of the Defense Appropriations Subcommittee, strongly subscribe to the additional views expressed herein.

GLENARD P. LIPSCOMB.
MELVIN R. LAIRD.
WILLIAM E. MINSHALL.

Mr. Speaker, the administration in submitting its budget made an all-out effort to make it appear that the total level of expenditures would be below $100 billion. This was done so that there would seem to be room in that budget to fund several billion dollars of new Great Society domestic spending proposals and yet perform the magic of keeping that total expenditure below $100 billion.

How was this magic performed? How were these headlines possible from one end of this country to the other stating that some great feat had been accomplished by the administration in order to keep its expenditure budget level below $100 billion and its appropriation budget at $106 billion?

It was done, my colleagues, by simply not fully funding the war effort in southeast Asia and not replacing ammunition, aircraft, stocks, and so forth already used in the war in Vietnam. The department not only has drawn down regular supplies but has raided regular, reserve and National Guard units when the budget message to this Congress came for equipment and supplies. Hardly had the ink gotten dry on the budget message in January to this Congress when the first request for $700 million came up in the form of a supplemental request for fiscal year 1965.

Mr. Speaker, the Congress acted on that request of $700 million rapidly and properly. However, within a period of 2 months another request for $1.7 billion was before this Congress for expenditures in the Department of Defense, and there will be further requests made to fund the expenditures that are necessary in fiscal year 1966, in the amount of over $5 billion, although the Senate Preparedness Committee is even putting out estimates in the amount of some $10 billion.

In addition to this $5.5 billion which will be before the Congress early in January, Mr. Speaker, there will be further spending requests to finance the Military Pay Act which was passed by this Congress. So I say the effort was made—an effort was made—by the administration or the Bureau of the Budget to mislead the American people in this budget submission by making room in the budget for all of these new spending proposals and by underestimating the amount that would be needed to finance the Department of Defense for fiscal year 1966, knowing full well that we here, on both sides of the aisle, would approve any funding request involving the national security of our country, and by sending up these requests to finance this war effort on a piecemeal basis, on an installment plan. Only in this way could the budget seemingly be submitted at a figure of under $100 billion as far as expenditures were concerned in fiscal year 1965.

[18] Department of Defense appropriations for 1966, pt. 3, p. 374.

So, Mr. Speaker, I would like to address myself to several of the items not covered by the gentleman from Texas [Mr. MAHON] and the gentleman from California [Mr. LIPSCOMB] and their discussions of this conference report which is pending before us today, the largest conference report and the most important conference report from the standpoint of total dollars and cents that will be coming before the House of Representatives at this first session of the 89th Congress.

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

Mr. MAHON. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. LAIRD. Mr. Speaker, I would like now to address myself, for a moment, to a specific section of the bill, section 638 dealing with indirect costs of research grants. The Senate deleted this particular section and inserted language that has appeared in the bill in past years providing for an allowance of 20 percent for administrative costs in research work.

The Senate conferees receded in conference so under this conference report we are considering section 638 as approved by the House.

A similar provision was carried in the fiscal year 1966 appropriation bill for the Departments of Labor and Health, Education, and Welfare and also for independent offices.

The gentleman from Rhode Island [Mr. FOGARTY] and I were coauthors of these provisions. We pointed out when the conference report on the appropriation bill for the Departments of Labor and Health, Education, and Welfare was considered on the floor on August 16, 1965, and here I quote:

> There has been a great deal of apprehension on the part of some people and a certain amount of misunderstanding. The most serious misunderstanding is that some have gained the idea that this provision was meant to require the grant recipients to bear a greater portion of the cost than under the requirement of former years that no recipient receive more than 20 percent of the direct cost of a research project as the allowance for indirect costs.
>
> Since a few grantees are now receiving grants equal to a full 100 percent of all costs, it is obvious that, even if the grantee is required to contribute one-tenth of 1 percent, he is contributing more than before. However, these instances are the exception and involve a very, very small percentage of all grantees. In making the change from the flat limitation on payments for indirect costs, the committee had in mind not only providing a more equitable method of cost sharing, but also liberalizing the cost sharing for the vast majority of grantees. The National Institutes of Health is involved in this matter to a much greater extent than any other unit in the Department. While there are considerable indirect benefits to the large majority of the NIH grantees, the primary and direct benefits are to the Nation as a whole. I have discussed this matter with the coauthor of the language in section 203, the gentleman from Wisconsin [Mr. LAIRD], and we agree that for grants of this type cost sharing by the grantee should not be more than 5 percent.

Mr. FOGARTY. I yield to the distinguished minority Member, the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I thank the gentleman from Rhode Island for yielding to me. The gentleman from Rhode Island has explained section 203 of the general provisions in title II concerning cost sharing on research grants correctly. As coauthor of this section I concur completely with the statement he has made.

Mr. Speaker, this language contemplates, I believe, not only that cost sharing by the grantee, in no event, be more than 5 percent but that on the average the cost sharing under all such grants should be but 1 or 1½ percent.

I would like to point out for the benefit of my colleagues that the National Science Foundation, in a report entitled "Indirect Costs of Research and Development in Colleges and Universities, Fiscal Year 1960," pointed out that "in fiscal year 1962, the total indirect costs of federally sponsored research and development in colleges and universities will amount to an estimated $175 million." Of this $175 million, approximately $83 million represents the indirect costs of federally sponsored research grants and the balance covers indirect costs of Federal R. & D. contracts.

The report continued:

> Under current Federal practice, $47 million of the $83 million in indirect costs of research grants will come from the Government and an additional $36 million represents the necessary contributions of the colleges and universities themselves.

The study went on to show that the national weighted average of indirect cost rates was 28 percent of direct costs for large colleges and universities—those receiving over $250,000 in grant funds—and 32 percent for small colleges and universities—those receiving less than $250,000 in grant funds.

Although this study was conducted 3 years ago, many of the witnesses indicated that the percentages remain about the same today. Mr. Vincent Shea, comptroller of the University of Virginia who testified on behalf of the Association of State Universities and Land-Grant Colleges stated that in fiscal year 1963:

> Colleges and universities suffered losses estimated at $40 million * * * through their inability to collect the full amount of indirect costs on grants.

In a report entitled "Indirect Costs Under Federal Research Grants" the Subcommittee on Science, Research, and Development of the House Committee on Science and Astronautics recommended that Congress omit percentage limitations pertaining to the reimbursement of indirect costs under Federal research grants in future appropriations acts.

The report went on to recommend that the Bureau of the Budget prepare, for preliminary analysis and review by interested parties, criteria for cost sharing based on the mutual interests of institutional grantees and Federal grantor agencies.

Mr. Speaker, I think it can be stated with confidence that a majority of educational associations and educators representing institutions engaged in Government sponsored research feel that an appropriate level of cost sharing by universities and colleges receiving grants would be an average of 1 or 1½ percent.

Mr. FOGARTY. Will the gentleman from Wisconsin yield to me?

Mr. LAIRD. I am happy to yield to my good friend, the chairman of the HEW Subcommittee.

Mr. FOGARTY. Mr. Speaker, I do not wish to add anything to what the gentleman from Wisconsin [Mr. LAIRD] has said except to agree with him that this language regarding cost sharing is definitely an improvement and corrects some of the inequities that resulted from the language formerly carried which limited, by mathematical formula, the amount which could be reimbursed for indirect costs incurred by research grant recipients. As he pointed out, this matter is explained in some detail in connection with proceedings on the Labor-HEW appropriation bill.

Mr. LAIRD. Mr. Speaker, to move on for a moment to a more general discussion of the conference report that is before this House, I think it should be pointed out that the Congress, in its wisdom, has incorporated in the final version of the Defense appropriation bill for fiscal 1966 most of the major recommendations contained in the additional views which accompanied the Defense Appropriations Committee report last June 17, 1965.

This is not an attempt to say "I told you so." The situation is much more serious than that. It is, instead, an attempt to demonstrate to the Members of this body that too little consideration was given to actual defense needs during this first session of the 89th Congress and too much consideration was given to other factors such as the domestic programs of the Great Society, the mirage of an economy budget, and the creation of a false euphoria as far as the adequacy of our defense budget with respect to Vietnam was concerned.

For the first time in memory, additional views were submitted by the minority members of the Defense Appropriations Committee, the gentleman from California [Mr. LIPSCOMB], the gentleman from Ohio [Mr. MINSHALL], and myself.

Consider these facts:

Additional views: Deplored inadequate funding for Vietnam war. Cited testimony of responsible officials other than Secretary of Defense supporting charge of inadequacy. Called for revision of fiscal 1966 defense budget reflecting adequate funding. Predicted need for supplemental request within short period.

Subsequent developments: The administration requested that $1.7 billion in additional funds be added to the Senate version of the Defense appropriation bill as a "partial funding" for the increased needs of the war in Vietnam. It is clear that an additional supplemental request will be forthcoming next January or February and that that request will be in the neighborhood of $4 or $5 billion.

Additional views: Devoted substantial portion of additional views to folly of establishing the so-called STEP program—special training and enlistment program—on the basis that STEP would not meet the personnel needs of the Army

since the major manpower problem is to attract and retain skilled personnel.

Subsequent development: the conference committee, in its wisdom, eliminated the STEP program from the Department of Defense appropriation bill for fiscal 1966.

Additional views: Expressed deep concern about the level of effort in advanced developments. Specifically singled out among others the lag in development work on the military uses of space and pointed out that "far too many delays have already been incurred" in getting the manned orbital laboratory—MOL—started.

Subsequent developments: The President at a recent news conference finally recognized the very critical need for pushing ahead with the MOL program. At his news conference on August 25, the President said:

I am today instructing the Department of Defense to immediately proceed with the development of a manned orbiting laboratory.

It is to be devoutly hoped that the administration's belated recognition of the need for developing the military uses of space will not be judged by history as having come too late to overtake our adversary's concentrated efforts in this area.

Mr. Speaker, the bill that is before us is a much improved bill over the version that was passed earlier this year by the House. I feel compelled, however, to point out that during floor debate on June 23, the chairman of this committee, the gentleman from Texas [Mr. MAHON] read into the RECORD a letter from the Secretary of Defense dated June 9, 1965. In that letter, in an attempt to counter the additional views of the minority members of this committee, the Secretary said, and I quote:

The fiscal year 1966 defense budget request now before the Congress would provide all the funds we need at this time to continue the strengthening of our overall military posture and to carry out whatever combat operations our forces are called upon to perform during the next 12 months.

During floor debate, I disputed this with the following remarks:

It will be demonstrated again in January or February of next year if not sooner when another supplemental request will be submitted for the fiscal 1966 budget to remedy the inadequacies in the bill that is before this body today.

As we all now know, less than 2 months later this administration requested another $1.7 billion and further indicated that there would be additional requests early next year.

It was also pointed out during floor debate that there were possibly shortages in some of the units not committed to Vietnam. This has been substantiated by the report of the Senate Preparedness Subcommittee. At the time, I said:

Closely related to these considerations (Vietnam) is the need for recognition that we are playing a dangerous game in regard to other present and future possible commitments of men and materials. I would caution very strongly as was done in our additional views that equipment and military priorities for Vietnam must not be permitted to so deplete active forces inventory as to impair the readiness of our forces not committed to Vietnam.

Mr. Speaker, subsequent developments have partially resolved some of the concern expressed in our additional views of last June. But as the gentleman from California has so aptly pointed out grave concerns still remain, not only about inadequacy of funding but also about the methods being used by the Secretary of Defense to resolve short-term crises in the Defense Establishment with little regard for the long-term consequences. The result is the very real danger that the Congress will lose all meaningful control in the appropriations process with respect to the Department of Defense.

It is to be hoped that the Congress will reassert its proper role in dealing with the Defense Establishment in future years.

Mr. Speaker, this conference report deserves the support of each and every Member of the House of Representatives.

Mr. MAHON. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I regret hearing the gentleman from Wisconsin say that the January defense budget as submitted to the Congress was a fraud. I think this was intemperate and unjustifiable language.

The defense budget was made up late last year, and it was not possible at that time to foresee the full extent of developments in Vietnam and in southeast Asia. It was not possible at that time to foresee what was going to happen with respect to India and Pakistan. This is a very large and fluid world, and the Defense budget submitted by President Johnson in January was about $6 billion above the last defense budget, I believe, of the previous administration. So I think it is most unfortunate and indefensible that the word "fraud" had been injected into this discussion.

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

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. But certainly the gentleman from Texas knows full well that the guidelines that were used to draw up the fiscal 1966 budget with respect to Vietnam were the same guidelines set forth by the Secretary of Defense to draw up the fiscal year 1965 budget, and we have testimony to that effect. The testimony before the Senate Armed Services Committee on Preparedness shows very clearly that no effort was made in January or in November or at any time in preparation of the 1966 budget to replace stocks that were currently being used in Vietnam and being drawn from the Reserve National Guard units stockpile.

As a matter of fact, the bombs and ammunition, not to mention the personnel that accounted for the operation and maintenance account, did not take into consideration the changing circumstances that had come about from 1963 to 1966. The point I wish to make, and perhaps I have not made it as clearly as I should, and I am sure the gentleman from Texas will agree, is that the funding of the Vietnamese effort was not included.

The stepped-up activities that started in November, December and January were not included in this particular budget request. But I believe a great many American people thought the $100 billion expenditure that was given great publicity all over the United States as a great master stroke, did include all spending for the fiscal year 1966, when those of us who serve on this committee know full well that it did not include the spending efforts for the fiscal year 1966 and did not include the funds needed to finance this war in Vietnam. I shall support, and I am sure Members on my side of the aisle will join with Members on your side of the aisle, in supporting these needed funds to carry on this effort. But I still say there were many people in this country who were misled by this great master stroke of a $100 billion expenditure when the full funding was not requested.

Mr. MAHON. I would like to point out just how erroneous some of the statements made by the gentleman from Wisconsin seems to be. The gentleman, I believe, is mixing bananas and apples. The President said in January that he hoped to hold the spending budget to $100 billion for this year—that is the expenditure budget. But he said his appropriation budget was about $106 billion. So this is something that every well-informed person knew or could find out, that the President requested in January appropriations in the sum of $106 billion and not $100 billion. The expenditure budget was about $100 billion for the current fiscal year.

Mr. LAIRD. Mr. Speaker, will the gentleman yield to me for a brief statement, since he referred to my remarks?

Mr. MAHON. I yield 1 minute to the gentleman from Wisconsin.

Mr. LAIRD. In my remarks I very carefully referred to the expenditure budget and not to the appropriation budget. I made very clear that the supplemental of 1965 would be reflected in the expenditure budget of 1966. But if the gentleman objects to the words "phony" or "fraudulent" as not being descriptive, I would be willing to use the term "not accurate" or "misleading." The budget which was submitted to us to finance the Department of Defense for the fiscal year 1966 was not accurate.

I point to the testimony of our committee appearing on page 62 of the committee report in which it is very clearly pointed out that guidelines were used which were 2 years old to draw up this budget, and they did not take into consideration the situation that we had to face up to in Vietnam. That is the point I wish to make. I think that it is very clear—and the testimony which we used on page 62 makes it clear—and if the gentleman would feel better about the term "not accurate," I am willing to use it. But certainly the budget that was submitted to this Congress in January, as far as the Department of Defense is concerned, was not an accurate assessment of the needs of this important Department.

Mr. MAHON. With respect to the budget in January not being accurate, I have never known of a budget being wholly accurate if one means that what

is predicted in the budget must transpire. It was not foreseeable in January that all of these things would develop as they have. All budgets are estimates. They are not guarantees as to what will transpire. A budget is an estimate—a financial plan—on which Congress can operate.

Mr. Speaker, I yield to the gentleman from New York [Mr. Dow].

Mr. DOW. Mr. Speaker, allow me to address myself to an item contained in the conference report on H.R. 9221, making appropriations for the Department of Defense. An amount of $1.7 billion has been added through conference for purpose of military action in southeast Asia.

Mr. Speaker, I wonder if American citizens should be entirely happy over this item in the appropriation bill for it undoubtedly will contribute to the expansion of our military efforts in Vietnam.

This Congressman is voting in favor of the entire appropriation, for the reason that the appropriation bill contains the major sums to serve the entire Defense Establishment. Every American, I am sure, supports this foundation of his country.

However, I have faith that it is not too late to question the high policy which our country is following, in an age when we are too often at the brink of universal war and disaster.

Is it not true that we may be aiding the very ideologies which we oppose, by our bombing raids in Vietnam, for it is known worldwide that they result in maiming and burning of innocent civilians?

Is it not true that the military means we are using are not serving too well to deter the expansion of communism, in the light of other developments in southeast Asia? Adjacent to Vietnam, the great nation of Indonesia, containing 100 million people, seems to be entering the orbit with mainland China. Other nations in that area, including Cambodia and Pakistan—a little further away—appear to have given up any cohesion with our side. Do we not need a policy of greater promise to win these nations back?

Is it not true, Mr. Speaker, that the action of one nation setting out by itself to police a conflict beyond its own borders, without the concurrence of the community of nations, is an anachronism that will be difficult to sustain for much longer in the world of today and of the future?

Mr. Speaker, I have a profound respect for the sincerity of the leadership in our country, and a humble admiration for the courage of men who are laying down their lives in following the course which the leadership has set.

Mr. GARMATZ. Mr. Speaker, refusal of the House conferees on the defense appropriations bill to include in the 1966 ship repair provisions the current requirement that at least 35 percent of all naval ship repair be done in private shipyards, inserted by the Senate, is a blow that undoubtedly will further depress this already badly hurt industry.

Of equal importance is the fact that it will cost the taxpayer many millions of dollars. Ship repairs are expensive—and studies by two competent research groups clearly show that the cost in navy yards was decidedly higher than in the private yards—as much as 32 percent in some instances.

The decision to favor the high cost navy yards over the lower cost private yards is decidedly not in keeping with President Johnson's plea for economy in Government.

Mr. WYATT. Mr. Speaker, I am wholeheartedly opposed to the removal of the 35–65 formula in connection with ship repairs. The House in its action failed to include the formula as it has in the past and the Senate in its version of this bill included it. The conferees retreated to the House position and, hence, this historic and fair formula was removed in the conference report.

I protest vigorously the failure of the report to include the 35–65 formula which is the only protection that private industry has and that this country has of maintaining private shipyards on a standby basis, ready to serve the emergency defense needs of this country.

I believe the removal of the formula is a shortsighted and tragic error.

Mr. DUNCAN of Oregon. Mr. Speaker, I regret that the conference committee on the defense appropriation bill has eliminated the amendment providing for a fixed present age allocation of funds for repair, alteration, and conversion of naval vessels between private and naval shipyards as passed by the Senate.

The arbitrary division of 35 percent to private yards and 65 percent to naval yards for this work, which heretofore has been the law, has in the past seemed to me to be a division that failed to take into consideration the variable demands of the Navy and the exigencies of the moment. It has seemed to me that the private and Navy shipyards should stand or fall on their own merits without relying on the statutory division of work. Subsequent developments indicate that these initial conclusions were wrong.

It has become increasingly obvious that the efficiencies and economies of the private yards are not given full consideration in determining who will do the work. The result is that the Navy, by executive fiat, and without reference to the economics of the situation, is awarding far more repair, alteration and conversion work to naval yards than the facts and circumstances justify.

I am delighted in the language of the conference report to the effect that it is essential to the security of the Nation that most effective practical use of both public and private shipyards be continued, and that the Secretary of Defense has been requested to report quarterly to the Congress as to the allocation of these funds.

And we have had assurances from the Navy that it projects a greater dollar volume of work to be done by the private yards in this fiscal year, than the last. I would hope that this will be true, and that the work will be allocated throughout the country. However, in light of what has in fact occurred in the Pacific Northwest, in the 13th Naval District, in this fiscal year, I do not have complete confidence in such assurances.

It is my understanding that as of yesterday there have been only two vessels in private yards for repair in the entire 13th Naval District during this fiscal year.

What the private yards seek, and what is essential to our national security, is an equitable allocation of this work, if these private facilities are to survive and be available in time of extreme emergency.

While the adoption of the conference report will eliminate the 35–65 provision, and I do not think it should be eliminated, it will not eliminate the continuing interest of this Congressman, and many of my colleagues in preserving private shipyard capacity, which can only be done by an equitable division of repair, alteration and conversion work.

Mr. SIKES. Mr. Speaker, the subject matter of the conference report has been effectively covered. I want to comment very briefly, however, on three or four items which are directly or indirectly affected. They are intimately a part of the military program.

First there is the serious prospect of shortages in equipment and supplies. No one in the Department of Defense has appeared willing to face up to this. Blanket denials have been issued and possibly they are correct. The work of Senator STENNIS and his committee in the Senate, however, indicate a different story. It is readily understandable that shortages could exist. The fact that some of the reserve components are having their equipment bled off would indicate that such is the case. The statement has been made that shortages are now showing up in Europe in certain items. The facts are we have been buying supplies, equipment, spare parts, etc. at low rates for the last 3 or 4 years. This was done only in an effort to save money and with the realization that it could in time of emergency result in shortages. If there are shortages, we simply have to face up to it and get the production lines to rolling to insure that those shortages do not become acute.

Military in space is finally having its day in court. The manned orbiting laboratory will be the principal vehicle. After delays which were far too long, the go ahead has been received. This bill has all the funds that conceivably are required. At this time I would hope that a special effort will be made to insure that everything be done which is within reason which will advance the state of the art of the military in space.

On yesterday I spoke at some length in the House on the situation which exists in the Reserve components. The Congress has repeatedly refused to approve the merger of the Reserves and the National Guard. Yet the Department of Defense has delayed a step up in the training and equipment of units which it says are below standard in both regards. In other words the Department has refused to proceed with an alternative plan for the modernization and training of units, and apparently has simply held back support on the assumption that sooner or later the Congress would approve a merger. The

Congress cannot in any way be blamed for a lack of readiness in Reserve component units. The fault rests squarely in the Pentagon. If a realistic training program is not now undertaken where needed, the fault will continue to rest with the Pentagon. Units can be trained within the Reserve organization just as well as within the Guard organization, and if they are not utilized to the fullest possible extent where needed, this will inevitably count as a deterrent to national defense.

Finally there is the matter of money. Everyone realizes this bill does not contain enough money for the accelerated war effort in Vietnam. The $2.4 billion which have been appropriated specifically because of the implementation of conflict since the first of the year is a minor part of the total requirement. When we come back in January we shall probably be called upon to appropriate twice as much and maybe more. There are no shortcuts to victory in this conflict, and war does not come cheap.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. LAIRD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 382, nays 0, not voting 50, as follows:

[Roll No. 306]

YEAS—382

Abbitt	Carey	Edmondson
Abernethy	Carter	Edwards, Ala.
Adams	Casey	Edwards, Calif.
Addabbo	Cederberg	Ellsworth
Albert	Celler	Erlenborn
Anderson, Ill.	Chamberlain	Evans, Colo.
Anderson, Tenn.	Chelf	Everett
	Clancy	Evins, Tenn.
Andrews, Glenn	Clark	Fallon
	Clausen, Don H.	Farbstein
Andrews, N. Dak.		Farnum
	Cleveland	Fascell
Annunzio	Clevenger	Feighan
Ashbrook	Cohelan	Findley
Ashley	Collier	Fisher
Ashmore	Colmer	Flood
Aspinall	Conable	Flynt
Ayres	Conte	Fogarty
Baldwin	Conyers	Ford, Gerald R.
Bandstra	Cooley	Fountain
Baring	Corbett	Fraser
Barrett	Corman	Frelinghuysen
Bates	Craley	Friedel
Battin	Cramer	Fulton, Pa.
Beckworth	Culver	Fulton, Tenn.
Belcher	Cunningham	Fuqua
Bell	Curtin	Garmatz
Bennett	Curtis	Gathings
Betts	Daddario	Gettys
Bingham	Dague	Giaimo
Blatnik	Daniels	Gibbons
Boggs	Davis, Ga.	Gilbert
Boland	Davis, Wis.	Gonzalez
Bolling	de la Garza	Goodell
Bow	Delaney	Grabowski
Brademas	Dent	Green, Oreg.
Bray	Denton	Green, Pa.
Brock	Derwinski	Greigg
Brooks	Devine	Grider
Broomfield	Dickinson	Griffin
Broyhill, N.C.	Diggs	Griffiths
Broyhill, Va.	Dingell	Gross
Buchanan	Dole	Grover
Burke	Donohue	Gubser
Burleson	Dorn	Gurney
Burton, Calif.	Dow	Hagan, Ga.
Burton, Utah	Dowdy	Hagen, Calif.
Byrne, Pa.	Downing	Haley
Byrnes, Wis.	Dulski	Hall
Cabell	Duncan, Oreg.	Halleck
Callan	Duncan, Tenn.	Halpern
Callaway	Dwyer	Hamilton
Cameron	Dyal	Hanley
Hanna	Mahon	Rooney, N.Y.
Hansen, Idaho	Mailliard	Roosevelt
Hansen, Iowa	Marsh	Rosenthal
Hansen, Wash.	Martin, Ala.	Rostenkowski
Hardy	Martin, Mass.	Roush
Harris	Martin, Nebr.	Rumsfeld
Harsha	Mathias	Ryan
Harvey, Ind.	Matsunaga	Satterfield
Harvey, Mich.	Matthews	St Germain
Hathaway	Meeds	St. Onge
Hawkins	Michel	Saylor
Hays	Mills	Scheuer
Hechler	Minish	Schisler
Helstoski	Mink	Schmidhauser
Henderson	Minshall	Schneebeli
Herlong	Mize	Schweiker
Hicks	Moeller	Scott
Holifield	Monagan	Secrest
Holland	Moore	Selden
Horton	Moorhead	Shriver
Hosmer	Morgan	Sickles
Howard	Morrison	Sikes
Hull	Morse	Sisk
Hungate	Morton	Skubitz
Huot	Mosher	Slack
Hutchinson	Moss	Smith, Calif.
Irwin	Multer	Smith, Va.
Jacobs	Murphy, Ill.	Springer
Jarman	Murphy, N.Y.	Stafford
Jennings	Murray	Staggers
Joelson	Natcher	Stalbaum
Johnson, Calif.	Nedzi	Stanton
Johnson, Okla.	Nix	Steed
Johnson, Pa.	O'Brien	Stephens
Jonas	O'Hara, Ill.	Stratton
Jones, Ala.	O'Hara, Mich.	Stubblefield
Jones, Mo.	O'Konski	Sweeney
Karsten	Olsen, Mont.	Talcott
Karth	Olson, Minn.	Teague, Calif.
Kastenmeier	O'Neal, Ga.	Teague, Tex.
Kee	O'Neill, Mass.	Tenzer
Keith	Passman	Thompson, N.J.
Kelly	Patman	Thomson, Wis.
Keogh	Patten	Todd
King, Calif.	Pelly	Trimble
King, N.Y.	Pepper	Tuck
King, Utah	Perkins	Tuten
Kirwan	Philbin	Udall
Kluczynski	Pickle	Ullman
Kornegay	Pike	Utt
Krebs	Pirnie	Vanik
Kunkel	Poage	Vivian
Laird	Poff	Waggonner
Landrum	Powell	Walker, Miss.
Langen	Price	Walker, N. Mex.
Leggett	Purcell	Watkins
Lennon	Quie	Watson
Lindsay	Quillen	Watts
Lipscomb	Race	Weltner
Long, La.	Randall	Whalley
Long, Md.	Redlin	White, Idaho
Love	Reid, Ill.	White, Tex.
McCarthy	Reid, N.Y.	Whitener
McClory	Resnick	Whitten
McCulloch	Reuss	Williams
McDade	Rhodes, Ariz.	Willis
McDowell	Rhodes, Pa.	Wilson, Charles H.
McEwen	Rivers, Alaska	
McFall	Rivers, S.C.	Wolff
McGrath	Roberts	Wright
McMillan	Robison	Wyatt
McVicker	Rodino	Wydler
Macdonald	Rogers, Colo.	Yates
MacGregor	Rogers, Fla.	Young
Machen	Rogers, Tex.	Younger
Madden	Ronan	Zablocki

NAYS—0

NOT VOTING—50

Adair	Gray	Roybal
Andrews, George W.	Hébert	Senner
	Ichord	Shipley
Arends	Latta	Smith, Iowa
Berry	Mackay	Smith, N.Y.
Bolton	Mackie	Sullivan
Bonner	May	Taylor
Brown, Calif.	Miller	Thomas
Cahill	Morris	Thompson, Tex.
Clawson, Del	Nelsen	Toll
Dawson	Ottinger	Tunney
Farnsley	Pool	Tupper
Fino	Pucinski	Van Deerlin
Foley	Reifel	Vigorito
Ford, William D.	Reinecke	Widnall
	Roncalio	Wilson, Bob
Gallagher	Rooney, Pa.	
Gilligan	Roudebush	

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.
Mr. Taylor with Mr. Nelsen.
Mr. Toll with Mr. Cahill.
Mr. Gallagher with Mr. Fino.
Mr. Brown of California with Mr. Reinecke.
Mr. Thomas with Mr. Arends.
Mr. Roybal with Mr. Bob Wilson.
Mrs. Sullivan with Mrs. Bolton.
Mr. Mackay with Mr. Roudebush.
Mr. Miller with Mrs. May.
Mr. Farnsley with Mr. Del Clawson.
Mr. George W. Andrews with Mr. Reifel.
Mr. Vigorito with Mr. Berry.
Mr. Pool with Mr. Derwinski.
Mr. Gray with Mr. Latta.
Mr. Morris with Mr. Widnall.
Mr. Ottinger with Mr. Tupper.
Mr. Tunney with Mr. Smith of New York.
Mr. Rooney of Pennsylvania with Mr. Van Deerlin.
Mr. Roncalio with Mr. Bonner.
Mr. Ichord with Mr. William D. Ford.
Mr. Foley with Mr. Dawson.
Mr. Smith of Iowa with Mr. Mackie.
Mr. Senner with Mr. Thompson of Texas.

Mr. HARVEY of Indiana changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 8: Page 4, line 8, insert: ": *Provided*, That the Army Reserve shall be maintained at an average strength of not less than 270,000 during fiscal year 1966."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein with an amendment, as follows: In lieu of the matter proposed, insert: ": *Provided*, That the Army Reserve will be programed to attain an end strength of two hundred seventy thousand for fiscal year 1966".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 10: Page 6, line 12: insert: "*Provided further*, That the Army National Guard shall be maintained at an average strength of not less than 380,000 during fiscal year 1966."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein with an amendment, as follows: In lieu of the matter proposed insert: ": *Provided further*, That the Army National Guard will be programed to attain an end strength of not less than three hundred eighty thousand for fiscal year 1966."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 16: Page 26, line 6, insert:

"TITLE V—EMERGENCY FUND, SOUTHEAST ASIA

"Department of Defense

"Emergency Fund, Southeast Asia

"For transfer by the Secretary of Defense, upon determination by the President that such action is necessary in connection with military activities in southeast Asia, to any appropriation available to the Department of

Defense for military functions, to be merged with and to be available for the same purposes, and for the same time period as the appropriation to which transferred, $1,700,000,000, to remain available until expended: *Provided*, That transfers under this authority may be made and funds utilized, without regard to the provisions of subsection (b) of section 412 of Public Law 86-149, as amended, 10 U.S.C. 4774(d), 10 U.S.C. 9774(d), section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and 41 U.S.C. 12."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 16 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 24: Page 30, line 17, insert: "; (h) for the purchase of milk for enlisted personnel of the Department of Defense heretofore made available pursuant to section 1446(a), title 7, United States Code."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein with an amendment, as follows:

In lieu of the matter proposed, insert: "; (h) for the purchase of milk enlisted personnel of the Department of Defense heretofore made available pursuant to section 1446a, title 7, United States Code."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 31: Page 34, line 25, insert: "(d) The Secretary of Defense shall immediately advise the Committees on Appropriations of the Congress of the exercise of any authority granted in this section, and shall report monthly on the estimated obligations incurred pursuant to subsections (b) and (c)."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 31 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 62. Page 47, line 4, insert:

"SEC. 640. Only upon the approval by the Congress, through the enactment of law hereafter, of a realinement or reorganization of the Army Reserve Components, the Secretary may transfer the balances of appropriations made in this Act for the support of the Army Reserve Components to the extent necessary to implement such a realinement or reorganization; and the provisions in this Act establishing average strengths for the Army Reserve and the Army National Guard shall cease to be effective."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 62 and concur therein with an amendment, as follows: In lieu of the matter proposed, insert the following:

"SEC. 639. Only upon the approval by the Congress, through the enactment of law hereafter, of a realinement or reorganization of the Army Reserve Components, the Secretary may transfer the balances of appropriations made in this Act for the support of the Army Reserve Components to the extent necessary to implement such a realinement or reorganization; and the provisions in this Act establishing strengths for the Army Reserve and the Army National Guard shall cease to be effective."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in connection with the conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISMISSING THE FIVE MISSISSIPPI ELECTION CONTESTS AND DECLARING THE RETURNED MEMBERS ARE DULY ENTITLED TO THEIR SEATS IN THE HOUSE OF REPRESENTATIVES

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 585 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 585

Resolved, That the election contests of Augusta Wheadon, contestant, against Thomas G. Abernethy, contestee, First Congressional District of the State of Mississippi; Fannie Lou Hamer, contestant, against Jamie L. Whitten, contestee, Second Congressional District of the State of Mississippi; Mildred Cosey, Evelyn Nelson, and Allen Johnson, contestants, against John Bell Williams, contestee, Third Congressional District of the State of Mississippi; Annie DeVine, contestant, against Prentiss Walker, contestee, Fourth Congressional District of the State of Mississippi; and Victoria Jackson Gray, contestant, against William M. Colmer, contestee, Fifth Congressional District of the State of Mississippi, be dismissed and that the said Thomas G. Abernethy, Jamie L. Whitten, John Bell Williams, Prentiss Walker, and William M. Colmer are entitled to their seats as Representatives of said districts and State.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

GENERAL LEAVE

Mr. BURLESON. Mr. Speaker, at the outset, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER. Without objection, it is so ordered.

Mr. BURLESON. Mr. Speaker, I yield 20 minutes to the gentleman from California [Mr. LIPSCOMB], and pending that, I yield 10 minutes to the gentleman from South Carolina [Mr. ASHMORE] the chairman of the Subcommittee on Elections of the House Administration Committee.

Mr. ASHMORE. Mr. Speaker, during the 10 years that I have had the honor to serve as chairman of the Elections Subcommittee it has been my privilege to work with several of the finest and most dependable Members of this House of Representatives.

I am thinking of such colleagues as GLENN LIPSCOMB, WALT ABBITT, CHARLIE GOODELL, SAMUEL DEVINE, CHUCK CHAMBERLAIN, JOE WAGGONNER, SAM GIBBONS, CARL PERKINS, John Lesinski, HUGH CAREY, WILLARD CURTIN, and JOHN DAVIS, a former judge from the State of Georgia. Throughout the years such men as these, and I, have investigated some extremely important and closely contested election cases. For example, Hays against Alford, Rouse against Chambers, Oliver against Hale, Coad against Dolliver, Carter against LaCompte, Mahoney against Wint Smith, and so forth. And in each and every case that we have handled, the findings and recommendations of your subcommittee have been approved by the full committee, and likewise approved by this House, when necessary for a resolution to come to the floor.

Please do not think for one moment that I am here to boast about the activities or accomplishments of the Elections Subcommittee, for I am not, but I am humbly proud of the record that we have made and I hope and pray with you, my colleagues, still have faith, trust and confidence in the Elections Subcommittee.

In our search for the truth and for the will of the voters, which we sought in every investigation, certain facts and circumstances have been significant. For example, was there a valid certificate of election of the challenged Member's seat on file in the Clerk's office in this House? And also was the oath of office administered to the Member by the Speaker of the House? An affirmative answer to these questions establishes a prima facie right of the Member to his seat. In the cases which you are now judging, each of the challenged Members has established a prima facie right to his seat. But the committee does not stand solely on the prima facie cases established by the Mississippi Members, because it has gone much further into the details of the charges against them and found numerous additional and valid grounds to dismiss these contests sponsored by people represented by more than a hundred lawyers.

Some of the other grounds upon which we base our findings are: the fact that the contestants did not avail themselves of the proper legal steps to challenge their alleged exclusions from the registration books and ballots, prior to the election, nor did they even attempt to challenge the issuance of the Governor's certificate of election, in Federal District Court, after the election was held. These things they could have done, and they should have done, and their failures to do so were serious and vital factors which the committee was compelled to consider. Not only do I say there were serious failures on the part of the contestants, but

you as Members of this House, and your predecessors in office, so held in the 1943 case that came up from the State of Georgia. In that case, the contestant, McEvoy, attempted to run as an independent Republican, a political party not known in Georgia. McEvoy's name did not appear on any ballot in his congressional district, just as the names of these challengers today did not appear on any official ballot in Mississippi in the 1964 general election. In that case, the McEvoy case, this House of Representatives found that McEvoy had failed to use and exhaust the proper legal remedies available to him under the laws of his State. The House further concluded that the contestant had thus failed to make out a case, and dismissed the contest against the contestee.

The committee is also well aware that all of the contestants in this case contend that Negroes have been systematically excluded from registering and voting in the State of Mississippi. But even if these charges are true I say to you, this House in the past has refused to declare a seat vacant where large numbers of voters were known to be illegally disenfranchised, the House saying that it preferred to "measure the wrong"—II Hinds Precedents, page 1075.

And I think what the House meant in that case was simply this: a Member of Congress should not, and would not, be held responsible for the wrongful acts of some registration officer back in his home district who refused to issue certificates to qualified people. And that is the primary complaint of these contestants. Yes, my friends, how can you, or I, or the Members from Mississippi, know of, or control, these officers back home when we are attempting to attend to our duties here for 10, 11, or 12 months out of the year?

Certainly there is not one word of evidence in these cases of any collusion with the registration or other voting officers in the State of Mississippi. And in this regard let me cite you to the LaGuardia case in New York in 1925. There, Cannon's Precedents—section 164, pages 311–315—says, and I quote:

> The contestee holds the certificate of election. His title can only be overturned upon satisfactory evidence that he was not elected. His seat in this body cannot be jeopardized by the faults of others. It has been held that the House has no right unnecessarily to make the title of a Representative to his seat depend upon the acts, omissions, diligence, or laches of others.

Is that not fair, and just and equitable? I think so.

Your committee also considered the fact that the laws of the State of Mississippi and the Federal laws under which the presidential and congressional election of November 3, 1964, was held are all deemed constitutional inasmuch as they have not been set aside by the decision of any court of competent jurisdiction. Therefore, we must consider how many votes these Members of Congress received in the regular, valid, legal election as compared to the number of votes the contestants received in their unofficial, unauthorized mock election held over a period of 4 days—October 30–November 2, 1964—see returns.

Presidential and congressional election of Nov. 3, 1964—Mississippi

FOR PRESIDENTIAL ELECTORS

Democratic	52,618
Republican	356,528

FOR U.S. SENATOR

John C. Stennis, Democrat	343,364

FOR REPRESENTATIVE

1. Thomas G. Abernethy, Democrat	60,052
2. Jamie L. Whitten, Democrat	70,218
3. John Bell Williams, Democrat	84,503
4. Arthur Winstead, Democrat	28,057
Prentiss Walker, Republican	35,277
5. William M. Colmer, Democrat	83,120
2d district:	
Fannie Lou Hamer	33,009
Jamie L. Whitten	59
4th district:	
Annie Devine	9,067
Arthur Winstead	4
Prentiss Walker	0
5th district:	
Victoria Gray	10,138
William Meyers Colmer	0

So, if you count every vote the contestants claim, they fall far short—even where "all citizens qualified were permitted to vote." It must be abundantly clear that all the votes they claim were not sufficient to have changed the outcome of the election in any district in Mississippi.

Moreover, Mr. Speaker, the committee wishes to emphasize these additional facts: The Voting Rights Act of 1965 is now the law of the land, in full force and effect. And the alleged practices complained of by the contestants in the 1964 Mississippi elections would constitute violations of the new act if occurring subsequent to its enactment. So there is now clear and adequate legal authority for the Federal Government to protect the rights of voters and to assure the right of all citizens to become registered voters.

In the light of all the facts and circumstances, I am convinced beyond every doubt that these contests should be dismissed. And I urge that you vote accordingly.

Mr. LIPSCOMB. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Speaker, this is a case that has concerned all of us in this Congress for the past 8 months. It carries with it, to a degree, ramifications and implications that affect each of us and our seats here in the Congress of the United States. I served as the ranking member on this subcommittee and with some of my colleagues insisted that the merits of this narrow issue that is presented to us today be argued fully before the subcommittee; and I believe it was. I want to compliment all those who were involved with these arguments on both sides of the issue. They did a fine job of presenting concisely and clearly their viewpoint.

Now, what is the issue that is presented to us today? There is a motion in the form of a resolution before us to dismiss the action contesting this election. In looking at this motion to dismiss we must understand the background and circumstances of the election.

First of all, in November 1964, there were five races in the State of Mississippi for Congress, and in four of those races there was no contest whatsoever. There was no candidate running in opposition to the incumbent. We are faced then with a situation wherein we are asked to unseat by contestants who had no part in this election procedure whatsoever.

In 1965 many of us joined in writing a Voting Rights Act. Many of us were deeply concerned that in the future the commitment of that Voting Rights Act of 1965 be carried over to the other procedures of the House to be sure that the 1965 Voting Rights Act was observed. We have here today a committee report which commits this Congress and the House Administration Committee to examine and scrutinize all elections in the future with an eye to the Voting Rights Act of 1965.

We will, in my opinion, use the power to unseat in the future, if there is corroborative evidence of the violation of the Voting Rights Act of 1965.

These were concessions which I fought for and which others on the subcommittee fought for in the committee report so that we could have these as a matter of legislative history in this historic debate today.

Finally, and most importantly, we have had election contests before us in the past. There is tremendous confusion about the proper procedure under which a contestant may bring a contest before this House.

But, we have had the finest legal counsel in this country trapped by the confusion of precedents and law that exists now in our contested election procedures.

Mr. Speaker, we have a commitment in this committee report, which I am sure all of my colleagues on the House Administration Committee will affirm, that we intend to investigate and change the election contest procedure so that there will be no further traps to those who wish a day in court provided by this great body of the House of Representatives and the House Administration Committee.

Mr. Speaker, with this legislative history before us, we are voting on a motion to dismiss the election contest, which I support.

Mr. BURLESON. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HAWKINS].

Mr. HAWKINS. Mr. Speaker, my remarks are certainly not directed toward any individual in this House and certainly not to be implied as any criticism of the chairman of the House Administration Committee or to attack the integrity of the Elections Subcommittee. It is to state the issue which is involved this afternoon and the position of the minority on the committee. Unfortunately, it is not to debate the merits of the case.

I think that it has been well demonstrated thus far that the differences of opinion about those who even signed the majority report is an indication to us that the merits of the case are to be yet decided.

Mr. Speaker, the motion to recommit which the minority members of the committee will support is merely to implement the decision to have further hearings.

Mr. Speaker, the majority report seeks to establish the fact that whatever discriminatory practices might have existed in the Mississippi congressional election of 1964 are not sufficient to serve as the basis of a challenge which this House ought to consider on its merits.

But, I ask this House, if the discriminatory practices with regard to voting procedures which existed in the State of Mississippi in 1964, discriminatory practices which the President of the United States recognized so clearly in his historic address to the Congress last March, discriminatory practices which the U.S. Civil Rights Commission has documented so completely in their report on Mississippi for 1965, and upon which that distinguished Commission based its conclusion that the State of Mississippi was operating in open violation of the 15th amendment to the Constitution; discriminatory practices which the U.S. Department of Justice has documented in over 30 suits brought against county after county in that State—if, I say, this uncontradicted and uncontradictable evidence of discriminatory practices with regard to voting procedures existing in Mississippi in 1964 is not sufficient to serve as the basis for a proper challenge, then what evidence shall suffice?

Mr. Speaker, to adopt the majority report is to establish a precedent which I say shall forever foreclose the Negro citizens of the South from calling upon the Congress to unseat those who may ascend to their seats by a system that excludes citizens who oppose the dominant group.

Mr. Speaker, the committee majority found that the primary question for them to consider was, was there an election, and it found that there was. But I ask this House, Is there really any question that there was an election? Of course, there was. No one has denied that. But the issue raised by this challenge is whether there was a valid, constitutional election and whether qualified citizens could avail themselves of the electoral and political processes of the State in which they live.

Mr. Speaker, that is the question which the committee should more thoroughly consider.

We are not seeking in this motion to recommit to answer that question nor are we asking you to answer that question this afternoon. We are merely asking that this House should withhold its judgment on this matter until more adequate and public hearings are held. Should we hasten to make a judgment against which there is no appeal?

I, therefore, urge the House to recommit this matter to the committee for a thorough hearing.

Mr. BURLESON. Mr. Speaker, I yield to the gentleman from California [Mr. ROOSEVELT] such time as he may require.

Mr. ROOSEVELT. Mr. Speaker, I rise in support of the motion to recommit to the House District Committee the "Mississippi challenge" cases.

This body—and every one of us—must face our moral responsibility to the great democratic processes of our Nation. Once the technical and legal points have been argued and assessed, there remains a great overriding issue. It is a moral issue. Can we support continued service in this body of persons elected by what must be frankly recognized as a perversion and misuse of our elected processes? That such practices have long been a part of the political life of the State of Mississippi, that they have, by custom and usage, become an accepted way of life for thousands and millions of people, makes even more clear the necessity to accept our moral responsibility and to act upon it.

This is not a matter of personalities. These Members are my good friends. But I must overlook that. I must look to the people of the State of Mississippi, to the people of the Nation, to the people of other lands. Democracy, and its processes, are at issue.

To those who say that the Voting Rights Act of 1965 will require correction of these practices—and that the Representatives from Mississippi will hereafter be elected by constitutional means is no answer to the question presently before us. What will be done cannot obviate what has been done. The present Mississippi delegation is the one that concerns us today.

The record in the Mississippi contested election cases of 1965 bring before the House overwhelming evidence of the simple, stark facts upon which these cases rest—the almost total, systematic, and deliberate exclusion of the Negro citizens of Mississippi from the electoral processes of that State. Only 7 percent of the Negro citizens of voting age were registered to vote. Over 450,000 Negro citizens were excluded from the electoral process during which the Members of this House were elected. The unimpeachable facts of wholesale Negro disenfranchisement make a mockery out of the constitutional requirement that the Members of this House be chosen "by the people of the several States."

It is now thoroughly well established that the Negroes of Mississippi have voted and registered in such pitifully small numbers because they have been prevented from doing so by an unrelenting program of legislation, discriminatory administrative procedures, violence, and intimidation. The array of findings on this score is indeed impressive and the condition is statewide—it exists to an overwhelming degree in each of the five congressional districts here in question.

Although court decisions have been extremely ineffectual in eliminating the massive disenfranchisement of Negro citizens in Mississippi, the findings by Federal courts in county after county represent an impressive array of proof of the pattern of discrimination. These decisions relate to counties throughout the State.

The President, in his message to Congress of March 15, 1965, summed up in terms which leave no possibility of further doubt all the proof of the fact that Negroes have been excluded from the electoral process in Mississippi.

Depositions were taken in the Mississippi contest in more than 30 counties of the State of Mississippi. Over 400 witnesses testified. Over 10,000 pages of detailed testimony, all subject to the right of cross-examination, tell the story of Negro disenfranchisement again and again.

This almost total exclusion of Negro citizens from the electoral processes of Mississippi is the result of almost a century of operation of what has come to be known through the Nation as the Mississippi plan. Since 1875 the dominant white political structure of the State has openly and consciously utilized every possible technique to disenfranchise the Negro and perpetuate a system of white supremacy. The specifics may vary but the broad outlines of the formula by which Negro disenfranchisement has been achieved remain the same over years. It is a combination of violence and laws which invite discriminaton by granting broad discretion to local registrars who are part of a conspiracy to prevent Negro participation in the electoral process.

The report of the U.S. Civil Rights Commission only this May, the many decisions of the Federal courts, the over 400 depositions taken in these contests, all reveal in details repeated over and over again, that the Mississippi plan of 1875 and 1890 is still very much in effect. For almost 100 years the Negro citizens of Mississippi have been consciously, deliberately, and systematically excluded from the political processes of the State. The records of these contested elections now bring before this House for its judgment the Mississippi plan in its full flower.

The massive disenfranchisement of the Negro citizens of Mississippi which has been now so fully demonstrated in the records of the present cases renders the elections here patently violative of the Federal Constitution. It is much too late to argue blandly as the sitting Members do that the Mississippi election laws are "legal" and "constitutional." On June 7, 1965, the Governor of their own State publicly conceded that the two central registration provisions of the Mississippi Constitution were unconstitutional. Laws comparable in every respect to the Mississippi registration and election provisions have this term of court been stricken down by the Supreme Court of the United States.

These cases present to the House a truly extraordinary situation. Sitting Members seek to sustain their right to seats in the House obtained in elections the Governor of the State now concedes were conducted under unconstitutional registration and election laws. The position of the sitting Members, as set forth in their answers, has now been completely undermined by the Governor and legislature of their own State.

The flagrant unconstitutionality of the legislation through which for over 70 years the State of Mississippi has systematically and thoroughly excluded its Negro citizens from the franchise is not conceded by all. The only question remaining is whether the House of Representatives of the United States will tolerate elections for Members of the House conducted under unconstitutional laws which have excluded from the electoral process a substantial number of

citizens of the State whose only disqualification from voting has been that their skin is black.

In contest after contest in which evidence of wholesale Negro disenfranchisement has been laid before the House, this legislative body has met its constitutional duty to unseat contestees whose purported authority to membership in the House rests upon such elections. The current challenges to the Mississippi contestees do not present new and untested questions to the House. They are thoroughly supported by a long line of the most important and honorable precedents of the House itself. In over 40 election contests in the past this House has set aside election results where Negro citizens were excluded from the voting process.

Mr. Speaker, full and adequate hearings on this matter have not been held. The motion to recommit, which will be offered, and which I will support, will give us the opportunity to grant the thorough and detailed consideration which it deserves. I urge my colleagues to reject the resolution before us, and to recommit these challenge cases to the Committee on House Administration.

Mr. LIPSCOMB. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, the House of Representatives, under the Constitution, has the clear responsibility to be the judge of the elections, terms, and qualifications of its own Members. This is an exclusive responsibility which the House must accept. There is no appeal. Political or injudicious acts in executing this responsibility will demean this body, its Members, and the Constitution. Justice delayed is justice denied. This is September, and the merits of this case clearly required prompt study and resolution which have not been provided.

Here we are supposed to be debating and deliberating upon a matter on which many Members, including myself, would take 15 to 20 minutes to express our views. This 2 minutes is the most time that can be granted to me. I was lucky to get 2 minutes.

These are the procedures that the majority party have been employing throughout this Congress on this issue and every issue.

In my statement that will appear in the RECORD is a discussion of the procedures that have been followed in this matter. I could not agree with the gentleman who preceded me more that this matter should be referred back to the committee. The committee should go forward, even at this late date, to develop the evidence for whatever it is worth. Incidentally, may I say I was one of those who voted in January to seat the officially designated, duly elected Members from Mississippi, because, in my judgment, it was quite clear that the official stamp was there. The matter did require immediate hearings and full hearings in the Committee on House Administration. The majority party is responsible for this procedure not going forward promptly. It had it within its power to have resolved this issue early, as it could have been.

Hereafter follows my prepared speech.

Mr. Speaker, I have studied the report of the Committee on House Administration which accompanies House Resolution 585, the resolution to dismiss the five Mississippi election contests and to declare that the sitting Members are duly entitled to their seats in the House of Representatives. I am unconvinced by the report.

When this issue was before the House in January 1965, I voted to seat the Mississippi Members-elect. I did so because I thought it unfair and an unwise precedent to deny an entire State its representation in Congress without any facts or information of challenge having been submitted, studied, and considered. And further I did so anticipating that a challenge would be brought under the established procedures for such matters which could then be considered and judged on its merits. In short, I voted to seat the delegation because a case had not been made against them.

The House of Representatives, under article I, section 5 of the Constitution, has a clear responsibility to "be the Judge of the elections, returns, and qualifications of its own Members." This is an exclusive responsibility which the House must accept and execute judiciously. There is no appeal. Political or injudicious acts in executing this responsibility would demean this body, its Members, and the Constitution. No Member would consciously vote other than according to the dictates of the Constitution.

Justice delayed is justice denied, this is September and the merits required a prompt study and resolution.

First, I wish to commend the committee on their recommendation on page 5 of the report expressing concern over present House procedures governing election contests and stating that the committee will undertake a review of such procedures and make recommendations for improving and clarifying them so as to deal more expeditiously with such cases in the future. Certainly events of recent months make this a most appropriate course of action.

However, I am deeply concerned about a number of aspects of this important matter. The reports of attempts to frustrate a full and fair hearing and consideration of this contest by the Clerk of the House, the committee, and the Democratic leadership concern me. As always in such matters, it is difficult to conclusively fix blame, and dangerous to question motives. For this reason, I merely question the necessity and desirability of the delays and procedures which have taken place. Specifically, I question the limitation of the hearings to 3 hours. I question the secrecy of the hearings to the press and the public. I question the fact that the record of the hearings, such as they were, have still not been made available to the Members. How can the Members of this body fulfill their role as judges if they lack access to the record of the case. I question the apparent limitation of the number of copies of the pertinent documents to less than 100 and the subsequent transfer of these documents from the Clerk to the committee and their lack of availability to Members of Congress.

I am also concerned by the committee's report and the resolution of dismissal. First, and I believe of considerable importance, the report specifically states that the committee held hearings on only the question of dismissal of the contests (p. 1). Yet, the title of the report and the last two lines of the resolution as shown on page 5 clearly state that the sitting Members are entitled to their seats. Such a finding must be based on the merits, yet by the committee's own statement and at the insistence of the committee and over the opposition of the contestants, there were no hearings on the merits. Clearly, support of this resolution by the House today will result in a ratification of the committee's conclusion which is possibly without basis in the still secret record of the hearings and which will, as a result, arbitrarily preclude any further challenge. This, I believe, would be an unwise precedent to say nothing of its unfairness in this particular contest.

Further, the brief report appears to me to be filled with statements which, while in some cases are accurate, are not pertinent and lead to the erroneous conclusion that the committee has in fact found justification for their conclusions. For example, on page 1, the conclusion under item (1) concerning the House vote in January of this year may be true, but that vote was not a finding on the merits of the case since no case was presented, and I voted to seat the Members-elect for that very reason.

Next, page 2, item 4b, refers to the question of the Ottinger case suggesting that it is a precedent. I do not agree, just as I did not agree with the finding in that case. To suggest that a Member elected in violation of the law cannot be refused his seat or unseated unless the challenge is raised by the legal opponent in that election is to say that a seat in the House of Representatives belongs to a man rather than to the people. This is clearly not consistent with my understanding of the Constitution and our system of Government, and such references in the report weaken rather than strengthen the report.

Also, on page 2, item 5, and page 4, the last paragraph, the report says that the contestants' contention that Negroes have been systematically excluded from registering and voting in the State of Mississippi "even if true" is now a moot question in that Congress has passed the 1965 Voting Rights Act. How can such discrimination be called moot when the 1964 election is now history and the 1965 Voting Rights Act will and can have no bearing on the constitutionality of any given 1964 election contest and the right of any present Member to sit?

On page 3, item 7b, the committee states that the U.S. Senator elected in 1964 in Mississippi was seated without challenge. If two wrongs occur and only one is challenged, does the lack of the second challenge make them both right?

In addition, on page 3, item 8, the report suggests that unless the outcome of the election would be changed by the challenged aspect of the election, the Member may sit. Is this to say that any illegality will be condoned, regardless of its nature, unless it would change the outcome of the election? Is this the precedent which this body will establish here today?

Further, on page 5, the report says that the committee does not mean to imply by its recommendation of dismissal that it condones any disfranchisement of voters in previous elections or that the House cannot take action to vacate seats of sitting Members. Is this an apology for the committee report and recommendation and an attempt to suggest that this case should not be considered a precedent? Unfortunately, if it passes, it will be a precedent whether we like it or not and notwithstanding these apparent attempts to qualify and limit it.

Finally, Mr. Speaker, I would cite section 2 of the 14th amendment, which says basically:

"But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereo, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crimes, the basis of representation therein

shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

Why, when the Constitution clearly provides a specific course of action under the situation alleged in this contest, does the committee report completely fail to take note of this constitutional provision?

Mr. Speaker, the first vote—and I hope it will be a record vote and that the widespread rumors of an arrangement to attempt to prevent a record vote are not accurate—will be on the previous question. The vote will be on whether or not to stop debate—debate controlled 100 percent by the Democrat leadership on the committee, and limited to but 1 hour, and prevent any further opportunity for discussion and amendment by the membership as a whole. I intend to vote "no" in the hope that the House will at least be given some opportunity to act judiciously in fulfilling its constitutional responsibility.

The next vote—if the previous question carries, will be to dismiss the challenge. I will vote "no." I will vote not to dismiss for exactly the same reason that I voted not to refuse to seat the Members-elect in January—because in my opinion the case has not been made. For this same reason, I would oppose the so-called Ryan resolution to unseat the five Mississippi Members.

Mr. Speaker, as a Member of this body, the Constitution requires that I sit as a judge on this matter. Admittedly, this is not an easy assignment, yet I undertake it with a deep sense of responsibility.

Let me say that I hold no particular brief for some of the individuals associated with this challenge. I share the opposition of many in this body to the recent unpatriotic acts and statements of groups and individuals supporting the challenge such as the burning of draft cards, the opposition to military service in Vietnam, to say nothing of Dr. Martin Luther King's unwise pontifications on foreign policy of recent date. But these are not at issue. Disagreement with views or acts of supporters of this or any challenge is not grounds, I would hope, to suspend due process.

I am inclined to believe that we could use fewer people who are so concerned about political posturing or merely serving their executive master that they lose track of what this country is all about. What we need is a few more people who are concerned about what is right, fair, and constitutional. And if we don't find them fast, we are going to discover suddenly that there'll be a new generation in this Nation that doesn't know right from wrong.

While I am not a judge, I am a Member of Congress, and I have watched what has gone on in the House this year with no pride. Unlike previous years, where the balance in party membership has been considerably closer, the first session of the 89th Congress will be remembered not alone for the legislative output, but, unfortunately, also for the highhanded abuse of power by the majority party, even including those self-professed liberals and would-be defenders of minority rights of whom one might expect more.

This session began in January with a vote on the House rule changes, with no printed copies for the minority, no real opportunity for debate, no opportunity for amendment. The majority leader simply moved the previous question—just as he will do today—to cut off debate and prevent an amendment period, and run roughshod over the opposition. This same procedure has been used repeatedly. On the education bill, for example, it was so bad that the gentlewoman from Oregon [Mrs. GREEN] felt compelled to express publicly her lack of pride in her party. On Monday of this week, the minority protested against such tactics. Yesterday, amid clapping and cheering and switching of votes, the Quie resolution of inquiry concerning summer postal employees was rejected and a great Democratic victory was achieved—namely, preventing the public from being told about the public's business. Some victory.

I will say this, however. The power structure in the House doesn't discriminate in its abuse of power. At the same time that the minority party—and I might add the people of this Nation—was being rubbed into the ground earlier this week, the majority party was doing the exact same thing to the Mississippi challengers. Obviously, its tactics are reserved not merely for the minority party but are available for any group which has the temerity to get in its way, or which in any way disagrees with the President or the Democratic leadership. The tragic thing is that so many Members of the majority side of the aisle go right along, unless, of course, it happens to be their ox that is being gored. Mr. Speaker, the House of Representatives is not the Democratic convention in Atlantic City and the tactics employed there with respect to the Mississippi challenge are not necessarily appropriate here.

Mr. Speaker, I voted to seat the Mississippi Members-elect in January because no case had been made against them. I would today oppose the Ryan resolution to unseat them because the case still has not been made against them. For this same reason, and because of the inadequate consideration which has been given this matter by the committee—as should be clear from their report—I will oppose the previous question and the motion to dismiss.

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

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

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I wish to associate myself with the thrust of the remarks of the gentleman from Missouri and express my opposition to the committee resolution. When the question of seating the Mississippi Members-elect was first before the House last January, I voted to seat them. To my mind, it would have been unjust to deny them their seats without having had a full and thorough investigation made of the challenge brought against them.

As has been documented in the remarks of the gentleman from Missouri, the report of the committee was most unpersuasive. Further, the tactics and procedures employed in consideration of this matter did not, in my opinion, permit a full and fair consideration of the question.

Mr. Speaker, there have been a number of occasions during this session which have caused me to be something less than proud of the conduct of this body. Certainly the imbalance in party membership has resulted in a tendency on the part of the majority to prevent debate, probing, challenging, and questioning, with the result that the solutions which have been reached have in many instances not been the best possible solutions of which we are capable. Examples such as the procedures employed during the debate on the House rules changes on the first day of the session, and the limitation of debate on the elementary and secondary school aid bill are but two of a long string of instances where the majority party has stifled debate, discussion, and fair consideration of important issues. Similar conduct has, I believe, been employed in connection with the consideration of the Mississippi challenge. I submit that the Members of the House are not today in a position to judge the merits of this case in that we have not had access to the testimony presented or to the hearings on the resolution that is now before us. I cannot take this assignment to judge the case without a deep sense of responsibility—and under the circumstances, I cannot in good conscience support the resolution to dismiss the challenge.

Mr. BURLESON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, the question concerning the status of the Representatives from Mississippi is one of the most crucial issues that will ever come before the House. The question is whether the House of Representatives will stand by the U.S. Constitution and the 15th amendment which provides, "The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color or previous condition of servitude."

Mississippi has willfully and maliciously violated the Constitution by denying to a substantial number of American citizens the right to vote because they are Negroes. We have the opportunity today to tell the people of Mississippi and the people of this Nation that the House of Representatives upholds the Constitution and does not condone disenfranchisement of American citizens. We must not permit this challenge to be dismissed.

I should like to read to the House a telegram which I have received from the Reverend Martin Luther King, of the Southern Christian Leadership Conference, which I think is important to the Members.

The telegram is as follows:

ATLANTA, GA.,
September 17, 1965.

Congressman WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.:

We appreciate your ardent support for the unseating of five Congressmen from Mississippi and commend you and your colleagues of good will for grasping the seriousness of this challenge. In these days of strife and bitterness one must support the just moral claims of the Mississippi Freedom Democratic Party. They have not rioted. They have destroyed neither person nor property in their pursuit of justice. They have, instead, sought to diligently apply the statutes of our Constitution. To deny them a full and adequate hearing by dismissing their challenge without full debate of the merits of the case is to deny a very moral fiber of our democratic way of life. I pray that you and your colleagues will overpower the motion to dismiss the challenge and keep the principles of this Nation strong in the hearts of almost a million unrepresented citizens of Mississippi. This challenge is a confirmation of the spirit of the 1965 voting rights bill. It says that Congress is determined to make democracy a reality in spite of intimidations and economic reprisals which still impede full citizenship for Negroes in Mississippi.

MARTIN LUTHER KING, Jr.,
Southern Christian
Leadership Conference.

Mr. Speaker, today we are honored that three courageous and dedicated Americans have joined us on the floor. Mrs. Annie Devine, Mrs. Victoria Gray, and Mrs. Fannie Lou Hamer, contestants in this challenge, under the rules of the House have been accorded floor privileges by the Speaker. Their cause is a just one and deserves the support of every Member who believes in human freedom.

Mr. Speaker, the issue here is quite clear cut. There is no question that citizens of the United States were denied the right to vote in Mississippi in 1964.

The record is clear. There are some 2,932 pages of eloquent testimony contained in approximately 600 depositions which were filed with the committee.

There is the record of the hearings conducted last February by the Civil Rights Commission in Mississippi which spells out the denials and the deprivations of the right to vote and the reprisals, both personal and economic, against individuals who attempted to register and vote. The record is written in the faces of Negro citizens who courageously confronted terror, violence, and even murder in their efforts to exercise a fundamental constitutional right—the right to register and vote.

The State of Mississippi has deliberately and systematically denied American citizens the right to register and to vote. It is no accident that as of January 1964, there were approximately 500,000 or 67 percent of the white persons of voting age and approximately 20,000 to 25,000 or only 5 to 6 percent of the Negroes of voting age registered to vote.

According to the Congressional Quarterly, in 1961 the following were the figures for nonwhite registration in each of the five Mississippi congressional districts: First District, 1.3 percent of the nonwhites of voting age registered to vote; Second District, 6.8 percent of the nonwhites of voting age registered to vote; Third District 9.1 percent of the nonwhites of voting age registered to vote; Fourth District, 5.1 percent of the nonwhites of voting age registered to vote; Fifth District, 12.3 percent of the nonwhites registered to vote.

These voting statistics were the result of a deliberate effort on the part of the State of Mississippi to violate the Federal Constitution—an effort which began over 75 years ago.

The Mississippi constitution of 1869 afforded Negro citizens the full right to vote. The next year, in 1870, Congress enacted a statute readmitting Mississippi to representation in the Congress on the condition that Mississippi never amend or change that constitution "as to deprive any citizen or class of citizens of the United States the right to vote."

In 1890 there were in Mississippi 118,890 registered white voters and 189,884 registered Negro voters. In that year, in spite of the 1870 compact with Congress and the 14th and 15th amendment guarantees, Mississippi called a constitutional convention, the purpose of which was described by U.S. Senator George, of Mississippi:

> When we meet in convention, (it) is to devise such measures, consistent with the Constitution of the United States, as will enable us to maintain a home government under the control of the white people of the State.

The record of the convention reflects, as one delegate put it, "the manifest intention of this convention to secure to the State of Mississippi white supremacy."

This deliberate unconstitutional purpose was successful. In 1890, 60 percent of the voters were Negro. By 1899, when 57 percent of the adult Mississippi population was Negro, less than 10 percent of the electorate were Negro.

The change in the constitution was not enough to keep all Negroes from voting. Coupled with laws purposefully designed to keep Negroes off the voting rolls, there was a systematic and willful use of intimidation, violence, and even murder. There have been at least five murders since 1961 directly connected with the effort of Negroes to register. In fact, just a few weeks ago a minister was critically wounded because of his involvement with voter registration.

According to the Justice Department in McComb, Miss., alone, there were from June to October 1964, 17 bombings of churches, homes and businesses; 32 arrests; 9 beatings, and 4 church burnings as a result of voter registration and civil rights activity.

Violence and terror in Mississippi to stop Negroes from voting is not a new or isolated phenomenon. The interim report of the U.S. Commission on Civil Rights issued in 1963 spells it out:

> Citizens of the United States have been shot, set upon by vicious dogs, beaten and otherwise terrorized because they sought to vote.

In the face of terror, violence and murder, and in the face of the entire political system of a State dedicated to Negro disenfranchisement, the civil rights movement in Mississippi has attempted to aid Mississippi Negroes in gaining their constitutional rights.

In the summer of 1964 the Council of Federated Organizations—COFO—organized the Mississippi summer project aimed at increasing Negro voter registration in Mississippi.

Three young and dedicated Americans, James Chaney, Andrew Goodman, and Michael Schwerner, participated in that project and paid for their patriotism with their lives. The summer was marked by an all-out effort on the part of Mississippi to reject any effort to register Negroes. Every terror tactic was employed and every spurious legal maneuver was undertaken. The actions of Mississippi clearly indicated that the State was determined to continue its violation of the Constitution. Some Negroes did finally register, but by the congressional elections it was clear that 95 to 96 percent of eligible Negroes were still kept off the voter rolls.

In accordance with the statute—2 U.S.C. 201, et. seq.—30 days after the election, a challenge was brought against the Mississippi Congressmen on the grounds that they were unconstitutionally elected because of the illegal disenfranchisement of Negro voters. The contestants in the challenge have complied in every way with the statute.

The majority report of the House Administration Committee is unfortunate, to say the least.

After only a 3-hour subcommittee hearing closed even to committee members, the committee reported on the merits of this case. The contestants were given a chance to testify, but only as to the question of standing. Despite its stated dedication to due process and its "concern that either outright dismissal of the challenge or unseating of the present Mississippi delegation would violate this precept," the committee has ruled on the substance without permitting contestants to speak on the merits.

The majority report erroneously states, "the House in the past has refused to declare a seat vacant even though large numbers of voters were illegally disenfranchised." The committee cites only one case in support of this dubious and dangerous proposition. The contestants' brief submitted to the committee cites approximately 40 cases in which the House upheld the Constitution by vacating seats because of Negro disenfranchisement. The one case cited in the report must be weighed against the 40 cases where the House decided to the contrary.

The majority report gives dominant weight to the proposition that "whatever electoral practices may have occurred in Mississippi during the 1964 elections, it is doubtful that any disenfranchisement, even if proven here, would have actually affected the outcome of the November 1964 election in any of the districts."

In the first place, this is an admission of disenfranchisement. Moreover, if the House accepts this, it will establish the rule that no disenfranchised majority or minority can sustain an election challenge without proof that their votes would have changed the result. The very "unofficial elections" in Mississippi which the report dismisses as "without the authority of any law whatsoever" will become an obligatory proceeding under this precedent in all future election cases involving disenfranchisement.

If this resolution is adopted, it will serve to bar any and all future election challenges on the basis of disenfranchisement. It would be an impossible and insurmountable barrier to require anyone to prove that he would have been elected or that he would not have been elected depending upon the number of citizens who were disenfranchised.

The majority makes no real commitment to strike down unconstitutional elections in the future. It does not want to be interpreted as "condoning any disenfranchisement of any voters in the 1964 elections or in previous elections," but looking to 1966 it offers only its confidence that violation of the Voting Rights Act of 1965 "will be fully investigated and appropriate action taken." There are few districts in the predominantly one-party South where the number of potential voters relying on the act's enforcement provisions could alter the outcome. Far from keeping faith with the Voting Rights Act of 1965, the report gives a green light to present efforts by the State of Mississippi to sus-

pend the law's operation by dilatory legal maneuvers. If adopted, it will be a hardly less visible signal to those who, through violence and intimidation, have already deterred the efforts of many to register under the act.

The report holds that the laws of Mississippi governing the 1964 elections "are all deemed constitutional inasmuch as they have not been set aside by the decision of any court of competent jurisdiction." In other words, it is validating the 1964 Mississippi elections. The report neglects to note that these laws have recently been set aside by a special session of the Mississippi Legislature, called by the Governor for the very reason that he determined that they were unconstitutional.

Perhaps the most flagrant error of the majority report is the proposition that the "Supreme Court of the United States—and not the House of Representatives—is the appropriate tribunal" to pass on the constitutionality of Mississippi's election laws. This is in flat contradiction to a consistent line of modern cases which expressly hold that article 1, section 5, of the Constitution vests sole responsibility for judging elections in the House itself. The Supreme Court may void a law; it cannot void a congressional election.

The majority report says that the Voting Rights Act "provides thorough and complete remedies to any and all such discrimination and disenfranchisement." The act's authors had no such illusions, and its diehard opponents make clear every day that they hold no such fears.

Those who do have faith in the Voting Rights Act can best affirm it by accepting the act's main premise and voting accordingly today: the November 1964 elections in Mississippi were unconstitutional.

There are those who, in the highest traditions of our land, risked their lives to bring this challenge to us so that we may exercise our solemn obligation to the Constitution of the United States. The Voting Rights Act of 1965 does not in any way negate the fact that the Congressmen from Mississippi were illegally elected. It does not overcome the fact that Mississippi has violated the Constitution. It does not relieve us of our obligation to uphold our oath to the Constitution.

The contestants who have challenged the Mississippi elections have used the most orderly devices known to our society. They have used depositions, petitions, affidavits, briefs, and every procedure provided by the law. Are they now to be denied justice?

Mr. Speaker, I ask all my colleagues to vote against dismissing the Mississippi challenge. We have a moral responsibility to live up to our oath to uphold the Constitution.

Mr. Speaker, I include at this point in the RECORD the list of organizations which have supported the challenge:

American Ethical Union.
A. Philip Randolph Foundation.
Amalgamated Clothing Workers of America.
American Civil Liberties Union.
American Jewish Committee.
American Jewish Congress.
American Veterans Committee.
Americans for Democratic Action.
Antidefamation League of B'nai B'rith.
Brotherhood of Sleeping Car Porters.
Catholic Interracial Council.
Christian Family Movement.
College YCS national staff.
Congress of Racial Equality.
Council for Christian Social Action—United Church of Christ.
Delta Sigma Theta Sorority.
Episcopal Society for Cultural and Racial Unity.
Improved Benevolent & Protective Order of Elks of the World.
Industrial Union Department—AFL–CIO.
International Union of Electrical, Radio & Machine Workers.
Iota Phi Lambda, Inc.
National Alliance of Postal Employees.
National Association for the Advancement of Colored People.
National Association of Colored Women's Clubs, Inc.
National Catholic Conference for Interracial Justice.
National Council of Catholic Women.
National Council of Churches—Commission on Religion and Race.
National Council of Negro Women.
National Council on Agricultural Life and Labor.
National Urban League.
Negro American Labor Council.
Northern Student Movement.
Phi Beta Sigma Fraternity.
Southern Christian Leadership Conference.
State, County, and Municipal Employees.
Student Nonviolent Coordinating Committee.
Textile Workers Union of America.
Union of American Hebrew Congregations.
Unitarian Universalist Association—Commission on Religion and Race.
Unitarian Universalist Fellowship for Social Justice.
United Automobile Workers of America.
United States National Student Association.
United Steelworkers of America.
Women's International League for Peace and Freedom.
Zeta Phi Beta Sorority.

OTHER ORGANIZATIONS OUTSIDE LCCR ENDORSEING STATEMENT

Division of Human Relations and Economic Affairs.
General Board of Christian Social Concerns of the Methodist Church.
Lawyers Constitutional Defense Committee.
Mississippi Freedom Democratic Party.

Mr. LIPSCOMB. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, at the proper time I shall seek recognition for the purpose of offering a motion to recommit this resolution to the Committee on House Administration. I shall do so because this matter is serious and basic to representative government and, as such, deserves judicial treatment in the strictest sense.

Article I, section 5, clause 1 of the Constitution says:

> Each House shall be the judge of the elections, returns and qualifications of its own Members.

It is this constitutional duty of the Congress which we are considering today, and the manner in which we fulfill that duty is of the highest importance.

It is generally conceded, as stated by the Legislative Reference Service of the Library of Congress in Senate Document No. 39 of the 88th Congress, that "each House in judging of elections under this clause acts as a judicial tribunal." Numerous court cases have upheld the right of the House to act as such a tribunal.

Throughout this heavily publicized challenge of our five colleagues from Mississippi by the Mississippi Freedom Democratic Party, it has been difficult to maintain judicial composure. The pressure for an early commitment before the facts were presented in a judicial manner has been greater than upon any other issue I have confronted in my 13 years as a Member of this body.

I believe I am correct in saying that no other congressional district outside the State of Mississippi is so intensely interested in this matter as my own 10th District of California, more than 2,000 miles away from the State of Mississippi. Many of my constituents have gone to Mississippi and 12 members of my local bar association assisted in the taking of depositions connected with this challenge. Signed petitions, with hundreds of names, urging my support of the challenge, have been sent to my office. The city council of my largest city passed a resolution with a unanimous vote urging my support of the move to unseat Mississippi's Congressmen. One petition bore the names of 17 faculty members of the great law school at Stanford University. Twelve of the signers were professors of law, associates, or assistants. The remaining five were teaching fellows, lecturers and librarians.

One letter from a distinguished and knowledgeable constituent is typical of thousands I have received. It states:

> The evidence of systematic exclusion of Negroes from the vote in Mississippi is overwhelming. If you reach a different conclusion I will have to assume either that your review of the facts was not objective or that you did not review the facts.

Mr. Speaker, here we are, just a few short moments away from a vote on this matter and I have not yet seen these facts. Should I be asked to evaluate them without having seen them? Can I honestly make a judicial decision solely from newspaper reports and public statements of those who are either opponents or proponents of the Mississippi delegation?

Mr. Speaker, I am deeply troubled by some of the serious ramifications of the matter before us today.

First, if this challenge were to succeed and all five of Mississippi's Congressmen were to be unseated, I am troubled by that portion of article I, section 2 of the Constitution which says, "each State shall have at least one Representative."

Perhaps there is a proper legal answer to this question, but it has not been presented to me as a member of this acting judicial tribunal.

I am troubled by the language of section 2 of the 14th amendment which says that a State's representation shall be reduced in the same proportion which the number of male citizens being 21 years of age and citizens of the United States have been "in any way abridged except for participation in rebellion or other crime."

And I am troubled by the clearcut precedent which this House established in its sixth rollcall of the current session on January 19, 1965, when by a vote of 245 yeas to 102 nays the House declared that only a bona fide candidate for election was a proper party to challenge the election of a Member under the provisions of section 201, title 2, chapter 7 of the United States Code. By this overwhelming vote the House upheld the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT], when he said in part:

> Congress never intended to give unqualified authority, pellmell, under this statute to individuals, to good people or to bad people, to contest any Member's seat, for good reason or otherwise.

Earlier the distinguished majority leader had said:

> I say to the gentleman that it (the statute) was intended that this case be limited to those who participated in the election, to one of the candidates in the election.

Mr. Speaker, in this morning's mail I received a communication signed by 17 Members of this body which enclosed the minority views for House Report No. 1008, currently before us which in turn was signed by five members of the House Administration Committee. Excluding duplications there were 20 different Congressmen whose names appear in this communication and its enclosure.

It is interesting to note that on January 19 of this very year, 16 of these 20 Members voted in favor of the principle that a challenge brought under title 2 of the United States Code could only be brought by a candidate. Three of the 20 names did not vote on this rollcall on January 19 and only 1, the gentleman from New York [Mr. RYAN], voted against the principle espoused by the majority leader. Yet here we are considering a challenge against five Congressmen which admittedly has not been brought by a bona fide candidate. This places the persons who signed this letter opposing the motion to dismiss House Resolution 585 in the position of urging that in the very same Congress a clearly established precedent be applied in one manner for one Member and in exactly the opposite manner for five other Members. I say with regret that it appears that precedent, orderly process, and procedure are subject to pragmatic interpretation and can vary with the situation of the moment.

Mr. Speaker, if we are truly to act as a judicial tribunal, we cannot turn our precedents and our principles on and off as we do a water spigot.

Mr. Speaker, these matters which trouble me should also trouble any Member of this body who conscientiously assumes his constitutional responsibility. The simple fact of the matter is that the very serious allegation that Negroes have been systematically excluded from the right to vote in Mississippi has not been supported nor repudiated with clear-cut evidence presented in a proper manner before this judicial tribunal.

To those who would jump to the conclusion that it is our traditional legislative process and procedure which has prevented a proper presentation of evidence to this judicial tribunal, let me remind them that orderly process has been underway. Let them remember that the House Administration Committee was seriously and honestly conducting objective and complete hearings in accordance with the existing law of this Republic, which, we proudly say, is a government of law and not of men. These hearings would have been completed in a timely fashion except for the impatience of those who have no faith in orderly process and the democratic procedures which have developed through almost two centuries of our history. They insisted upon filing a resolution of high privilege to discharge a committee which was legitimately doing its duty in accordance with the stable procedures which distinguish this Republic from anarchy. But for this resolution of high privilege we could look ahead to the benefits of the very process of deliberation and judgment which many proponents of the challenge movement now plead for. Had they shown faith in our democratic process and been willing to trust it instead of concluding prematurely that our existing institutions would not act in deliberate honesty, they would not be in this present dilemma. The cause of civil rights, so honestly pursued by so many of us who choose orderly process over dramatics and demagoguery, has been seriously impaired. In all frankness, I cannot help but say that the dramatics connected with this challenge have produced only confusion. Perhaps they have provided salve to the ego of pseudohumanitarians, but insofar as helping the civil rights movement is concerned, the total effect has been negative. It is regrettable that the hundreds of dedicated persons from my district and all over the Nation who have given their time to a cause have been led astray by ill-advised leadership.

But in the final analysis, Mr. Speaker, we cannot escape two basic facts:

First. This is a tremendously serious matter which goes to the roots of our system of free government.

Second. We do not have the basis upon which we can make an honest decision. So, not because I consider the majority report to represent an "ill-conceived attempt to avoid a hard decision" as the very persons who caused this problem have alleged, but only because it will help us to perform our responsibility as a judicial tribunal, I urge that this resolution be recommitted to the Committee on House Administration.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, insofar as the validity of the election of our Members is concerned, the Constitution provides that the House of Representatives is the sole judge. Even though the 50 States handle the mechanics of the House elections, we are under no obligation to accept a Member merely because a State certifies his election. On the contrary, the precedents are clear that the obligation we have is not to accept as a Member any person whose election was not in accordance with the provisions of the Constitution.

The problem we face today has to do with that provision of the Constitution. The citizens of Mississippi are contesting the election of five Members. The contestors claim that the 1964 primary and general elections were not open, fair, and free as required by the laws of the United States in that the Negroes of Mississippi, who contribute approximately one-half the electorate, were unlawfully excluded from participation. They further claim that Negro citizens including three of the contestants were prevented from appearing on the ballot as congressional candidates. The contestants further claim that the 1964 Mississippi elections were void because they violate the 1870 compact between the State of Mississippi and the Congress of the United States readmitting Mississippi to the Union; that the elections are void because they violate article I of the Constitution which requires "the House of Representatives shall be composed of Members chosen every second year by the people of the several States"; and that the elections are void because they violate the 13th, 14th, and 15th amendments.

The record in these cases brings to us overwhelming evidence of the facts upon which these cases rest—the almost total, systematic and deliberate exclusion of the Negro citizens of Mississippi from the elections of that State. Over 450,000 Negro citizens of Mississippi were excluded from participating in the 1964 elections which are the subject of this contest. Only 7 percent of the Negro citizens of voting age were registered to vote. And the pitifully small number of Negroes participating in Mississippi elections is because they have been prevented from so doing by an unrelenting program of legislation, discrimination, violence, and intimidation.

In accordance with title 2, United States Code, chapter 7, the prescribed procedures have been followed by the contestants and the contestees, including the submission of evidence and briefs to the Subcommittee on Elections of the House Administration Committee.

Today the House Administration Committee comes to us and asks that we dismiss the Mississippi election contests without a thorough and open review on the merits of the questions raised. The Administration Committee has made its recommendation, after closed hearings, primarily on the grounds that the contestants are not the proper persons to present the facts to the House of Representatives. But, mark, the majority report does not merely resolve that the challenges be dismissed. It declares that the five Congressmen in question are entitled to their seats. If the House votes for the dismissal of the challenges, what it is doing, is putting its stamp of approval and declaring valid the election of Representatives where half of the population of the State has been denied the right to vote.

Five members of the Committee on Administration joined in a dissenting report, noting that "neither the precedents nor the requirement that only an opposi-

tion candidate can contest an election of a Member of the House were established to prevent contests under present circumstances."

The minority report recommends to the House that the entire question should be reconsidered by the committee after adequate public hearings, and a resolution reported based on the merits of the case and not upon the basis of who brought the wrongdoing to the attention of the committee."

I cannot see how the House of Representatives can do less. I urge you to vote for the motion to recommit House Resolution 585.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BURTON].

Mr. BURTON of California. Mr. Speaker, the eyes of the Nation are watching us today. As Members of the House know full well, our responsibility to be the sole judges of the qualifications of Members of the House is a most grave and important one. Literally the foundation and the concept of our democratic society is affected by how we discharge that responsibility.

The responsibility is not a partisan one. I commend the gentleman from New York [Mr. GOODELL] on the constructive role and contribution he made to the discussion of this issue within the Committee on House Administration.

The problem before us today is one of either accepting a report which dismisses this action entirely, or rejecting this report, so that the Members of the House may have a full opportunity to weigh the vital issues at stake in this matter.

It is beyond question that Negro citizens in Mississippi were denied the right to vote in the last election. Massive documentation and other facts have been gathered by attorneys and court reporters throughout the country, many of them from the San Francisco Bay area. These facts are entitled to the fullest scrutiny and development in the context of extensive public hearings.

I urge rejection of the committee's recommendation. I urge that the House and its committees be given a full opportunity for public hearings on this vital national question.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Speaker, I have no quarrel with the gentlemen who represent the State of Mississippi in this House. I deem them fine, able, and courteous gentlemen.

My quarrel is with those people of the State of Mississippi who, by use of terror, pressure and other illegal means, prevented qualified American citizens from registering and voting in that State.

Unfortunately, the only means of showing our opposition and disgust with the tactics used by the citizens of Mississippi in preventing other American citizens from voting by the use of terror, pressure, and other illegal means, is by depriving them of representation in this House, in other words deprive them of the benefit of their ill gotten gains by vacating the seats of the delegation from that State.

To my mind this situation is not unlike that of a child who is denied the right to benefit under the will of parents whom he did away with. Thus the people of Mississippi should not be rewarded for their illegal acts by being represented in this body.

Under the circumstances, it seems to me that in acting on the merits of the matter I must vote against the resolution dismissing the challenge to the election of the five Members of the House from Mississippi.

The 1964 elections for Members of Congress in Mississippi were conducted in a manner which violated the condition under which Mississippi was readmitted to representation in Congress in 1870 and in a manner which violated the 15th amendment.

Mississippi adopted a new constitution in 1869 which required as qualifications for voting only that the registrant be male, 21 years of age or older, and that he had lived in the State at least 6 months and in the county at least 1 month.

The act of 1870 by which Congress readmitted Mississippi to representation included as a condition of readmission the following proviso:

And provided further, That the State of Mississippi is admitted to representation in Congress as one of the States of the Union, upon the following fundamental conditions: First, that the constitution of Mississippi shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote who are entitled to vote by the constitution herein recognized.[1]

The Constitution of 1869 apparently provided sufficient protection to Negroes' political rights, because in 1890 there were 189,884 registered Negro voters in Mississippi and 118,890 registered white voters.

Mississippi adopted a new constitution in 1890, and we have evidence that the purpose of the new constitution was to disfranchise the Negro in violation of the condition under which Mississippi was admitted to representation in Congress.

The essential purpose of the Mississippi Constitutional Convention of 1890 was stated clearly and unequivocally by Mr. S. S. Calhoon, who was president of the convention. Mr. Calhoon, in his opening address, spoke about the rule of one race in comparison to the rule of another race, and he said:

> This ballot system must be so arranged as to effect one object, permit me to say—for we find the two races now together.

And later, Mr. Calhoon said:

> That is the great problem for which we are called together; that is the great question for you to solve, and the outside world is looking anxiously and our sister States of the South are looking at the solution we arrive at in reference to that question.[2]

The Constitution of 1890 required that a voter registrant be able "to read any section of the constitution of this State," or understand it when read to him, or give a "reasonable interpretation" of it.

Negroes were disfranchised in such great numbers by use of literacy and interpretation tests that by 1899 less than 10 percent of registered voters were Negro.

Further tests for registration were required by a constitutional amendment of 1954. Voters who were registered before January 1, 1954, did not have to meet the new requirements. This meant that the new tests would not be used to disfranchise white voters who were already registered, but would be used to prevent Negroes from registering.

A Mississippi constitutional amendment of 1960 provided for the additional requirement of "good moral character."

The U.S. Commission on Civil Rights has stated that the kinds of registration requirements which Mississippi established by its constitution of 1890 and by its constitutional amendments of 1954 and 1960 have been applied in a discriminatory manner for the purpose of disfranchising Negroes—"U.S. Commission on Civil Rights, 1961 Report, Book I: Voting," pages 137–138.

The congressional elections in Mississippi in 1964 not only flouted the proviso of the 1870 act which readmitted the State to representation, but also were rendered illegal by violations of the 15th amendment to the U.S. Constitution.

On May 17, the Mississippi Freedom Democratic Party submitted to the Clerk of the House more than 600 depositions providing evidence that great numbers of Negroes were prevented from voting in 1964 because of tests and devices used to reject applications for registration and because of violence and economic reprisals. The evidence which the Privileges and Elections Subcommittee of the Administration Committee has now under consideration is convincing and conclusive.

The contention, Mr. Speaker, that the last congressional elections in New York City should likewise be rendered invalid because many Spanish-speaking American citizens were disfranchised by the State's English-language literacy requirement is without merit.

I had always opposed this literacy requirement of my own State. I believe that it was intrinsically discriminatory, and I gave full support to the provision of the Voting Rights Act of 1965 which prohibits it. Nevertheless, its application is not comparable to the methods used under color of law to disfranchise the Negro in Mississippi. The New York State requirement was at least administered in a manner befitting a law; that is, without prejudice, partiality, or arbitrariness. No one's race stood in the way of his registering to vote in New York if he could meet the English-language literacy requirement, which was in writing and of the same level for all.

Mississippi is not the only State in the South which has disfranchised Negroes. But citizens in Mississippi alone have contested the election of the entire congressional delegation in the 89th Congress. And the Mississippi Freedom Democratic Party has an unassailable right to act as contestant.

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[1] 16 Stat. 67, Feb. 23, 1870.

[2] Journal of the Proceedings of the Constitutional Convention of the State of Mississippi, Aug. 12 to Nov. 1, 1890, opening speech by Mr. S. S. Calhoon (Mr. Calhoon's speech is given on pp. 9–11).

Months before the November 1964 elections, members of the Freedom Democratic Party, which ought to be recognized as a true part of the National Democratic Party, attempted to participate in Democratic Party meetings in their State. In June 1964, Negro Democrats tried unsuccessfully to take part in precinct meetings in 12 or so county seats. During the same month, Negro Democrats tried, again unsuccessfully, to participate in a number of county conventions. This is where the real contest began—in the attempt of Negroes to have a voice in party decisions in their State.

The Mississippi Freedom Democratic Party is a genuine contestant not only because great numbers of Negroes were prevented from voting for candidates for election to the House, but also because Negroes were prevented from exercising any choice with respect to the selection of candidates.

Mr. Speaker, the House of Representatives must vacate the seats of the delegation from Mississippi in order to preserve the integrity of the elections of its own Members.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. RESNICK].

Mr. RESNICK. Mr. Speaker, I am not an attorney, as many of the Members of this House are. I sat and listened to the gentleman from South Carolina quote precedent after precedent after precedent.

It seems to me that each day we sit here we write new precedents. That is what we are paid to do. That is our job.

The rules change, and we are here to see that they are changed in accordance with the needs of the Nation.

I oppose the motion to dismiss. I call for fair and open hearings. We cannot continue to perpetuate the wrongs of 100 years.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from New York [Mr. HALPERN] for a unanimous-consent request.

Mr. HALPERN. Mr. Speaker, I rise in opposition to the resolution and in support of the anticipated motion to recommit House Resolution 585. I do so because I have found the committee report on this resolution to be either an exercise in confusion, or a reflection of the failure of the majority to come to grips with the issue which was before it. I believe that the committee should take a closer look at the challenge, and I believe that the American people have a right to expect that when a challenge based upon systematic and wholesale disenfranchisement comes before the House, that matter will receive the serious consideration it warrants. No such consideration is evident in the committee's report.

The majority implies that the election contests should be dismissed because we have passed the Voting Rights Act. The blatant discrimination that prompted us to pass that legislation, impels us today to rectify the invalid consequences of an election based upon that very discrimination.

At the time of this election, 6.7 percent of the eligible Negroes of Mississippi were registered to vote. It is not enough to merely hope for a future which will bring a promise of justice. And to cite that hope as a reason for recommending dismissal of the petition, is to abdicate the constitutional responsibility of the House to "be the judge of the elections, returns, and qualifications of its own Members."

The majority also suggests that this issue is not properly before the House since the Members whose seats are in question were challenged "by persons not actually legal candidates appearing on the ballots." The minority on the committee put forward one answer: that it is fatuous to require a contestant to be a candidate in a jurisdiction in which he or she cannot even be registered to vote. Another answer is that the fact of noncandidacy is completely irrelevant at this point. While this might have been raised in connection with the taking of depositions, it is inappropriately addressed to the issue of the challenge itself. The Clerk of the House, in a formal communication, addressed to the Speaker just this year, reaffirmed the power and duty of the House to hear election cases, in the case of a protest or memorial filed by a contestant, an elector of the district concerned, or any other person. And this reaffirmation is based upon ample precedent.

Mr. Speaker, I am firmly convinced that full, open hearings are required in this matter, that justice may be done, and that objective, reasoned decisions might be forthcoming. I urge my colleagues to join me in supporting a recommittal motion.

Mr. LIPSCOMB. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Speaker, I join the gentleman from Missouri in protesting this procedure. Forty minutes on one side and 20 on the other is insufficient for this debate. It lends to the appearance, if not the fact, that the Mississippi challenge was shoved into the drawer. I have looked at the arguments which have been advanced against voting to unseat the Mississippi delegation. I, for one, cannot accept those arguments for in essence they are really no more than a plea that we should not "rock the boat." I say this is a boat that has needed rocking for a good many years. The time is long overdue for this House to put itself on record that it will not be a tacit accomplice to the systematic deprivation of the voting rights of U.S. citizens.

Is it not rather strange that were the issue before this House the unseating of a Member because of fraud in his election, there would be no reluctance to act decisively; there would be no reluctance to insist upon our principle of fair elections; no reluctance to submit a full statement of the facts. Yet, in this case, where the election has been tainted by mass violations of the fundamental rule against racial discrimination, we seem to be torn between doing what we know is right and not "rocking the boat."

The least that could and should have been done here, Mr. Speaker, was to have had public hearings. From all appearances the Committee on Administration of the House of Representatives has simply given blanket acceptance to Mississippi's election procedures. The report of the committee is completely unpersuasive. There is no analysis of the charges; in fact no report to the House as to the fairness or lack of fairness of the elections.

There appear to be two major arguments against unseating the Mississippi delegation. The first of these is some concern with whether the present situation falls within the precedents of the House. An examination of those precedents would seem to indicate that at worst there is precedent both for and against unseating. In such a situation it seems to me that there is no obstacle to our doing what we believe is right. Furthermore, to the extent that there may be precedents to the contrary—precedents which would keep us from acting in a flagrant case of the kind we have before us—it is high time we consigned such rules to the junk heap of history.

The second major argument against unseating the Mississippi delegation is that the Voting Rights Act of 1965 provides future safeguards against a repetition of the situation.

But what of today, tomorrow, and next year? The Voting Rights Act will after all, not affect the Mississippi congressional representation until November 1966. If the Mississipi delegation is unseated, I should think it would be possible to hold new and fair elections and to return to this Congress a delegation elected by the vote of all the people of Mississippi.

But beyond that, what is involved here is the establishment of a principle—the principle that this House will not sanction the seating of those whose election has been obtained through the denial of constitutional rights. The dignity of this House and the confidence of the American people in it requires no less.

Mr. BURLESON. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. HAYS] a member of the committee.

Mr. HAYS. Mr. Speaker, I listened with interest to the speech of the gentleman from New York [Mr. LINDSAY], who is a candidate for office in the city of New York, and I noticed that he wanted to lay all of the blame for this resolution at the door of the majority party.

I believe it is interesting in passing to point out that not a single member of the minority party, the Republican Party—which is not Mr. LINDSAY's party, because he constantly denies that it is—signed the minority views. So this majority report represents a bipartisan approach, an approach which is made as it has been made to every contest in the 17 years that I have been in the Congress and in the 16 years and some months that I have sat on this committee.

I do not know how many votes Mr. LINDSAY's speech is worth in New York, but it is too transparent to be worth any in my area.

What I wanted to say, and what I got the time to say, Mr. Speaker, is that I heard a news broadcast this morning

which purported to be an objective report of what was going to happen here, and it said that it was likely that this case would be dismissed, and part of the reason was because this committee is dominated by Southerners.

Mr. Speaker, I ask unanimous consent to have printed in the RECORD at this point the list of the Members of the Committee on House Administration.

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

There was no objection.

The list is as follows:

COMMITTEE ON HOUSE ADMINISTRATION

Omar Burleson, Texas, chairman.
Samuel N. Friedel, Maryland.
Robert T. Ashmore, South Carolina.
Wayne L. Hays, Ohio.
Paul C. Jones, Missouri.
Frank Thompson, Jr., New Jersey.
Watkins M. Abbitt, Virginia.
Joe D. Waggonner, Jr., Louisiana.
Carl D. Perkins, Kentucky.
John H. Dent, Pennsylvania.
Sam M. Gibbons, Florida.
Lucien N. Nedzi, Michigan.
John Brademas, Indiana.
John W. Davis, Georgia.
Kenneth J. Gray, Illinois.
Augustus F. Hawkins, California.
Jonathan B. Bingham, New York.
Glenard P. Lipscomb, California.
Robert J. Corbett, Pennsylvania.
Charles E. Chamberlain, Michigan.
Charles E. Goodell, New York.
Willard S. Curtin, Pennsylvania.
Samuel L. Devine, Ohio.
John N. Erlenborn, Illinois.
William L. Dickinson, Alabama.

Mr. HAYS. I would point out that of those 25 Members, the gentleman from Texas [Mr. BURLESON], the gentleman from South Carolina [Mr. ASHMORE], the gentleman from Virginia [Mr. ABBITT], the gentleman from Louisiana [Mr. WAGGONNER], the gentleman from Florida [Mr. GIBBONS], the gentleman from Georgia [Mr. DAVIS], and the gentleman from Alabama [Mr. DICKINSON] are southerners—seven in all. I suppose you could count the gentleman from Maryland [Mr. FRIEDEL] but he signed the minority report. So, since he is on the other side, he would not be part of the domination. I suppose, if you wanted to be contentious, you could put in Missouri and Kentucky, which are border States, but if you put in all of those, you only come up with 10 out of 25, and 1 out of the 10 voted with the minority. So I would ask that if the press would like to in its reporting of this, they could say that the Committee on House Administration is dominated by northerners.

Mr. BURLESON. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, unless the House of Representatives votes today to recommit the Mississippi challenge to the Committee on House Administration with instructions to hold adequate public hearings and report on the merits of the individual cases, it will have defaulted on its constitutional responsibility to be the sole judge of the elections of its Members. The sworn statements and depositions documenting case after case of denial of the vote through racial discrimination are in reality petitions for redress of grievances by the Negro Americans of Mississippi which can only be handled by the House of Representatives. The minority report states the case tersely and well. May I quote to you the excellent minority views by the following members of the Committee on House Administration: Congressmen SAMUEL FRIEDEL of Maryland, LUCIEN NEDZI of Michigan, JOHN BRADEMAS of Indiana, AUGUSTUS HAWKINS of California, and JONATHAN BINGHAM of New York:

> The record in this case clearly indicates disfranchisement of voters in the State of Mississippi due to inadequate official protection of their rights as well as of their lives and limbs. We note that the House has vacated seats of Members on the basis of disenfranchisement and/or intimidation. * * * The entire question should be reconsidered by the committee after adequate public hearings, and a resolution reported based on the merits of the case and not upon the basis of who brought the question of wrongdoing to the attention of the committee.

The Committee on House Administration did not hold hearings on the basic charges that almost none of the Negro Americans in Mississippi, 45 percent of the State's population, voted in last year's election even though this Congress has just recently made a finding that there has been massive racial discrimination in voting in Mississippi for many years when it passed the Voting Rights Act of 1965. Instead the committee chose to ignore these facts and to dismiss these charges because they say they were not brought in the proper way.

As a member of your Judiciary Committee I am proud of the law we drafted and this House passed to protect the right to vote for all Americans. However, may I also respectfully say that the new law has not yet been terribly successful in Mississippi nor have most State officials indicated a willingness to comply voluntarily. Federal registrars have been appointed in only 4 out of the 82 counties in Mississippi, and have now enrolled only about 13,000 additional Negro Americans; and others have been registered by local officials in some counties. However, I would point out that when the Attorney General testified before our committee, he stated that only about 29,000 out of the approximately 425,000 Negro Americans in Mississippi of voting age were registered to vote last year. Even after adding all these figures statistics clearly show that there is a long, long way to go.

I feel that only the appointment of Federal registrars throughout the State of Mississippi and the proper handling of the Mississippi challenge by this House can assure all American citizens in Mississippi of the right to vote without fear.

Mississippi officials are fighting the new law with every means available in order to delay as long as possible the day when all Negro Americans in Mississippi will be able to register and vote. Dismissing the effort to unseat the Mississippi Congressman will provide just the additional encouragement needed by the officials and the racist social system of Mississippi to continue official defiance and physical and economic intimidation.

Just last week the Mississippi attorney general initiated court action to stop local election officials from allowing citizens to vote who were registered by Federal examiners in the four counties. It would seem that the State attorney general is not satisfied with challenging the constitutionality of the law in Federal court, but now wants to start dilatory legal action in his own State courts in order to interfere with the administration of the new law.

Further the economic and physical intimidation to stop Negro Americans from going to the polls is still continuing and there have been indications that it is increasing. For example, just last night another Negro church was blown up. This occurred in Sidon, Miss., in Leflore County—one of the four Mississippi counties where Federal registrars have been sent.

My colleagues, the effort to oppose the motion to dismiss is supported by the entire civil rights movement led by the leadership conference on civil rights, including the labor, religious, and civic organizations which are fighting for human dignity for all Americans. Also the Democratic State Central Committee of Michigan yesterday sent the entire Michigan Democratic delegation telegrams urging them to oppose this dismissal motion. I will include the communications from these various groups and others in the RECORD immediately following my remarks.

The procedures followed by the elections subcommittee in handling this matter are totally indefensible. Instead of holding hearings on the merits of the contestants' allegations, the only question considered by the subcommittee was the motion by the five incumbent Congressmen to dismiss the challenge against themselves. How can this House possibly decide to dismiss the challenge when only nine Members have been able to examine the relevant documents and hear and question the witnesses? The hearings on Monday and Tuesday morning, which did not examine the merits of the case, were held in secret. These hearings were not only closed to the public, an unusual procedure to say the least and not only were Members of Congress denied the opportunity to attend, but even these members of the full House Administrations Committee, who happen not to be on the elections subcommittee, were not allowed to attend. Further, neither members of the full committee nor other Members of the House have been able to obtain copies of the relevant documents. Even this committee report has only been available to the Members for 24 hours before the issue came to the floor. Of the many items that I find inconsistent and indefensible in the majority report, the most appalling is the last phrase in the motion. After not even considering the contestants' complaints that these five gentlemen were elected

through a totally unconstitutional process and restricting themselves to the procedural questions, the committee has still reported out a motion stating that these Members are "entitled to their seats."

I understand that the Committee on House Administration has met again on this matter in just the last few hours to approve an amendment striking this phrase from the resolution. I respectfully submit that the original inclusion of this phrase is just one of many illustrations in the majority report of the committee's eagerness to ignore the evidence and to bury this matter. I have joined with many of my colleagues over the last few months in urging expeditious consideration of the substantive issues involved—not improper procedures in order to dismiss the entire matter as quickly as possible.

I urge my colleagues to vote for a motion to recommit the entire question to committee with instructions to hold adequate public hearings on the merits of the cases and to report back a resolution based on those hearings. If that recommittal motion fails I urge my colleagues to vote against this motion to dismiss the Mississippi challenge. I want to respectfully point out that a vote against the motion to dismiss, if successful, would not be any final dispositive action on the challenge but would throw the entire issue open for whatever action the House of Representatives would then decide upon. May I say that no one is today asking for a vote to vacate the seats of the five Mississippi Members, although a veritable mountain of uncontradicted and incontrovertible evidence has been submitted to prove the obvious and well-known fact that Negro Americans are and have for decades been barred from voting in Mississippi because of their race. My colleagues, today the issue is simply whether this House will assure a fair hearing of the merits of these petitions for redress of grievances submitted by thousands of Negro Americans of Mississippi.

This is the very least that can be asked of us in the name of simple justice. The men and women who have journeyed from that State to bear mute and respectful attendance at these proceedings are watching us, ladies and gentlemen. Indeed the whole country is watching to see what this 1st session of the 89th Congress will do. I pray you as diligent, capable, competent leaders, with whom I have been so proud to serve during these 9 months, that you will join with me in a motion to eradicate the undemocratic practices that every one of you in your heart knows to exist.

So I urge respectfully your support of a motion to recommit.

WASHINGTON, D.C.,
September 17, 1965.

HON. JOHN J. CONYERS, JR.
Washington, D.C.:

Imperative you oppose dismissal of Mississippi challenges. Majority report a testament of shame. Nothing more morally compelling than you vote to have issue of Negro disenfranchisement faced now.

The Rev. MARTIN LUTHER KING, Jr.

LEADERSHIP CONFERENCE ON CIVIL RIGHTS,
Washington, D.C., September 15, 1965.

DEAR MR. CONGRESSMAN: We wish to call your attention to the enclosed statement in opposition to the dismissal of the Mississippi challenge.

Forty-four of the organizations that cooperate in the Leadership Conference on Civil Rights were represented at a meeting devoted to this issue. It was agreed by those present that "inadequate consideration" has been given "to the challenge or to alternative methods or approaches under which the House could exercise its constitutional authority to rule on the election and qualifications of its Members."

These organizations join in urging all House Members to oppose the motion that is expected to be made this week to dismiss the challenge. They call on all Congressmen to take a searching look at the systematic disfranchisement of thousands of Mississippi citizens—a disfranchisement that raises serious questions about the legality of the elections in which the present Mississippi House delegation was chosen.

Respectfully yours,

ARNOLD ARONSON,
Secretary.

Enclosure.

STATEMENT ON THE MISSISSIPPI CHALLENGE
(Adopted by the Leadership Conference on Civil Rights, Sept. 14, 1965)

The undersigned organizations associated in the Leadership Conference on Civil Rights urge the defeat of the attempt by the House Administration Committee to dismiss the challenge of Mississippi citizens to the seating of the Mississippi House delegation.

We deplore the haste with which dismissal is being proposed. The motion ignores the many questions that have been raised about the legality of the elections that brought the five Mississippi Members to Congress.

The pattern of denial of the rights to vote in Mississippi has been evidenced by the report and hearings of the U.S. Commission on Civil Rights, by testimony taken in connection with the challenge filed to contest the elections of the Mississippi Congressmen, by hearings on the Voting Rights Act of 1965 and by other information available to Congress.

We feel the House Adminstration Committee has given inadequate consideration to the challenge or to alternative methods or approaches under which the House could exercise its constitutional authority to rule on the election and qualifications of its Members.

Only two subcommittee hearings have been held, both geared to the dismissal and to no other aspect of the issue. No public hearings have been held. Copies of the evidence on which the challenge is based have not been made available to House Members. Dismissal of the challenge at this time would close the door to full hearings and full House discussion.

Therefore, we urge all Members of the House to vote against the motion to dismiss.

COOPERATING ORGANIZATIONS ENDORSING CHALLENGE STATEMENT—SEPTEMBER 14, 1965

American Ethical Union.
A. Philip Randolph Foundation.
Amalgamated Clothing Workers of America.
American Civil Liberties Union.
American Jewish Committee.
American Jewish Congress.
American Veterans Committee.
Americans for Democratic Action.
Anti-Defamation League of B'nai B'rith.
Brotherhood of Sleeping Car Porters.
Catholic Interracial Council.
Christian Family Movement.
College YCS National Staff.
Congress of Racial Equality.
Council for Christian Social Action—United Church of Christ.
Delta Sigma Theta Sorority.
Episcopal Society for Cultural and Racial Unity.
Improved Benevolent & Protective Order of Elks of the World.
Industrial Union Department, AFL–CIO.
International Union of Electrical, Radio, and Machine Workers.
Iota Phi Lambda, Inc.
National Alliance of Postal Employees.
National Association for the Advancement of Colored People.
National Association of Colored Women's Clubs, Inc.
National Catholic Conference for Interracial Justice.
National Council of Catholic Women.
National Council of Churches, Commission on Religion and Race.
National Council of Negro Women.
National Council on Agricultural Life and Labor.
National Urban League.
Negro American Labor Council.
Northern Student Movement.
Phi Beta Sigma Fraternity.
Southern Christian Leadership Conference.
State, County, and Municipal Employees.
Student Nonviolent Coordinating Committee.
Textile Workers Union of America.
Union of American Hebrew Congregations.
Unitarian Universalist Association, Commission on Religion and Race.
Unitarian Universalist Fellowship for Social Justice.
United Automobile Workers of America.
United States National Student Association.
United Steelworkers of America.
Women's International League for Peace and Freedom.
Zeta Phi Beta Sorority.

Other organizations outside LCCR endorsing statement

Division of Human Relations and Economic Affairs General Board of Christian Social Concerns of the Methodist Church.
Lawyers Constitutional Defense Committee.
Mississippi Freedom Democratic Party.

NATIONAL COUNCIL OF THE CHURCHES OF CHRIST IN THE U.S.A.,
Washington, D.C., September 16, 1965.

DEAR CONGRESSMAN CONYERS: On January 4, you and 148 of your colleagues voted against the seating of the Mississippi delegation in the House. Subsequently, citizens of the State of Mississippi, carefully following the prescribed procedures, instituted challenges to the election of the five Members of the House from that State. The Committee on House Administration has now recommended final and summary dismissal of the challenges and has asked the House to adopt a resolution to that effect.

We urge you to oppose this summary dismissal. The record on which the challenge is based indicates massive disfranchisement of potential voters in the State of Mississippi. We believe that the House, to which the Constitution gives the sole responsibility for determining whether or not its Members have been properly elected, should direct its Committee on House Administration to conduct adequate public hearings on the underlying issues in the case before asking Members of the House to make a judgment on the merits of the challenge.

Under the circumstances of the instant case, we cannot agree with those who argue that the contestants are not proper parties because they were not candidates in opposition to the contestees. To require that a contestant be listed on a ballot as a candidate in a jurisdiction where it is impossible

for him or her to register to vote would be the grossest type of legal fiction.

Finally, it should be noted that out of the depths of frustration citizens of the State of Mississippi have done everything within their power to seek redress of their grievances through the orderly processes of the law. We believe they should not now be turned away without the most careful consideration of their plea.

We hope you will support the motion to recommit the matter to the committee for adequate public hearings which would lay the foundation for consideration of the basic question on its merits.

Sincerely yours,

EUGENE CARSON BLAKE,
Chairman.

ROBERT W. SPIKE,
Executive Director.

DETROIT, MICH.,
September 17, 1965.

Representative JOHN CONYERS,
House Office Building,
Washington, D.C.:

Urge you vote against motion to dismiss Mississippi congressional challenge and support motion to recommit to committee with instruction for open hearing.

ROBERT HOPPE,
Commission on Religion and Race Presbytery of Detroit.

LANSING, MICH.,
September 14, 1965.

Hon. JOHN CONYERS, JR.,
Washington, D.C.:

Urge continued opposition to seating Mississippi congressional delegation. Michigan Democrats unanimously behind you and Constitution.

ZOLTON A. FERENCY,
Chairman, Democratic State Central Committee of Michigan.

DEMOCRATIC STATE CENTRAL COMMITTEE OF MICHIGAN,
Lansing, Mich, September 14, 1965.

Hon. JOHN CONYERS, JR.,
Member of Congress,
Washington, D.C.

DEAR CONGRESSMAN: In further reference to my wire, I am enclosing a copy of the resolution of the February convention which was adopted unanimously. Keep up the good work.

Sincerely,

ZOLTON A. FERENCY,
Chairman.

Enclosure.

THE MISSISSIPPI CONGRESSIONAL DELEGATION

Regisration procedures and the November 1964 elections in the State of Mississippi were conducted by the officials of that State in a manner clearly designed to discriminate systematically against the Negro citizens of the State; and

Three citizens of Mississippi, Mrs. Fanny Lou Hamer, Mrs. Annie Devine, and Mrs. Victoria Gray—in the Second, Fourth, and Fifth Congressional Districts respectively—have challenged the seating of the Congressmen now representing those districts, and these three citizens have further claims that they themselves should in fact be seated as Members of Congress from those districts; and

Citizens of Mississippi residing in the First and Third Districts have challenged the validity of the elections held there in 1964, claiming that these seats should in fact be declared vacant; and

The Mississippi Freedom Democratic Party in support of these claims has filed challenges and brief in accordance with the statutory provisions governing challenges; and

Based on depositions collected by the Mississippi Freedom Democratic Party and the challenged Mississippi Congresmen the Subcommittee on Elections will make recommendations regarding the unseating of the Mississippi delegation to the floor of the House; and

In support of this challenge the Democratic Members of Congress from Michigan voted not to seat the Mississippi Congressmen until such time as a full investigation by the House of voting and registration procedures in Mississippi has taken place: Therefore be it

Resolved, That the Democratic Members of Congress from the State of Michigan be commended for their votes not to seat the Mississippi delegations; and be it further

Resolved, That the Democratic Party of the State of Michigan urges the Democratic Members of Congress from Michigan to continue to vote for the unseating of the Mississippi delegation until such time as a delegation is elected in free elections, open to all people and conducted in accordance with the Constitution; and be it further

Resolved, That the Democratic Members of Congress from Michigan are hereby urged to give their support to the calling of special elections following a period of federally supervised open registration; and be it further

Resolved, That copies of this resolution be sent to the Democratic Members of Congress from the State of Michigan, the Speaker of the House of Representatives, and the members of the House Subcommittee on Elections.

DETROIT, MICH.,
September 17, 1965.

Hon. JOHN CONYERS, JR.,
House Office Building,
Washington, D.C.:

Greetings on behalf of the American Civil Liberties Union of Michigan. I urge a vote in opposition to the motion to dismiss the challenges to the Mississippi Congressmen. The House itself will be the loser if the challenges are shelved without full public consideration.

ERNEST MAZEY,
Executive Director ACLU of Michigan.

CITY OF DETROIT, COMMISSION ON COMMUNITY RELATIONS,
Detroit, Mich., August 27, 1965.

Hon. JOHN CONYERS, JR.,
House of Representatives Office Building,
Washington, D.C.

DEAR CONGRESSMAN CONYERS: On behalf of the Commission on Community Relations and its supporters I would like to call to your attention an action of the Commission on Community Relations at a recent commission meeting. Upon the motion of Commissioner Mrs. Golda Krolik the commission endorsed the efforts of the House of Representatives for a speedy hearing on the challenge to the seating of the Mississippi Congressmen. In discussion which preceded this motion the commission commended your fine work and many of your colleagues in leading this challenge.

It is our hope that out of this action will come just and equal representation for the citizens of the State of Mississippi.

You have our gratitude and support for the work you have done and may do in the future to see that this goal is achieved.

Sincerely yours,

RICHARD V. MARKS,
Secretary-Director.

DETROIT, MICH.,
September 16, 1965.

Hon. JOHN CONYERS, JR.,
House of Representatives,
Capitol Building, Washington, D.C.:

Request you oppose majority report to dismiss petition to unseat Mississippi Congressmen. Prefer recommittal to committee.

HENRY B. LINNE,
President, Michigan Federation of Teachers.

CHICAGO, ILL.,
September 17, 1965.

Hon. JOHN CONYERS,
House Office Building,
Washington, D.C.:

Do not dismiss the Mississippi challenge. If you do, the Mississippi racists, secure in the knowledge that Congress has refused to overturn their illegal elections, will revert to their methods of brutality and intimidation in order to keep the Negroes of Mississippi from exercising their full rights.

CHARLES COGEN,
President,
American Federation of Teachers.

AMERICAN CIVIL LIBERTIES UNION,
New York, N.Y., September 9, 1965.

Hon. JOHN CONYERS, JR.
House Office Building,
Washington 25, D.C.

DEAR SIR: We respectfully transmit to you the enclosed memorandum in support of the pending challenge to the seating of the Members from Mississippi. The memorandum has been signed by a number of attorneys from many States.

The ACLU and those who signed the memorandum feel strongly that the challenge is based on sound evidence and substantial House precedents. The depositions now before the House, as well as numerous other government reports and judicial findings, establish beyond question the fact of systematic exclusion of Negro voters from Mississippi's polling places. Aside from demonstrating that obvious violations of the 14th and 15th amendments have been committed by the State of Mississippi in its election processes, the evidence now before the House affords ample grounds for unseating Mississippi's Representatives, in accordance with such venerable House precedents as *Lynch* v. *Chalmers* (1882), and *Johnston* v. *Stokes* (1896).

The Voting Rights Act of 1965 expresses the commitment of the Congress to the principle of free elections throughout the United States. But the evidence developed in support of this challenge makes it clear that patterns of State-inspired intimidation and reprisals will not end in Mississippi, even with vigorous enforcement of the act. Moreover, the sitting Representatives were in fact sent to this Congress by an election which constitutes a travesty of the first principles of republican government. We urge that you preserve the integrity of the membership of the House by bringing the challenge to the floor and by voting to support it.

Sincerely yours,

ERNEST ANGELL,
Chairman, Board of Directors.
JOHN DE J. PEMBERTON, JR.,
Executive Director.

MEMORANDUM IN SUPPORT OF THE CHALLENGE TO THE SEATING OF MISSISSIPPI CONGRESSMEN

September 9, 1965.

We write to express our view as members of the bars of our respective States that the pending challenge to the seating of Representatives from the State of Mississippi is based on well-established facts and sound constitutional precedents. We hope you will find that it merits your active support in bringing it to the floor of the House and in favorable action on the floor.

I

No responsible spokesman has challenged the factual evidence of massive disenfranchisement of Negro voters in Mississippi. Part of this evidence is set out in the more than 10,000 pages of depositions secured from Mississippians by the contestants and duly printed for the House of Representatives at the direction of the Clerk. Numerous findings based on overwhelming additional evidence presented to agencies of the executive

branch and to the courts, and embodied in investigative reports and judicial opinions, establish beyond any doubt the fact of systematic exclusion of the Negro from the polling place in Mississippi.

The withdrawal of the ballot from Mississippi Negroes has been accomplished by a long-continued and deliberate effort to negate the mandate of the 15th amendment and reverse the result of the Civil War itself. Means employed have ranged from poll taxes and discriminatorily-applied literacy and "constitutional interpretation" tests to systematic intimidation and violence, inspired and sometimes conducted by public officials. Organs of State government, from the Mississippi Constitutional Convention of 1890, to successive State legislatures, voting registrars and local sheriffs, have joined in fashioning and executing the design to disenfranchise. So effective has been the design and its execution that Negro voter registration has been reduced from approximately 189,000 in the late 1880's to approximately 35,000 or 6.7 percent of the Negro population of voting age today.

II

The legal basis for the challenge is direct and straightforward:

1. The systematic exclusion of Negroes from the election process in Mississippi violates the 14th amendment, which prohibits the denial of equal protection of the laws, and the 15th amendment, which prohibits abridgement of the right to vote on account of race, color, or previous condition of servitude. Earlier this year, in a suit brought by the Department of Justice to test the very statutes which have been employed against Negroes as a part of the systematic exclusion which constitutes the basis for the present challenge, the Supreme Court indicated that Mississippi's voting laws would be held to violate the 14th and 15th amendments on a showing of the facts which are so amply demonstrated by the record in the challenge now pending before Congress. *United States* v. *Mississippi*, March 8, 1965, 33 L.W. 4258. In the companion case of *United States* v. *Louisiana*, March 8, 1965, 33 L.W. 4262, in which the Government was actually permitted to introduce in the trial court the evidence supporting its allegations, statutory provisions virtually identical to those passed by Mississippi to disenfranchise Negroes were held unconstitutional.[1] However, the record in the pending challenge shows that more than discriminatory statutes is at work to keep Mississippi Negroes from voting. State-inspired and State-condoned intimidation and violence, as well as threats of economic reprisals, are commonplace and they, even more clearly than the statutes, are employed in the design to disenfranchise, thus flouting the constitutional commands of the 14th and 15th amendments.

2. Acting under its constitutional power and duty to "be the judge of the elections, returns, and qualifications of its own Members," the House of Representatives has time and again set aside the result of an election marked by fraud, intimidation, or other illegality. Specifically, the House has refused to seat Members in over 40 instances where violence, intimidation or fraud was practiced against Negro voters to influence an election contest. Many of these cases are discussed in detail at pages 41–86 of the contestants' brief, and all are summarized in the brief's appendix B. They show that the House does not shrink from either seating a contestant in place of a certified Member or from declaring a seat vacant so that new elections may be held, if that is what the evidence demands. For example, on facts less compelling than those now presented by the pending challenge, the House set aside election results in the Mississippi case of *Lynch* v. *Chalmers*, 47th Cong., Hinds, vol. 2, sec. 959, p. 263 (1882), and the South Carolina case of *Johnston* v. *Stokes*, 54th Cong., Hinds, vol. 2, sec. 1126 (1896).

The variety of these and other cases cited by the contestants indicates that the House's power to judge the qualifications of its Members has been used neither capriciously nor rarely. The protection afforded by this power to the principle of free elections and the integrity of representative government has been extended to incumbents, contestants, and voters in many States for well over a century. To justify the use of the power in this instance little more need be said than that Mississippi's election process is unique in its degree of corruption. The voter registration facts in Mississippi congressional districts are a world apart from those in any other election district known to us. For example, as of January 1964, in Humphreys County of the Second Mississippi Congressional District, there was not one registered Negro voter out of a voting-age Negro population of 5,561. For the State as a whole, the U.S. Commission on Civil Rights reports that less than 7 percent of Negroes of voting age are registered to vote. By comparison, in such States as Alabama and Louisiana, recent estimates by the Justice Department place the percentage at approximately 19.4 percent and 32 percent, respectively. The difference in percentage points between Mississippi and other Southern States is more than one of degree—and it reflects the virtually total exclusion of Mississippi Negroes from the State's electoral process.

3. There is no doubt that the challenges themselves are now properly before the House, both under the provisions of 2 U.S.C. 201 which permit any person to contest the election of any Member, and under the long-standing traditions of the House itself, which, as recently summarized by the Clerk, permit House adjudication of a contested election in the case of a protest or memorial filed by an elector of the district concerned or by any other persons. Letter of Assistant Clerk to Speaker, CONGRESSIONAL RECORD, page 810, January 14, 1965. Indeed, there are statutory and case precedents establishing House jurisdiction of the pending challenge which go back to the early years of our history.

The only question which merits discussion is whether the challengers here qualify as parties or contestants for purposes of availing themselves of the statutory deposition and subpena procedures found in 2 U.S.C. 203 et seq. While it is obvious that the contestants here—all Negroes—did not appear as candidates for congressional seats on the regular Mississippi election ballot, it is equally obvious that they could not do so because of the systematic exclusion of Negroes from Mississippi's election processes. It would be unjust and self-defeating for Congress to apply 2 U.S.C. 203 et seq. in such a way as to exclude from the ambit of its procedures the persons they were designed to protect: those complainants who, like the contestants here, failed to be designated on the ballot because of the very injustices sought to be remedied.

Moreover, even if the challengers do not qualify as opposing candidates, objection to the use of the statutory deposition procedures has been waived by the failure of the Members from Mississippi to take timely exception.[2] Indeed, the Members who now challenge the use of the deposition procedures actively participated in the taking of the depositions by cross-examining witnesses and by entering into stipulations concerning them. Now that the depositions have been completed and printed, and 7 months after the initial debate on the challenge by the House—during which the majority leader stated, in effect, that the statutory deposition procedures should be employed—it is too late for the sitting Members to attack the use of these procedures by the contestants.

What is at stake in the pending challenge to the seating of the Mississippi delegation in the House is nothing less than the integrity of representative government. As the then Committee on Elections recognized early in the 35th Congress in the election challenge of *Whyte* v. *Harris*, the "freedom and purity of elections constitute the very life of republican government." (House Misc. Doc. No. 57, 35th Cong., 1st sess., 1 Bart. 257 (1858).) We believe that statutory law, the Constitution, and valid congressional precedent, amply warrant the action requested of the House. In fact, the mandate of the Constitution may fairly be said to impose an obligation to grant the relief asked by the contestants.

III

It is no answer to the force of the present challenge to assert that the Voting Rights Act of 1965, effective legislation though it may be, will drastically reduce future discrimination by the State of Mississippi against Negro voters. What is before the House is the validity of the elections of November 1964, elections in which State action deprived virtually the entire Negro population of Mississippi of the ballot, and as a result of which Congressmen purporting to represent the people of Mississippi are seated in the House. It is also worth noting that neither the Voting Rights Act nor the recent repeal of Mississippi's patently unconstitutional voter registration laws will substantially affect such extra-legal, but State-fostered methods of voter intimidation as the physical violence and economic reprisals documented in the depositions supporting the present challenge. To convince white Mississippians that continued flouting of the 14th and 15th amendments is no longer possible or profitable, the results of the 1964 elections must be set aside.

IV

The proponents of the challenge will shortly seek to bring the matter before the entire House. Since no resolution is pending, it is likely that the question of the seating of Mississippi's Representatives will be raised in the form of a privileged motion seeking to discharge the Committee on Administration and its Elections Subcommittee from further consideration of the challenge. This procedure is fully supported by the venerable House precedent of *Page* v. *Pirce*, in which Speaker Carlisle stated that such a motion "presents a question of the highest privilege." (3 Hinds § 2585, 17 CONGRESSIONAL RECORD 7403–04 (1886).) We hope you will take whatever action is necessary to bring the challenge from the Administration Committee to the floor of the House and we respectfully urge you to support it there.

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[1] It may be noted parenthetically that the State of Mississippi, at the urging of Gov. Paul B. Johnson, has repealed these statutes in order to secure a more advantageous footing for resisting the new Voting Rights Act of 1965.

[2] The sitting Mississippi Members have not availed themselves of the objection procedure recently used and approved by the House in the case of Representative OTTINGER of New York, whose seat was challenged by the campaign manager for a defeated candidate. There a resolution dismissing the deposition procedures on the grounds that the challenging party did not qualify to use them was introduced in the House soon after the deposition proceedings were begun. Apparently, the Mississippi Members knew of this means of challenging the use of the statutory deposition procedures and their failure to object was the result of a conscious decision, not mere inadvertence. See story in Jackson Daily News, Jan. 28, 1965, reproduced at p. 100 of the contestants' brief.

The principle of free and fair elections open to an entire constituency is the bedrock of our democratic Republic. Only in free and fair elections can our sytsem of representative government work. Only in free and fair elections, untainted by the illegality proscribed by our Constitution, can Mississippi reclaim its place in the eyes of the Nation and in the Halls of Congress.

SIGNERS OF MEMORANDUM

Alaska: Wendell P. Kay, Anchorage.

Arizona: Jay Dushoff, Phoenix; Sheldon Mitchell, Phoenix; S. Leonard Scheff, Tucson.

California: Sidney Bleifeld, Los Angeles; Irwin Gostin, San Diego; Francis Heisler, Carmel; Marshall W. Krause, San Francisco; Seymour Mandel, Los Angeles; Ben Margolis, Los Angeles; Harry Margolis, Saratoga; Kurt W. Melchior, San Francisco; Edward Mosk, Los Angeles; Frank E. Munoz, Los Angeles; Fred Okrand, Los Angeles; Chas. I. Rosin, Los Angeles; William G. Smith, Los Angeles.

Colorado: Charles A. Graham, Denver; Samuel D. Menin, Denver; Harry K. Nier, Jr., Denver; Elizabeth Schunk (Miss), Denver.

Connecticut: Thomas I. Emerson, New Haven; Robert L. Krechevsky, Hartford; H. D. Leventhal, Hartford; Frank Logue, Trumbull; Catherine G. Roraback, New Haven.

Florida: John M. Coe, Pensacola; Stanley M. Pred, Miami.

Georgia: Leonard Haas, Atlanta.

Hawaii: Morton King, Honolulu.

Illinois: William W. Brackett, Evanston; David Connolly, Rockford; Elmer Gertz, Chicago; Burton Joseph, Chicago; Lee Leibik, Chicago; Charles R. Markels, Chicago; James D. Montgomery, Chicago; Sidney D. Podolsky, Aurora; George Pontikes, Chicago; Bernard Weisberg, Chicago.

Indiana: Benjamin Piser, South Bend; Thomas H. Singer, South Bend.

Iowa: George Lindeman, Waterloo; Jesse E. Marshall, Sioux City; Melvin H. Wolf, Waterloo.

Kansas: Champ Eraham, Emporia; Joseph H. McDowell, Kansas City.

Kentucky: Joseph S. Freeland, Paducah; Edgar A. Zingman, Louisville.

Maine: Louis Scolnik, Lewiston.

Maryland: Elsbeth Levy Bothe, Baltimore; Marvin Braiterman, Baltimore; Harry Goldman, Jr., Baltimore; Norman H. Heller, Wheaton; David B. Isbell, Chevy Chase.

Massachusetts: Bradlee M. Backman, Lynn; Edward J. Barshak, Boston; Albert R. Beisel, Jr., Boston; G. d'Andelot Belin, Boston; Irving Fishman, Waban; Helen L. Gray, Cambridge; Reuben Goodman, Boston; Roy A. Hammer, Boston; Julian S. Himes, Dorchester; Dunbar Holmes, Boston; Charles Ingram, Lynn; Manuel Katz, Boston; Ronald F. Kehoe, Boston; Daniel Klubock, Boston; Merrill B. Nearis, Gloucester; Allan R. Rosenberg, Boston; Francis J. Ulman, Boston; Max Volterra, Attleboro; Henry Weissman, Springfield; Howard Whiteside, Boston; Ernest Winsor, Cambridge; Mr. & Mrs. Roger Witken, Brookline; Stephen Wolfberg, Boston; Norman Zalkind, Boston.

Michigan: John Bratton, Lansing; Justin Brocato, Kalamazoo; Jerome H. Brooks, Farmington; Richard W. Crandell, Cadillac; Erwin Eilmann, Detroit; Ronald D. Feldman, Detroit; John F. Foley, Detroit; Ernest Goodman, Detroit; Benjamin Marcus, Muskegon; Jerry S. McCroskey, Muskegon; Rolland R. O'Hare, Detroit; Dean A. Robb, Detroit; Ralph I. Selby, Bay City.

Minnesota: Newton S. Friedman, Duluth; Sheldon D. Karlins, Minneapolis; Arnold A. Karlins, Minneapolis; Arthur Roberts, Duluth; W. L. Sholes, Minneapolis.

Mississippi: Alvin J. Bronstein, Jackson.

Missouri: Irving Achtenberg, Kansas City; Glenn L. Moller, St. Louis; Stanley D. Rostov, Kansas City.

Nebraska: Loren G. Olsson, Scottsbluff.

New Hampshire: Arthur H. Nighsnander, Laconia; Lawrence J. Walsh, Wolfeboro.

New Jersey: William R. Gilson, Summit; Milton Gurney, Newark; Maurice Levinthal, Paterson; Needell & Needell, Rahway; William Rossmoore, Newark; Irvin L. Solondz, Newark.

New York: Ernest Angell, New York; Philip Beane, New York; Steven M. Bernstein, Long Beach; Ellis L. Bert, New York; Melvin Block, Brooklyn; Albert H. Blumenthal, New York; John J. Cavanaugh, Albany; Julien Cornell, Central Valley; David Dretzin, New York; Edward J. Ennis, New York; Walter Frank, New York; Victor S. Gettner, New York; Richard G. Green, New York; Jeremiah S. Gutman, New York; Thomas M. Hampson, Pittsford; Stephan A. Hochman, New York; Dorothy Kenyon, New York; David R. Kochery, Buffalo; Milton Konvitz, Ithaca; William Kunstler, New York; Richard Lipsitz, Buffalo; Victor A. Lord, Jr., Albany; Pierre Lorsey, New York; Louis Lusky, New York; Lewis Mayers, New York; Mortimer J. Natkins, New York; Wade Newhouse, Buffalo; John de J. Pemberton, Jr., New York; Lloyd H. Relin, Rochester; J. Ward Russell, Glens Falls; Herman Schwartz, Buffalo; Leon F. Simmonds, Endicott; Peter Simmons, Buffalo; Mrs. Eleanor Soll, Scarsdale; Stephen C. Vladeck, New York; Allan Westin, New York; Erwin N. Witt, Rochester; Melvin L. Wulf, New York.

North Carolina: Lemuel H. Davis, Raleigh; Reginald L. Frazier, New Bern; Herman L. Taylor, Greensboro.

North Dakota: Milton K. Higgins, Bismarck; Robert Vogel, Mandan.

Ohio: Charles A. Anderson, Dayton; Harland M. Britz, Toledo; Frederick M. Coleman, Cleveland; Jack Day, Cleveland; Jack Gallon, Toledo; S. Lee Kohrman, Cleveland; Robert D. Mishne, Cleveland; William J. Rielly, Cincinnati; Stanley U. Robinson, Jr., Columbus; Franck C. Shearer, Columbus.

Oklahoma: Warren L. McConnico, Tulsa.

Oregon: Maurice O. Georges, Portland; Paul R. Meyer, Portland.

Pennsylvania: Charles Covert Arensberg, Pittsburgh; Arthur L. Berger, Harrisburg; Jack Brian, Upper Darby; T. Sidney Cadwallder, Yardley; Burton Caine, Philadelphia; James M. Carter, Pittsburgh; Martin D. Cohn, Hazleton; David H. H. Felix, Philadelphia; Albert Gerber, Philadelphia; David R. Hobbs, Hancock; A. Harry Levitan, Philadelphia; Marjorie Hanson Matson, Pittsburgh; Franklin Paul, Philadelphia; Stephen I. Richman, Washington; Victor Roberts, Norristown; Henry Sawyer III, Philadelphia; Daniel H. Shertzer, Lancaster; Saul C. Waldbaum, Philadelphia.

Rhode Island: Benjamin W. Case, Jr., Wakefield; William Edwards, Providence.

South Carolina: John Bolt Culberston, Greenville.

South Dakota: Marvin K. Bailin, Sioux Falls.

Texas: Don Gladden, Fort Worth; Ben G. Levy, Houston; Fred O. Weldon, Jr., Dallas; John B. Wilson, Dallas.

Vermont: Donald Hackel, Rutland; John L. Williams, Rutland; James Oakes, Brattleboro.

Virginia: Joseph A. Jordon, Jr., Norfolk.

Washington, D.C.: P. J. Adolph, Washington, D.C.; David Carliner, Washington, D.C.; Monroe H. Freedman, Washington, D.C.; Len W. Holt, Washington, D.C.

Washington: Stuart D. Barker, Seattle; Arthur G. Barnett, Seattle; Raymond Brown, Seattle; Philip Burton, Seattle; John Caughlan, Seattle; Frank DuBois, Everson; William Dwyer, Seattle; Landon R. Estep, Seattle; M. Brock Evans, Seattle; Lady Willie Forbus, Seattle; William L. Hanson, Seattle; Francis Hoague, Seattle; David Hood, Seattle; Benjamin H. Kizer, Spokane; Sam Levinson, Seattle; Kenneth MacDonald, Seattle; Phillip Offenbacker, Seattle; Chas. H. W. Talbot, Richland; Leonard Schroeter, Seattle; James B. Wilson, Seattle; Alvin Ziontz, Seattle.

West Virginia: Horace S. Meldahl, Charleston.

Wisconsin: Meyer Papermaster, Milwaukee; Ted Warshafsky, Milwaukee; Leonard Zubrensky, Milwaukee.

Wyoming: John A. King, Laramie; Charles L. Bates, Rawlings.

Mr. LIPSCOMB. Mr. Speaker, I yield 8 minutes to the gentleman from Ohio [Mr. McCULLOCH].

Mr. McCULLOCH. Mr. Speaker, I rise to support the resolution of the committee as it will be amended by a motion by the distinguished majority floor leader, the gentleman from Oklahoma [Mr. ALBERT], as I am advised.

Mr. Speaker, it is regrettable that this issue should be before the House 10 months after the election in 1964 and 8 months after the men in question were given the oath of office in January 1965. Furthermore, Mr. Speaker, had the Congress of the United States followed the action of the then majority leader of the House, the gentleman from Indiana [Mr. HALLECK], in 1947 and passed legislation against the poll tax, and had we enacted legislation on civil rights in 1957 as passed by the House and the civil rights legislation of 1960 as passed by the House, we would not have this issue before us today.

Mr. Speaker, I am pleased indeed that we have the Voting Rights Act of 1965 the law of the land, which has already demonstrated its effectiveness in those States in the South which have so long flaunted the Constitution.

I note that a substantial majority of the committee has recommended that the challenge be dismissed. The reasons therefor were most ably expressed by my colleague, the gentleman from Ohio [Mr. HAYS]. I shall not go into them further.

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

Mr. McCULLOCH. I am happy to yield to my good friend, the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, the gentleman made reference to 1947. I was the majority leader in that Congress and we did enact a bill at that time outlawing the poll tax, because at that time that was a device to keep people from voting. I have supported, along with the gentleman from Ohio, other measures as recently as the 1965 act. I rise only to say that it was suggested here a moment ago that if we do not vote against this report from the committee we are giving tacit approval to the disfranchisement of people who are entitled to vote. I do want to make it very clear for myself that actually the very definite disapproval of disfranchisement was shown by the result of the votes that we had on voting rights bills for many, many years. And on that I stand.

Mr. McCULLOCH. Mr. Speaker, I would like to summarize my opinions on the matters that have been touched upon so accurately and ably by my colleague, the gentleman from Indiana [Mr. HALLECK], by saying that the Voting Rights Act of 1965 and the recently decided case of the United States against Mississippi have already made a deep impression upon the Southern States to whose action we have taken objection. I dare say that when the new legislation and the

new laws and the new procedures of the State officials become effective and they really see and know the handwriting on the wall, the problem which is before us will not return again.

Mr. Speaker, I was impressed by one paragraph in the committee's report, and it bears the careful attention of every Member of the House, and I quote the next to the last paragraph on page 3 of the report as follows:

> The committee notes that the presidential electors, whose votes were certified to the Congress and counted in the joint session of the Congress held on January 6, 1965, were elected under the same laws as was a Senator who was subsequently seated without question in the Senate of the United States. The concurrent election for presidential electors, the U.S. Senator, and the five Representatives from the State of Mississippi was conducted under the same laws, the same officers, and the same conditions.

Mr. Speaker, we should not cast a permanent cloud on the selection of the presidential electors or on the election of the junior Senator from Mississippi.

Mr. Speaker, I intend to vote for the resolution as it will be amended by the majority leader, the gentleman from Oklahoma [Mr. ALBERT].

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

Mr. McCULLOCH. I would be glad to yield to my good friend, the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. I would like to point out to my colleague from Ohio that one of these contestants was a candidate in a Democratic primary in Mississippi for Senator. She was defeated. Had she been in exactly the same situation in our State of Ohio, she would have been precluded by law from being a candidate for any office in the general election.

Mr. McCULLOCH. That is a correct factual and legal statement and I thank the gentleman for his contribution.

Mr. Speaker, I yield back the balance of my time.

Mr. BURLESON. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. THOMPSON], a member of the committee.

Mr. THOMPSON of New Jersey. Mr. Speaker, today the House is sitting as a judge in fulfilling a responsibility conferred by the Constitution, a judicial function which can occur on only one other occasion, that of impeachment proceedings. We do not sit in judgment of any Member as an individual but rather to determine the right to sit in this House, a decision from which there can be no appeal. It is a solemn duty and one which no Member takes lightly.

Like other Members of the House, I approach the decision on the pending resolution with humility and with a deep sense of the extreme gravity of the question being posed here. Unlike other Members, it has been my responsibility as a member of the House Administration Committee to help frame the recommendation in this case being presented to the House today. It is a grave responsibility to pass on such a case that has so many far-reaching implications and which involves so many complex and conflicting ramifications.

This is a question which has involved a lengthy dialog within each of us—our love and respect for the institution in which we are privileged to serve, its rules and precedents: the legal and moral aspects of this case: the philosophic convictions which motivate each of us: the prejudices to which each of us is susceptible: the circumstances which dictate that we act today as the jury in this unique case. Yet all of us sense that the final judgment of whatever we do here today will be made in the light of history—the history of this House in terms of the precedents we make and in a greater sense the history of human freedom, dignity, and representative government.

During the past months, Mr. Speaker, I have studied the volumes of precedents involving contested election cases. I have studied the debates in the Congressional Globe and the CONGRESSIONAL RECORD of these contests. I have studied the volumes of printed depositions in the case now before us and the brief prepared in behalf of the contestants. This study has provided a historic context which has added to this deep feeling of the gravity of the questions being presented to us for decision today. It has also given me a new respect for the institution in which we serve.

Mr. Speaker, in the brief time allotted to me, I would like to make several points that I feel are relevant to the case before us in the hope that they will find common ground with our colleagues on both sides of the aisle and perhaps, in the cold light of history, shed some light for our successors who will also be called upon to wrestle with their consciences in election contests long after we have departed.

I will not dwell on any detailed discussion of precedents involved in this case. Let it be said that precedents exist on both sides of this question as to whether or not the challenge brought against the incumbent Members of the Missisippi delegation should be dismissed on grounds alleged by the contestants, namely, that Negroes have been systematically and deliberately excluded from the electoral process in Mississippi through the utilization of unconstitutional registration and election statutes, and that they were disenfranchised by acts and threats of violence, terrorism, and intimidation.

Mr. Speaker, the evidence is clear that such allegations have been substantiated by suits decided in Federal courts, by findings of the Civil Rights Commission, by hearings before the House Judiciary Committee over recent years, and by sworn depositions filed in support of this challenge. Such evidence is a matter of public record. We note that the contestants also rely on grounds involving alleged violations of the 14th and 15th amendments to the Constitution.

Such unconstitutional denial of the rights of citizenship was not limited to the 1964 election, but is part of an historic pattern that dates to post-Reconstruction years. It is here that we find the last number of House precedents denying seats to Members-elect to the House in which such allegations were acted upon by our predecessors many Congresses ago. Since then, there has been acquiescence in the social and economic mores that have produced the closed society in many States that has been carried through their political institutions. In a sense, we are being called upon here today to pass judgment not just on the individual election contests before us today, but on the entire fabric of a system that has existed since before most of us were born. It is a system that none of us helped to shape, growing out of a terrible civil conflict and harsh Reconstruction period which left terrible scars on the conscience of our Nation, scars that are still visible here today.

Mr. Speaker, the verdict of history is harsh because of the neglect of the constitutional rights of our Negro citizens. Over the years, they have been denied equal opportunity to education, employment, travel, dignity, and the economic benefits of a rising standard of living enjoyed by other Americans. They have been subjected to economic reprisal, threats, violence, and death for attempts to exercise their basic rights of citizenship that many Americans take for granted.

It was almost 100 years after the Civil War before Congress faced up to its responsibilities by enacting the Civil Rights Act of 1957. In the past 8 years, we have enacted other laws to try to remove the stain of history in the treatment of our Negro citizens—the Civil Rights Act of 1960, the Civil Rights Act of 1964, and the Voting Rights Act this year. I am proud of my votes for these and other related economic measures—milestones of human progress to help right grievous wrongs of past generations.

In this bipartisan effort, we are all indebted to the distinguished gentleman from New York [Mr. CELLER], chairman of the Judiciary Committee and dean of this House, who piloted these bills through the House; to the gentleman from Ohio [Mr. McCULLOCH], the ranking minority member of the committee; and to the leadership in this historic effort exhibited by the distinguished gentleman from Massachusetts, whom we have elected Speaker of the House.

In terms of the present election contest, the Voting Rights Act of 1965—Public Law 89–110—is most significant. The majority report of the House Administration Committee clearly states the legal framework under which this case has been considered:

> The Voting Rights Act of 1965 is now the law of the land, in full force and effect. The committee is cognizant of the fact that the alleged practices complained of by the contestants in the 1964 Mississippi elections would constitute violations of the new act if occurring subsequent to its enactment. There is now clear and adequate legal authority for the Federal Government to protect the rights of voters and to assure the right of all citizens to become registered voters (p. 4, H. Rept. No. 1008).

> The committee majority continues by unequivocally stating: "We want to make clear that the herein action recommended by this committee should not be interpreted as condoning any disenfranchisement of any voters in the 1964 elections or in previous elections. Nor does the committee mean to imply by its recommendation of dismissal of these

contests that the House cannot take action to vacate seats of sitting Members. In the view of the committee, the House should make every effort to scrutinize with great care all future elections. If evidence of violations of the Voting Rights Act of 1965 is presented to the House, we are confident that it will be fully investigated and appropriate action taken (p. 5, H. Rept. No. 1008).

It is clear then, Mr. Speaker, that members of the House Administration Committee, who are responsible for the handling of contested election cases view the enactment of the Voting Rights Act of 1965 as a "watershed" in the history of such cases alleging disenfranchisement of Negroes or other citizens. The record of this debate, whatever the outcome on the pending resolution, will constitute a clear precedent that the House of Representatives will no longer tolerate electoral practices in any State or district which violate the legal or constitutional rights of citizens to register, vote, or to become candidates for office. So long as I am a Member of this House, I intend to make certain that this precedent is carried forward in any future election or election contest.

Having made this extremely important precedent involving future elections, the House must then decide what must be done in the case before us which involves alleged violations occurring during the 1964 Mississippi elections, prior to the enactment of the new Voting Rights Act. The report of the committee lists the many considerations which have been taken into account. On several of the points there is general agreement:

First. That the committee considered the question of due process—the rights of the contestants as well as the rights of the challengers:

This committee is dedicated to the preservation of the American tradition of due process. In the instant case, there is concern that either outright dismissal of the challenge or unseating of the present Mississippi delegation would violate this precept (p. 2, H. Rept. No. 1008).

Second. That the committee realized that the case was not one that followed the usual pattern of contested election cases:

The instant case is a complex one. There was delay in obtaining copies of the depositions and testimony filed by the contestants (exceeding 3,000 printed pages) (p. 3, H. Rept. No. 1008).

Third. That the committee recognized the validity of the official Mississippi election returns certified in the presidential, senatorial, and congressional elections of November 3, 1964, and that it took into account the House action on January 4, 1965, in authorizing the Speaker to administer the oath of office to the five Mississippi Members-elect, based on valid certificates of election properly filed with the Clerk of the House.

Many of us who serve on the House Administration Committee were concerned over the delay in having the case formally referred to the committee for consideration. The uncertainties over what portion of the voluminous number of depositions filed in support of the contestants' case should be printed for referral to the committee revealed the need for improving our methods and procedure in handling of future election contests. I and a number of our colleagues met on numerous occasions with the Clerk of the House in an attempt to resolve the impasse, finally resulting in the printing, in five volumes, of all such depositions and documents relative to the case. Even those which were clearly not in full compliance with existing statutes were finally printed and referred to the committee.

Mr. Speaker, I am pleased that the committee, in its report, adopted as its first recommendation that remedial action be taken in this regard:

That the House Administration Committee, because of its concern over present House procedures governing election contests, undertake a thorough review of such procedures in the light of this case and make recommendations for improving and clarifying them so as to deal more expeditiously with such cases in the future, particularly those involving violations of the Voting Rights Act of 1965.

Attention is again called to the specific reference to the Voting Rights Act of 1965, the watershed principle which we are affirming by precedent in the House today. I intend to press for the full implementation of this important recommendation within the House Administration Committee because of the far-reaching guarantees it would provide both sitting members and contestants in future election cases.

We will soon vote on the pending resolution in the Mississippi case. All of us have grave questions which we have asked ourselves in making our decision. I would like to share some of mine with you.

Would due process be served in attempting to correct almost 100 years of acknowledged wrong to our Negro citizens in Mississippi and other States by applying House precedents created during the stormy Reconstruction Congresses, whose harsh enactments helped create and foster the closed society, which over the years is responsible for these injustices?

Would due process be served in referring this case back to the committee for more deliberate action, including full hearings which would mean further delay and inconvenience to both the sitting Members and the contestants to decide this case on laws and practices that have now been rendered moot by the enactment of the Voting Rights Act of 1965?

Would the dismissal of this case be wrongly interpreted in Mississippi as condoning such practices, in view of the clear language of the committee report, the precedent being made in this debate today, and the dissemination of its meaning through the public media stating in clear terms that such practices will no longer be tolerated by the House of Representatives?

Would possible eventual unseating of the present Mississippi delegation contribute toward an improvement of the social, economic, and responsible political climate in that State, already torn by violence, bitterness, and racial conflict? Should we in the House base our consideration of this case in such terms?

Would the precedent created here by refusal to dismiss this contest brought by persons not legal candidates—in the strict sense in that they did not appear on the ballot—open a Pandora's box, subjecting all Members of the House to possible frivolous contests brought by persons or groups on the lunatic fringe? Could a rash of such contests disrupt and paralyze the orderly business of the House?

Is not the cause of justice and the reestablishment of constitutional guarantees of all citizens to register, vote, and become candidates for office better served by affirming this watershed precedent, relying on the full powers of the Voting Rights Act of 1965 and the action of the 90th Congress and future Congresses to make certain that illegal or unconstitutional electoral practices are never again tolerated?

All of these difficult and searching questions and many more, Mr. Speaker, have tormented our minds and consciences as we struggle for the vision, the wisdom, and the courage to render, as we must, our judgment in this case. We realize that we cannot base our decision on strictly legal grounds, nor strictly on House precedents, nor on moral grounds alone. All are integral parts of this case. Whatever the action may be on the pending resolution, there can be no real winner or loser in any meaningful sense so far as the individual parties on either side of this contest are concerned. We must look more broadly.

All of us are the losers, Mr. Speaker. The type of electoral practices which have taken place in Mississippi and other States in 1964 and for many generations have robbed some of our people of basic rights of citizenship. This has, in turn, undermined the rights of all citizens and weakened our system of representative government at a time when we are engaged in a world struggle for survival with a hostile, totalitarian force.

The only winners in what we finally decide today can be the long-disenfranchised citizens of Mississippi and other States. They must take full advantage of the legal guarantees of the Voting Rights Act of 1965 by registering to vote and by voting on election day. I am confident that the act is and will be fully enforced by the appropriate Federal authorities. I am likewise certain that the Members of the House, as has been made clear here today, will make certain that elections and election contests will hereafter be judged on the basis of the full compliance with the provisions of the Voting Rights Act of 1965.

Mr. Speaker, looking ahead in full confidence that the people of Mississippi will avail themselves of the right of franchise and choose wisely, and because of my faith in the future of representative government everywhere, I will vote for the committee resolution to dismiss the pending case.

The SPEAKER. The gentleman from California [Mr. LIPSCOMB] is recognized.

Mr. LIPSCOMB. Mr. Speaker, we have one speaker left on our side. Will

the distinguished gentleman from Texas yield time now?

Mr. BURLESON. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Speaker, I rise as a member of the House Committee on Administration as well as one of the few Members of this House who is an alumnus of the University of Mississippi. I enjoyed my year of study in Mississippi very much and my remarks today are therefore not directed at any Member of this House.

I want to take this opportunity to join the gentleman from California [Mr. HAWKINS] in expressing my appreciation to the distinguished chairman of our committee, the gentleman from Texas [Mr. BURLESON] for the fairminded way in which he has handled this matter.

My position on this issue, Mr. Speaker, is not complicated. It is very simple. It is as stated in the minority report, which I signed—that the House should not support the final and summary disposal of the challenge to the election of the five Members of the House from Mississippi. Why? Because the House Committee on Administration has not in fact conducted adequate public hearings on the merits of this case. We are all aware of the systematic disenfranchisement of Negro voters in the State of Mississippi. To fail to conduct adequate public hearings on this matter seems to me therefore to do violence to commonsense; to do violence to the basic principles of the Constitution of the United States and to do violence as well, and finally, to the dignity and to the integrity of this House of Representatives which we all love. We should have adequate public hearings on the merits of this case, and I hope therefore, Mr. Speaker, that we recommit this resolution.

Mr. LIPSCOMB. Mr. Speaker, I yield to the ranking minority member of the elections subcommittee, the gentleman from New York [Mr. GOODELL] to close debate.

Mr. GOODELL. Mr. Speaker, I too am sorry that there is not more time for debate under this procedure. This is not the fault of any individual because the rules of the House provide for 1 hour of debate.

We are in many respects here asked to exercise the wisdom of Solomon. There are human rights involved. There are congressional rights involved. Certainly the whole issue of due process is involved in our decision today.

The gentleman from New York [Mr. RYAN] made the statement that if we dismiss this contest, in the future a contestant will have to prove that it would have made a difference in the election if the discrimination alleged did not occur.

As a matter of legislative history, I want to deny this from my point of view. I think it is important in any future contest that there be no confusion about this issue. Some Members have been decrying the committee report. I say to them, I believe in the future, you will not be decrying it, you will be invoking the language of the committee report and the legislative history we are writing today. When we bring issues before the Congress of the United States of the momentous importance of this issue, certainly they must be brought with due process.

We are clearly saying here that as a matter of legislative history, no candidates who do not avail themselves of the proper procedures can be heard. We are clearly saying that prospective candidates who want to get on the ballot but do not, so that there are no candidates in opposition in an election had better avail themselves of existing legal remedies in the courts. We are clearly saying that where they did not go to the courts, and where they had the power to go to the courts and get relief and get on the ballots, if they were denied the right to go on the ballot for unconstitutional or illegal reasons, we will not give those contestants standing as a matter of due process before the Committee on House Administration or the full House.

Those who are contesting here did not avail themselves of the legal remedies available to them to get on the ballot. If they had, or if anyone had, there would have been an issue here. But these alleged contestants are asking us to overturn an election at their request when they did not even avail themselves of the procedure to make a contest of it in the State of Mississippi. We have a clear legislative history here today that the Voting Rights Act of 1965 will be considered in the future in conjunction with the power of this Congress to unseat Members. We have a clear legislative history that the Committee on House Administration and the House of Representatives will scrutinize most carefully the future elections, and we have a commitment clearly in the legislative history that we will revise our election contest procedures, so that the rights of all contestants and Members of Congress will be protected in the future.

In striving to exercise, in our poor, futile, mortal way, the wisdom of Solomon today, I believe, on balance, that justice will be done, and will only be done, if we dismiss the election contest and adopt the resolution before us today. I so urge my colleagues.

Mr. BURLESON. Mr. Speaker, I yield the gentleman from California [Mr. CORMAN] 1 minute.

Mr. CORMAN. Mr. Speaker, I oppose the resolution.

There is no doubt that a substantial majority of the House understands and supports the 15th amendment to the Constitution. We demonstrated this when we enacted the voting rights bill giving the executive branch broad powers of enforcement.

Yet, this resolution rejects an opportunity—more immediate, more efficacious than any legislation—to stop racial discrimination in the election of Members of this House.

The Constitution gives us final judgment on eligibility of our Members. This most certainly dictates that we go beyond mere formalities and weigh carefully the substantive question as to the quality of the election which purports to establish eligibility for membership.

It is true that the machinery of the Federal Government is now being used to prevent recurrence of the situation existing in 1964 in Mississippi. The news that many white Mississippians are cooperating is encouraging.

But how quickly they would all cooperate if this House concluded that it would seat Members only when they were elected under circumstances consistent with the 15th amendment.

Mr. BURLESON. Mr. Speaker, I yield to the gentleman from New York [Mr. GILBERT].

Mr. GILBERT. Mr. Speaker, I support the proposed motion to recommit.

Mr. Speaker, I support the minority views on House Resolution 585, opposing final and summary disposal of the Mississippi election contests.

I support the motion to recommit the resolution for further consideration by the committee in order that adequate public hearings may be held to allow Members and the public to have the opportunity to evaluate and judge all the facts in the proper light and atmosphere.

Mr. BURLESON. Mr. Speaker, I yield the remainder of the time to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Speaker, in the beginning there was a question, sometime during the interim there was a study, and in the end there is a resolution. That is what we are now considering.

Whether we should follow the advice of the minority that we talk for days, weeks, or months, or whether we should sum it up in a few minutes, it still gets down to the same principle.

The principle is that all of us, both those holding the minority viewpoint and those holding the majority viewpoint, recognize that some things happen in a particular State and in certain congressional districts which are not peculiar to those congressional districts nor to that particular State or region. Throughout the years since I can remember in my rather long life and participation in politics, there has been a question of disenfranchisement and of fraud here and there. When I was a young man in a small coal mining town, a different type of fraud was involved. It was not a fraud perpetrated because of color; it was fraud perpetrated because of a lack of knowledge of the language. As a young man I can remember talk of how they voted in a little barbershop in the coal mining towns. A ballot box was set on the table that had no top. As each individual miner came in to vote, his ballot dropped down to the cellar, where the foreman for the mining company adjusted it to suit the purpose.

I can remember in the town of New Kensington, in a case before the superior court, the superior court judge said in his findings in that particular contest that it had been proven in that district that they did not count the ballots; they merely weighed the boxes.

Throughout the history there has been fraud. But in this particular case the Members of Congress who are sitting here as Members from Mississippi are not being challenged as to their seats. There

is nothing in the minority views that states that these men shall not be seated as Members of Congress. The only difference is in the degree of the study to be made of that which happened in Mississippi. I was one of the Members who voted not to seat these Members at the beginning, but to withhold now the dismissal of the case against them would be an injustice and would be unfair to these Members now serving as accepted Members of this House.

Mr. DAWSON. Mr. Speaker, when we took the oath of office to support the Constitution of the United States, we undertook a sacred national obligation. The present contest cases to vacate the seats of five Congressmen from Mississippi and to hold new elections requires us to face the responsibility which the U.S. Constitution imposes upon us. These contest cases tests the integrity of the entire House, which, under the Constitution, is made the sole judge of its membership. It also tests the integrity of each one of us.

These contest cases are based on the deliberate and unconstitutional disenfranchisement of almost one-half of the population of the State of Mississippi who were excluded from voting, solely because of their race, by brutality, intimidation, fraud, terror, and murder. The pattern and practice of disenfranchising Negroes in Mississippi cannot be denied by anyone. It has been proven time and time again, in case after case in the courts. It has been fully documented by the U.S. Commission on Civil Rights, by the Department of Justice, by judicial decisions, and by the Congress itself. As all of us know, the Voting Rights Act of 1965, which the President signed just a month ago on August 6, was the congressional acknowledgment of this need and a recognition of the widespread discrimination in voting based on race.

This House has the responsibility when the validity of an election of a Congressman is presented to us, to determine whether that election was free, fair, and open to the whole body of legal electors. The very life of government in a democracy is based upon the freedom and purity of its elections. If the citizenry is disenfranchised in the choice of its representatives, the very heart of representative government decays.

I say to my colleagues that this is a matter of integrity. We cannot be faithful to our trust if we do not face the issue of whether the Congressmen whose elections are here challenged were sent to this House as a result of a tainted election.

This is not the first time that this issue has been before the House. There have been 43 election contests in which the House of Representatives, from the 40th Congress through the 56th Congress—1867 through 1901—has unseated a Congressman because Negro citizens were excluded from the election. These 43 cases involved Congressmen from 14 States. In each case the House, over a period of 34 years, without regard to whether the individual contested Congressman had any part in the disenfranchisement, cleansed its rolls by unseating the beneficiary of the tainted election and ordering new elections.

I have no personal animosity against any of the five Members whose election is now being contested; but none of us can shrink from fulfilling our responsibility to this House and to the Nation now that the contest has squarely been brought to the House.

There are some who say that the Voting Rights Act of 1965 is sufficient to alleviate the wrongs committed against the Negroes of Mississippi. They are wrong. Even if the act succeeds in its purpose, even if all eligible Negroes will be able to register, even if all registrants will be able to cast their votes in the election, and even if all the votes they cast will be fairly and fully counted, that will not correct the great evil caused by the disenfranchisements in the 1964 Mississippi elections.

The Voting Rights Act, however, has not yet succeeded. Negroes are still being intimidated from registering. They will endure even greater intimidation when they seek to vote. The enforcement of the Voting Act will require extensive litigation and long delay, whereas the unseating of an illegally elected representative will make it crystal clear to the State that it must accord full voting rights to all its citizens, if it desires to have representation in this House.

The House must, for the sake of the Nation's integrity, vote to unseat the five Mississippi Congressmen whose elections have been challenged in these cases, and to order the holding of new elections by all the people of Mississippi to fill the vacated seats. To do less would be unfaithful to our trust.

Mr. EDWARDS of Alabama. Mr. Speaker, I support House Resolution 585, the resolution to dismiss the contest of election of the Congressmen from the State of Mississippi.

Thoughtful, reasonable citizens all over the country will, I am confident, also support this resolution in confirming that the sitting Mississippi delegation has full right and entitlement to seats in this House of Representatives.

I note that Members opposed to the resolution argue that the issue ought to be settled on its merits rather than on the basis of who it is that brings the question to the attention of the House.

The argument is devious. Evidently it is an attempt to divert attention from the nature of this issue in a way which is inconsistent with reasonable legislative process.

The fact is that in support of this resolution none of the arguments of the majority of the House Administration Committee have had to do with who brings the case to our attention. They are directed to the merits of the issue.

The committee has properly and thoroughly consulted the history of the House of Representatives to ascertain what precedents apply in this case.

The committee has correctly concluded that it is the Supreme Court and not the House of Representatives which is the appropriate body to pass upon the legal controversies arising out of charges that disenfranchisement may occur in any election.

At the heart of the issue is whether the election in point was an official election or not. And it is a fact that the congressional and presidential election of November 3, 1964, in Mississippi were conducted on the basis of Mississippi and Federal election laws which have not been set aside by the decision of any court of competent jurisdiction.

The committee's study of the issue shows that even if any disenfranchisement had been shown, it is doubtful that it would have actually affected the outcome of the November 1964 election in any of the Mississippi districts.

There is no substantial disagreement with the point that the Constitution gives to the House of Representatives itself the jurisdiction over the claim and right to a seat in the House of Representatives.

It is important to note that the House, rather than simply ignore the claim of the contestants, put the issue to a vote on January 4, 1965. And by a vote of 276 to 149 the House authorized the Speaker to administer the oath of office to the five Mississippi representatives on the basis of the valid certificates of election for each of the five which were on file in the office of the Clerk of the House.

This action established the prima facie right of each of the five to his seat in this body, and it recognized the right of each to perform the constitutional duties of his office.

In that action the House also recognized that the contestants did not challenge their alleged exclusion from the ballot before the election was held, and furthermore, did not attempt to challenge the issuance of the certificates of election in Federal district court following the election.

Apparently we can anticipate now that the supporters of this contest will proclaim wide and far around the country that their effort is being turned back by the House because of who the contestants are rather than on the basis of the merits of the case.

And in today's atmosphere of emotionalism and a kind of super-righteousness which sometimes lets high feeling obscure the significant facts, we can expect that their position will be accepted to some degree.

It is my hope that in this case, as with all such cases where high feeling is a factor, reasonable men will take precautions to inform themselves before reaching conclusions.

I commend the work of the House Administration Committee in this matter and I urge adoption of the resolution.

Mr. HELSTOSKI. Mr. Speaker, I wish to take this opportunity to express my opposition to the adoption of House Resolution 585, providing for the dismissal of the five Mississippi election contests and declaring that these Members are duly elected to their seats in this august body.

I cannot see how the House Administration Committee can come to the conclusion that these Members were legally elected when many citizens of that State did not have the opportunity to take part

in the elections to express their choice as to who is to represent them in Congress.

The authorities of Mississippi have taken a Janus-like attitude in their election procedures. As a whole, we exhort all of our citizens to take as great a part in our elections as is possible, yet on the other hand devious methods have been used to disenfranchise many thousands of American citizens from exercising their right to cast a ballot.

Because of the flagrant violations of the provisions of the 15th amendment to the Constitution, this Congress was forced to take action and to pass legislation to provide for voting rights to many citizens who were denied them by actions of election officials in many States.

Many needless hours were spent in implementing the provisions of this 15th amendment when all this could have been avoided if certain authorities would have adhered to the explicit directive embodied in that amendment.

I bear no animosity to any Member of the Mississippi congressional delegation. I do, however, challenge the method of their election to the House of Representatives.

It is my honest opinion that the elections were not lawfully conducted under the principles of our Constitution, which is the basic law of this country.

This honorable body is to represent all of the citizens of the United States, regardless of race, color, or creed. The gentlemen from Mississippi were elected by the white citizens, with only a small minority of Negro citizens being permitted to cast a ballot. Under these circumstances, they do not truly represent the citizens of the State of Mississippi.

I say it with pride that this House of Representatives is the most representative legislative body of any in the world. Our citizens have a multiple choice of candidates when they arrive at the polls to cast their vote. This is unlike many other countries where there is only a single slate of candidates and no other choice is permitted. Even under those conditions, when the election results are never in doubt, up to 99 percent of the eligible voters take part in an election.

In the present instance, we have seen every method used to stifle the will of the people by denying certain people to cast a ballot. Yet how many of our Nation's 170 million people have taken a voice in protest of this disenfranchisement?

Can you imagine what a hue and cry would arise if, in an election year, the authorities would proclaim that only Democrats could vote? Or, in another State, only Republicans could cast ballots. Yet, in this instance, it is an analogous situation changed only to a white and black race participation.

One of the most effective methods used in Mississippi to deny the right of voting is contained in the words of the Mississippi Constitution which requires that an applicant "be able to read and write any section of the constitution of the State and give a reasonable interpretation thereof to the county registrar." This provision permitted the county registrars to disenfranchise nearly every Negro who appeared for registration, by strict enforcement of the clause in the constitution. On the other hand, he could, if he so desired, permit whites to register without reference to the wording in the constitution.

If we are to be fair in our dealings with the citizens of the United States, this House should vote down the dismissal of the challenge of the Mississippi Freedom Democratic Party and refer this resolution back to the House Administration Committee for full and open hearings on the legality of the election of the present Mississippi congressional delegation.

As I said before, I have no personal fight with any of the present members of the Mississsippi delegation, but if their election was in accordance with just procedures they should have no hesitancy in bringing out the facts into the open.

I shall support a motion to recommit this resolution to the House Administration Committee, if one is presented, so that open hearings on the entire question could be conducted by the committee and all the evidence can be spread upon the record.

If there was no illegality in the election of the present membership of the Mississippi delegation to this Congress, they should be the first to step forward in support of an opening hearing on this matter, to remove, once and forever, any suggestion of taint or fraud under which they now hold their seats.

This country fights throughout the world to protect the rights of citizens of other countries and to permit self-determination for them. But we neglect our own backyard if we allow certain citizens to cast a ballot and bar others from doing the same.

Mr. Speaker, in justice to all the citizens of Mississippi, let the facts become known in open hearings on this subject we have before us. In conscience, I must vote against the passage of the resolution, and hope it is recommitted for further study with open hearings.

Mr. BINGHAM. Mr. Speaker, I am opposed to dismissal of the challenge to the seats of the incumbent Members from Mississippi. My opposition is based on the fact that there are a substantial number of serious and important questions which are as yet unresolved and which I believe deserve resolution by this Congress. Dismissal of the challenge on the basis of the majority report of the Committee on House Administration and on the basis of the record which has been made in this case is inconsistent with the need to bring order out of the chaos that now exists and which would be perpetuated by adoption of the majority report at this time.

Virtually all of our attention has thus far been focused on the question of the precise implications of the challenge procedure of the United States Code. In my judgment, this inquiry must be viewed in a much broader context. First, it is apparent that there was, in fact, massive disfranchisement of Negro voters in Mississippi elections in 1964. Second, we do have the responsibility under the Constitution to pass on disputes involving election of Members of the House of Representatives.

I have examined the House precedents in election dispute questions and find no compelling judgment which flows from them. In fact, there appears to be precedents supporting each side of both the procedural and the substantive issues involved in this proceeding. I have also read carefully the majority report and have discussed this matter with several of our colleagues and still find several vital questions unanswered. I cannot, in good conscience, support any proposal to resolve this matter adverse to the challengers while these questions are unanswered.

Foremost among the questions which are critical to a full and fair resolution of this controversy is the problem of procedure for challenging the election of a Member where there have been massive violations of the constitutional rights of voters. If as the majority contends, the challenge procedure is inapplicable, then what procedure would be available? In the event there is no established procedure, does this not suggest that the Congress has provided no means for discharging its constitutional responsibilities to resolve disputes involving the election of its Members?

It has been suggested that there are other procedures available by which these disputes could have been brought before the House of Representatives, such as filing a memorial. If this is true, why should the House not apply these procedures despite the technical differences between the forms issued by the challengers and the nicety of language which might have evoked an alternative procedure?

I am aware of the concern of many of our colleagues that it would be potentially unwise to permit unlimited use of the challenge and deposition procedure. I agree that such unlimited use would be unwise; it might, for example, permit extreme rightwing individuals and groups to harass liberal Congressmen after their election. However, to permit the present challenges to be considered on the merits would not be a precedent for unlimited use of the challenge procedure. For, as the minority report states, the present circumstances are very special, involving as they do an illegal denial of the opportunity to be a candidate. In effect, if the minority views were accepted, this House would be saying that a contestant is one who either appeared on the ballot or who, but for unconstitutional State action, would have appeared on the ballot as a rival candidate.

I am also aware of several issues raised by the majority report which at first glance seem to support its position. However, I do not believe that, on the record made to date, these issues can reasonably be resolved in support of the motion to dismiss. For example, there is the claim that the contestants did not take any legal steps to undo the State action excluding them from the ballot or to attempt to enjoin the issuance of the certificates of election. I believe there should be further discussion and examination of this fact, particularly in the light of House precedents which indicate

that court actions are not binding on this House in election disputes.

Similarly, I have examined the record which indicates that in the extralegal elections conducted by the Mississippi Freedom Democratic Party, the contestants received fewer votes than the contestee Congressmen received in the State-conducted balloting. Although this appears to bear on the question of whether the results would have been different in the absence of illegal discrimination against Negro voters and candidates, I believe that far more evidence would be required to sustain any conclusion contrary to the interests of the contestants. For example, the motivation of people to vote in an extralegal election is obviously low and the access to public media which would have been available to a legally sanctioned candidate might well create a significantly higher vote in that candidates' behalf.

In addition to the aforementioned problems, all left unresolved by the majority report, there are further problems which I believe are essential to any final disposition of this controversy, but there is no need to itemize them.

The report is far from clear as to the basis for the recommended dismissal. I am somewhat comforted by this fact, because it means that the majority report of the committee does not establish a binding precedent adverse to a future challenge based on systematic and illegal discrimination against voters and candidates.

Under all the circumstances here present, I believe these cases should be returned to the committee with instructions to hold public hearings and issue a report based on the merits of the challenges.

Mr. COHELAN. Mr. Speaker, I do not agree that the challenge brought by the Mississippi Freedom Democratic Party should be dismissed. I do not agree with the recommendation of the House Committee on Administration and I will not vote to support it.

I do not see how it is possible to overlook or condone or accept the fact that in this last election the Negro citizens of Mississippi, who represent 42 percent of that State's voting age population, were systematically disenfranchised and deprived of their legitimate rights.

The 15th amendment to the Constitution is unmistakably clear that no citizen's right to vote shall be denied or abridged on account of his race or the color of his skin. But the figures show that at the time of this election, only 28,000, or 6 percent, of the eligible Negroes had been permitted to register. In Clarke County, for example, with nearly 3,000 Negroes of voting age, only 1 Negro had actually been registered.

The 14th amendment is equally clear that if the right to vote is denied or abridged, the basis of representation shall be proportionately reduced. But the committee's action takes no cognizance of this constitutional safeguard or of its flagrant disregard.

Mr. Speaker, earlier this year we passed a historic bill to sweep away the remaining obstacles and restrictions to full voting rights. We passed this bill in the belief that the right to vote was a cornerstone of democracy; that it was an essential element of our form of representative government which must be defended and secured.

But where is the consistency in passing such a bill and in turn denying this challenge today? I cannot find it in the statute books. I cannot find it in the spirit of our law. And I cannot find it in the facts of this case.

I agree with the committee on one point: the House should make every effort to scrutinize all future elections with great care. But this certainly does not speak to the case before us today. It certainly is far from a sufficient response to the injustice which has occurred. For the fact is that more than 400,000 Negroes were kept from the polls in this last election. How many of them actually would have voted is problematical. But that they were purposely and effectively kept from the registration booths is beyond question.

Mr. Speaker, I am firmly opposed to dismissing this challenge, particularly on the technicality on which the committee bases its action. I believe that we should, and I urge that we do, defeat this resolution and return it to the committee for full public hearings and a decision based on the merits of the case. Only in this way can we insure that all of the citizens of Mississippi—white and Negro alike—are accorded their proper, basic, and constitutional right of participating in the selection of their representatives in this great House of all the people.

Mr. FRASER. Mr. Speaker, the issue now under discussion is without doubt one of the most important actions the 89th Congress will take. The challenge to the Representatives from the State of Mississippi is not only an internal question affecting the prerogatives of the House, but is a fundamental issue dealing with the right of all Americans to participate freely in the election of their representatives.

I do not believe that this body has given adequate consideration to all the questions posed by the challenge and for this reason I oppose the motion to dismiss the charges.

I believe that the challenge should be referred back to the House Administration Committee for additional hearings. Such hearings should more carefully examine the elections being contested and not just the question of whether the contestants had legal standing to bring their challenge. As the minority views of the report on House Resolution 584 state:

> Neither the precedents nor the requirement that only an opposition candidate can contest an election of a Member of the House were established to prevent contests under present circumstances.

Such a requirement, in my opinion, was almost impossible to meet in view of the widespread discrimination in Mississippi and the actions of its officials.

For these reasons, I urge the recommittal of the challenge to the House Administration Committee for open hearings.

Mr. ABBITT. Mr. Speaker, these contested election cases are most important. I strongly support the resolution now pending. As a member of the Elections Subcommittee of the Administrations Committee of the House of Representatives, I have looked into this matter carefully and painstakingly. I feel that it should be clear and beyond a shadow of a doubt that the statutes under which these contests were brought are not available to the contestants. It should be made crystal clear that in a contest for the seat of a Member of the House of Representatives, under the statutes, the contestant must have been a legal candidate in the election contest for the seat. The statutes under which these contestants are proceeding do not provide that a person not a party to an election contest is eligible to challenge an election under the statutes. Of course, there are other avenues open such as a resolution by a Member or a petition to the Congress.

I am convinced that the overwhelming majority of the subcommittee is in accord with the sentiments I have just expressed.

On January 19, 1965, this House passed the following resolution:

> Whereas James R. Frankenberry, a resident of the city of Bronxville, N.Y., in the Twenty-fifth Congressional District thereof, has served notice of contest upon Richard L. Ottinger, the returned Member of the House from said district, of his purpose to contest the election of said Richard L. Ottinger; and
>
> Whereas it does not appear that said James R. Frankenberry was a candidate for election to the House of Representatives from the Twenty-fifth Congressional District of the State of New York, at the election held November 3, 1964: Therefore be it
>
> *Resolved*, That the House of Representatives does not regard the said James R. Frankenberry as a person competent to bring a contest for a seat in the House and his notice of contest, served upon the sitting Member, Richard L. Ottinger, is hereby dismissed.

In 1940, there was a similar contest wherein one Miller was a candidate for the House of Representatives in Ohio against Representative KIRWAN in the primary. Our beloved colleague, Mr. KIRWAN was nominated and his opponent was not a candidate in the general election but attempted to contest the seat. The contest was disposed of by the House in 1941 by resolution reported in the CONGRESSIONAL RECORD, 1941, volume 87, part 1, page 101. The proceedings in the House at that time read as follows:

H. RES. 54

> Whereas Locke Miller, a resident of the city of Youngstown, Ohio, in the Nineteenth Congressional District thereof, has served notice of contest upon Michael J. Kirwan, the returned Member of the House from said district, of his purpose to contest the election of said Michael J. Kirwan; and
>
> Whereas it does not appear that said Locke Miller was a candidate for election to the House of Representatives from the Nineteenth Congressional District of the State of Ohio, at the election of November 5, 1940, but was a candidate for the Democratic nomination from said district at the primary election held in said district at which Michael J. Kirwan was chosen as the Democratic nominee: Therefore be it

Resolved, That the House of Representatives does not regard the said Locke Miller as a person competent to bring a contest for a seat in the House and his notice of contest, served upon the sitting Member, Michael J. Kirwan, is hereby dismissed; and no petition or other paper relating to the subject matter contained in this resolution shall be received by the House, or entertained in any way whatever.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. Speaker, these two cases are on all fours with the cases now before us. They are precedents that must and should be controlling. For this House to hold otherwise would be a travesty upon justice and in disregard of the law. The statute in question does not open up to anyone or any number of individuals for good or bad reasons the right to proceed under the statute to contest the election of any Member of the House but is confined exclusively to legitimate and legal contestants in the elections and rightly so.

In these cases, the sitting Members have been duly and legally elected under the laws of the State of Mississippi. They have been properly certified as the duly elected candidates by the Governor of the State of Mississippi. No fraud is charged, no wrong-doing is laid at the door of these Members. The contestants were not legal and legitimate contestants in the election. As a matter of fact, all the contestants participated in the primary and in the general election. Three of them were candidates in the primary and under the law were legally and morally bound to support the nominees of the Democratic primary which, of course, they have not done.

It is clear that the contestants are not proper parties to contest the election of these sitting Members from Mississippi. The statute is not open to them and the resolution should be unanimously approved.

Mr. ANDERSON of Illinois. Mr. Speaker, I shall cast my vote against the resolution to dismiss the five Mississippi election contests. I do so with the deep and abiding conviction that the procedures that have been employed in this case by the Elections Subcommittee of the House Administration Committee have not afforded the contestants the opportunity to which they are entitled under the statutes and under the precedents of this House to a full and complete hearing.

It is uncontroverted in the record here today that the subcommittee held but a single meeting from which the press was barred, the public was barred, and Members of the House Administration Committee who did not serve on the Elections Subcommittee were barred from attending. I am deeply disturbed at the implications carried by such procedures. The House should have nothing to hide in a matter of this kind, and I can think of no reason in the world why this should not have been a public hearing and why the amount of time necessary to completely go into all of the allegations of the contestants should not have been taken. I have consistently been critical throughout this first session of the 89th Congress of the efforts by the Democratic Party in the House to ram through legislation with inadequate hearings and with little or no opportunity given to the minority to even express their dissent or to offer perfecting amendments.

In a somewhat different context, we have witnessed once again here on the floor of the House this afternoon this same Democratic majority seek to accomplish the same objective with respect to these election contests. I could not condone such procedure in the case of a bill involving the establishment of a National Foundation for the Arts and Humanities, which was the bill considered on the floor of the House yesterday, nor can I condone it with respect to the matter which is before us today.

In all candor, Mr. Speaker, I would state that if the vote today were on the Ryan resolution to oust all of the Members of the Mississippi delegation from their seats here in the House, I would vote against it because I do not feel that as one of the Members of this body charged with the constitutional responsibility of sitting in judgment upon their right to hold their seats in this Congress that the facts have been developed on the public record which would entitle me to make such a decision. However, by the same token, Mr. Speaker, I do not feel that the Elections Subcommittee has conducted an adequate public hearing of this matter which would entitle me as a Member of this body today to vote to completely dismiss the challenges that have been filed.

Mr. BUCHANAN. Mr. Speaker, the Mississippi delegation to the Congress has been duly elected to this body, certified as elected by their State, and previously seated at the outset of the session by a vote of the House of Representatives itself.

To honor the request of those who contest these elections would not serve to gain representation for any person who claims to have been disenfranchised in the State of Mississippi but rather would remove from this body all representation for all of the people of Mississippi. It would be an act of retribution and a vengeance rather than a remedial action. Further, the outcome of not one of these elections would be changed even if the votes of all of those allegedly disenfranchised were added into the total vote. I, therefore, congratulate the committee for its recommendation that the contests be dismissed, and urge that House Resolution 585 be adopted by the House.

Mr. CLEVELAND. Mr. Speaker, my opposition to the resolution rests in substantial part on the same foundation which supported my vote and argument against dismissing the election contest against the gentleman from New York [Mr. OTTINGER]. That conflict was dismissed when a majority of the House voted to accept the contention of the majority leader that the person bringing the contest, not having been a candidate for that seat himself, was not legally competent to bring it. My arguments and those of the majority leader and others are set forth fully in the CONGRESSIONAL RECORD for January 19, 1965, page 952 et seq.

In the present case, as in the Ottinger case, the contention is being made that the persons bringing the suit or contesting these elections in Mississippi are not legally competent to do so because they were not themselves candidates in those elections. I believe the decision the House took in January in the Ottinger case was erroneous and contrary to statute. I believe the same argument applies in the present case.

On January 19, I quoted the applicable statute, 2 U.S.C. 201:

> Whenever any person intends to contest an election of any Member of the House of Representatives of the United States he shall—

The law clearly states "any person," not just a candidate, may bring suit to contest an election for the House. It is true that the House itself, under the Constitution, is the sole judge of its own membership and, in acting under this overall authority, it may be argued that the House in January, in the Ottinger case, overruled or rewrote, in effect, its own statute. If this were the argument, we would have to bow to the superior forces that can be mustered by the majority and let the matter go. But the majority is not making this argument; it continues to argue that a person must have been a candidate to contest an election for the House, an interpretation which I strongly believe is incorrect and contrary to both law and precedent. So, in fact, the majority's decision is a decision based on force of numbers and wrought solely out of the strength of its majority. This is rule by men, not law, then; and I strongly believe that it is wrong.

Consistent, then, with this view of affairs, consistent with my vote in the Ottinger case, and consistent with what I believe to be the law as well as what is right, I shall vote against the dismissal of this resolution.

Mr. ABERNETHY. Mr. Speaker, I wish to express thanks to those in the House of Representatives who have stood by the members of our delegation throughout this long ordeal. We have made this fight with limited funds against the heaviest kind of organized pressures and pressure groups. The so-called contestants have been well financed. They have resorted to every kind of misrepresentation, demagoguery and innuendo to press this illegal challenge. In fact, it has not been a challenge, Mr. Speaker. It does not have the first element of a challenge. It has been nothing less than a well-organized pressure effort to throw five duly elected Members out of their rightful seats in this body.

Mr. Speaker, I have not stolen any votes. I am not charged with any fraud. I am not charged with a violation of the Corrupt Practices Act. In fact, I am charged with nothing offensive to this body or to my fellowman.

No charges are made that I or any member of our delegation has failed to comply with the election laws, State or Federal. No one has challenged our qualifications to properly represent our

people, our State or our country. They simply ask that we be thrown out on the ground that someone else has allegedly violated the election procedures. And they have not proven this.

Oddly enough, Mr. Speaker, we were not the only persons elected in Mississippi on the election day last November. Presidential electors were elected that day. Their ballots were cast and counted in this very Chamber for the Republican nominee. They make no complaint about that.

A U.S. Senator was elected in that election. He was sworn and seated in the Senate. They make no complaint about that.

They make no claim to my seat, or to those of my colleagues. What would be gained, if their contest prevails and we are thrown out of this body? Every Mississippian would be a loser, including the so-called contestants. But, oh yes, these lawyers from New Jersey, New York, and numerous other places—150 or more in all—would become great heroes among the experts in the creation of chaos and confusion. That is their game and they play it well.

These so-called contestants make the contention that some people were denied the right to vote. As for themselves, they make no complaint at all. And they cannot make such. The facts are that each and every one of them offered to vote and did vote in the primary election. Several were candidates, some for House seats, another for the Senate. They make no complaint they were unable to get on the ticket. They cannot make such because the names of some of them appeared thereon, and they were defeated. They appear to be very poor losers, Mr. Speaker.

When defeated in the primary, they bound themselves to vote for the nominees. This is the law of our State. On the contrary they attempted to run as independents. They fully and completely failed to qualify as such.

They do not complain that they were denied the right to vote in the general election last November. They could not so complain because each and everyone of them appeared at the polls, requested, and received ballots, voted and dropped them in the ballot box and they were counted along with others so cast.

An election contest according to all precedents I have read is a well defined procedure by which no candidate seeks to try title to the office involved, claiming himself to have been elected. These people claim no right to these offices.

They were not candidates. Therefore, under each and every precedent of this body—Kirwan case in 1941, Peterson case in 1944, 71 challenged members in 1945 and the Ottinger case in January 1965—they are not qualified contestants. In the cases here cited, all of which are foursquare with these so-called contests, the claims of the contestants were rejected. And I submit, Mr. Speaker, this is the only action this House can take if it follows the precedents heretofore laid down by this body.

In closing, Mr. Speaker, I again wish to thank my friends. With your help I am confident of the outcome.

Mr. ROBISON. Mr. Speaker, since the House—according to the precedents—is acting as a court in considering the election contests against the present Representatives from the State of Mississippi, and as a court of last resort and of highest powers at that, I would presume that these remarks of mine might be considered as being in the nature of a dissenting opinion to that expressed by a majority of the Committee on House Administration.

I have followed the developments in this matter most closely, especially so because I was one of the 276 House Members voting in the affirmative on the previous question on House Resolution 1, of this Congress, when it was presented to us on last January 4.

In so voting, it was my understanding that I was not then making any decision as to the merits—whatever they might prove to be—of the contestants' case. In point of fact, I was not then in a position so to do by virtue of the fact that, along with most of my colleagues, I was not in possession of any information other than the news media reports to the effect that the election of the Mississippi Representatives might be contested and, as we all will recall, such debate as there was on House Resolution 1 was so limited as to be of no informational help whatsoever.

It was, therefore, my expectation that the contests would receive an adequate consideration, on their merits, after full and open hearings by the Committee on House Administration.

Regretfully, I must say that this expectation on my part has not been realized.

If anything of value can be gained from the report which accompanies the resolution now before us—House Resolution 585—it is that the majority of the committee has made a determination that the named contestants are not proper parties in a proceeding such as this. Seemingly—although the committee report is so ambiguous that even this point involves some speculation on my part—the dismissal recommendation here on the part of the majority of the committee is based upon the precedent supposedly established by the House earlier this year in dismissing a contest brought against the gentleman from New York [Mr. OTTINGER]. That particular dismissal—against which I voted—as the RECORD will show—rested upon the fact that the nominal contestant in the Ottinger case was not also a "contestant" for that Member's seat.

Having so voted in the Ottinger case, it would seem to me to be inconsistent for me now to vote for the summary dismissal of the Mississippi contests on the same narrow grounds, although I am frank to admit that the precedents of past House actions supposedly controlling on this point of who is or who is not a proper contestant in these cases leave much to be desired from the standpoint of consistency.

In any event, it is amply clear that the House is the final judge or arbiter over matters involving the election or qualifications of its own Members and that, as such, it is not a technical court of equity nor strictly bound by prior precedents or rulings.

The larger question to be resolved here, then, is whether or not the committee has considered these contests on their merits.

I cannot agree that it has, and I therefore am of the opinion that the entire matter should be returned to the committee for further consideration which, I would hope, would not occur until after adequate public hearings had been held.

I shall therefore vote, if given the opportunity, for a motion to recommit and, if that should fail, against House Resolution 585. I do so with a full awareness of the possibility that this could leave the presently seated Members from Mississippi in continuing doubt as to their status, and I regret this for they are my friends and I hold them—all—in the highest regard.

Mr. COLMER. Mr. Speaker, I am sure that it is not necessary to point out here that this is not a very pleasant situation in which your Mississippi delegation finds itself today. While we do not entertain the slightest doubt about the ultimate outcome, we find little comfort in the knowledge that this alleged contest has serious political implications on a national basis. At the same time, we must be realistic enough to recognize the facts of political life. We must take cognizance of the conflict of the political philosophy of ourselves and the handful here in the House leading the fight as well as those behind them. We must also take into consideration the tremendous pressure that has been brought upon the membership of this House by outside influences.

Mr. Speaker, I am confident that I bespeak the sentiment of my colleagues as well as my own when I state that there is no bitterness or resentment on our part toward any of our colleagues. Their decision in this matter, as in all others which confront them, is one for their own discretion and conscience.

But, Mr. Speaker, I cannot refrain from deploring some of the tactics and the operations that have been used by those, outside of the Congress, who deliberately conspired to bring this action to deny my State representation in the House of Representatives. It must be obvious to all fair-minded people, familiar with this matter, that this action against my State was but a part of an overall conspiracy. In fact, it has been admitted by the representatives of some of these organizations that Mississippi was to be used as the pilot; and, if successful, they would then move in on other States of the South.

It would be difficult to make anything like an accurate appraisal of the money that has been spent, not by Negroes of Mississippi but from out of the State, in this effort. I am confident that it was not less than $1 million.

Mr. Speaker, we who have the honor of representing Mississippi in this Chamber have a combined service of more than 100 years. I alone have the honor of having been a Member of this body for some 33 years. We have endeavored during our service here to deport ourselves with honor and dignity and to legislate for the best interest not only of our State, but what we conceive

to be the best interest of the Republic. But, Mr. Speaker, no one recognizes more than we that we are expendable. It little matters so far as the maintenance of the dignity and perpetuation of this Congress is concerned whether we remain or go. But, Mr. Speaker, the maintenance, stability, and dignity of this House as an institution is important. If the membership of this body is to be subjected to this type of procedure, where the whole delegation of a sovereign State can be successfully challenged by some nebulous political group, then the very foundation of the Congress would be destroyed. In fact, as we pointed out to the committee, sufficient Members could be challenged under such a precedent, where there were no bona fide contestants, to paralyze and make inoperative the whole Congress.

Mr. Speaker, for the RECORD, I should like to submit the following opening statement made by me on behalf of the Mississippi delegation in the hearing before the subcommittee when this alleged contest was considered by that group:

STATEMENT OF CONGRESSMAN WILLIAM M. COLMER BEFORE THE ELECTIONS SUBCOMMITTEE OF THE COMMITTEE ON HOUSE ADMINISTRATION, U.S. HOUSE OF REPRESENTATIVES, SEPTEMBER 13, 1965

Mr. Chairman, members of the subcommittee, in view of the fact that the counsel for the Mississippi delegation in this alleged contest has been appointed by President Johnson as a member of the fifth circuit of the U.S. Court of Appeals and has assumed that position, we will present our own case. And while there are five separate contests, there is in fact but one issue. We will therefore discuss the purported contests en bloc. In the absence of the benefit of counsel we have divided the 1½ hours allocated to us for discussion among the five of us. Not because of any particular or superior ability but I assume because I am the dean of the Mississippi delegation, I have been selected to make the opening statement.

HISTORICAL

It might be well to state in the beginning what happened in the 1964 election, which is here attempted to be challenged. Mississippi held its primaries on June 2, 1964. In the Democratic primary held on that date all five of Mississippi's House Representatives were, of course, up for renomination, as well as its junior Senator, JOHN C. STENNIS. All four of my colleagues, to wit, THOMAS G. ABERNETHY, JAMIE L. WHITTEN, JOHN BELL WILLIAMS, and former Congressman Arthur W. Winstead, as well as myself and Senator STENNIS were renominated in that primary.

In that primary election, Congressman ABERNETHY had no opposition and he, therefore, was duly declared the Democratic nominee. Congressman WHITTEN was opposed by one Fannie Lou Hamer. WHITTEN was declared the Democratic nominee. In the Third District, Congressman JOHN BELL WILLIAMS was opposed by one J. M. Houston, a Negro. WILLIAMS was declared the Democratic nominee. In the Fourth District, our former colleague, Arthur W. Winstead, was opposed by two opponents but received a majority of the votes and was declared the Democratic nominee. In the Fifth (COLMER district), COLMER was opposed by three opponents, two of whom were of the white race and one of the Negro race. In this spirited contest COLMER received a majority of the votes and was declared the Democratic nominee.

In the statewide race, Senator STENNIS was opposed by one Victoria Jackson Gray, also of the colored race. Senator STENNIS received an overwhelming majority of the votes and was declared the Democratic nominee for the Senate.

In the 1964 general election neither Congressmen ABERNETHY, WHITTEN, WILLIAMS, nor COLMER had an opponent. The four of us were, therefore, duly certified to the Clerk of the U.S. House of Representatives by the duly authorized Governor and secretary of state of Mississippi as the duly and legally elected Representatives from the State of Mississippi as witnessed by the Honorable Ralph Roberts, Clerk of the U.S. House of Representatives, as was also Hon. PRENTISS WALKER, a Republican, who had defeated former Congressman Arthur Winstead in the said election.

MOCK ELECTION

However, a self-styled Freedom Democratic Party group held what they were pleased to term "freedom elections" in the Second (WHITTEN), Fourth (WALKER), and Fifth (COLMER) Districts. These were nothing but mock elections, tantamount to straw votes, and were held without any sanction of law and conducted over a period of 4 days, from October 30 to November 2. They were conducted by private individuals. No list or other data was filed with State authorities or, for that matter, has been filed in this alleged contest to show who participated therein; or whether they were qualified electors.

It should also be pointed out here that in the Second District, Fannie Lou Hamer, who was a candidate in the primary against Congressman WHITTEN, was also a candidate in the mock election against Congressman WHITTEN. Likewise, the said Victoria Jackson Gray was a candidate against Senator STENNIS in the primary and then was a candidate against Congressman COLMER in the mock or straw vote election.

Under Mississippi law, one cannot be unsuccessful as a candidate in a primary and run later in the general election. Thus, both the said Hamer and Gray were estopped under the law from running in the general election even had they so desired.

NO CONTEST WITHOUT A CONTESTANT

The one thing that I desire to emphasize and reemphasize before further discussion is that in order for there to be a legal contest in the House of Representatives there must be a legal, bona fide contestant. The books are full of cases bearing out this fact. Even the old precedents relied on by the opposition here, if fully revealed, disclose that even in those cases there were contestants and the decisions, regarded by them as favorable, were reached upon other grounds such as fraud, riots, and so forth.

It will be noted from the notice of the intent of the opposition to contest the seats of the incumbents, that they proceeded upon this theory. In other words, they elected to proceed under section 201, title 2, United States Code, requiring a legal contestant. That is, a contestant who had been unsuccessful in an election against a contestee. They subsequently attempted in their brief to change their procedure. But having made their selection, they are bound by it, although they now admit that they are not contestants in the light of the statute.

We repeat there cannot be a contest without a bona fide contestant.

Time will not permit me to recite the many precedents substantiating this fact but I do want to briefly call the committee's attention to two recent cases:

THE KIRWAN CASE

Locke Miller was a candidate for Congress against Representative KIRWAN in the Democratic primaries of 1940. Mr. KIRWAN was nominated. Mr. Miller was not a candidate in the general election but attempted to contest the seat. On these facts, the House resolved that it did "not regard the said Locke Miller as a person competent to bring a contest for a seat in the House and his notice of contest, served upon the sitting Member, Michael Kirwan, is hereby dismissed."

The entire language of the House resolution appears at page 952 of the CONGRESSIONAL RECORD for the present session of Congress, where it was printed at the request of the majority leader, Mr. ALBERT.

THE OTTINGER CASE

Subsequently and to wit on January 19, this year, this principle was reiterated in this House. In the Ottinger case, a Mr. Frankenberry, who was not a candidate in the general election (incidentally, the same general election in which the Mississippi delegation was elected) sought to contest the seat of Representative OTTINGER who had been declared elected. The House on a recorded vote last January upheld the contention of Mr. OTTINGER that in view of the fact that Mr. Frankenberry had not been a candidate in the general election, he was not a fit person to contest the election and Mr. OTTINGER was seated.

With no desire to make comparisons by which Congressman OTTINGER might suffer, I point out that the case against Mr. OTTINGER was a stronger case than against the Mississippi delegation. For the record will disclose that there were charges amounting to violation of the election laws concerning the amount of money that could be expended. In our case, not one suggestion of the faintest nature has ever been mentioned of irregularity or fraud in our election.

CLAIM ILLEGALITY MISSISSIPPI ELECTION LAWS

In their scattergun attempt to make a case against the Mississippi delegation, the charge was made that the Mississippi election laws under which the delegation was elected were illegal and unconstitutional in that they violated the compact of 1870 which readmitted Mississippi to the Union. If this contention be justified then it is common knowledge that every State in the Confederacy, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Texas, and Arkansas, as well as Mississippi, are in the same position. Assuming that these States were out of the Union (the Supreme Court of the United States in *Texas* v. *White*, 1869, held that they never were out), for the sake of argument, all of the Representatives from these States in the Congress since 1870 must be considered also as illegally elected.

Do the proposed contestants here expect to unseat all of the present Members from these States if successful in the Mississippi case?

As a matter of fact, if this be true then I have been serving illegally in this House since 1932, a total of 33 years. And the same goes for Congressmen ABERNETHY, WHITTEN, WILLIAMS, and WALKER, who have a combined service of 67 years. If this were followed to its logical conclusion, what effect would such a decision have upon the laws that have been enacted by the Congress while all of these Representatives and Senators from these States have been serving illegally over these many years?

COURTS ARE ARBITERS OF LEGALITY OF STATE LAWS

As a matter of fact, all of the precedents are to the effect that the courts are the proper tribunal to decide the legality of election laws. The House without debate in a South Carolina case (*Dantzler* v. *Leaver*, 2 Hinds, 1137, p. 742) upheld its Committee on Elections which said, "The South Carolina constitution of 1895 contained educational and property qualifications. Contestant contended that even if he was not elected the contestee should be unseated. The committee pointed out that Virginia, North Carolina, Georgia, Florida, Alabama,

Mississippi, Louisiana, Texas, and Arkansas were in identically the same position as South Carolina and that if one were unseated for this reason all Representatives from these States would likewise have to be unseated, and the seats would have to remain vacant until new constitutions could be adopted and new laws enacted." The House agreed and seated the contestee. There are numerous other precedents to the same effect. (*Houston* v. *Broocks*, 1 Hinds, 643, p. 854.)

MOOT QUESTION

To be realistic and to blueprint the exact situation here, we assert that this whole question has become a moot one and is no longer worthy of consideration. In substantiation of this statement we remind the committee of the following facts:

1. Congress has only this year passed the so-called voting rights bill which in fact nullifies all of the election laws of the State of Mississippi (as well as other States) of which the purported contestants complained.

2. The State of Mississippi has, by amending its constitution, repealed all of the laws affecting voting rights of which complaint here is made.

3. To all intents and purposes this purported contest was settled on January 4, 1965 (CONGRESSIONAL RECORD, p. 19) when the House on motion of the majority leader, Mr. ALBERT, by a rollcall vote authorized the Speaker to administer the oath of office to the Members (here contested) of the Mississippi delegation. The resolution so authorizing the Speaker was as follows:

"*Resolved*, That the Speaker is hereby authorized and directed to administer the oath of office to the gentlemen from Mississippi, Mr. THOMAS G. ABERNETHY, Mr. JAMIE WHITTEN, Mr. JOHN BELL WILLIAMS, Mr. WM. M. COLMER, and Mr. PRENTISS WALKER."

It would appear that those pushing this so-called contest apparently are following their usual role where they prefer the issue to the objectives they claim to seek.

FAR-REACHING IMPLICATIONS

Mr. Chairman, it is inconceivable that this House, notwithstanding all of the political pressures that have been, is being, and will be exercised by those who have conspired to deny the great State of Mississippi of its representation in the House of Representatives, will fail to withstand this type of an attack upon its Members and the dignity of the House itself. Is it unreasonable to assume that if the efforts of this self-styled Freedom Democratic Party should prevail, the very stability of the House of Representatives as a dignified legislative institution will be undermined. Is it unreasonable to assume that any group in any State, North, South, East, or West, could challenge any Member or any State delegation if this precedent should be set. Today it is the Freedom Democratic Party in Mississippi. Who can say that tomorrow it will not be the Ku Klux Klan, the Black Muslims, or any other organization in any other State of the Union who would be encouraged to do likewise? Yes, it is conceivable that a conspiracy on a national level could disrupt and stop the functioning of the Congress if such a precedent was once established.

On January 19th, discussing this matter in another case, the gentleman from Oklahoma, the distinguished majority leader, Mr. ALBERT, said among other things the following:

"If the contention of the gentleman is correct, there is no limit to the number of individuals who could contest any seat in this House, if the contest were brought in due time.

"I wish to quote from the statute. I have already quoted from the precedent of the Kirwan case. I say to the gentleman that it was intended that this case be limited to those who participated in the election, to one of the candidates in the election.

"I say that the Congress never intended to give unqualified authority, pell-mell, under this statute, to individuals, to good people or to bad people, to contest any Member's seat, for good reason or otherwise."

CONCLUSION

Finally, Mr. Chairman and members of the committee, we are asking you to uphold the dignity of the House; to stop the highly organized and burdensome harassment of your Mississippi delegation as well as the harassment of all of the Members of the House, by this well organized, well financed group conspiracy.

We respectfully but firmly request that these alleged contests be forthwith dismissed.

Mr. WHITTEN. I wish to say we all are deeply indebted to those of our friends who were helpful in handling of this matter before the committee and in voting to dismiss the pending challenge. In that connection, I would like at this point to show for the permanent record that none of the so-called contestants were candidates in the 1964 elections. In fact, three of them were candidates in the Democratic primary which, under section 3129 of the Mississippi Code, would bind them to support the nominee of the primary and would make them ineligible to be candidates in the general election in November.

Mr. Speaker, while it has not been called to the attention of the House during the debate, when our counsel, former Gov. J. P. Coleman, was appointed to the U.S. Court of Appeals, it fell to the lot of our delegation to complete the handling of the matter of these so-called contests against Mississippi before the Committee on House Administration, including the argument. As I pointed out in the closing argument, before the committee, the so-called contestants agreed they were now making no claim to any seat held by the present Members. This statement was concurred in by their counsel on Wednesday of this week; but they agreed that what they wanted was to have the seats declared vacant, thus leaving our State without representation.

In view of this, Mr. Speaker, I would candidly point out that there was, in fact, no basis for the contest from the outset, and under all precedents the matter should not have reached the point that it has here. Also, may I say we were asked to file the motion to dismiss these so-called contests, to prevent further harassment of the membership of the House.

Mr. Speaker, the Governor of the State of Mississippi, on November 10, 1964, certified to the Clerk of the House of Representatives that each of the present Members of the Mississippi delegation had been elected to a 2-year term in the general election of November 3, 1964. Each of the Mississippi Members was duly sworn in as a Representative in the Congress from Mississippi on January 4, 1965—House Journal, January 4, 1964, 1st session, 89th Congress.

Mississippi Members of the House thereafter were assigned to committees and have been performing their general duties as Members of the House since said date of January 4, 1965.

It is to be noted that nowhere in all the allegations of the "notice of contest," or in the brief subsequently submitted by the so-called contestants, is there any charge or allegation that any Member of the Mississippi delegation participated in or had any knowledge of fraud.

Section 5 of the Constitution, which reads, "Each House shall be the judge of the election returns and qualifications of its own Members," is fully controlling and there can be no question but what the House is the sole and only judge of matters covered in such constitutional provision. In the exercise of its rights and duties, the House sets up rules for itself and, under such section, the House has recommended and Congress has passed statutes which provide for specific methods for instituting of contest as to title to a seat in the House—title 2, United States Code, sections 201–226. Though we might agree that the House has not always held these statutes as an absolute and binding force, it does regard them as a sound rule.

Thus, on that basis the question here is not one of what the House could do but of what in the exercise of its sound judgment it should do. Certainly to follow the rule and dismiss the pending so-called contest would be sound in this instance because the claimed contestants were not candidates in the general election but attempted to bring themselves within the purview of the statute to the point of using its provisions to their advantage.

Though there are various methods of contesting a seat, which have been used in prior years, the House may adjudicate the question of whom to seat in each of the four following questions:

1. In the case of a contest between the contestant and the returned Member of the House, instituted in accordance with the provisions of law.

2. In the case of a protest or memorial filed by an elector of the district concerned.

3. In the case of a protest memorial filed by any other person.

4. On motion of a Member of the House.

These are from Cannon's Precedents of the House of Representatives, volume VI, section 78, page 111.

The so-called contestants in the instant cases elected to proceed under the statutory provisions of title 2, United States Code, sections 201–226—see origin notice of contests, "notice of intention to contest election pursuant to title 2, United States Code, section 201."

In choosing to proceed under title 2, United States Code, section 201, the contestants secured to themselves certain rights of procedure under such statutes:

First. Each so-called contestant had the right to apply for issuance of subpenas to any judge of any court of the United States, any chancellor judge or justice of the court of record of any State, any mayor, recorder, or intendant of any town or city.

Second. By following the statutory procedure, the so-called contestants had a right to have such officer to issue his return of subpena, direct it to all such

witnesses as shall be named to him, requiring their attendance before him at some time and place named in the subpena, in order to be examined regarding the respective election.

Third. By consent in writing the so-called contestants had the right to take depositions without notice and by such written consent to take depositions before any officer or officers.

By following such statutory proceeding any witness who failed to attend within the county is subject to forfeit a cash penalty or is liable for indictment for a misdemeanor and punishment by fine or imprisonment.

The so-called contestants claimed other rights applicable by reason of following the statutory procedure, all of which is shown by title 2, United States Code, sections 201–226. As stated, while there is no question about the House of Representatives having the power to do as it pleases in the matter, certainly it would be sound in the exercise of its discretion for the House to require that the so-called contestants having chosen to claim the benefits of such statutory proceedings must follow the requirements of such statutes.

At the threshold of this presentation we are confronted with the indisputable fact that on November 3, 1964, a general election was held in the State of Mississippi on the date prescribed by Federal law. In this election the people of Mississippi voted for a U.S. Senator, for presidential electors, for certain State officials, as well as Members of the House. The contestants raise no claim that this election was conducted any differently or under any different circumstances to those similarly held for the past 60 years, and about which there has been no contest in the Congress or elsewhere.

The presidential electors elected in this election cast their ballots for President. The alleged contestants raised no claim that the election of the electors was invalid or that their votes for President were invalid, even though elected in the same election with the same votes and under the same circumstances as were the Mississippi House Members.

The candidate elected to the U.S. Senate in that election was sworn, seated, and like the House Members is now serving. These alleged contestants have raised no claim that the election of the said Senator was invalid, even though he was elected in the same election as were the Members of the Mississippi House delegation.

In the case of Congressman THOMAS G. ABERNETHY, First Mississippi District, no one made an effort to qualify in either the primary, the general election, nor was a local election held. Certainly there is no basis for any showing whatsoever that any action by the House would change the outcome of such election.

In the case of Congressman JAMIE L. WHITTEN, Second Mississippi District, it is to be noted that in the notice of intent to contest election pursuant to title 2, United States Code, section 201, the said Mrs. Fannie Lou Hamer stated she was a candidate in the regular Democratic primary of June 2, 1964, and that she was overwhelmingly defeated in such primary election by a vote of 35,218 to 621—page 1, notice of intention to contest election, pursuant to title 2, United States Code, sections 201–226.

Said so-called contestant further alleged in her said notice that following her contest in the Democratic primary election she attempted to place her name upon the ballot in the general election as an independent candidate. For the name of the said so-called contestant to have been placed on the general election ballot after defeat in the primary election would have been in violation of section 3129 of the Mississippi Code of 1956, as was held in the case of *Ruhr* v. *Cowan*, 146 Mississippi Reports, 870–112 So. 386. Most States have similar statutes.

In the so-called notice to contest, the said Fannie Lou Hamer goes further and alleges as follows:

> I then ran as a candidate for a seat in the House of Representatives from the Second Congressional District in the "freedom election" held in Mississippi from October 30 to November 2, 1964, in which said election all citizens who had the qualifications required by Mississippi law were permitted to participate without intimidation or discrimination as to race or color. In that election I received a total vote of 33,009 while you received only 59. Accordingly, in addition to contesting your purported election I will upon the basis of the "freedom election" claim the seat in Congress from the Second Congressional District of Mississippi.

Of course, this mock election, if actually held, has no standing whatever. It is to be noted, however, that said Fannie Lou Hamer claims she received less votes in the mock election than the 70,218 votes received by Congressman WHITTEN in the general election, when he had no opponent.

Thus, it is evident that, accepting all the claims of the said Fannie Lou Hamer about her 4-day election in which she avers everyone she considered qualified was permitted to vote, the said Fannie Lou Hamer claims to have received less than half the votes Congressman WHITTEN received in the general election and less than he received in the primary. Under all her allegations, it is evident that the outcome of the election would in no way have been changed.

In the Third Congressional District, while JOHN BELL WILLIAMS was opposed by one J. M. Houston in the Democratic primary, said Houston disappeared from the picture and neither of those who attempt to contest Congressman WILLIAMS' election attempted to qualify, were candidates in the primary, nor were they candidates as Republican or independent in the general election. Although there was no election of county and municipal officials in 1964 and though Mr. WILLIAMS had no opposition, 84,305 voters went to the polls and took the trouble to mark their ballots for him.

In the Fourth District there was a contest between Mr. PRENTISS WALKER, Republican, and former Congressman Arthur Winstead, Democrat. Mr. WALKER, Republican, received 34,684 votes, winning the election, and was duly certified by the Governor as the winner. In this district the claimed-to-be-contestant, Mrs. Annie Devine, states that they, too, held a mock election where all all citizens who had the qualifications required by Mississippi law were permitted to participate. The said Mrs. Annie Devine claims to have received only 9,067 votes. It is apparent on the face of this statement that no action taken by the House of Representatives could in any way change the outcome of the election in that district.

In the Fifth Congressional District, Congressman WILLIAM M. COLMER was unopposed by any of those who have instituted contest against his election. Mrs. Victoria Jackson Gray, who attempts to contest his election was actually a candidate in the Democratic primary in opposition to Senator JOHN C. STENNIS. It might be of interest to note she received only 4,703 votes as compared to 173,764 votes for Senator STENNIS. As already pointed out, by qualifying as a candidate in the Democratic primary Mrs. Gray pledged her support to those nominated in that primary. However, Mrs. Gray alleges in her notice of contest under the statutes that a mock election was held for 4 days in the Fifth District and states that she received only 10,138 votes in such mock election. Congressman COLMER, running unopposed and in a year in which county and municipal offices were not involved in election, received votes from 83,120 persons who went to the polls and took the trouble to mark their ballot for him.

Thus, it is to be seen that under all the allegations by the so-called contestants there would be no change in the outcome of the election and that the Members duly certified and approved by the Congress in its resolution on January 4, 1965, as Mississippi Representatives in the Congress should retain their seats.

Now, while "each House shall be the judge of the election returns and qualifications of its own Members," the House has the further obligation of discharging the many other constitutional duties and obligations of this body, such as providing for raising and collecting of taxes, to appropriate money for operations of the Government, and, of course, take its part in providing laws for the operations of the country, determine and adopt rules for its own proceedings, and so forth, all of which as a coordinate House of the legislative branch it must do to maintain the Congress as one of the three equal and coordinate branches of the Government, legislative, judicial and executive.

What action the House should take in the instant case must be considered in line with the other obligations for the orderly handling of the business of the House. It is acknowledged that the House has an obligation to all persons, the public, all candidates, its Members; but its primary obligation is to protect its own integrity, which means it must protect the right and opportunity of its Members to work, that it may perform its function and maintain its place in our Government. An equal of the Senate and together with the Senate, it must remain one of the three coordinated branches as mentioned before.

Now, as to why this committee and the House should dismiss the proceedings here, subsequent to the filing of notice to contest under the statutes, it is to be noted at this point, on page 1 of their answer to the purported contest each of the Representatives in Congress from Mississippi pointed out that the affidavits of service were defective and for this reason "your purported contest should be dismissed and by its own terms your purported contest is not a contest." Further, it is to be noted that on page 3 each of the Mississippi Representatives in Congress set out additional reasons the purported notice of contest should be dismissed and, further that "all other rights are reserved."

This so-called answer was filed by the Mississippi Representatives, that they not be in default of orderly procedures of the Congress.

Beginning on January 27, 1965, attorneys for the claimed-to-be-contestants began a series of hearings throughout the country.

Title 2, United States Code, enacted in 1851, under which the contestants elected to proceed, permits the holding of any number of hearings at any number of places at the same time. Proceeding under such statutes 125 lawyers, apparently well-financed, held hearings all over the United States. As many as 12 hearings were conducted during identical hours in as many as 8 States from Connecticut to California. Quite evidently the Members of the Mississippi delegation could not hope to attend or provide lawyers for all these hearings, though with only brief notice lawyer friends were able to attend some hearings.

A partial list of the hearings and the dates on which they were held follows: January 27, Canton; January 28, Natchez; January 29, Natchez, Jackson, Greenwood; January 30, Greenville, Jackson, Greenwood; February 1, Jackson; February 2, Meridian, Holly Springs, Clarksdale, Palo Alto, Calif.; February 3, Holly Springs, Gulfport; February 4, Clarksdale, Moss Point, Magnolia, Greenville, Meridian, Vicksburg; February 5, Columbus, Magnolia, Greenwood, Greenville; February 6, West Point, Magnolia, Cleveland, Tylertown; San Jose, Calif.; San Francisco, Calif.; Berkeley, Calif.; February 8, Charleston, Laurel, Natchez, Aberdeen, Canton, West Point, McComb, Magnolia, Tylertown; February 9, Laurel, Batesville, Aberdeen, West Point, Greenwood, McComb; February 10, Canton, Indianola, Batesville, Hattiesburg, Liberty, Brandon, Charleston; Philadelphia, Pa.; Detroit, Mich.; Stanford, Calif.; February 11, Indianola, Holly Springs, Hattiesburg, Starkville, Batesville; Chicago, Ill.; Philadelphia, Pa.; New Haven, Conn.; New York, N.Y.; Washington, D.C.; Buffalo, N.Y.; Berkeley, Calif; February 12, Jackson; Philadelphia, Pa.; Boston, Mass.; Newark, N.J.; Washington, D.C.; February 13, Canton.

Members of Congress could not hope to meet such a massive attack. Reimbursement by the Congress is limited to $2,000 to cover expenses and attorneys' fees.

These hearings have been supplemented by the circulation of petitions throughout many areas of the country. A large delegation from all over the country moved on Washington in late June and called on practically all Members of Congress. Most of these individuals were under voting age and made strong demands to unseat the Mississippi delegation, though they showed no knowledge of what was involved. In addition, there was a sit-in staged in the office of the Clerk of the House on June 19. Further efforts to move in on the Congress came on August 9, 1965; and, according to the press, there have been threats to move in on the floor of the House and actually displace Members of Congress from their seats. There can be no doubt but what a major purpose of this attack is to create dissension and turmoil.

It might be well to note that any individual or any group, conservative, radical, or otherwise, Communist or non-Communist, could create the same situation with regard to any delegation; and if the House of Representatives went along with any such efforts it would, in effect, cause the House to destroy itself from within.

In accordance with the requirements of the statute, the Clerk of the House examined the material compiled in connection with the numerous hearings and determined as follows:

> The testimony in this matter is of such admixture of papers in relation to the five congressional districts in the State of Mississippi that it was impossible for the Clerk to determine to which congressional district the testimony applies. He finds that said testimony failed to comply with sections 203, 209, 218, 221, 222, and 223 of title 2 of the United States Code.

Should a citizen, an elector, a noncandidate be permitted to carry a duly elected Member through such an ordeal as has the Mississippi delegation without any sworn statement, any security for cost? The House has always said no.

It is well to cite here section 290 of Jefferson's Manual to show why the House so jealously guards for its own integrity the freedom of its Members from court orders, and so forth. If it did not do so, enough Members could be arrested or summoned, particularly by a national organization like the National Lawyers Guild, to prevent the very organization of the House itself. I quote:

> This privilege from arrest, privileges, of course against all process the disobedience to which is punishable by an attachment of the person; as a subpena ad respondendum, or testificandum, or a summons on a jury; and with reason, because a Member has superior duties to perform in another place. When a Representative is withdrawn from his seat by summons, the 40,000 people whom he represents lose their voice in debate and vote, as they do on his voluntary absence; when a Senator is withdrawn by summons, his State loses half its voice in debate and vote, as it does on his voluntary absence. The enormous disparity of evil admits no comparison.

Thus it is that the Mississippi delegation must be permitted to discharge their duties as Members of Congress, free of the present harassment.

If this motion to dismiss were to fail, and if our elections are to be set aside on the general allegations of any individual or group, the House of Representatives would be faced with setting aside the elections in numerous States, for the Attorney General testified before the Judiciary Committee in support of the changes in Federal law that there were many States, which he listed, which had various restrictive provisions as to voting qualifications and the Congress itself included many States as coming within the provisions of section 3, whereby the Attorney General could send in Federal registrars.

As you can readily see, we are up against a well-organized, well-financed national effort by well-known national organizations. To learn more of their background you might wish to read the CONGRESSIONAL RECORD of February 3, 1965, pages 1943–1953. You will see we have been dealt with by experts.

My colleagues, if you do not act now to put an end to this type of thing, you and all Members of Congress may be subjected to the same situation, which would not only place heavy financial burdens upon you and other duly elected Members but would completely destroy the legislative processes of the House of Representatives.

Mr. LOVE. Mr. Speaker, a very careful consideration of the entire problem before us today, including the report and recommendations of the House Committee on Administration causes me to observe that, on a strict legal basis, the committee appears to be correct. Yet, for reasons hereinafter stated, I shall vote for recommittal.

It is much like the filing of a general demurrer in a lawsuit. The demurrer to a petition says in effect that everything in the petition is admitted as true, but the petitioner still has no cause of action. This is the position in which the contestants find themselves in the Mississippi case before the House. There was no opposing candidate running in four of the five congressional elections held under the same laws that elected presidential electors and a Senator. And, the challengers had no claim to election as they came into being through an unauthorized election which lasted 4 days and was even more one-sided than the election which sent our five Mississippi Representatives to the House.

It is the responsibility of the House to sit as judges much like we would be required to do if impeachment proceedings were brought against a President. There is no appeal.

The crux of the matter is simply this: If the qualifications of a Member of the House can be brought into issue by reason of an election which disfranchises some part of the electorate contrary to the Constitution of the United States, then our body has not acted fully and completely by making a report and a recommendation for dismissal based solely on technical grounds after a 3-hour executive session by the Committee on House Administration which had considered the notices of contest.

The people of Mississippi, even those who are alleged to have acted improperly—yes, the people of the entire country deserve to have their day in court—the court of representative government,

in this case, the House of Representatives of the United States. Only a full and complete public hearing before the appropriate committee of the Congress would satisfy those who deplore disenfranchisement and cry for justice.

So, as a judge, I would say, "Demurrer overruled." Let us try the case on its merits and bring out all the facts even though the probable end result will be dismissal. If the evil of disfranchisement is ever to be eradicated from the American scene, the need is to dramatize the facts so that all persons will know that some American citizens were denied their constitutional rights.

For these reasons, I support recommittal and, if this fails, I shall vote against the resolution, as amended, particularly since the amendment strikes from the resolution that the five Congressmen were "entitled to their seats." This just makes the resolution more technical and would make final action, if the resolution were adopted, nothing more than a refusal to meet the issue at this time.

If, perchance, these remarks fall into the hands of some of my constitutents who find me a bit legalistic—somewhat judicial—may I remind them that today was the first time my duties required me to sit as judge and jury.

Mr. ALBERT. Mr. Speaker, will the gentleman from Texas yield to me for the purpose of offering an amendment?

Mr. BURLESON. Mr. Speaker, I yield to the distinguished majority leader.

AMENDMENT OFFERED BY MR. ALBERT

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

The Clerk read as follows:

Amendment offered by Mr. ALBERT: On page 2, line 1, after the word "dismissed" insert a period and strike out the remainder of the resolution.

The SPEAKER. The gentleman from Oklahoma is recognized.

Mr. ALBERT. Mr. Speaker, the purpose of this amendment is to make this resolution conform to the problem which is before the House. I hope and trust that the amendment will be adopted and that the resolution as amended will be enacted.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield briefly on the amendment to the gentleman from Georgia.

Mr. DAVIS of Georgia. I rise as a member of the Subcommittee on Elections of the Committee on House Administration, and as one who has devoted most of his time since Monday morning to this question. I wish to say that it has been truly said that we are sitting as a court, and what we are really doing is framing the order of the court that we will render today, sitting in judgment on this question.

The amendment which the majority leader has offered will simply delete that portion of the resolution which says: "and that the said Members from Mississippi are entitled to their seats as Representatives of said districts and State."

Regardless of how one may feel on the question of whether they are entitled to their seats, I submit that the wording, in all intellectual honesty, is appropriate only after a hearing on the merits. It is not appropriate when one dismisses a petition without hearing the merits.

I therefore support the amendment. I say that a simple wording of dismissal is appropriate. Any more is mere gratuitous recital.

Mr. ALBERT. I thank the gentleman from Georgia.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the distinguished minority leader for the purpose of debate on the amendment.

Mr. GERALD R. FORD. Mr. Speaker, I agree with the amendment offered by the gentleman from Oklahoma, the distinguished majority leader. I hope it will be approved.

In my judgment the words which are now sought to be stricken should not have been included in the resolution in the first instance.

This is a way, and a proper way, for us as a body, as the House as a whole, to remedy the situation.

The approval of the resolution with this amendment will mean that the House of Representatives on this occasion at this time is in effect taking a very limited action; we are dismissing the petition. We are taking no other action.

I believe the House is intelligently working its will on the basis of a recommendation made by the Committee on House Administration. The House, on the other hand, retains jurisdiction for any other aspects of this dispute which might properly come before it. As other facts are developed, if they are, the House can, and I am sure will, intelligently and constructively work its will.

I have confidence in the action today. I am just as confident that the action in the future will be constructive.

I conclude with the observation that there are those among us here this afternoon who would want to go off in one direction to an extreme and there are those who would want to go to the opposite extreme. The vast majority of the Members of this body on both sides of the aisle, in my judgment, will take a constructive and proper course in the solution of this dispute.

I urge the adoption of the amendment.

Mr. ALBERT. I thank the gentleman.

Mr. Speaker, as I said at the beginning, this amendment is to make the action under this resolution conform to its purposes and to restrict it in that regard.

May I say, Mr. Speaker, in that connection, that the action of the committee in bringing this resolution here has been appropriate. The gentleman from New York, my good friend [Mr. RYAN] announced, if I am not mistakenly informed, that he would call up a resolution to vacate the seats of the members of the Mississippi delegation if the committee did not act within a reasonable time. I understood he was going to call it up on the 21st. The committee has acted expeditiously, as the committee had to act if it was going to act at all before the gentleman from New York brought up his resolution. We are limiting and conforming this resolution to the problem that is before us, and I urge its adoption.

Mr. Speaker, I yield to the gentleman from California [Mr. ROOSEVELT] for a unanimous-consent request.

Mr. ROOSEVELT. Mr. Speaker, I simply rise to point out to my colleagues, while I support the amendment of the very able majority leader, he makes it clear that there is now no question of substance; and therefore, I shall support the motion to recommit so that there may be an opportunity for a substantive vote.

Mr. BURLESON. Mr. Speaker, will the gentleman yield to me?

Mr. ALBERT. I yield to the chairman of the committee.

Mr. BURLESON. Mr. Speaker, I support the amendment offered by the distinguished majority leader. I feel it is proper under the circumstances, and I hope it will be adopted.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURTON] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. BURTON of California. Mr. Speaker, in light of the statement by the gentleman from Georgia [Mr. DAVIS], the record is unchallengeably clear that neither the House Administration Committee nor the Members of this House, if the committee's resolution is adopted, have judged this challenge on its substantive merits.

The adoption of the amendment by the majority leader, Mr. ALBERT, clearly demonstrates that the House has refused to give its approval to the committee's language that the present incumbents from Mississippi "are entitled to their seats as Representatives of said districts and State."

Mr. MOORHEAD. Mr. Speaker, I rise in support of the amendment of the gentleman from Oklahoma [Mr. ALBERT] to House Resolution 585.

A clear pattern of voting discrimination in Mississippi has been established. However, there are serious legal questions as to whether the contestants are proper parties and as to whether the remedy should have been grounded on the 14th rather than the 15th amendment. There are technical grounds for supporting that part of House Resolution 585 which dismisses the election contests but there is no necessity, there is no requirement, there is no justification for that portion of the resolution that states that the named contestees "are entitled to their seats as Representatives of said districts and State."

To say the very least, these elections were tainted by discrimination and even if this House should dismiss the election contest on technical grounds, it should not adopt a resolution which in any way appears to condone discriminatory election practices.

I urge the adoption of the amendment deleting this language.

Mr. ALBERT. Mr. Speaker, I move the previous question on the amendment and the resolution.

Mr. FULTON of Pennsylvania. Mr. Speaker, I am on my feet. I rise in opposition to the amendment.

The SPEAKER. The gentleman from Pennsylvania rises in opposition. The Chair advises the gentleman that under the rules he cannot be recognized unless time is yielded to him. The gentleman from Oklahoma has moved the previous question on the amendment and the resolution.

Mr. FULTON of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FULTON of Pennsylvania. Will this amendment foreclose the resolution of Mr. RYAN being brought up by action of the House in the affirmative on this resolution?

The SPEAKER. That is a matter for the House to determine in carrying out its will.

The question is on the motion of the gentleman from Oklahoma ordering the previous question on the amendment and the resolution.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the resolution as amended.

Mr. GUBSER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GUBSER. Mr. Speaker, I intend to offer a motion to recommit. Will the Chair please advise when that will be in order?

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. GUBSER. I am, Mr. Speaker.

The SPEAKER. The Chair will advise the gentleman now is the appropriate time.

Mr. GUBSER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GUBSER moves to recommit House Resolution 585 to the Committee on House Administration.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. HAWKINS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

Mr. CURTIS. Mr. Speaker, I demand tellers.

Tellers were ordered, and the Speaker appointed as tellers Mr. BURLESON and Mr. CURTIS.

The House divided, and the tellers reported that there were—ayes 129, noes 207.

So the motion to recommit was rejected.

The SPEAKER. The question is on the resolution, as amended.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 228, nays 143, answered "present" 10, not voting 51, as follows:

[Roll No. 307]

YEAS—228

Abbitt	Fogarty	Murray
Albert	Ford, Gerald R.	Natcher
Anderson, Tenn.	Fountain	O'Hara, Mich.
Andrews, Glenn	Frelinghuysen	O'Konski
Andrews, N. Dak.	Fulton, Tenn.	Olsen, Mont.
Ashbrook	Fuqua	Olson, Minn.
Ashmore	Gathings	O'Neal, Ga.
Aspinall	Gettys	Passman
Ayres	Giaimo	Patman
Bandstra	Gibbons	Pepper
Baring	Gonzalez	Perkins
Bates	Goodell	Pickle
Battin	Greigg	Pike
Beckworth	Grider	Pirnie
Belcher	Griffiths	Poage
Bennett	Gross	Poff
Betts	Gurney	Pool
Blatnik	Hagan, Ga.	Purcell
Boggs	Hagen, Calif.	Quillen
Bolling	Haley	Randall
Bow	Hall	Redlin
Bray	Halleck	Reid, Ill.
Brock	Hamilton	Rhodes, Ariz.
Brooks	Hanna	Rivers, S.C.
Broyhill, N.C.	Hansen, Idaho	Rivers, Alaska
Broyhill, Va.	Hardy	Roberts
Buchanan	Harris	Rogers, Fla.
Burleson	Harsha	Rogers, Tex.
Burton, Utah	Harvey, Ind.	Roush
Byrnes, Wis.	Hathaway	Satterfield
Cabell	Hays	Saylor
Callaway	Hechler	Schisler
Cameron	Henderson	Schneebeli
Carter	Herlong	Scott
Casey	Hosmer	Secrest
Cederberg	Hull	Selden
Chamberlain	Hungate	Shriver
Chelf	Hutchinson	Sikes
Clancy	Jarman	Sisk
Clark	Jennings	Subitz
Clausen, Don H.	Johnson, Calif.	Slack
Collier	Johnson, Okla.	Smith, Calif.
Conable	Johnson, Pa.	Smith, Va.
Cooley	Jonas	Staggers
Corbett	Jones, Ala.	Stanton
Cramer	Jones, Mo.	Steed
Culver	Kee	Stephens
Cunningham	King, Calif.	Stubblefield
Curtin	King, N.Y.	Talcott
Dague	Kirwan	Teague, Calif.
Davis, Ga.	Kornegay	Teague, Tex.
Davis, Wis.	Laird	Thompson, N.J.
de la Garza	Landrum	Thomson, Wis.
Dent	Langen	Todd
Denton	Lennon	Trimble
Derwinski	Lipscomb	Tuck
Devine	Long, La.	Tuten
Dickinson	McClory	Udall
Dole	McCulloch	Ullman
Dorn	McEwen	Utt
Dowdy	McFall	Waggonner
Downing	McMillan	Walker, N. Mex.
Duncan, Tenn.	Mahon	Watkins
Edmondson	Marsh	Watson
Edwards, Ala.	Martin, Ala.	Watts
Ellsworth	Martin, Nebr.	Weltner
Erlenborn	Matsunaga	Whalley
Everett	Matthews	White, Idaho
Evins, Tenn.	Michel	White, Tex.
Fascell	Mills	Whitener
Findley	Minshall	Willis
Fisher	Mize	Wilson, Charles H.
Flood	Moeller	Wright
Flynt	Monagan	Young
	Moore	Younger
	Morrison	Zablocki
	Morton	
	Moss	

NAYS—143

Adams	Burton, Calif.	Daddario
Addabbo	Byrne, Pa.	Daniels
Anderson, Ill.	Cahill	Delaney
Annunzio	Callan	Diggs
Ashley	Carey	Dingell
Baldwin	Celler	Donohue
Barrett	Clevenger	Dow
Bell	Cohelan	Dulski
Bingham	Conte	Dwyer
Boland	Conyers	Dyal
Brademas	Corman	Edwards, Calif.
Broomfield	Craley	Evans, Colo.
Burke	Curtis	Fallon
Farbstein	Krebs	Price
Farnum	Kunkel	Quie
Feighan	Lindsay	Reid, N.Y.
Fraser	Long, Md.	Resnick
Friedel	Love	Reuss
Fulton, Pa.	McCarthy	Rhodes, Pa.
Garmatz	McDade	Robison
Gilbert	McDowell	Rodino
Grabowski	McGrath	Rogers, Colo.
Green, Oreg.	McVicker	Ronan
Green, Pa.	Macdonald	Rooney, N.Y.
Griffin	MacGregor	Roosevelt
Grover	Machen	Rosenthal
Gubser	Madden	Rostenkowski
Halpern	Mailliard	Rumsfeld
Hanley	Martin, Mass.	Ryan
Hansen, Wash.	Mathias	St Germain
Harvey, Mich.	Meeds	St. Onge
Hawkins	Minish	Scheuer
Helstoski	Mink	Schmidhauser
Hicks	Moorhead	Schweiker
Holland	Morgan	Sickles
Horton	Morse	Springer
Howard	Mosher	Stafford
Huot	Multer	Stalbaum
Irwin	Murphy, Ill.	Stratton
Jacobs	Murphy, N.Y.	Sweeney
Joelson	Nedzi	Tenzer
Karsten	Nix	Vanik
Karth	O'Brien	Vivian
Kastenmeier	O'Hara, Ill.	Wolff
Keith	O'Neill, Mass.	Wyatt
Kelly	Patten	Wydler
King, Utah	Philbin	Yates
Kluczynski	Powell	

ANSWERED "PRESENT"—10

Abernethy	Keogh	Whitten
Cleveland	Pelly	Williams
Colmer	Race	
Duncan, Oreg.	Walker, Miss.	

NOT VOTING—51

Adair	Hansen, Iowa	Roudebush
Andrews, George W.	Hébert	Roybal
Arends	Holifield	Senner
Berry	Ichord	Shipley
Bolton	Latta	Smith, Iowa
Bonner	Leggett	Smith, N.Y.
Brown, Calif.	Mackay	Sullivan
Clawson, Del	Mackie	Taylor
Dawson	May	Thomas
Farnsley	Miller	Thompson, Tex.
Fino	Morris	Toll
Foley	Nelsen	Tunney
Ford, William D.	Ottinger	Tupper
Gallagher	Pucinski	Van Deerlin
Gilligan	Reifel	Vigorito
Gray	Reinecke	Widnall
	Roncalio	Wilson, Bob
	Rooney, Pa.	

So the resolution was agreed to.

The Clerk announced the following pairs:

For this day:

Mr. Senner with Mr. Del Clawson.
Mr. Shipley with Mr. Fino.
Mr. Miller with Mr. Berry.
Mr. Ottinger with Mr. Tupper.
Mr. Smith of Iowa with Mrs. Bolton.
Mr. Foley with Mr. Widnall.
Mr. Gilligan with Mr. Roudebush.
Mr. Farnsley with Mr. Nelsen.
Mr. Thomas with Mr. Riefel.
Mr. Thompson of Texas with Mr. Latta.
Mr. Van Deerlin with Mrs. May.
Mr. Vigorito with Mr. Reinecke.
Mr. Gray with Mr. Smith of New York.
Mr. Rooney of Pennsylvania with Mr. Adair.
Mr. Toll with Mr. Mackie.
Mr. Gallagher with Mr. Pucinski.

On this vote:

Mr. Hébert for, with Mr. Keogh against.
Mr. Tunney for, with Mr. Race against.
Mr. Morris for, with Mr. Duncan of Oregon against.
Mr. Arends for, with Mr. Cleveland against.
Mr. Bob Wilson for, with Mr. Pelly against.
Mr. Ichord for, with Mr. Brown of California against.
Mr. Taylor for, with Mr. William D. Ford against.
Mr. Holifield for, with Mr. Leggett against.
Mr. Mackay for, with Mr. Dawson against.

Mr. Bonner for, with Mr. Roncalio against.
Mr. George W. Andrews for, with Mrs. Sullivan against.
Mr. Hansen of Iowa for, with Mr. Roybal against.

Mrs. HANSEN of Washington changed her vote from "yea" to "nay."

Mr. CALLAN changed his vote from "yea" to "nay."

Mr. DUNCAN of Oregon. Mr. Speaker, I have a live pair with the gentleman from New Mexico [Mr. MORRIS]. If he were present he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. RACE. Mr. Speaker, I have a live pair with the gentleman from California [Mr. TUNNEY]. If he were present he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. KEOGH. Mr. Speaker, I have a live pair with the gentleman from Louisiana [Mr. HÉBERT]. If he were here he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. PELLY. Mr. Speaker, I have a live pair with the gentleman from California [Mr. BOB WILSON]. If he were present, he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. CLEVELAND. Mr. Speaker, I have a live pair with the gentleman from Illinois [Mr. ARENDS]. If he were present he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. WHITTEN. Mr. Speaker, in hearings before the committee it was agreed that this was an attack upon the seats of the State of Mississippi rather than against the individuals. Thus I felt that I had the privilege of voting "yea." I ask unanimous consent to withdraw my vote and vote "present."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. BURLESON. Mr. Speaker, I offer an amendment to the title of the resolution.

The Clerk read as follows:

Amendment offered by Mr. BURLESON: Amend the title to read "Dismissing the Five Mississippi Election Contests."

The amendment was agreed to.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. POOL. Mr. Speaker, I was called away from the floor on important business from my district when rollcall 306 was taken today. Had I been present I would have voted "yea" on that rollcall.

TO AMEND THE FEDERAL FARM LOAN ACT AND THE FARM CREDIT ACT OF 1933

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4152) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

AMENDMENT

Page 2, line 9, strike out "15" and insert "12".

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

Mr. LAIRD. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from North Carolina if this has been cleared with the gentleman from Pennsylvania [Mr. DAGUE]?

Mr. COOLEY. Mr. Speaker, if the gentleman will yield, I might say to my friend that it was unanimously agreed to by the House Committee on Agriculture. There is just a change in one figure in the bill between "15" and "12."

Mr. LAIRD. That is not the question I asked of the gentleman from North Carolina. We have a procedure that we have worked out here to the effect that these matters under unanimous-consent request will be cleared with the ranking minority member.

Mr. COOLEY. I do not see the ranking minority member here on the floor at the present time. I am certain that he would be in favor of this. He voted for this in the committee and it was reported out of the committee unanimously.

Mr. LAIRD. I do not see the gentleman from Pennsylvania. I am attempting to get in touch with him at the present time. Until I have heard from him I must object. I intend to get in touch with him just as quickly as possible.

Mr. COOLEY. I do not know where the gentleman is. I am sure I cannot locate him any faster than the gentleman from Wisconsin can locate him.

Mr. LAIRD. We have this specific procedure worked out under which these matters are cleared with the ranking minority member.

Mr. COOLEY. I understand that, but there was a unanimous vote in the committee and I stated to the gentleman from Wisconsin that it was a unanimous vote. I do not see why there would be any objection.

The SPEAKER. The Chair assumed that the matter had been cleared with the other side.

Mr. LAIRD. I am under the impression that it has not been so cleared.

The SPEAKER. The Chair suggests that the gentleman from North Carolina withdraw his request.

Mr. COOLEY. Mr. Speaker, I withdraw the request, and I shall see if I can find the gentleman from Pennsylvania [Mr. DAGUE].

The SPEAKER. The request of the gentleman from North Carolina is withdrawn.

COMMERCE DEPARTMENT TRANSPORTATION RESEARCH

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1017)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That, consistent with the objective of promoting a safe, adequate, economical, and efficient national transportation system, the Secretary of Commerce (hereafter in this Act referred to as the 'Secretary') is authorized to undertake research and development in high-speed ground transportation, including, but not limited to, components such as materials, aerodynamics, vehicle propulsion, vehicle control, communications, and guideways.

"SEC. 2. The Secretary is authorized to contract for demonstrations to determine the contributions that high-speed ground transportation could make to more efficient and economical intercity transportation systems. Such demonstrations shall be designed to measure and evaluate such factors as the public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service. In connection with contracts for demonstrations under this section, the Secretary shall provide for financial participation by private industry to the maximum extent practicable.

"SEC. 3. Nothing in this Act shall be deemed to limit research and development carried out under the first section or demonstrations contracted for under section 2 to any particular mode of high-speed ground transportation.

"SEC. 4. The Secretary is authorized to collect and collate transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system. In carrying out this activity, the Secretary shall utilize the data, statistics, and other information available from Federal agencies and

other sources of the greatest practicable extent. The data, statistics, and other information collected under this section shall be made available to other Federal agencies and to the public insofar as practicable.

"SEC. 5. (a) There is hereby established in the Department of Commerce an advisory committee consisting of seven members who shall be appointed by the Secretary without regard to the civil service laws. The Secretary shall designate one of the members of the Advisory Committee as its Chairman. Members of the Advisory Committee shall be selected from among leading authorities in the field of transportation.

"(b) The Advisory Committee shall advise the Secretary with respect to policy matters arising in the administration of this Act, particularly with respect to research and development carried out under the first section and contracts for demonstrations entered into under section 2.

"SEC. 6. (a) In carrying out the provisions of section 2 of this Act, the Secretary shall provide fair and equitable arrangements, as determined by the Secretary of Labor, to protect the interests of the employees of any common carrier who are affected by any demonstration carried out under a contract between the Secretary and such carrier under such section. Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) to such employees under existing collective-bargaining agreements, or otherwise; (2) the continuation of collective-bargaining rights; (3) the protection of such individual employees against a worsening of their positions with respect to their employment as a result of such demonstration; (4) assurances of priority of reemployment of employees terminated or laid off as a result of such demonstration; and (5) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment as the result of such demonstrations which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Interstate Commerce Act (49 U.S.C. 5). Any contract entered into pursuant to the provisions of section 2 of this Act shall specify the terms and conditions of such protective arrangements.

"(b) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employeed by contractors or subcontractors in the performance of construction work financed with the assistance of funds received under any contract or agreement entered into under this Act 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. The Secretary shall not enter into any such contract or agreement without first obtaining adequate assurance that required labor standards will be maintained upon the construction work. 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; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

"SEC. 7. In exercising the authority granted in the first section and section 2 of this Act, the Secretary may lease, purchase, develop, test, and evaluate new facilities, equipment, techniques, and methods and conduct such other activities as may be necessary, but nothing in this Act shall be deemed to authorize the Secretary to acquire any interest in any line of railroad.

"SEC. 8. (a)(1) In exercising the authority granted under this Act, the Secretary is authorized to enter into agreements and to contract with public or private agencies, institutions, organizations, corporations, and individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(2) To the maximum extent practicable, the private agencies, institutions, organizations, corporations, and individuals with which the Secretary enters into such agreements or contracts to carry out research and development under this Act shall be geographically distributed throughout the United States.

"(3) Each agreement or contract entered into under this Act under other than competitive bidding procedures, as determined by the Secretary, shall provide that the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, may, for the purpose of audit and examination, have access to any books, documents, papers, and records of the parties to such agreement or contract which are pertinent to the operations or activities under such agreement or contract.

"(b) The Secretary is authorized to appoint, subject to the civil service laws and regulations, such personnel as may be necessary to enable him to carry out efficiently his functions and responsibilities under this Act. The Secretary is further authorized to procure services as authorized by section 15 of the Act of August 3, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $100 per diem, unless otherwise specified in an appropriation Act.

"SEC. 9. In exercising the authority granted under this Act, the Secretary shall consult and cooperate, as he deems appropriate, with the Administrator of the Housing and Home Finance Agency and other departments and agencies, Federal, State, and local. The Secretary shall further consult and cooperate, as he deems appropriate, with institutions and private industry.

"SEC. 10. (a) The Secretary shall report to the President and the Congress not less often than annually with respect to activities carried out under this Act.

"(b) The Secretary shall report to the President and the Congress the results of his evaluation of the research and development program and the demonstration program authorized by this Act, and shall make recommendations to the President and the Congress with respect to such future action as may be appropriate in the light of these results and their relationship to other modes of transportation in attaining the objective of promoting a safe, adequate, economical, and efficient national transportation system.

"(c) The Secretary shall, if requested by any appropriate committee of the Senate or House of Representatives, furnish such committee with information concerning activities carried out under this Act and information obtained from research and development carried out with funds appropriated pursuant to this Act.

"SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $20,000,000 for the fiscal year ending June 30, 1966; $35,000,000 for the fiscal year ending June 30, 1967; and $35,000,000 for the fiscal year ending June 30, 1968. Such sums shall remain available until expended.

"SEC. 12. Except for section 4, this Act shall terminate on June 30, 1969. The termination of this Act shall not affect the disbursement of funds under, or the carrying out of, any contract commitment, or other obligation entered into pursuant to this Act prior to such date of termination."

OREN HARRIS,
HARLEY O. STAGGERS,
SAMUEL N. FRIEDEL,
JOHN JARMAN,
J. J. PICKLE,
DANIEL J. RONAN,
JOHN BELL WILLIAMS,
WILLIAM L. SPRINGER,
SAMUEL L. DEVINE,
GLENN CUNNINGHAM,
ALBERT W. WATSON,
Managers on the Part of the House.

WARREN G. MAGNUSON,
JOHN O. PASTORE,
FRANK J. LAUSCHE,
VANCE HARTKE,
THRUSTON B. MORTON,
HUGH SCOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment strikes out all of the Senate bill after the enacting clause and inserts a substitute. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. This substitute is substantially the same as the House amendment. The differences between the House amendment and the substitute agreed to by the conferees are set forth below.

COMPENSATION OF MEMBERS OF ADVISORY COMMITTEE

Section 5 of the House amendment provided for an Advisory Committee to advise the Secretary of Commerce with respect to policy matters arising in the administration of the legislation. The Senate bill contained no comparable provisions. The conference substitute is the same as the House amendment, except that provisions relating to compensation and reimbursement for certain expenses of members of the Advisory Committee were deleted by the conferees. It is expected that members of the Advisory Committee will serve without compensation, but will be reimbursed for travel expenses (including per diem in lieu of subsistence) and under other statutory authority (5 U.S.C. 73b–2).

EMPLOYEE PROTECTION

Subsection (a) of section 6 of the House amendment requires the Secretary of Commerce, in providing for demonstrations under section 2 of the legislation, to provide fair and equitable arrangements (as determined by the Secretary of Labor) to protect the interests of the employees of any common carrier who are affected by any demonstrations carried out by such carrier pursuant to a contract with the Secretary of Commerce under section 2. The Senate bill provides that in carrying out the purpose of section 2 the Secretary of Commerce shall provide fair and equitable arrangements (as determined by the Secretary of Labor) to protect the interests of railroad employees involved in operations which are the subject of such demonstrations. The conference substitute is the same as the House amendment.

The conferees wish to emphasize that under section 6 of the conference substitute,

for example, the employees of a contracting railroad who are affected by a demonstration conducted by such railroad pursuant to a contract with the Secretary of Commerce, or employees of a contracting bus company who are affected by a demonstration carried out by the bus company pursuant to a contract with the Secretary of Commerce, would be protected by the fair and equitable arrangements provided in this section. Thus, under the language adopted, affected employees of a contracting bus company, for example, would be protected by fair and equitable arrangements in the contract between the common carrier for which they are employed and the Secretary of Commerce against a worsening of their positions with respect to their employment as the result of such contracted demonstration.

Section 6 of the conference substitute (which is the same as section 6 of the House amendment) directs that such arrangements in no event would provide benefits less than those established pursuant to section 5(2)(f) of the Interstate Commerce Act. Section 5 of the Interstate Commerce Act has to do with consolidation and mergers of certain common carriers. Section 5(2)(f) applies to the protection of employees in the consolidation and mergers of railroads. The making of section 5(2)(f) applicable in the case of employees of any carrier with which the Secretary of Commerce has a contract for a demonstration under this legislation can have no effect upon any construction placed upon section 5(2)(f) or section 5 or indeed on any other provisions of the Interstate Commerce Act.

PATENT PROVISIONS

The House amendment provided that any agreement or contract entered into by the Secretary of Commerce under the legislation must contain provisions that all information, uses, processes, patents, and other development resulting from any activity undertaken pursuant to such agreement or contract will be made readily available on fair and equitable terms to the transportation industry and industries engaging in furnishing supplies to such industry. The Senate bill had no comparable provisions. The managers on the part of the Senate insisted on the deletion of these provisions in view of the position which the Senate recently had taken upon this subject, the current study being made looking toward a general governmental patent policy, and the assurances which the Senate managers had received from the Secretary of Commerce that pending the enactment of such general legislation he will carry out the President's patent policy guidelines by including in the contracts entered into under this legislation provisions properly protecting the public interest by providing either for the Government to take title to resulting patents or for the retention by contractors of title with agreement to some form of licensing. In view of such assurances, the managers on the part of the House receded.

AUTHORITY WITH RESPECT TO COLLECTION OF TRANSPORTATION STATISTICS, DATA, ETC.

Both the Senate bill and the House amendment gave the Secretary of Commerce authority with respect to the collection of transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system. Both versions had provisions terminating the legislation on June 30, 1969; however, the Senate bill excepted from this termination provision the authority granted the Secretary with respect to the collection of transportation statistics, data, and other information. The House amendment contained no such exception. While existing law provides the Secretary with certain authority to collect transportation statistics, in order to avoid doubt after June 30, 1969, as to the general authority and responsibility of the Department of Commerce with respect to the collection of transportation statistics, data, and other information, the provisions in the Senate bill have been retained in the conference substitute.

OREN HARRIS,
HARLEY O. STAGGERS,
SAMUEL N. FRIEDEL,
JOHN JARMAN,
J. J. PICKLE,
JOHN BELL WILLIAMS,
DANIEL J. RONAN,
WILLIAM L. SPRINGER,
SAMUEL L. DEVINE,
GLENN CUNNINGHAM,
ALBERT W. WATSON,
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, this conference report on the bill, S. 1588, to provide that the Secretary of Commerce undertake research, development, and demonstration in high-speed ground transportation, is a unanimous report with all members of the Transportation Subcommittee of the Committee on Interstate and Foreign Commerce participating and agreeing.

There was actually one amendment of any substance in disagreement between the House provisions and the Senate bill, and that had to do with the patent provisions that were included by an amendment which was proposed by our distinguished colleague from California [Mr. Moss]. The Senate had a very adamant attitude on even the limited provision affecting the patent situation which the conferees discussed at length with the Senate conferees on this subject. We had endeavored to work out a position on this particular problem, limiting it to making information on such patents that might be developed under the research contracts available to the transportation industry and related industries, on a fair and reasonable basis. However, the conferees of the other body insisted that this was a matter which a committee of their body was giving study and consideration to, and they contemplated an overall policy was going to be worked out.

They have been through this problem within the other body on several occasions, and that body has taken a very definite position on the matter.

Therefore the conferees of the other body were in no position to arrive at any accommodation on this problem and they insisted that the House language be omitted.

In view of this fact that the conferees were faced with, and in view of the fact that there was a letter which was sent by the Secretary of Commerce to the Senate committee in which the Secretary advised and gave assurance that in the entering into contracts the Government's position would be protected, the House decided reluctantly then to recede with the understanding that such a statement would be included in the conference report, which you will find on page 6.

There were some other minor disagreements between the House and Senate but they were resolved without much difficulty. I might say that the language that the House had developed in connection with this program outside of this patent item was almost entirely agreed to.

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

Mr. HARRIS. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I say, Mr. Speaker, this is practically the bill that passed the House. There are a few very minor amendments which we did accept from the Senate but for the most part this is the House bill. The Senate bill did not contain what generally I have called the Springer amendment which called on the Secretary to spread as nearly geographically and equally as possible over the country the contracts that would be let in the experimentation and demonstration projects which the Secretary would carry on pursuant to this act. It was my feeling for some time that in the preliminary investigation and experimentation thus far these contracts had not been spread around geographically nor equally. The amendment which I proposed was accepted in committee and was passed in the House and accepted in the conference by the Senate and it is in the bill as it finally comes to this House. I wanted to call this to the attention of the House at this time and to state that the conference report should be adopted.

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

Mr. HARRIS. I yield to the gentleman.

Mr. CUNNINGHAM. I was a member of the conference and I agree with the distinguished chairman and the ranking minority Member in everything that they have said. This is a good bill. It is primarily the bill that was passed by our committee and passed by this body. We had no serious disagreements and I would certainly recommend that the conference report be adopted.

Mr. HARRIS. There is just one other provision that I would like briefly to call attention to which has to do with employee protection. I would like to emphasize that, in addition to the explanation in the report of this matter, there was some concern with the action taken herein on employee protection in that it might have some bearing on some pending litigation in this field. The conferees made it clear in the conference report that the reference to standards in this proposed legislation taken from section 5(2)(f) of the Interstate Commerce Act would have no effect at all upon any construction placed upon section 5(2)(f) or of section 5 or any other provisions of the Interstate Commerce Act.

Mr. Speaker, I move the previous question on the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

TO AMEND THE FEDERAL FARM LOAN ACT AND THE FARM CREDIT ACT OF 1933

Mr. COOLEY. Mr. Speaker, the matter that I am about to call up has now

been cleared with the minority. The gentleman from Wisconsin [Mr. LAIRD] has assured me he has cleared it with the gentleman from Pennsylvania [Mr. DAGUE], the ranking minority member of our committee.

Therefore, Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4152) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 9, strike out "15" and insert "12".

The SPEAKER. The gentleman from North Carolina [Mr. COOLEY] has asked unanimous consent for the immediate consideration of the bill. The gentleman from North Carolina has stated that he has discussed it with the gentleman from Pennsylvania [Mr. DAGUE], the ranking minority member of the committee.

Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

INTERNATIONAL COMMITTEE OF THE RED CROSS

Mr. FASCELL. Mr. Speaker, I call up the conference report on the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1016)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$50,000"; and the Senate agree to the same.

DANTE B. FASCELL,
DONALD FRASER,
Managers on the Part of the House.

FRANK CHURCH,
JOSEPH S. CLARK,
CLIFFORD P. CASE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House bill authorized an annual sum of $75,000 as a contribution on the part of the United States toward the expenses incurred by the International Committee of the Red Cross.

The Senate amendment reduced the annual sum authorized from $75,000 to $25,000.

The committee of conference agreed to limit the annual sum authorized to $50,000.

DANTE B. FASCELL,
DONALD FRASER,
Managers on the Part of the House.

Mr. FASCELL. Mr. Speaker, when the bill went through the House, the House authorized the sum of $75,000 as the annual contribution on the part of the United States toward the expenses incurred by the International Committee of the Red Cross.

After consideration, the other body authorized $25,000. The committee of conference agreed to limit the annual sum to $50,000.

Mr. GROSS. Mr. Speaker, will the gentleman yield me 2 minutes?

Mr. FASCELL. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman from Florida for yielding. Mr. Speaker, I did not sign the conference report, for two reasons.

In the first place, I am opposed to legislation to start contributions on the part of the Federal Government to the International Red Cross. For approximately a century, the American Red Cross has made this country's contributions to the International Red Cross. I have been unable to discover any substantial reason why the Federal Government should embark upon the business of contributing to the International Red Cross at this time.

In the second place, the Senate reduced the contribution to $25,000. Any time that the other body shows a disposition toward economy, to reduce the House figure involving an expenditure of public funds, I want to accept their offer. I insist the House conferees should have accepted the Senate figure of $25,000 instead of raising the ante to $50,000.

Therefore, I cannot support the conference report.

Mr. FASCELL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

RESIGNATION FROM COMMITTEE

The SPEAKER. The Chair lays before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, D.C., September 17, 1965.

The SPEAKER,
The House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Because of my immediate appointment as an alternate delegate to the General Assembly of the United Nations, and my prospective further duties as U.S. Representative to the Economic and Social Council of the United Nations, it would be wise for me at this time to lighten my responsibilities here in the House of Representatives.

With great reluctance and regret, therefore, I am resigning from the Select Committee on Small Business, to which you were good enough to appoint me. My opportunity for service on this committee has been most enjoyable, not only because of my colleagues on both sides of the aisle, but because of its tremendous importance to the vitality of our country's economy—to which I feel this committee contributes so much. I would appreciate your accepting this resignation, to be effective as of September 20, 1965.

With my very sincere and great appreciation to you and to my colleagues, I am,

Respectfully and very sincerely yours,
JAMES ROOSEVELT.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

IS THE RUSSIAN BEAR SKINNING UNCLE SAM?

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

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

There was no objection.

Mr. WOLFF. Mr. Speaker, on June 16, 1951, this distinguished body enacted legislation prohibiting the importation of Russian ermine and other skins such as fox and mink from the Soviet Union and Red China. The same prohibition was reenacted and continued in 1962. It has come to my attention that our neighbor to the north, the Dominion of Canada, has been importing these skins from the Soviet Union and Red China, making them into finished garments, and exporting them in great quantity to the United States. The whole matter was brought to my attention by a constituent, Mr. Ernest Graf ,a fur merchant who lives in Sands Point, Long Island, N.Y. I ask leave to include a letter to Mr. Graf's firm, Ben Kahn Furs Corp., 150 West 30th Street, New York, N.Y., from a Montreal concern offering for sale at wholesale fur garments made from Russian ermine.

Mr. Speaker, if there is no restriction on the importation of finished garments from Canada made from skins from Russia or China, then we are defeating the intent of our legislation prohibiting direct importation from such nations. If it remains the intent of this body to prohibit importation of these skins in an effort to curtail the Communist-controlled fur industry abroad, then this situation requires immediate action.

I would say to my fellow Members of this august body, if we are importing from Canada finished garments made from skins which cannot be legally imported into the United States, Uncle Sam and the fur merchants and consumers of America are the ones getting skinned.

The letter follows:

BROOKS-BURNETT, INC.,
July 20, 1965.

BEN KAHN,
New York, N.Y.

DEAR SIRS: We have become aware that while U.S. manufacturers cannot import white Russian ermine skins, they can bring in ready-made garments.

As one of Canada's leading manufacturers, we are specialists in the field of Russian ermine and feel that we can offer you a selection of outstanding garments. Our coats are made by the London method which is world renowned.

Should this matter be of any interest to you, either Mr. Ellis Brooks or myself would be delighted to come to New York and discuss the matter further.

Yours sincerely,

PETER BURNETT,
Brooks-Burnett, Inc.

SURVEY OF OPINION, NINTH DISTRICT OF NORTH CAROLINA

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. BROYHILL of North Carolina. Mr. Speaker, again this year, it has been my privilege to conduct a survey of opinion in the Ninth Congressional District of North Carolina concerning major issues confronting the country. All of these issues were pending before the Congress at the time this poll was begun in July.

The questionnaire was distributed widely throughout the 11 counties of the Ninth District. No effort was made to restrict its distribution to a selected mailing list. It has been my purpose to solicit a broad expression of opinion from individuals regardless of their political party affiliation or their position in the conservative-liberal spectrum.

The poll represents the tabulation of 5,453 responses, all of which have been studied and analyzed during the past several weeks. This is a large and random sample of the total population of the district and I believe it is an excellent barometer of public opinion in my area at this time.

A very large proportion of those responding have taken the time to add a thoughtful discussion of one, several, or all of the issues in the questionnaire. Although there is no way to group such comments in statistical form, they have been most helpful to me as I have studied the legislation arising on these questions.

It is also gratifying that so many of those participating have explained that they have never before expressed their views to an elected official. That this questionnaire has increased the communication between the people of the district and their representative in Congress is beyond doubt.

Among the general opinions expressed, the most persistent view involved a deepening concern about the expansion of Federal power and authority in many fields. Although the poll did not include a question concerning the antipoverty program, many hundreds of comments critical of the alleged political manipulation of the program were received. Particular resentment was expressed by low-income families who feel that their tax money is financing grandiose schemes wherein principal benefits are going to the politically faithful rather than to the poor people of the country.

On the question of foreign policy, the poll disclosed support for a strong stand against Communist expansion in Vietnam and support for the President's decision to send troops to the Dominican Republic. Policies which will eliminate the possibility of another Communist beachhead in this hemisphere were urged in many penetrating comments included in the replies.

As in last year's poll, the tabulation indicates decisive thinking in the district on these particular issues. Responses in 13 out of the 18 questions showed 60 percent or more lining up on one side or the other on given issues.

A complete analysis of the result of the 1965 poll is as follows:

	Yes	No	No opinion
1. Do you favor the decision to send U.S. troops to the Dominican Republic in the recent civil war in that country?	71.2	25.7	3.1
2. Based on your understanding of the situation in Vietnam, should the United States—			
(a) Withdraw all U.S. troops and military assistance?	16.1		
(b) Seek immediate negotiations with the Communists, without prior conditions, for a settlement of the conflict?	23.4		
(c) Continue present policy of large-scale support to South Vietnam and the bombing of North Vietnam?	57.9		2.6
3. Should the United States loosen present restrictions to encourage expanded trade with Communist-bloc countries?	19.2	75.6	5.2
4. Do you favor further disarmament agreements with the Soviet Union?	31.0	60.4	8.6
5. Do you favor repeal of sec. 14(b) of the Taft-Hartley Act which grants States the right to enact laws allowing employees to refrain from labor union membership as a condition for continued employment?	25.7	70.0	4.3
6. Should our immigration laws be changed to admit aliens on the basis of skills rather than the present system of yearly quotas arranged by country of origin?	53.1	40.2	6.7
7. Do you support increasing Federal control over firearms to prohibit their shipment in interstate commerce except by importers, manufacturers, and dealers licensed by the Treasury Department?	52.5	44.7	2.8
8. Do you believe basic pay rates for our military personnel should be raised on an average of 7.2 percent for officers and 12.1 percent for enlisted personnel?	69.5	22.7	7.8
9. Do you favor the principle that salaries of Federal employees should be comparable with salaries in private industry for similar responsibilities?	78.2	17.0	4.8
10. Are you in favor of increasing the Federal minimum wage rate from the present $1.25 per hour to $1.50?	45.9	49.7	4.4
11. Do you approve of legislation empowering Federal officers to register voters, without regard to State requirements, in States and counties where literacy tests are required and where less than 50 percent of the persons of voting age were registered and/or voted in November 1964?	12.6	85.2	2.2
12. Should the Federal Government begin a program of rent subsidies for middle-income families?	12.4	81.1	6.5
13. Do you agree that the Constitution should be amended to permit the people in the individual States to apportion 1 house of their legislatures on a basis other than population?	41.2	51.0	7.8
14. Would you support a GI bill to provide educational benefits for veterans who have served in the Armed Forces since the end of the Korean war?	63.1	32.1	4.8
15. Do you favor a continuation of subsidies to assure that U.S. textile manufacturers can buy raw cotton at the same price it is sold to foreign mills?	77.3	18.7	4.0
16. Would you support an extension of the wheat certificate program including an increase in the Government support price of wheat by 50 cents a bushel for wheat farmers and an accompanying increase in the cost of wheat products?	20.5	65.6	13.9
17. Are you in favor of legislation to increase compensation for veterans with service-connected disabilities?	67.4	25.6	7.0
18. Do you favor a program of $70 million in direct Federal scholarship grants for college students?	35.3	60.4	4.3

LEGISLATIVE PROGRAM

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

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

There was no objection.

Mr. LAIRD. Mr. Speaker, I take this time in order to inquire of the distinguished majority leader what is the program for the remainder of this week and for the next week.

Mr. ALBERT. Mr. Speaker, will my friend yield?

Mr. LAIRD. I am happy to yield.

Mr. ALBERT. Mr. Speaker, in response to the distinguished gentleman's inquiry, we have finished the legislative program for this week, and it will be my purpose, after announcing the program, to ask to go over until next Monday.

The program for next week is as follows:

Monday is Consent Calendar Day.

There are nine suspensions, as follows:

H.R. 10873: Group life insurance for the uniformed services.

House Resolution 560: Sense of the House of Representatives relative to international communism in the Western Hemisphere.

S. 664: Providing for the disposition of judgment funds of the Klamath and Modoc Tribes and Yakooskin Band of Snake Indians.

H.R. 2020: Southern Nevada water project, Nevada.

H.R. 23: Authorizing the initiation of a program for the conservation, development, and enhancement of the Nation's anadromous fish.

S. 1623: Protection of fish and wildlife from pesticides.

S. 944: Marine Resources and Engineering Development Act of 1965.

H.R. 10238: Service Contract Act of 1965.

H.R. 9830: Amending Federal Property and Administrative Services Act to permit reimbursement to a State or political subdivision for sidewalk repair and replacement.

Mr. Speaker, these suspensions may not necessarily be called up in this order.

Also on Monday there will be H.R. 9247, HemisFair 1968, to be considered under an open rule with 1 hour of debate; and H.R. 30, Inter-American Cultural and Trade Center, to be considered under an open rule with 1 hour of debate.

Tuesday is Private Calendar Day.

For Tuesday and the balance of the week:

S. 2300, river and harbor, beach erosion, flood control projects, and water supply, to be considered under an open rule, waiving points of order, with 3 hours of debate. That is the omnibus rivers and harbors and flood control bill.

H.R. 7371, to amend the Bank Holding Company Act of 1956, to be considered under an open rule with 4 hours of debate.

H.R. 10232, rural water and sanitation facilities, to be considered under an open rule waiving points of order, with 2 hours of debate.

S. 2294, Extension of Wheat Agreement Act, to be considered under an open rule with 1 hour of debate.

S. 306, Clean Air and Solid Waste Disposal Acts, to be considered under an open rule with 2 hours of debate.

H.R. 3140, Heart Disease, Cancer, and Stroke Amendments of 1965, to be considered under an open rule with 3 hours of debate.

This announcement, of course, is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

I must advise Members that there will be conference reports, and some very important ones, next week.

ADJOURNMENT TO MONDAY, SEPTEMBER 20, 1965

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to dispense with business in order on Calendar Wednesday of next week.

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

There was no objection.

BEN F. JENSEN

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

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

There was no objection.

Mr. GROSS. Mr. Speaker, in the CONGRESSIONAL RECORD of this morning I find reference to "the late Ben F. Jensen, of Iowa."

I am sure this was an inadvertent or typographical error. I am pleased to announce to the House that our former colleague, Ben Jensen, is hale and hearty, and as active in politics as ever.

RESTORE POSTAL SERVICE TO AMERICA

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

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

There was no objection.

Mr. LANGEN. Mr. Speaker, now that the Post Office Department has shamefully confessed its political spoils system in hiring summer youths, and has agreed to reveal their names, perhaps the Washington planners can find a little time to provide a bit of mail service to the Nation. After all, service should be the prime concern of these people, and it is time they were reminded that present policies are providing little of that important commodity.

It was just 2½ months ago that the Department planners implemented their grand scheme for America, and the resulting confusion and mounting examples of deteriorating service is almost unbelievable. I said at that time that mail service would suffer, especially in rural America, and the mountain of mail that has accumulated since indicates that service, indeed, has suffered.

I have a long list of examples of the complaints I continue to get. For instance, a superintendent in one of our schools needed an application blank for the National Defense Education Act. He finally got it 9 days after it was postmarked from a city just 150 miles away. The delay could have cost his school thousands of dollars, and would have if other Government people had not recognized the problems being faced by users of the mails and given him an extension of time. The same superintendent experienced a similar delay in the mails this past August when he attempted to communicate with a prospective teacher. He lost the teacher in the process and did not obtain a replacement until a week after school opened.

I hear regularly from our local newspaper editors who are justifiably concerned over the decreased service they get these days. They now have the added expense of sacking their own mail, waiting needless extra days to receive mats and pictures through the mail, and then are rewarded with complaints from their subscribers who fail to receive their papers within a reasonable time. Examples along this line even include delivery of a paper through the mail to a man a block away from the newspaper office. The mail, sacked by the newspaper, goes to a neighboring town first and then this man's paper is trucked back to the local post office. As one editor put it:

> A newspaper that isn't delivered to a reader is about as useless as anything we can think of.

About the only things more useless are the Washington planners who keep telling us that our mail service is better than ever.

I note, Mr. Speaker, that the Post Office Department wants a supplemental appropriation with which to hire an additional 13,200 career employees to handle what they call the increased volume of mail. If they are to be hired on the same basis as the summer employees, I would say to forget it. They would be too busy politicking to be of much help to the harassed postal workers of the Nation who are forced to suffer under a system they did not create.

What we need most in the country is a change in policy that will restore the postal service to its former efficiency when neither hail, wind, dark of night of the ZIP code number could keep your mail from reaching its destination on time.

As one of my constituents put it recently:

> We spend money like mad to get to the moon or unite capsules in space, but we cannot devise a reliable plan to send a small piece of mail just 26 miles down the road.

I suggest we not only can, but must, devise such a system, and it is time for the Department to forget politics and get with it.

ARE WE UP TO IT?

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

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

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, the recent incident in which our State Department was acutely embarrassed in first denying and then admitting a charge made against us by the Singapore Prime Minister suggests once again that perhaps the United States is simply not meeting the tests of world leadership, particularly in Asia.

Furthermore, it appears likely that other nations have understood this for some time, and we as Americans have not grasped it yet. There must be a strong feeling in halls of governments around the world that the Johnson administration, like the Kennedy administration before it, lacks a basic understanding of

how to handle U.S. relations with Asian nations.

Two days ago Pakistan's Government issued a sharp challenge to us to use our influence to stop the Pakistan-India conflict. There may be several meanings attached to that challenge. But whatever else it may be, it is an indication of the low respect with which Asian nations view our ability to adequately deal with Asian affairs.

The Singapore affair is further discussed in the following editorial from the Birmingham Post Herald of September 9:

FOOT IN UNCLE'S MOUTH

Every once in a while, somebody opens his mouth and puts his foot, not in it, but in Uncle Sam's. That hurts us all.

We don't know the exact ins and outs of the charge by Singapore Prime Minister Lee Kuan Yew that back in 1960 a bribe of $3 million was offered by a CIA agent and that later a letter of apology arrived from incoming Secretary of State Dean Rusk, along with a statement that the new Kennedy administration would not countenance such goings on.

We do know that both at the State Department and in Malaysia on Tuesday, U.S. spokesmen denied flatly that the incident ever occurred. And that on Wednesday, the State Department discovered the Rusk letter after Lee revealed he had not only a copy of it but a tape recording of conversations with the CIA agent.

The point at issue is not to criticize Mr. Lee, who apparently brought up the matter for domestic political reasons. Nor is it to castigate the CIA, since details of the original affair are obscure.

What bothers us—and considerably—is that the State Department could be so positive on one day that nothing of the sort ever happened and so positive on the next day that it did.

In the famous U–2 incident which also occurred in 1960, misrepresentation by U.S. officials made this country look ridiculous in the eyes of the world. Handling of this latest affair gives us reason to wonder if our official spokesmen really have learned anything since then.

I want also to include in my remarks an editorial on the same subject which was broadcast over stations WBRC and WBRC–TV in Birmingham on September 8:

NO ESPIONAGE EXPERTS—THE UNITED STATES

Once again the United States has jumped into a situation involving foreign relations with both left feet. Why do we always have to get caught in a lie, and then turn around and admit it, branding ourselves as liars before the whole world?

What if we did want information available in Singapore in 1960 bad enough to pay $3 million for it? We are engaged in the intelligence business, and we'd better stay in it as effectively as possible.

We don't know what prompted Singapore's Prime Minister, Lee Kuan Yew to bring up the matter of a State Department apology dated April 15, 1961, at this late date, but he minced no words over the State Department's denial of his charges that the U.S. Government offered him a $3 million bribe to keep quiet about the arrest of a Central Intelligence Agency operative who allegedly tried to buy state secrets. Lee said the U.S. Government was stupidly denying the "undeniable" and threatened documentation. At this point the State Department admitted the whole incident.

If our State Department does not yet know that to the oriental mind honor and face come before even life itself, it's time they learned. Prime Minister Lee could not have done other than he did, throwing the matter full in the face of the U.S. Government.

This is getting to be too much of a habit with our country: President Eisenhower and the U–2 flights over Russia, first denied, then admitted; President Kennedy and the missiles in Cuba, first denied, then admitted.

It would be much better if we announced to all that we intend to use any means at hand to gain the information necessary for our continued survival and well-being. Doesn't everyone?

ARMED FORCES INSIGHT TO THE RESERVES DISPUTE

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

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

There was no objection.

Mr. HOSMER. Mr. Speaker, now that Secretary McNamara has announced he will continue to seek the merger of the Armed Forces Reserves and National Guard, the following series of three fine articles on the problem are again pertinent. Mr. Everett W. Hosking, author of the series has for many years been regarded as one of the Nation's outstanding experts concerning the subject about which he has written.

The three-part series follows:

THE "QUIET" WAR OVER OUR RESERVES—PART 1

(By Everett W. Hosking)

While crises grow and manpower shrinks, what some say is one of the most important battles in history is going on—almost without notice—in Washington.

The battle is over Secretary of Defense Robert McNamara's plan to realine the reserve structure of the Armed Forces of the United States.

Secretary McNamara's opponents, pointing out that the citizen soldier has historically been the backbone of the Nation's defense, say that the strong-willed Defense Secretary is out to scuttle the Nation's reserve forces.

Regardless of the motive, ultimate outcome of the proposed realinement will directly affect nearly 70,000 men and women in the greater Long Beach-Orange County area.

This figure includes men of the Army, Navy, Air Force, and Marine Corps Reserve and members of the California National Guard.

Of immediate importance to all branches of the Reserve are hearings being conducted in Washington by a subcommittee of the House Military Affairs Committee headed by Congressman F. EDWARD HÉBERT on a proposal to transfer men of the Army Reserve into the National Guard of the various States. Outcome of this hearing will unquestionably affect the other branches of the Reserve forces.

A similar proposal to transfer the Air Force Reserve into the Air National Guard scheduled to be announced in January has been held in abeyance—presumably to see how the proposed Army-National Guard merger fares.

While the Navy and Marine Corps Reservists have not been mentioned, many reservists feel that the doom of the other two Reserve services will seal the fate of the Navy and Marine Reservists.

The transfer to the National Guard of the Army Reserves would directly affect 3,519 officers and 22,508 enlisted men in Los Angeles and Orange counties who are now affiliated with the Army Reserve.

Basically, Secretary McNamara's proposal regarding the Army Reserve would reduce their strength by 150,000 men who would be transferred to the National Guard and eliminate 21 Army Reserve combat divisions. Those who did not transfer would be retained in a pool monitored by a central headquarters but would receive no training other than correspondence courses.

Secretary McNamara claims that the changes would significantly improve the early deployment capability and the combat readiness of the Reserve, that the plan brings the Reserve structure in line with the contingency war plans and the related equipment program; the plan would produce increased readiness of units in the Reserve and the National Guard and primarily that the plan would streamline the management structure of the Army Reserve Forces and would result in a cost savings of $150 million a year.

One of the chief complaints about McNamara's proposal was that it was conceived in secrecy and "broken" to newsmen on December 12, 1964 when Congress was not in session and that it bypassed the Reserve Policy Committee which is set up by law to supervise the Reserve structure.

The Reserve Officers Association has pointed out that only the Congress of the United States can make major changes in the statutory structure and policy of the military—yet this decision was made before the national election and the decision was announced after the election and while Congress was not in session.

They charge that "historically it has been proven that control and command of all military forces committed to the defense of the Nation must rest with the Armed Services. To propose the fragmentation of this authority among 52 National Guard jurisdictions will result in organization chaos, deterioration of combat readiness, and the erosion of every purpose of these men and weapons."

Chairman HÉBERT of the congressional subcommittee hearing testimony on the merger says this:

"The Government of the United States belongs to the people who must stake their property and their lives in its defense. They have a right to know—within the limits of security—about all the behind-the-scenes maneuvers which affect their national security and pose dangers to it. I am determined that this knowledge shall be theirs.

"The question at issue is not the merit nor lack of merit of this newly and secretly concocted plan, but the stealthy manner in which it was conceived and prepared and then fed to those who should have been consulted when the plan was in its embryonic stage.

"The statement by Secretary McNamara that this plan will save $150 million is like too many other statements which he makes about savings but which are, in reality, as phony as a three dollar bill. If he is correct in his allegations, he should be anxious to have the opportunity to put his cards on the table face up so that all might see. There must be a reason why he consistently fails to take the Congress and other responsible groups and individuals into his confidence.

"Two years ago the House Armed Services Committee, in its report on the Reserve reorganization, observed that Secretary McNamara was not draped with the cloak of infallibility nor did he enjoy the wisdom of the Deity. That observation becomes more valid with the passing of each day."

"MILITARY CONFLICT"—RESERVE, GUARD IN BITTER SPLIT—PART 2

(By Everett W. Hosking)

The battle in Washington over Secretary McNamara's proposal to merge the Army

Reserve into the National Guards of the various States has done one thing so far—it has created a wide split between the Guard and the Reserve.

Where the two branches—the Army Reserve and the National Guard—used to work in a spirit of friendly competition, the two are now battling furiously at hearings being held by a subcommittee of the House Armed Services Committee being held by Congressman F. EDWARD HÉBERT.

And watching anxiously as the battle proceeds are approximately 27,000 Army Reservists and over 10,000 California National Guardsmen in Los Angeles and Orange Counties.

Watching from the sidelines with intense interest are nearly 30,000 members of the Navy and Marine Corps Reserve, and about 7,000 members of the Air Force Reserve.

No estimates of Reservists carried on retired or inactive lists in this area were available, but sources indicate that it will run into many, many thousands.

Recently, Maj. Gen. Winston P. Wilson, head of the National Guard Bureau and a member of the Air National Guard, testified that the consolidation of the Reserves and the National Guard has widespread support throughout the United States.

Pentagon officers, almost to a man, have supported Secretary McNamara's proposals.

"If they don't they lose their jobs," say the reservists.

Only outspoken opposition to the plan comes, significantly, from Maj. Gen. W. J. Sutton, Chief of the Army Reserves, who told the House subcommittee investigating the proposed merger that he personally is opposed to the Pentagon plan.

He also testified that the merger proposal had been under study in the Pentagon virtually a month before he knew anything about it.

While the Pentagon has claimed that virtually all of the States are backing the plan, both the Texas and Oklahoma State Legislatures have adopted resolutions opposed to the merger of the Reserve and the National Guard.

Former President Harry S. Truman has come out openly saying, "I don't think the idea is practical."

Neil M. McElroy, the Nation's Secretary of Defense under part of the Eisenhower administration, declined to criticize directly the Pentagon plan, but said:

"The Governors like to think of the National Guard as their private army."

The Department of Defense claims that the early deployment capability and combat readiness of the Reserve will be significantly improved.

Reservists insist that the National Guard divisions manned predominantly by partly trained personnel with no prior active duty will be substituted for Army Reserve divisions that are presently manned by a hard core of officers and men with extensive active duty experience. The plan, they say, actually substitutes inexperience for experience and will radically lower combat readiness and early deployment capability.

Defense officials say that the plan brings the Reserve structure in line with the contingency war plans and the related equipment program.

Reservists say that our mobilization base should be structured to counter enemy capabilities; not what economy minded comptrollers may conceive the enemy's intentions to be. They say neither the Joint Chiefs of Staff nor the Army military planners responsible for Reserve mobilization produced or conceived this plan.

Defense Department insists that the plan would produce increased readiness of the units in the Reserve and National Guard.

Reservists counter that this statement is obviously without validity for it will destroy the units of the Army Reserve.

SPECIALISTS NEEDED—PUBLIC IS LOSER IN ARMY FEUD

(By Everett W. Hosking)

Whatever the outcome in Washington in the power struggle between Defense Secretary McNamara and the Congress of the United States over proposed merger of the Army Reserve into the National Guard, most likely loser in the battle appears to be the American public.

Officers on both sides of the fence have been trying to implant the idea that both the State militia-type organizations, the National Guard, and the Army Reserve are needed, particularly in view of the widespread manpower commitments of the United States around the globe.

They point out that the Reserve is different from the Guard in that the Reserve has been a system through which the most highly trained specialists in the country could be retained on a standby basis, subject to immediate recall.

It has been pointed out that hundreds of top experts in all fields commanding big money stay committed only because of the appeal of national service. They point out that the Regular Army cannot begin to train officers to take over these specialties and it cannot engage in wartime activity without calling them up.

They stress that no top-flight specialist feels drawn to a system which is primarily State administered and controlled, where political acceptability outweighs military competence.

However, there appears to be even wider divergence on what manpower needs of the United States are.

One side points out that the worsening situation in Vietnam and the Caribbean together with regular commitments like Berlin and North Korea have hit the services just when they are having trouble recruiting men.

On the other hand another Washington writer who covers the Department of Defense insists that the deployment of U.S. troops to Vietnam leaves virtually intact the major strategic forces in the United States.

These "major strategic forces" are listed at 137,000 men—slightly less than the 150,000 that Secretary McNamara plans to lop off the Army Reserve.

Adm. David L. McDonald, Chief of Naval Operations, said recently in Washington that "It is a well-known fact that we are losing each year around 100,000 of our 670,000 officers and enlisted men * * *. I see no lessening of the commitments which have been imposed on the Navy."

The Army is in much the same fix as the Navy. And in addition it has two divisions pinned down in Korea; it has five divisions and the equivalent of a sixth in Germany, a good portion of another in the Dominican Republic, one on alert in Hawaii—all this plus new major troop commitments in Vietnam.

The Marines have much the same global commitments as the Army and are in need of manpower. They will probably renew their request for 6,000 additional men, cut in half by Secretary McNamara for the upcoming budget.

The Air Force is plagued by retention troubles—although their manpower requests are less because it required fewer men than other services in relation to its job. The Air Force, however, loses a large number of highly skilled men each year to private industry.

Loss of manpower is a problem for the military—and some authorities insist that with the abolition of the Reserve structure they might lose a great many of their draftees.

About 65 percent of the 267,000 men in the Army Reserve are 6-month trainees—those who elected to take 6 months' active duty and obligate themselves to 6 years' service in the Ready Reserve rather than 2 years of active service usually accorded draftees. The majority of these men have no desire to continue longer than their required military service.

This will present a problem because the Government must transfer them to the National Guard or find some other way for them to complete their obligated service.

This may be tricky, legally, because the National Guard is an all-volunteer outfit. It is doubtful that the Pentagon can force these men to join the Guard—yet they can't complete their service in the Standby Reserve.

It all boils down to a big headache for all concerned.

The Reserve Officers Association, in seeking harmony, points out that "Ill feeling, suspicion, and disharmony have been spread in the struggle for power, the like of which has rarely been seen along the Potomac.

"It seems to us that now is the time to call off this entire proposal, admit it was a mistake, and seek to build again the good will which had surely become self-evident. It is time to call upon National Guardsmen, Reservists, and the Regulars in the military to seek a new dedication to national unity, and display this resolute will to resist aggression and to establish a world climate in which national survival will not be a constant worry. We may need every experienced military individual this country has, or can produce. It is time to build, not tear down."

COMMENTS OF PFC. VERNAL JACOBS ON THE WAR IN VIETNAM

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Illinois [Mrs. REID] may extend her remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, although there might be a few American civilians who still question whether the United States should continue to help the South Vietnamese in their struggle against Communist aggression, the brave young Americans who are being sent to fight there appear to understand full well that they are really fighting for our freedom.

Vernal Jacobs of Ottawa, Ill., is a constituent of mine, and is one of these brave Americans scheduled to go to South Vietnam with the 1st Infantry Division. He and all other fine Americans who are called upon to sacrifice so much for us and for the entire free world deserve our gratitude, our prayers, and our full support. We, too, must be willing to make sacrifices and must not let them down in any way.

When Private First Class Jacobs was home on a 5-day leave, he was asked by the Ottawa Daily Republican-Times how he felt about going to Vietnam. His answer to that question was so impressive that I want to share it with my colleagues and all Americans. Private First Class Jacobs' comments follow:

I feel it's the right thing to do. I'm really sorry to hear about the kids 18, 19, 20 years old who don't think it's worth going over there for. All the members of the division feel the same way. We know why we're fighting.

We appreciate we can go into any church in this country and worship as we want.

If we don't stop these Reds now we will have to deal with them some other place and some other time. We're going over to get this thing over. It's the right thing to do, definitely. It all boils down to the fact we're fighting for our freedom. Maybe it could have been avoided, but we're in it and I feel we should do the best we can to free these Vietnamese people. They want freedom as badly as we do.

This Communist thing is like cancer. If we're not careful it will destroy us. Life is precious but you've got to have some principles.

MAJ. GEN. WILHELM VON STEUBEN

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

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

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I wish to call the attention of the House to the fact that today is the 235th anniversary of the birth of Maj. Gen. Wilhelm von Steuben, an outstanding German military leader whose contributions to the achievement of American independence were invaluable. It is significant that we also commemorate on September 17 the anniversary of the signing of the Constitution since Von Steuben's achievements during the revolutionary period helped make our freedom possible.

To this outstanding man, principle was so much more important than personal gain that he came to our land to help the Americans in their struggle for independence and gave his services to the Continental Congress without charge. He evidenced such ardent loyalty to the American revolutionary forces and the ideals for which they were fighting that Gen. George Washington, learning of the practical knowledge and experience in military matters which Von Steuben possessed, chose him to be the Acting Inspector General of the American Army and put him in charge of training our troops.

The leadership and professional training he contributed to the American independence movement was indeed invaluable. In addition to distinguishing himself at the battles of Monmouth and Yorktown and in his work training the American soldiers, he wrote a basic training manual entitled "Regulations for the Order and Discipline of the Troops of the United States."

After our independence was achieved, General von Steuben continued his service to our country, becoming a citizen, and aiding George Washington in working out preparations for the defense of the United States and the mobilization of our Armed Forces. The letter of commendation for his services to the United States which he received from General Washington was our first President's last official act before relinquishing his command of the Army in 1783.

In noting General von Steuben's many accomplishments today, we join the members of the Steuben Society of America in paying tribute to this patriot whose principles, democratic spirit, and achievement serve as an inspiration to us to rededicate ourselves to the doctrines of the Constitution and the ideals on which this great country was founded.

JOHN J. PERSHING MEMORIAL

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

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

There was no objection.

Mr. HULL. Mr. Speaker, legislation to provide for a memorial to Gen. John J. Pershing in our Nation's Capitol was first introduced in 1949. I have sponsored such legislation since 1956. This proposal has the enthusiastic support of the major veterans' organizations of men who served under him and of the innumerable citizens who remember with gratitude his services to our country. However, the Pershing Memorial remains unauthorized while lesser figures are honored. A current obstacle to action on the memorial has been indecision over the future development of Pennsylvania Avenue in the area which includes the preferred site. To expedite action on the Pershing Memorial, I have introduced a bill, H.R. 10107, permitting consideration of other sites for its location. I am pleased that the Veterans of Foreign Wars of the United States endorses my position that action on the Pershing Memorial should no longer be delayed while excellent sites are available. Under leave to extend my remarks, I would like to include the resolution adopted at the 66th National Convention of the Veterans of Foreign Wars of the United States concerning the Pershing Memorial, with this letter from Mr. Francis W. Stover, director, national legislative service of the VFW:

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
September 14, 1965.

Hon. W. R. HULL, Jr.,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HULL: This is to advise that the Veterans of Foreign Wars has by national convention mandate endorsed legislation to erect a memorial to Gen. John J. Pershing somewhere here in Washington.

Our organization has long supported legislation to erect a Pershing Memorial on the lot bounded by 14th, 15th, and E Streets and Pennsylvania Avenue NW. It now appears this lot may be swallowed up in the vision contemplated by the planners who are going to overhaul Pennsylvania Avenue between now and the year 2000.

If Congress will not appropriate the money to erect a Pershing Memorial on this square, then an alternative is necessary. The VFW alternative is embodied in resolution No. 254, a copy of which is enclosed.

It is the hope of the Veterans of Foreign Wars that a memorial to this great American will be erected without any further delay. You have the support of the VFW of H.R. 10107, although it should be pointed out that our resolution No. 254 limits location for the memorial to the city of Washington, D.C.

With best wishes, I am

Sincerely,

FRANCIS W. STOVER,
Director, National Legislative Service.

RESOLUTION 254

Resolution on Pershing Memorial

Whereas Gen. John J. Pershing was in charge of the American Expeditionary Forces during World War I; and

Whereas General Pershing was honored by all the Allied Powers for his contribution in the victory of World War I; and

Whereas Gen. John J. Pershing was ranked as "General of the Armies of the United States"; and

Whereas General Pershing devoted the remainder of his life to the U.S. Army as Chief of Staff until his retirement; and

Whereas General Pershing was instrumental in the American forces serving as a unit in World War I; and

Whereas in the District of Columbia monuments have been erected to lesser military figures; and

Whereas there is no monument to General Pershing in the District of Columbia, our Nation's Capital; and

Whereas Public Law 461–84 authorized the Battle Monuments Commission to select a site and provide a design for the Pershing Memorial; and

Whereas the designated site has become involved in a long-range plan for the renovation of Pennsylvania Avenue in the District of Columbia; and

Whereas the indecision of the proposed renovation of Pennsylvania Avenue is further delaying erection of a Pershing Memorial; and

Whereas there has been legislation introduced which will immediately authorize erection of a Pershing Memorial on a proper site: Now, therefore, be it

Resolved by the 66th National Convention of the Veterans of Foreign Wars of the United States, That we support legislation which would authorize the Secretary of the Interior to provide for the erection of the memorial to Gen. John J. Pershing on a parcel of federally owned land in the District of Columbia, and that appropriate funds be made available to carry out the erection of this memorial.

RURAL LIFE IN AMERICA TODAY AND OUR METROPOLITAN PROBLEMS

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

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

There was no objection.

Mr. RESNICK. Mr. Speaker, I think it is essential to call to the attention of the American people, and particularly our policymakers here in Washington, a letter to the editor of the New York Times from Mr. James G. Patton, the distinguished president of the National Farmers Union, the Nation's largest farm organization.

In his letter he draws a clear, straight line of cause and effect between the condition of rural life in America today and the explosive problems faced by all of our major cities. Because this relationship has often been completely ignored, we

have found the U.S. Government applying policies to one segment of the Nation that was adding to the difficulties of another segment—while at the same time spending millions to find solutions to these problems.

We will never be able to solve the problems caused by population pressures in the big cities until we establish policies and programs that will stop driving rural Americans off the farms and small towns, into the cities.

We cannot separate urban problems from rural problems. They are, to a great extent, two sides of the same coin. We are indebted to Mr. Patton for reminding us of this fact.

His letter follows:

AID TO RURAL AREAS

AUGUST 23, 1965.

To the EDITOR:

The Los Angeles riots, costing a quarter billion dollars and 31 dead, are a direct result of a tragic migration of 13 million people off the farms and into overcrowded cities.

And migration is continuing. It is scheduled to crowd 10 million more untrained, ill-prepared rural people—one-fifth of them Negro—into the Nation's cities, to breed unemployment, slum poverty and the aggravation of an already critical civil rights problem.

We can expect riots in other cities—many serious riots costing hundreds of millions of dollars and untold social loss—if we just continue to allow surplus human beings to pile up in the cities' deadends.

While the antipoverty program tries to disperse people by getting young men off of city streets and out into the countryside to relieve the social pressure, certain farm advisers urge the Department of Agriculture to hasten the elimination of small farmers and herd them into the cities. This is costly, irresponsible nonsense.

I am calling on the leaders of the Agriculture Committees of the Senate and House of Representatives to support legislation and necessary appropriations to stabilize farm people in rural areas, instead of letting this antisocial migration continue.

The cheapest place to solve problems of surplus rural people is in the rural communities, where farms can be provided for some people, training and jobs for others, housing and home food production for everyone, subsidies as needed, and a secure home environment—off the city streets—for the children and young people.

A part of the huge public costs for urban renewal and for salvage of broken lives in the cities may be better invested in rural areas, rebuilding rural America and stopping this costly migration of people.

JAMES G. PATTON,
President, National Farmers Union.

TWENTIETH CENTURY CHANGES

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, we all know that local government has undergone drastic changes in the 20th century. Many of these changes were dramatized recently in an address by Mr. Frank Bane before the local government officials' conference at the University of Virginia, Charlottesville, Va.

Frank Bane has enjoyed a long and distinguished public career at all three levels of government. He serves ably as the chairman of the Advisory Commission on Intergovernmental Relations on which the gentlewoman from New Jersey [Mrs. DWYER], the gentleman from New York [Mr. KEOGH], and I are privileged to sit as representatives of this House.

Mr. Bane's remarks follow:

LOCAL GOVERNMENT—THE NEXT HALF CENTURY

(Remarks by Frank Bane, chairman, Advisory Commission on Intergovernmental Relations, before the local government officials' conference, University of Virginia, Charlottesville, Va., August 30, 1965)

I like this subject that was suggested to me. For the past 50 years I have known something of local government in Virginia. At times, and in a number of different ways I have been a part of it. So, on the basis of some experience with, and knowledge of the subject, let us discuss where we have been, where we are, and where do we go from here for the next 50 years.

Just a little over 50 years ago, September 1914, I left Columbia University and headed for Suffolk, Va. I had been in a number of classes at Columbia with Burbage DeJarnette, then superintendent of schools in Nansemond County, and he had offered me a job as principal of a county high school. Like so many college graduates of that day and time I was off—to start work—teaching school. Mr. W. A. Lassiter met me at the Norfolk and Western station in Suffolk with a horse and a buckboard. We put my trunk in the back. I climbed in and off we started for Mr. Lassiter's home and farm five miles out of town. The Lassiters, you see, were going to board the teachers. Little did I think then that more than 50 years later, despite roaming and living all over the country, I would still be connected with Nansemond County. I cast my first vote for President there in November 1916 and I still vote in Driver Precinct, Sleepy Hole District, Nansemond County.

The next morning—Monday morning—I started to work. For the first few weeks, of course, I was busy learning the ropes, getting to know the children and the teachers, and in general, seeing that things were well started in accordance with the curriculum, the manuals, and the instructions that I received.

It is interesting to observe—and it speaks volumes—that the salary of the principal was $90 a month for 9 months. The other teachers were paid from $30 to $50 a month and my contract for board and "keep" with the Lassiters was $25 a month.

The preliminaries attended to, and having settled in the job, I took a look at my surroundings in Nansemond County where I was to live and work in one capacity or another for the next 6 years. I had majored in political science in college and at the university, and so I was interested in how the county was set up, what it did, and how it did it.

The county was divided into four districts, the operating units of the county, and how many times, from how many platforms, and in how many places all over the country I have spoken about those districts. They were Chuckatuck, Holy Neck, Sleepy Hole, and Cypress, hard down by the Dismal Swamp. The chief officers of the county were Judge McLemore, the circuit judge; George Bunting, clerk of the court; Caleb Fulgham, county treasurer; S. E. Everett, Commonwealth attorney; A. H. Baker, sheriff; E. E. Wagner, commissioner of revenue; Tom Holland, chairman of the board of supervisors; and Burbage DeJarnette was superintendent of schools—a great team.

The task of this team and of similar teams in the other counties of the State, was generally a threefold task—to safeguard liberties; to protect life and property; and to provide certain services. And all believed—how fervently we believed and practiced that great Jeffersonian principle—"that government is best that governs least."

The providing of services was rapidly becoming, if it had not already become, the most extensive and certainly the most expensive activity of the county. Local government was beginning to be, even in 1915, what it is predominately today—an agency through which we do collective housekeeping. Specifically, the public services performed fell into four categories—schools, roads, health, and the care of the poor. There were seven high schools in the county. That is, seven schools that had grades from the primary running through the high school, and there were many, many one and two-room elementary schools scattered about the county. The school system was organized and operated on a district basis with district boards appointed by the circuit judge and the local district boards employed the teachers, set their salaries, etc., albeit mostly on the recommendation of the county superintendent. Everybody—teachers and pupils alike—walked to school and we carried our lunch—there was no school lunch program.

Roads—that was a county job—organized on a district basis, each supervisor having a road gang responsible for the maintenance of roads in his district. Such maintenance consisted largely of digging out the ditches in the fall and throwing mud in the middle of the road so that the road would drain, and hitching a pair of mules to a drag to fill in the ruts in the spring time. There was one automobile in upper Chuckatuck District owned by a Mr. Hobday Saunders who lived down the road apiece and time and again I would take a detail of older boys out on the road to push and pull Mr. Saunders out of a mud hole. Suffolk itself had very few automobiles and no red and green lights.

We were, of course, interested in our health. There was a county doctor, but no one was ever quite certain what he did. When something ailed us we sent one of the boys on the farm for the neighborhood doctor and he came in a horse and buggy with a little black bag filled with white and pink pills, and many other things. Each family maintained and operated its own water and sewerage system, and that was that.

We took care of the poor. We had a county poorhouse and each district had an overseer of the poor, charged with seeing to it that only the most destitute got on the county rolls or in the poorhouse. Almost every family took care of Grandpa and Grandma.

Those were the "good old days." True, some very significant things happened a year or so before that were to influence our way of doing things. In 1913 we discovered a "pot of gold," the income tax amendment, but none of us had enough income to worry about that, and in 1914 the Congress invented a way to spend it by adopting the first large-scale continuing aid program—the Smith-Lever Act establishing the county agent system—but none of us had heard the phrase "grants-in-aid," and so that didn't concern us too much either.

Yes, we knew about the fracas that had started in Europe a couple of months before because somebody had shot a Grand Duke, but little did we dream of what that was going to do to the "even tenor of our ways,"

or how drastically it would upset our apple carts in all the years to come.

And so we were—and so local government operated in 1915—just 50 years ago, as we stood balanced precariously on the threshold of perhaps the most explosive era in all of the world's history.

Where are we today? We have been through 50 years of fantastic growth, but national growth bestows both bounties and burdens, and it seems that the bounties grow progressively more national while the burdens progressively more local. Local government is today, as always, the primary agency through which we provide public services which people demand and will have, and upon which our 1965 way of life so largely depends. These public services are the old ones; education, public works, health and welfare—all expanded far beyond anything we thought desirable or even possible in 1915 and many new activities are undertaken by local government because of drastic changes in our ways of life and living. The expansion of services, the additional activities, the changes—all have been the result of developments dimly seen, but already underway, a half century ago. Our population was rapidly increasing. It more than doubled in the past 50 years and our peoples were moving to the cities and urban areas. What these developments and changes did to local government is all too apparent to every local official—local government became big business.

About 10 years ago I helped organize and participated in a birthday party for one of our most distinguished citizens—his 80th birthday. The party was held at his birthplace in a Midwest State. Thousands of people were gathered around from the countryside and many from the far reaches of the Nation. He made a delightful speech about the days that had been and he mildly deplored the changes that had come about in his later years. Pointing to the little house in which he was born and had spent his childhood, he said, "When I lived there our social security was in our cellar." How true. But then on the highway driving back to Chicago I reflected that the trouble was that as of today the vast majority of our people didn't have any cellars. Instead, they did have a rent bill that arrived with distressing regularity the first day of every month and the wherewithal to pay it had to come from somewhere other than the cellar. This vastly expanded, urbanized system which we have today could not be serviced by the individual, by and of himself. It required the concerted effort of all men and that meant government—primarily local government.

Local government has been and is stretching every nerve and exerting every effort to meet this challenge and to handle this task. We have realized for years, however, that local government cannot do this job alone. It has had, and must have, increasing help from the State and National Government. The reason for this is simple. It cannot raise the money. Hamstrung as it is by many financial restrictions, limited as it is in its revenue sources, local government is demanding, and today more than ever, is (being listened to) that States and the National Government assume a much larger share of the task of providing necessary services for the American people. I have often said that the problem is—we are all fishing in the same pool among the same people for the same money. But the difficulty is—the National Government is fishing with a seine; the States with a hook and line, and the localities with a bent pin.

Today local government, except in structure, bears little resemblance to that of 50 years ago. Today most local governments are great complex machines; manned in the main by technically qualified, competent officials; providing educational opportunities for all of our children, providing necessary public works, safeguarding our health as never before and in addition, furnishing welfare services and sustenances to that 20 percent of our population that is ill-fed, ill-clothed, and ill-housed.

But today, perhaps, as never before, local government across the land is in a crisis. And that crisis to be diagnosed is—money. To maintain its services, to preserve its status as the very kernel of our democratic society, local governments need and must have assistance; more assistance in planning, in operation and above all, in financing.

All that I have said about the past and the present is so well known to all of you that I have felt a wee bit guilty about taking your time. But, it has been fun reviewing the past—when you and I were young—and I have tried to discuss realistically and frankly, but briefly, the present. But what of the future—the next 50 years?

Coming problems, like coming events, have a way of casting their shadows, and I think it is well to remind local governments again that burdens go along with bounties, and local governments do not have a habit of coming out on the top of the totem pole.

Within the past 2 years many great and new programs have been enacted by the Congress and are getting underway. Others are in the works and are almost certain to be passed, and still others are being contemplated. These programs are going to have a profound effect upon the administrative machinery and the financial operation of local government, and perhaps upon its very structure. They are going to bring great benefits to people generally, but since many of them have matching requirements they are going to be expensive and perhaps burdensome to local governments, especially to municipalities whose debt limits are already scraping the ceiling and whose people think—be it true or not—that their property taxes are already confiscatory.

As an example, I well remember the social security program in the 1930's, of which I was a part. That program was and, I think the overwhelming majority now agree, is of great benefit to the American people in guarding against want, in providing relief, in cushioning the impact of recessions and perhaps helping to avoid depressions. But that program revolutionized the organization and administration of practically every welfare department in the country—State and local—and it multiplied many times the cost of their administration. I would not belabor the point, but every experienced State and local official knows that in addition to matching requirements, standards and controls go along with all grants and they too can be expensive.

Let's take a look at some of these new programs:

1. THE ANTIPOVERTY PROGRAM

This Antipoverty Act is what is called in many State legislatures—an omnibus act. It covers and encompasses a multitude of ills, and is directed toward the solution or mitigation of many different, although closely related problems. Some parts of this program are set up, operated, and financed directly by the Federal Government, but many of them require participation on the part of the States or localities in administration and in financial support. In addition, some parts of the act, notably the community action program, permit the establishment of separate agencies—not governmental in character—yet entrusted with the expenditure of public funds without reference to the duly constituted authorities. Already questions and protests about its operation are coming in from all parts of the country—from mayors and Governors.

The effective administration of this act is going to require quite a bit of doing.

2. THE SO-CALLED MEDICARE PROGRAM

All of our local and State health and welfare departments are wondering what this act is going to do to their administrative procedures and practices, and to their budgets. Will it be administered by the regular governmental health and welfare authorities in the States and localities, or will a large part of it be contracted-out to private agencies? Another task—I was about to say "chore" and a difficult one it is—who is going to license and inspect and supervise the operation of nursing homes and how much is that going to cost, and who is going to pay for it?

3. THE INTERSTATE HIGHWAY PROGRAM

This Interstate System, about half completed today, has brought untold benefits to motorists and to our general economy. Many States, however, have found it increasingly difficult to find the money to pay even the 10 percent of the cost of construction for which they are liable and what is not often thought of or discussed is that the States are saddled with the entire cost of maintenance.

You can be perfectly certain that within a very few years many thousands of miles of new roads will be added to the already approved existing interstate highway system.

4. HOUSING AND URBAN RENEWAL

Housing became an important function of Government after the Second World War. It has been expanding ever since and urban renewal, designed to arrest urban blight, was added to this program about 10 years ago. Now, just a couple of weeks ago, these programs were extended upward and downward, appropriations have been doubled and a new angle known as "rent subsidies" primarily for low-income groups has come into being.

In addition, a new Cabinet Department is being established. The Department of Housing and Urban Development is destined to be one of the largest and most expensive agencies of the Federal Government, and I assure you that its repercussions will be felt for years to come in localities throughout the country. These results will flow, not so much from change in organizational structure, as from new programs voted by this and succeeding Congresses and handed to the new Department.

Municipalities are going to see many more Federal people in the next few years; representatives of bureaus, divisions and even sections who are anxious to provide—gratis—advice and guidance; who just want to be helpful.

5. WATER

Even the word today has painful connotations in so many places; supply, conservation, distribution, pollution control, reuse, all are receiving most careful attention in our municipalities, as well as in the countryside. The East, in fact the whole Nation, is beginning to learn about the problem that has afflicted the West for so long; and

6. EDUCATION

Education has for years been the major and the most costly task of local government. It is our largest and most productive public investment. Since sputnik, Federal, State, and local governments have doubled this investment and I am sure you know the end is far from yet.

The need continues to outdistance our present resources and in the next 15 years we shall probably again double our educational expenditures—and what about another new Federal department—a separate Department of Education by 1970—could be—probably will be.

In order to meet pressing problems and to undertake manifold jobs we have been quietly, slowly, but with a quickening pace, doing things to the structure of our Gov-

ernment. We have been establishing regional or areawide operating agencies of Government. To mention only a few, the South, New England, and the Far West have joint operating agencies in the field of higher education; the Delaware River Commission, designed to regulate and control water supply and its distribution, involves four States and a Federal agency. And, it is an operating agency with power to act—not just advisory and supervisory. The Appalachian Regional Commission, a somewhat similar agency, encompasses 11 States and the Federal Government, and is designed to promote industrialization, to provide employment and to mitigate poverty. This Appalachian Commission also is an action group with money to do things. There are many more and, to repeat, the end is not in sight.

Time and again many people raise two questions: Where do we stop? Why all this?

There are many reasons, of course, but the main answer is simple, so very simple. In 1910 we had 92 million people. Today we have more than 190 million people, and in the good year 2000 A.D. we will have about 350 million people.

Have I overburdened you? Have I seemed to be pessimistic?

I have not so intended. I know that the future—immediate and remote—will tax, as never before, the ability, the ingenuity, and yes, the patience of all public officials. But as a little friend and partner of mine—8 years old—so frequently says, "So what." There is no fun in the status quo.

Just over the hill in the foreseeable future, what a challenge and what an opportunity for public officials as we journey into the exciting tomorrow.

Just a few more words in the nature of questions as we take a little longer look.

Can localities within the next half century be maintained as at present organized and administered without wide disparities in services which cannot be tolerated and gross waste and inefficiency which cannot be borne?

How are we going to govern our sprawling metropolitan areas? This is perhaps the most urgent, the most significant and the most difficult of our present day governmental problems.

Can and will the States be able to maintain that sovereignty about which we talk so much and which some think has been rapidly eroding in the past generations?

In a few words, what about our federal system?

More than 10 years ago I wrote that there were four great pillars supporting our federal system:

1. State control of election machinery;
2. State control of police machinery;
3. State control of the substance and operation of our school systems; and
4. Concurrent taxing powers.

Three of these pillars are already beginning to suffer the wear and tear of time.

Will we see in the next half century major overhaul of most of our State constitutions and—perish the thought—the National Constitution as well?

Will we find out, as a distinguished statesman did 100 years ago, that "The dogmas of the quiet past are inadequate for the stormy present"—and I might add for the foreseeable future.

I ask you.

And, now the administrator having approached perilously close to the realm of the prophet, I had better stop right here, and leave the answers to history and to you.

LET'S RECOGNIZE THE MIDWEST'S SCIENTIFIC CONTRIBUTIONS

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

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

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, I want to take this brief opportunity to point out that the AEC's recent action with regard to the proposed 200 billion electron volt accelerator is a matter of utmost importance for those of us who reside in the Midwest. It has been said before this distinguished body that only two areas of the Nation are capable of developing the scientific excellence so necessary to make the project a success. It was further stated that a truly serious question of whether machines of the highest quality could be built at any location other than the Lawrence Radiation Laboratory and the Brookhaven National Laboratory. I do not wish to detract from the tremendous contribution made by these existing facilities, but I strongly disagree with any implication that other areas are incapable of producing similar excellence.

As a Representative from the State of Iowa, I would like to point out that we in the Midwest have been carrying on a massive aid program for many parts of this Nation. The form of this aid program has been in the export of our highly talented and trained human resources.

A clear indication of what has accurately been called the "brain drain" is that the Midwest, of which Iowa is a part, produces over 40 percent of the Nation's scientists and engineers. Most of these people go to man what has become a massive industry in this Nation, that is, the research and development industry. I submit that the Midwest has contributed significantly to the very success of existing facilities, such as Brookhaven and Lawrence. We pay for and produce almost half of the research and development people and we enjoy less than 15 percent of the R. & D. money. I suggest that we have, in fact, been generously subsidizing other sections of the country.

If the words that were spoken on this floor yesterday were to become the rule in the development of future scientific facilities, the Midwest and its institutions of higher learning, which are unsurpassed by those in any other region, would become a vast scientific wasteland, while continuing to pay for and supply the personnel for facilities in other regions. I must say that we in the Midwest have all of the necessary requirements for any such proposed facilities, and have been supplying many of the personnel for those presently in operation.

I respectfully conclude by saying it is high time the tables are turned. I believe the Midwest will not continue to be abandoned in the future by those of scientific knowledge who are responsible for the distribution of research and development projects, if the sites are selected on the basis of technical data. For those who doubt the intellectual capacity of our great region, I suggest that they ascertain the educational background of many of the leading scientists of this Nation—then the true contribution of the Midwest to our scientific leadership will be visible.

THANK YOU, MR. PRESIDENT

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

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

There was no objection.

Mr. BOGGS. Mr. Speaker, last Friday, September 10, President Johnson flew to New Orleans to see for himself the impact of Hurricane Betsy upon that stricken city. In so doing he expressed in the most vivid method possible his concern for the people of Louisiana and his eagerness to help them with all of the Federal facilities at his command.

Recognition of the meaning of his trip was made the following Monday, September 13, by the New Orleans Times-Picayune, one of the South's greatest newspapers, in an editorial entitled, "Thank you, Mr. President."

One paragraph in the editorial was particularly meaningful, I should like to quote it:

> Leadership is particularly needed now, and the President's prompt flight to this area after Betsy wrought great havoc is all the more appreciated because he has given added meaning to his concern in our welfare by ordering the various agencies which can render physical assistance to hurricane sufferers to expedite the delivery of that aid.

I think Members would be interested in seeing the entire editorial, which is as follows:

[From the Times-Picayune, Sept. 13, 1965]

THANK YOU, MR. PRESIDENT

Deep South communities which were hard hit Thursday night and Friday night by powerful Hurricane Betsy, we are sure, join us in expressing appreciation for his concern in our welfare to Mr. Lyndon B. Johnson, the President of the United States.

A visit to New Orleans by the President always is a significant event—an occasion for approval of close relationship between the men and women who look to the White House for superior leadership and the leader in the White House who seeks close communion with these men and women who need his guidance.

Leadership is particularly needed now, and the President's prompt flight to this area after Betsy wrought great havoc is all the more appreciated because he has given added meaning to his concern in our welfare by ordering the various agencies which can render physical assistance to hurricane sufferers to expedite the delivery of that aid.

Most important, in our opinion, was President Johnson's announcement, as he left New Orleans, that he was "cutting all red tape" and giving the predicament of Betsy sufferers the Federal Government's highest priority.

All local officials whose burdens have been increased by the hurricane and its tragic aftermaths, to the best of our knowledge, have sought diligently and energetically to discharge their painful duties. Their task has not been easy, and their hours have not been short.

Obviously, their work has not been perfect. The U.S. Weather Bureau in New Orleans, as an example, was handicapped by communications failures Thursday at 10:10 p.m., when Betsy's fury here was near its height. Some citizens were evacuated from areas where flooding did not materialize, and other citizens were left in homes where unexpected flooding caused loss of life and great damage.

The officials who called for evacuation of certain areas and did not call for evacuation of other areas, in our opinion, acted on the basis of the best information available to them. Just as Betsy did not follow an orthodox course after she left the Virgin Islands on August 29, information on which official advice was based was not infallible.

Whatever shortcomings there may have been in warning of the hurricane's approach and in preparations for meeting its wrath were not due, in our opinion, to lack of devotion and hard work by officials on various levels and by a vast number of unofficial workers who still are ministering to the needs of hurricane sufferers.

Singling out any individual or any particular organization for commendation for sticking to assigned posts or for accepting unusual responsibility in this grave emergency, we believe, would be a mistake. Too many people, too many organizations have put aside concern about their own security, have lost their sleep and their goods, have accepted other hardship and have otherwise proved their willingness to be true friends in need, friends indeed, to justify any attempt to specify where any special credit should be placed.

The worst, which has been very, very bad, is over, we hope. Recovery has begun, and we commend New Orleans and our neighbors to prosecution of that task.

PERSONAL EXPLANATION OF HON. DON FUQUA

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

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

There was no objection.

Mr. FUQUA. Mr. Speaker, due to important business in my district, it was necessary for me to be absent for the following rollcalls: Had I been present, I would have voted aye for rollcalls No. 299 and 304 and nay for rollcalls No. 269, 301, and 303.

PRESIDENT'S PROPOSAL ON INTERNATIONAL EDUCATION

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

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

There was no objection.

Mr. VIVIAN. Mr. Speaker, yesterday, President Lyndon B. Johnson, while speaking at the bicentennial celebration of the Smithsonian Institution proposed and gave his strong support to a vital new step in our world policy.

He proposed that the United States enter into a long-range effort with other prosperous nations, to extend the full benefits of education at all levels, to youth in every nation of this world—to youths, millions of whom now have only the most rudimentary facilities and texts, a painfully sparse supply of teachers, few adequately trained and, all too often, have so little family income that it is difficult for their families to aid, often even to permit, their education. Now it is easy to say, "This is not our problem."

But as the President so wisely said yesterday, unless the darkness of illiteracy which besets nearly a billion persons on this globe soon can be shred away by the light of education, everywhere, the force of that darkness may engulf us all.

Now there will be many who will argue why this step should not be taken.

Some will say we do not have the resources, or would waste resources we need here.

Others will say we would only succeed in training our enemies so that they could sooner overwhelm us. Some will say, with some reason that food should come first.

I cannot predict all the negative arguments. But let me say to those who object, that education is one type of foreign aid which reaches directly to the human individual; and it benefits the poor most surely.

Education is a typed foreign aid—very difficult for the thief to divert, very troublesome for the dictator to deny, and, very obvious to the recipient as a true gift to a man.

Furthermore, the recipient of an honest education need not fear its content, need not be ashamed to receive the gifts, can pass his benefits onto many others, and can better help in building the material world his family needs.

Mr. Speaker, President Lyndon Baines Johnson can be proud of his—and our—efforts to aid, to encourage, to support, to emphasize education in these 50 States. I shall be very proud if I can aid and participate in extending our help in education throughout this planet.

I will submit to him my own suggestions for such a program within the coming week.

I am pleased to be able to say that during my campaign last fall for election to this House, I stressed my desire to greatly increase our Nation's effort in just the manner the President advocates. It will be a further pleasure to give my full support in realizing this goal.

Mr. Speaker, I ask unanimous consent that the text of the speech given yesterday by the President, be printed at this point in the RECORD.

TEXT OF PRESIDENT'S REMARKS AT SMITHSONIAN FETE

(The following is the text of the President's remarks at the Smithsonian Institution bicentennial celebration.)

Distinguished scholars from 80 nations, amid this pomp and pageantry we have gathered to celebrate a man about whom we know very little but to whom we owe very much. James Smithson was a scientist who achieved no great distinction. He was an Englishman who never visited the United States. He never even expressed a desire to do so.

But this man became our Nation's first great benefactor. He gave his entire fortune to establish this institution which would serve "for the increase and diffusion of knowledge among men."

SMITHSON'S VISION HAILED

He had a vision which lifted him ahead of his time—or at least of some politicians of his time. One illustrious U.S. Senator argued that it was "beneath the dignity of the country to accept such gifts from foreigners." Congress debated 8 long years before deciding to receive Smithson's bequest.

Yet James Smithson's life and legacy brought meaning to three ideas more powerful than anyone at that time ever dreamed.

The first idea was that learning respects no geographic boundaries. The institution bearing his name became the very first agency in the United States to promote scientific and scholarly exchange with all the nations of the world.

The second idea was that partnership between Government and private enterprise can serve the greater good of both. The Smithsonian Institution started a new kind of venture in this country, chartered by act of Congress, maintained by both public funds and private contributions. It inspired a relationship which has grown and flowered in a thousand different ways.

Finally, the institution financed by Smithson breathed life in the idea that the growth and spread of learning must be the first work of a nation that seeks to be free.

These ideas have not always gained easy acceptance among those employed in my line of work. The Government official must cope with the daily disorder he finds in the world around him.

But today, the official, the scholar and the scientist cannot settle for limited objectives. We must pursue knowledge no matter what the consequences. We must value the tried less than the true.

To split the atom, to launch the rocket, to explore the innermost mysteries and the outermost reaches of the universe—these are your God-given chores. Even when you risk bringing fresh disorder to the politics of men and nations, these explorations must go on.

The men who founded our country were passionate believers in the revolutionary power of ideas.

They knew that once a nation commits itself to the increase and diffusion of knowledge, the real revolution begins. It can never be stopped.

In my own life, I have had cause again and again to bless the chance events which started me as a teacher. In our country and in our time we have recognized, with new passion, that learning is basic to our hopes for America. It is the taproot which gives sustaining life to all our purposes. Whatever we seek to do—to wage the war on poverty—set new goals for health and happiness—curb crime—and bring beauty to our cities and countryside—all these and more depend on education.

But the legacy we inherit from James Smithson cannot be limited to these shores. He called for the increase and diffusion of knowledge "among men"—not just Americans, not just Anglo-Saxons, not just the citizens of the Western World—but all men everywhere.

The world we face on this bicentennial anniversary makes that mandate more urgent than it ever was. For we know today that

certain truths are self-evident in every nation on this earth:

That ideas, not armaments, will shape our lasting prospects for peace.

That the conduct of our foreign policy will advance no faster than the curriculum of our classrooms.

That the knowledge of our citizens is the one treasure which grows only when it is shared.

It would profit us little to limit the world's exchange to those who can afford it. We must extend the treasure to those lands where learning is still a luxury for the few.

Today, more than 700 million adults—4 out of 10 of the world's population—dwell in darkness where they cannot read or write. Almost half the nations of this globe suffer from illiteracy among half or more of their people. Unless the world can find a way to extend the light, the force of that darkness may engulf us all.

For our part, this Government and this Nation is prepared to join in finding the way. During recent years we have made many hopeful beginnings. But we can and we must do more. That is why I have directed a special task force within my administration to recommend a broad and long-range plan of worldwide educational endeavor. I intend to call on leaders in both public and private enterprise to join with us in mapping this effort.

We must move ahead on every front and at every level of learning. We can support Secretary Ripley's dream of creating a center here at the Smithsonian where great scholars from every nation will come and collaborate. At a more junior level, we can promote the growth of the school-to-school program started under Peace Corps auspices so that our children may learn about—and care about—each other.

We mean to show that this Nation's dream of a Great Society does not stop at the water's edge. It is not just an American dream. All are welcome to share in it. All are invited to contribute to it.

PROGRAM OUTLINED

Together we must embark on a new and noble adventure:

First, to assist the education effort of the developing nations and the developing regions.

Second, to help our schools and universities increase their knowledge of the world and the people who inhabit it.

Third, to advance the exchange of students and teachers who travel and work outside their native lands.

Fourth, to increase the free flow of books and ideas and art, of works of science and imagination.

And fifth, to assemble meetings of men and women from every discipline and every culture to ponder the common problems of mankind.

In all these endeavors, I pledge that the United States will play its full role.

By January I intend to present such a program to Congress.

Despite the noise of daily events, history is made by men and the ideas of men. We, and only we, can generate growing light in our universe, or we can allow the darkness to gather.

De Tocqueville challenged us more than a century ago: "Men cannot remain strangers to each other or be ignorant of what is taking place in any corner of the globe." We must banish the strangeness and the ignorance.

In all we do toward one another, we must try—and try again—to live the words of the prophet: "I shall light a candle of understanding in thine heart which shall not be put out."

SERMON BY THE MOST REVEREND PATRICK A. O'BOYLE

The SPEAKER. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 5 minutes.

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks I would like to include the following sermon by the Most Reverend Patrick A. O'Boyle, D.D., archbishop of Washington, in St. Matthew's Cathedral, Washington, D.C., on Sunday, August 29, 1965, which I believe presents a clear view on a complex issue:

BIRTH CONTROL AND PUBLIC POLICY

(Sermon by the Most Reverend Patrick A. O'Boyle, D.D., archbishop of Washington, in St. Matthew's Cathedral, Washington, D.C., Sunday, August 29, 1965)

"The time will come when men will not listen to sound teaching, but with ears itching, will pile up for themselves teachers who suit their pleasures. They will turn their ear away from the truth to fables."

These words are taken from the Second Epistle of St. Paul to Timothy, chapter IV, verses 3 and 4. In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

My dear good people in Christ: We live in extraordinary times. Despite the tragic riots and bitter recriminations of the long, hot summer at home, and the tensions unavoidably connected with our increasing firmness overseas, there is a new spirit of achievement and hope in the air.

As President Johnson expressed it in his Catholic University commencement address recently: "This is a new time in our land, a time that is young in spirit, a time of renewal, a time of resurgence for those forces which fashion a finer and fairer society."

In our own church the fresh winds of aggiornamento have swept its hallowed halls. Through the new liturgy, the faithful have gained an intimate participation in the Holy Sacrifice unequaled since the early years of the Bark of Peter. In his encyclical "Ecclesiam Suam," the Holy Father opens up an exciting vista of the mission of the modern church. And in the document on the church and the modern world, a fraternal hand is extended to all men of good will to explore not only our common beliefs but how we can marshal the united moral forces in each country in an attack on the spiritual and social evils that confront society.

In the United States, progress in the field of racial and social justice has been nothing short of phenomenal. A remarkable Congress, working in close harmony with the Chief Executive, has courageously attacked such previously insoluble issues as civil rights (including voting rights), aid to education, and the paradox of poverty in the midst of plenty. It is in every way an outstanding achievement, and the President and our hard-working Representatives on Capitol Hill deserve the Nation's thanks.

In this context of social and material advancement, it is with great reluctance that I speak to you this morning on the controversial subject of birth control.

As you well know, Pope Paul VI has established a distinguished commission of theologians, doctors, demographers, lay couples, and experts in many fields to consider these issues in their broadest aspects. Until the commission has submitted its report, and the Holy Father has acted upon it, he has wisely counseled a moratorium on speculation which can only serve to confuse not only the faithful but the large body of sincere people who, while they may differ from us, nevertheless respect our right of conscience as we respect theirs.

Unfortunately, the Pope's warning has not prevented a number of Catholics classified as experts who, while asserting that they do not officially speak for the church, nevertheless have not hesitated to try the case in the newspapers, in periodicals, and on television. Though they doubtless acted in good faith, the result has been to raise false hopes in some quarters, and to spread discouragement in others. Moreover, committees of the Congress and other public bodies, hearing no official expression to the contrary, have assumed that silence gives consent and have initiated programs intruding on the private lives of citizens—programs in which, to put it bluntly, the Government has no business. So I feel I must speak out.

What started all this was the discovery of a condition popularly known as the population explosion. Like many catch phrases, it is ambiguous and misleading. An impressive array of statistics has been marshaled to prove that it exists, and that it will get worse if present ratios of birth to death rates continue. The figures are subject to qualification in some cases. For example, births in this country for the last year were the lowest since 1953. However, there is no question that overpopulation is a fact in some areas. The question is, what do we do about it?

There are two general lines of approach, one positive, one negative.

The positive approach may be illustrated by the situation in the United States. There may well be at this moment areas of relative overpopulation in certain parts of this country—in the so-called Negro ghettos of some of our northern cities, for example. In other areas, like the western part of the United States and Canada, there is underpopulation.

A positive attack on this situation would employ such techniques as better use of the country's still great reserve of wide-open spaces, decentralization of industry (which already is underway) and the movement of employees and their families to less crowded areas which inevitably follows. It would extend our transportation network, and develop still better ways of getting surplus foods into the hands of the needy, thus relieving the economic squeeze on larger families. It would organize broad systems of job training, so that men at the bottom of the income ladder might qualify for better jobs and thus could afford better housing, with less doubling up of families and consequent reduced crowding.

These and a dozen other similar lines of attack are typical of the positive approach. They are typically American, for this is how our Nation developed.

Opposed to the positive approach is the negative position of birth limitation. Advocates of this position tend to turn away from the use of our immense resources, technology, and pioneering spirit to build an even greater society. They regard such efforts as futile and say that the only real solution is birth control and that only government can effectively promote birth control on a mass scale.

Now this is a very complex question, and there is room for honest difference of opinion in those areas where no moral principles are involved. Nevertheless, I personally feel that the philosophy of this negative approach is unworthy of our American tradition.

Now I would ask you to turn from these considerations of national and international policy to the problems of the individual family. If the biggest danger flag in our overall approach to population control is negativism, the most serious threat in its impact on the American family is paternalism. Permit me to show you what I mean.

Ours is a complex society, and a dynamic one. The same economic and social forces

that created our marvelous productive machine sometimes threaten to destroy the people it was designed to serve. More and more, in their search for protection and security, men have turned toward their government.

Security, however—like everything else—has its price, and it must be paid for in the coin of personal freedom. You may think this is a fair exchange, and so it may be up to a point, though the gradual intrusion of government into the private lives of its citizens is a trend which worries many thoughtful people.

Nevertheless, there must be a line beyond which lawful regulation in the public interest becomes unwarranted invasion of the right of privacy. During the last 30 years, the Supreme Court has set up a number of guideposts for the protection of personal liberty. Among them have been these:

1. Freedom from Government inquisition.
2. The right of privacy.
3. Concern for the weaker members of society.
4. Freedom from Government coercion of mind and conscience.

The late Justice Brandeis, with his usual succinctness, expressed the issue this way: "The makers of our Constitution * * * recognized the significance of man's spiritual nature, of his feelings, and of his intellect. They knew that only a part of the pain, pleasure, and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions, and their sensations. They conferred, as against the Government, the right to be left alone—the most comprehensive of rights, and the right most valued by civilized man."

The philosophy expressed by Justice Brandeis has been given a modern application in the recent decision of the U.S. Supreme Court invalidating the Connecticut birth control law. Seven Justices agreed that the statute violated the right of marital privacy, which it called "intimate to the point of being sacred."

Now if the Government is enjoined by this decision from forbidding the practice of birth control, it logically follows that it is likewise forbidden to promote it, since violations of human privacy becomes inevitable in the relationship between Government and the indigent people who comprise the target group for Government-sponsored birth control.

In spite of these unmistakable constitutional roadblocks, a bill is now before the Senate Subcommittee on Foreign Aid Expenditures that would formally and directly involve the Federal Government in birth prevention programs, including the dissemination of information and materials at public expense.

In a number of cities, there have been attempts to link promotion of birth control with the new antipoverty program, on the theory that, as one Senator put it, "the poor are more likely than any other group to have large families."

That, I submit, is not the Government's business. The choice of how many children a couple should have is the sole, personal responsibility of the spouses. It is no less their responsibility if they happen to be poor.

For a Government agent to advise individuals—married or unmarried—respecting limitation of the number of their offspring, to inquire respecting details of their sexual life, or in any way to suggest to them practices respecting sex which may do violence to their religious beliefs, is a clear invasion of the sacred right of privacy which the Supreme Court holds to be inviolate.

Now we have been exploring up to this point some of the moral, legal, and sociological implications of Government involvement in family limitation. But what happens when a couple, of their own volition and for valid reasons, wish either to limit the number of their children or to regulate their spacing?

It is obvious that the American community is deeply divided on this question. Many people sincerely believe not only that there is nothing immoral in the use of artificial contraceptives, but that the common good of society is served by active dissemination of such materials and information on how to use them. Some would even go to the extreme of making this a public policy both at home and abroad.

There is another group—including but by no means confined to Roman Catholics—that holds with equal sincerity that the use or promotion of contraceptives, whether mechanical or chemical, is at all times and for any reason a serious moral evil. Their concern is not with the end of responsible parenthood, which no one disputes, but with the morality of the means used to achieve it.

What is the answer to this dilemma? What is the right and duty of the individual citizen of good conscience? What should be the role of Government? Let me suggest some possible approaches.

In great issues of this kind, where opinion is sharply divided, the first and most important consideration in searching for a solution is the preservation of the God-given right of conscience. Catholics, for example, have no right to impose their own moral code upon the rest of the country by civil legislation. By the same reasoning, they are obliged in conscience to oppose any regulation which would elevate to the status of public policy a philosophy or practice which violates rights of privacy or liberty of conscience. The citizen's freedom cuts both ways.

In a situation like this, involving serious moral issues in which people strive to form a right conscience, the role of Government is clear—strict neutrality. No one questions the right—even the desirability—of expanded Government-sponsored research into the problems of human reproduction. There is much to be learned in this area—including possible harmful side effects of so-called oral contraceptives which are just now coming to light.

However, the moment that Government presumes to give advice in this delicate area, it opens the door to influencing the free decision of its citizens. And from influence, it is only a short step to coercion. Especially when economic factors are involved, like welfare payments, the slightest attempt to guide an applicant may be magnified by fear into an unspoken threat to "conform—or else."

Now, what should be the attitude of the individual Catholic in all this? A Catholic, like any other American, is a citizen, with the right and duty to vote in accordance with his convictions. He is a member of a pluralistic society, which must have a working consensus, even in highly controversial areas, if it is to govern itself. Therefore he has an obligation, without compromising his moral principles, to work in harmony for the common good—which always includes the protection of constitutional liberties. Certainly it would appear that, under the proposal I have described, constitutional liberty of privacy is severely endangered.

In addition to being a citizen, a Catholic is also a member of the mystical body of Christ. In this he accepts voluntarily, by the very fact of his membership, the official teaching of the church in matters of faith and morals. And, my dear good people, the church's teaching with regard to contraception has been both clear and consistent.

In his encyclical, "Casti Connubii," Pope Pius XI declared that any interference, either in the performance of the conjugal act or in the development of its natural consequences which is designed to deprive it of its inherent power and to prevent the procreation of new life, is immoral.

Pope Pius XII, reiterating the teaching of his predecessor, added that "'this prescription holds good today as much as it did yesterday * * * for it is not a mere precept of human right but the expression of a natural and divine law."

The reigning Pontiff, Pope Paul VI, had this to say in announcing last year the appointment of a commission to explore the problem:

"So far we do not have a sufficient reason to regard the norms given by Pope Pius XII in this matter as surpassed and therefore not binding. They must therefore be considered valid, at least until we feel in conscience bound to modify them * * * No one should, therefore, for the time being, take it upon himself to pronounce himself in terms differing from the norm in force."

Let us urge you in closing not to allow preoccupation with the techniques of birth limitation, even those which are not of themselves immoral, to distract us from the higher duty of trust in God. Which one of you in this cathedral has not known at some time the terrifying worry of being out of a job, or being hit by heavy hospital bills? Where are those worries today? And if next week you were asked to sacrifice one of your children to ease the population explosion, which one would you choose?

Surely in the glorious history of this great Nation we have found better guides for our society than the four horsemen of national disaster—artificial birth control, abortion, sterilization and euthanasia. Surely we have a better answer to poverty than to deny to the eternal Father the crowning expression of His glory—the creation of an immortal soul in His image? This is the philosophy of defeatism and despair. It is unworthy of our heritage, unworthy of our destiny.

Let us plan our families, then, in the spirit of responsible parenthood, so long as the means we use do not contravene God's law. But let us learn to trust a little, too—not in ourselves, but in the wisdom and providence of a loving Father.

THE APPROPRIATION BILLS, 89TH CONGRESS, 1ST SESSION

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. MAHON] may extend his remarks at this point in the RECORD and include tables.

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

There was no objection.

Mr. MAHON. Mr. Speaker, with conference clearance of the two defense appropriation bills, appropriation totals for the session moved substantially closer to the final amounts.

Four bills are yet to clear: Agriculture and public works—both now in conference; foreign assistance—awaiting Senate floor action; and the customary closing supplemental—now in preparation in the Committee on Appropriations and to be reported shortly.

The House this session has considered budget requests of $101.1 billion and cut

$2.4 billion from that total, with the closing supplemental yet to come to the floor.

Not counting the foreign assistance and closing supplemental bills yet to come before it, the Senate has considered $99.8 billion of budget requests; allowed $99.2 billion; thus making a net reduction of $600 million.

The bills which have cleared conference during the session entailed budget requests of $89.6 billion. Against this, Congress appropriated $87.8 billion, a net reduction of $1.8 billion.

Any contemplation of session totals must embrace so-called permanent appropriations which recur automatically under previous law; interest on the national debt is the preponderant item. These appropriations roughly approximate $12.3 billion for fiscal 1966.

I include a summary tabulation of the totals to date:

Summary of totals of the appropriation bills, 89th Cong., 1st sess., to Sept. 17, 1965

[All figures are rounded amounts]

NOTE.—Treasury loan authorizations, roughly approximating $900,000,000, are not in this summary; nor are undetermined "backdoor" appropriations; nor are permanent appropriations not requiring action in the session, roughly approximating $12,300,000,000]

	Bills for fiscal 1965	Bills for fiscal 1966	Bills for the session
A. House actions:			
1. Budget requests for appropriations considered	$4,668,000,000	$96,430,000,000	$101,098,000,000
2. Amounts in bills passed by House [1]	4,418,000,000	94,271,000,000	98,689,000,000
3. Reduction below corresponding budget requests	−250,000,000	−2,159,000,000	−2,409,000,000
B. Senate actions:			
1. Budget requests for appropriations considered	4,723,000,000	95,065,000,000	99,788,000,000
2. Amounts in bills passed by Senate [2]	4,558,000,000	94,630,000,000	99,188,000,000
3. Above House amounts in these bills	+140,000,000	[3] +4,361,000,000	[3] +4,501,000,000
4. Reduction below corresponding budget requests	−165,000,000	−435,000,000	−600,000,000
C. Final actions:			
1. Budget requests for all bills cleared conference	4,723,000,000	84,895,000,000	89,618,000,000
2. Final amounts approved [4]	4,527,000,000	[5] 83,301,000,000	[5] 87,828,000,000
3. Comparisons—			
(a) With corresponding budget requests	−196,000,000	−1,594,000,000	−1,790,000,000
(b) With corresponding fiscal 1965 amount		+120,000,000	
(c) With bills of the last session			+[6]

[1] All bills except final supplemental are included—precise budget requests unknown.
[2] All bills except "Foreign assistance" (budget request, $4,189,000,000) and final supplemental (budget requests unknown) are included.
[3] Includes two unusually large budget items not considered originally in the House: $1,700,000,000 on the Defense bill and $1,035,000,000 on the Treasury bill (this latter item being classified as a supplement to fiscal 1965 rather than a fiscal 1966 appropriation).
[4] Four bills for fiscal 1966 not included (involving budget requests: Agriculture, $5,782,000,000; public works, $4,387,000,000; foreign assistance, $4,189,000,000; and final supplemental, amounts unknown).
[5] Include $201,000,000 for fiscal 1967 (grants for airports and mass transportation).
[6] Undeterminable until the last bill is enacted.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. STRATTON, for September 20 and 21, 1965, on account of official business.

Mr. HOSMER, for 3 weeks on account of official business.

Mr. REINECKE (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. FRELINGHUYSEN (at the request of Mr. GERALD R. FORD), for an indefinite period, on account of official business, as a U.S. delegate to the 20th session of the General Assembly of the United Nations.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FOGARTY (at the request of Mr. PATTEN), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. GROSS, for 30 minutes, on next Tuesday.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. BURKE and to include extraneous matter.

Mr. LAIRD to revise and extend his remarks made during the consideration of the conference report on H.R. 9221 and to include tables.

Mr. BENNETT in four stances and to include extraneous matter.

(The following Members (at the request of Mr. HUTCHINSON) and to include extraneous matter:)

Mr. BOB WILSON.

Mr. SHRIVER.

Mr. MARTIN of Alabama in five instances.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. MURPHY of New York.

Mr. EVINS of Tennessee.

Mr. WAGGONNER.

Mr. MAHON to include tabular material on the Defense appropriation bill and on the appropriation business of the session.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2084. An act to provide for scenic development and road beautification of the Federal aid highway systems; to the Committee on Public Works.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the House of the following titles:

S. 1483. An act 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; and

S. 2042. An act to amend section 170 of the Atomic Energy Act of 1954, as amended.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 948. An act to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia;

H.R. 5883. An act to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act;

H.R. 10014. An act to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives, and the act of June 27, 1956, relating to office space in the States of Senators; and

H.R. 10874. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to eliminate certain provisions which reduce spouses' annuities, to provide coverage for tips, to increase the base on which railroad retirement benefits and taxes are computed, and to change the railroad retirement tax rates.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 3128. An act for the relief of Angelo Iannuzzi;

H.R. 3684. An act for the relief of Maj. Alexander F. Berol, U.S. Army, retired;

H.R. 5989. An act to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883);

H.R. 8218. An act for the relief of Walter K. Willis;

H.R. 8351. An act for the relief of Clarence L. Aiu and others;

H.R. 8761. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 9854. An act for the relief of A. T. Leary; and

H.J. Res. 504. Joint resolution to facilitate the admission into the United States of certain aliens.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until Monday, September 20, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1589. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report indicating the necessity for a supplemental estimate of appropriation for the Selective Service System for fiscal year 1966, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1590. A letter from the Director of Civil Defense, Department of the Army, transmitting a report of Federal contributions program equipment and facilities, for the quarter ending June 30, 1965, pursuant to subsection 201(i) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1591. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), Office of Assistant Secretary of Defense, transmitting revised cost figures of certain facility projects proposed to be undertaken for the Air National Guard, supplementing executive communication No. 527, February 8, 1965, pursuant to the provisions of 10 U.S.C. 2233a(1), and authority delegated by the Secretary of Defense; to the Committee on Armed Services.

1592. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp Atterbury, Ind.; to the Committee on Armed Services.

1593. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor; to the Committee on the District of Columbia.

1594. A letter from the Assistant Secretary for Administration, Department of the Interior, transmitting a report of receipts and expenditures for fiscal year 1965, pursuant to section 15, 43 U.S.C. 1343; to the Committee on the Judiciary.

1595. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a proposed amendment to section 301(a)(7) of the Immigration and Nationality Act (66 Stat. 235; 8 U.S.C. 1401); to the Committee on the Judiciary.

1596. A letter from the Secretary of the Interior, transmitting a report on activities of the Federal aid in fish restoration program for fiscal year ending June 30, 1964, pursuant to section 11, 64 Stat. 430; 16 U.S.C. 777; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committes were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLATNIK: Committee of conference. S. 4. An act to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes (Rept. No. 1022). Ordered to be printed.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 598. A resolution providing for the consideration of House Joint Resolution 642, joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia, to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes; without amendment (Rept. No. 1023). Referred to the House Calendar.

Mr. GRAY: Committee on Public Works. House Joint Resolution 642. Joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia, to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes; with amendment (Rept. No. 1024). Referred to the Committee of the Whole House on the State of the Union.

Mr. LENNON: Committee on Merchant Marine and Fisheries. S. 944. An act to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes; with amendment (Rept. No. 1025). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COOLEY:

H.R. 11135. A bill to amend and extend the provisions of the Sugar Act of 1948, as amended; to the Committee on Agriculture.

By Mr. POFF:

H.R. 11136. A bill to authorize the Secretary of the Interior to designate the Washington Country National Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DAVIS of Wisconsin:

H.R. 11137. A bill to provide that Federal savings and loan associations shall be governed by the same branching restrictions as are applicable to competing State-chartered institutions; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 11138. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide a procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. MULTER (by request):

H.R. 11139. A bill to amend section 5155 of the Revised Statutes of the United States relating to the establishment and operation of branches of national banks; to the Committee on Banking and Currency.

By Mr. NIX:

H.R. 11140. A bill to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas; to the Committee on Public Works.

By Mr. TEAGUE of Texas:

H.R. 11141. A bill to amend the Universal Military Training and Service Act so as to give highest priority for induction into the Armed Forces to persons who would otherwise have avoided induction by being married on August 26, 1965, the date of the President's Executive order amending the Selective Service Regulations; to the Committee on Armed Services.

By Mr. WHALLEY:

H.R. 11142. A bill to amend section 312 of title 38, United States Code, by providing a 2-year presumptive period of service connection for traumatic aneurysm and malignant tumors (cancer) which develop within 2 years from the date of separation from active service; to the Committee on Veterans' Affairs.

H.R. 11143. A bill to provide educational assistance to certain veterans of service in Vietnam; to the Committee on Veterans' Affairs.

By Mr. McMILLAN:

H. Con. Res. 512. Concurrent resolution authorizing the printing of additional copies of the hearing on home rule for the District of Columbia; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

By Mr. ADDABBO:

H.R. 11144. A bill for the relief of Cologero Armandini; to the Committee on the Judiciary.

H.R. 11145. A bill for the relief of Nikolas Iliadis; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11146. A bill for the relief of Antonio D'Angelo; to the Committee on the Judiciary.

H.R. 11147. A bill for the relief of John Marinis; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 11148. A bill for the relief of Dr. Hassan Vakil; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 11149. A bill for the relief of Vito Matranga; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 11150. A bill for the relief of Mrs. Catherine Pliakos; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 11151. A bill for the relief of Miss Yie Chin Kim; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 11152. A bill for the relief of Virgile Posfay; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

367. The SPEAKER presented a memorial of the Legislature of the State of Massachusetts, to establish a corporation with sufficient funds to provide, through insurance, reasonable protection against loss or damage to property suffered during a riotous or tumultous assembly of people, which was referred to the Committee on Banking and Currency.

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS
OF
HON. JAMES D. MARTIN
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my newsletter to the people of the seventh District of Alabama for August 23, 1965:

WASHINGTON REPORT FROM CONGRESSMAN JIM MARTIN, SEVENTH DISTRICT, ALA.

FARM BILL HURTS ALABAMA FARMERS

The liberal Democrats in control of Congress, jumping at the crack of the whip by Lyndon Johnson and his Secretary of Agriculture, Orville Freeman, struck another blow at the farmers of Alabama and the southeast by passing the confusion known as the omnibus farm bill. The vote was 221 to 172. I voted against the bill on final passage because it will hurt the farmers and the economy of Alabama.

During the 4 days of debate on the bill we were able to make some very slight improvements in it. I fought for and voted for amendments to the cotton provision of the bill to permit released cotton acreages to be reapportioned across the county lines. We were also able to save the one-price cotton system which is essential to saving the jobs of Alabama workers in the cotton mills.

OVERALL BILL DISCRIMINATORY

In spite of these improvements the overall farm bill penalizes Alabama and sets the stage for moving cotton farming to the west. This is the real purpose behind the farm bill. In a news story in the Birmingham Post-Herald of August 16 it was pointed out the small farms in Alabama are disappearing. This bill will hasten the day when the small cotton farmer in our area is through.

The Montgomery Advertiser, in an August 16 editorial, pointed out that this bill is going to cost Alabama cotton growers $75 million. The editorial was based on figures released by Alabama Agriculture Commissioner Todd who calculates the Democrat farm bill will cut Alabama's cotton allotment from 969,000 to 435,000 acres. A Democrat Congress and a Democrat President will be the authors and finishers of Alabama cotton agriculture. This is something to remember when you are asked to support the antipoverty, big welfare programs of Lyndon Johnson's Great Society. Alabama cotton farmers well may ask, "great for whom?"

SUPPORT YOUR POLICE DEPARTMENT

In a memorandum circulated in Cuba before the Communist revolution the first point in the formula for revolution was to "discredit the police in every way by causing incidents which will lead to arrest and then by charging police brutality." The program now being carried on in the United States by Martin Luther King and others is following this formula to the letter whether King and those who constantly criticize the police know it or not. The shameful riots in Los Angeles in which screaming mobs burned and robbed and murdered had not even ended before Martin King was charging police brutality and demanding the firing of one of the Nation's finest police chiefs.

In a statement to Congress last week I called for a return to law and order and support of the police and other law enforcement officers whom we ask to risk their lives to protect us. Lyndon Johnson should make an unequivocal statement that law and order will be maintained and then stand by his statement instead of making excuses for the criminals. The time is long past due when the President should make such a statement. He should make it clear that the police departments of this Nation will not be sacrificed to appease criminals. If, for political expediency, the President will not stand firmly behind our law enforcement officials, it's time the good people of this country did and that we let the rapists, robbers, murderers, and those who urge them on that we support the police in their defense of law and order and the lives and property of decent citizens.

Typical of some statements by public officials excusing the crime wave in Los Angeles is one by Congressman CLAYTON POWELL, of New York, in the CONGRESSIONAL RECORD. The statement goes through the same charges that the criminals were not to blame, but they act that way because they are poor and underprivileged. The startling thing is the last paragraph in the Congressman's statement: "Negroes in the North know the truth of these statements and are embittered by the absence of official action directed toward a solution of these problems. Until a comprehensive and massive attack on northern sub rosa racial hatred is undertaken, until all of us force ourselves to come to grips with the fact that the poverty of the northern Negro is totally different from the poverty of the southern Negro and in some respects even worse, Los Angeles is only the beginning of a long series of rioting and lawlessness not only this summer but in the many summers to come."

There is a gigantic task ahead for America and one to which I subscribe. It has been pointed out that the poverty in the Watts district of Los Angeles is due to the fact that most of the better jobs that are available require a level of education the Negro poor do not have and which will take at least another generation to acquire. We do need a massive national education program to give all citizens equal opportunity to get good jobs. But we won't achieve that goal through demonstrations, riots, and the continued threat of future violence, or by fostering hatred between blacks and whites.

GOVERNMENT PROGRAMS ANNOUNCED BY KING

In the 8 months I have served in Congress I have come to accept the fact that announcements of Federal projects and grants in my district are always given to the Democrat Senators first, but I think it's going a little too far when programs in my own congressional district are announced by Martin Luther King. In a story from the Los Angeles Times of August 12, reporting on the convention of the Southern Christian Leadership Conference in Birmingham, Ala., it was stated: "Dr. King also reported that the U.S. Office of Economic Opportunity this week approved a $60,000 grant for an SCLC program which provides special summer tutoring for Negro high school students and graduates to help them pass college entrance exams. SCLC also was instrumental in obtaining a poverty program for Gadsden, Ala. 'Six other poverty programs are at various states of development and others are anticipated,' Dr. King said." (quote from American Enterprise Institute).

I guess we should ask Sargent Shriver, Attorney General Katzenbach and the President, "when was King elected to public office and by whom?"

FOR ALABAMA SENATOR'S INFORMATION

The junior Senator from Alabama and several of his editorial supporters in the State continue to try to prove me wrong in stating that individual neighborhoods may be integrated under Federal housing laws. For the enlightenment of the Senator and those who take him at his word, I point to an item in the Washington Daily News of August 19, 1965:

"PRIVATE HOMES FOR PUBLIC HOUSING

"The National Capitol Housing Authority will ask the Commissioners for approval and the Federal Housing Administration for money to rent or buy 500 homes on the private market in the next 2 years for public housing units."

Sincerely,

JIM MARTIN,
Member of Congress.

Eighteenth Anniversary of the Murder of Nikola Petkov

EXTENSION OF REMARKS
OF
HON. BOB WILSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. BOB WILSON. Mr. Speaker, tomorrow the Bulgarian National Committee will commemorate the 18th anniversary of the judicial murder of Nikola Petkov for his defiance of the Communist effort to tyrannize Bulgaria. Petkov was hanged September 23, 1947, by the Soviet conspiracy. His death cleared the way for Soviet rule of that great people, a rule which has persisted to this day.

It was Petkov who headed the opposition to Soviet rule in the election campaign of October 1946. Despite falsification of the returns by the Communists, Petkov's candidates won, and triumphantly entered the Grand National Assembly. There he exposed the Soviet plans to make Bulgaria a Soviet province. Subsequently he was charged with conspiracy against the state and the Soviet Union, and sentenced to hang.

Mr. Speaker, let us not forget that there are still heroes in Petkov's country. Men and women still working and hoping that one day they will be free again. There are, too, many Bulgarian exiles with the same hopes for their country. One cannot think of these people without a sense of frustration. One almost feels a sense of shame at the easy acceptance of freedom by some in our own country. One also senses the wisdom of the poet John Donne's words, "No man is an island, entire of himself." We are in truth, our brother's keepers. When the

bells tolled for Petkov's death, they tolled for all of us.

We can take comfort and, indeed, pride, that on this very day Americans are fighting for freedom of their brothers. That our history is a history of a people always willing to fight that fight. There are, in fact, fighters for freedom in every nation. We must keep our faith that one day they will win.

Du Pont Estate Taxes

EXTENSION OF REMARKS
OF
HON. CHARLES E. BENNETT
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. BENNETT. Mr. Speaker, last Monday, when the House was considering the question of a rule on H.R. 7371, a bill to remove an exemption from the Bank Holding Company Act, there was conversation in the debate to the effect that 8 million tax-exempt dollars were going to the Du Ponts in Florida. Needless to say, the allegation that this much money was going to anyone, tax exempt, should properly arouse the interest of this body. It aroused mine.

Upon careful examination of the records presented in the hearings to the committee, I found only one person receiving more than $30,000 a year from the estate: Mrs. Jessie Ball du Pont, widow of Alfred I. du Pont. Under the terms of her late husband's will she receives a primary annuity of $200,000 a year, and from a residual annuity of currently approximately $8 million a year, she receives 88 percent. From the total residual annuity 12 percent is irrevocably assigned to the Nemours Foundation, a charitable nonprofit foundation donating funds primarily to assistance and research in the prevention of crippling in children, these funds now in the amount of approximately one million dollars annually. Except for this 12 percent paid to charity the remainder of the income from the estate is taxed at regular personal income tax rates.

Copies of canceled checks payable to the District Director of Internal Revenue which I have in my possession show that Mrs. du Pont pays almost $5 million a year in Federal personal income taxes, contrary to what has been said about the taxability of the amounts she receives. None of the money she or any other person receives from the estate gets any special tax treatment. She is, incidentally, one of the most philanthropic of all Americans and gives generously to a wide field of charities, after she pays her taxes.

I have also learned the Du Pont estate is one of the Nation's great tax revenue sources. In the past 15 years alone the estate has paid out more than $120 million in Federal income taxes, and more than $37 million in taxes to State, county, and city governments located in some 19 States.

When you stop and think about the gigantic sum of money this Du Pont estate has paid to our State and National Governments I cannot see how anyone can say there is not anything percolating down to the general population. Furthermore, the ultimate beneficiaries, after death of individuals who pay income taxes, will be charitable, primarily in the field of combating crippling among children.

Finally, I would like to observe that the pending legislation, H.R. 7371, would, as far as I can see, have no bearing or effect upon these tax matters because it has no relation to taxes in any way whatsoever.

Dedication—Memorial Mall, Sharon, Mass.

EXTENSION OF REMARKS
OF
HON. JAMES A. BURKE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. BURKE. Mr. Speaker, it was my pleasure on Sunday, September 12, 1965, to have been the guest speaker at the dedication of the memorial mall of the Sharon Memorial Park, Sharon, Mass., which was sponsored by the Department of Massachusetts Jewish War Veterans of the U.S.A.

I would like to include here my remarks, as well as the remarks of the Honorable Elliot Richardson, Lieutenant Governor of the Commonwealth of Massachusetts, and a copy of the program.

The material follows:

ADDRESS OF CONGRESSMAN JAMES A. BURKE TO THE JEWISH VETERANS, SHARON, MASS.

As we dedicate Sharon's Veterans' Mall, we may appropriately recall the history and achievements of one of America's most dedicated and patriotic veterans' organizations, the Jewish War Veterans.

The great aims of this organization of which you are so justly proud were set forth in the moving language of the preamble to the original constitution of 1896 of the Jewish War Veterans:

"To maintain true allegiance to the United States of America; to foster and perpetuate true Americanism; to combat whatever tends to impair the efficiency and permanency of our free institutions; to uphold the fair name of the Jew, and fight his battles wherever unjustly assailed; to encourage the doctrine of universal liberty; equal rights and full justice to all men; to combat the powers of bigotry and darkness wherever originating, and whatever their target; to preserve the spirit of comradeship by mutual helpfulness to comrades and their families; to instill love of country and flag, and to promote sound minds and bodies on our members and our youth; to preserve the memories and records of patriotic service performed by men of our faith; to honor their memory, and shield from neglect the graves of our heroic dead."

With these noble purposes enunciated, the Jewish War Veterans were prepared for their heroic service in the Spanish-American War, the two World Wars, the Korean conflict, and the cold war, now regrettably a very hot one in Vietnam.

The members of the Jewish War Veterans met together in convention in Philadelphia in 1936 to amend their constitution. In the newly drafted constitution were set forth in detail the duties and obligations of the national executive council, the national executive committee, the departments, district councils, and ladies' auxiliaries. The duties of officers were prescribed, uniforms and insignia designated, and a seal adopted.

In the revised constitution, article II embodied the spirit and general sentiments of the preamble of the original constitution, but enumerated the objectives of the Jewish War Veterans more specifically. It stated that the purposes of the organization were:

"To maintain true allegiance to the United States of America; to encourage honor and purity in public affairs; to combat whatever tends to impair the efficiency and permanency of our free institutions; to encourage the doctrine of universal liberty, equal rights, and full justice to all men.

"To combat the powers of bigotry and darkness wherever originating and whatever their target; to uphold the fair name of the Jew and fight his battles wherever assailed.

"To inculcate and keep alive the spirit of comradeship among the men of our faith who fought in the various wars of the United States of America.

"To assist such comrades and their families as may stand in need of help, encouragement, or protection.

"To encourage and promote athletics among our members and in the youth of our faith.

"To instill love of country and flag in our youth and to foster such activities as will tend to perpetuate the objects and ideals of our organization.

"To gather and preserve the records of patriotic service performed by the men of our faith; to honor their memory and shield from neglect the graves of our heroic dead."

Throughout its long and distinguished history as the oldest active war veterans' organization in the country, the JWV has been one of the bulwarks of the Jewish community's fight against anti-Semitism.

Its dynamic program emphasizes mutual understanding. It tries to reach out to every respected group in the country, to Congress, to the churches, to the schools, and to all the other veterans' organizations, in order to find its allies in the battle against anti-Semitism.

The JWV has worked hard to maintain its close working relations with both veterans' and nonveterans' organizations in its unending campaign to advance group cooperation in all areas of American life. Among the supporters of the JWV are those organizations which advocate legislation aimed at closing existing gaps in the exercise of civil rights. Friends of the JWV advocate the cooperation of all ethnic, racial, and religious groups in every community, and others support projects designed to broaden public understanding of veterans' needs and objectives.

The JWV program includes the sponsorship of brotherhood rallies, scholarship and contest awards in the schools, and the undertaking of civic betterment projects in local communities.

Through its child welfare program, the JWV supports the Boy Scouts, provides summer camp scholarships for underprivileged children, sponsors athletic league tournaments, and equips participating teams.

As an accredited agency representing claimants before the Veterans' Administration and the Defense Department, the JWV maintains a veterans' service program staffed by professional counselors and guidance experts who assist veterans and their dependents in dealing with various public agencies. This free service is made available without regard to race, color, or creed of veteran applicants. It helps thousands of veterans and their dependents each year.

The JWV maintains a legislative office in the Nation's Capital. For the Jewish community the JWV's legislative office has special significance, because the leaders of our Government recognize that the JWV repre-

sents the views of a large and important part of the organized Jewish community. Through its legislative action program, the JWV has campaigned for a veritable multitude of bills in the areas of civil rights, national defense, mutual security, foreign affairs, veterans' benefits, and other programs of interest to the American Jewish community.

In all the American military cemeteries in this country and throughout the world, there are to be seen among the rows upon rows of crosses, many, many Stars of David, mute but overwhelming testimony to the sacrifice made by the men of Jewish faith who fought so well, so long, and so hard to preserve American freedom. In the dedication of the Sharon Veterans' Mall in which we participate today, Jewish War Veterans once again exhibit their unceasing and untiring efforts to honor the heroic dead who have defended and saved our country and its institutions by their service and sacrifice.

I salute Sharon's Veterans' Mall and the Sharon Jewish War Veterans.

ADDRESS OF LT. GOV. ELLIOT RICHARDSON

This is a serene and beautiful place. It is a true privilege to participate in dedicating a memorial here to those of Jewish faith who have given their lives in the wars of the United States.

I congratulate the Department of Massachusetts Jewish War Veterans, and the Sharon Memorial Park on the conception and design as well as the harmony of execution of this Memorial Mall.

Throughout the long recorded history of the human race, the Jewish people have constantly and devotedly carried on the struggle for the dignity and freedom of the human spirit. Believing always that every individual owes a duty to God because each individual matters to God, Jews fought for the dignity and freedom of the individual against Egypt, against Babylon, against the darkness and oppression of the Middle Ages and against the forces of totalitarianism—Nazi, Fascist, and Communist in modern times.

It is especially fitting, therefore, that the Jews who gave their lives for freedom in the uniform of the United States should be commemorated here by the two boulders which mark this ground.

The red-brown boulder at the one end of the mall, which was brought here from Mount Carmel in the Holy Land, once felt the footprints of the Prophets who first taught the truths which have ever since inspired not only the Jews, but all other inheritors of the free spirit. The slate-gray stone at the other end of the mall is of native New England origin. Both these ageless fragments of our planet are linked by an oval of living green symbolizing the vital ever-renewed tradition which joins them.

The price of liberty, as we have so often been reminded, is eternal vigilance. Each generation must not only win liberty for itself—it must protect it against subversion and defend it against attack. And so today in South Vietnam, where American lives are once more being sacrificed, and in outposts all over the world, Americans are standing guard for freedom.

Wherever freedom is at bay or on the march, there will be Americans of Jewish faith. We shall forever be in their debt. We proudly and gladly acknowledge that debt.

DEDICATION, MEMORIAL MALL, SPONSORED BY THE DEPARTMENT OF MASSACHUSETTS JEWISH WAR VETERANS OF THE U.S.A., WITH THE COOPERATION OF THE SHARON MEMORIAL PARK

PROGRAM

Welcome: Albert Schlossberg, chairman.

Raising of colors: Prince Strauss Post No. 161, JWV color guard; U.S. flag, Mr. and Mrs. Isadore Bromfield; Jewish War Veterans flag, Mr. Louis Silvey, Abraham Zimmerman, PDC; national anthem, Cantor Alex Zimmer, temple Ohabei Shalom, Brookline, Mass.

Remarks: Alfred Tober, commander, Department of Massachusetts, JWV.

Dedication: Rabbi Jacob Hochman, temple Shalom, Milton, chaplain, Department of Massachusetts, JWV.

Introduction of distinguished guests.

Address: Hon. William Carmen, chairman, National Executive Committee, JWV.

Address: Hon. JAMES A. BURKE, U.S. Congress.

Address: Hon. Elliot Richardson, Lieutenant Governor, Commonwealth of Massachusetts.

Conclusion of dedication: Unveiling of bronze plaque, Mr. Eric S. Marmorek, for Sharon Memorial Park; Samuel Samuels, PDC for the Jewish War Veterans; Kaddish, Rabbi Jacob Hochman; El Mole Rachamin, Cantor Alex Zimmer; firing squad, Prince Strauss Post No. 161 JWV.

A Memorial to Knute Rockne on the Kansas Turnpike

EXTENSION OF REMARKS
OF
HON. GARNER E. SHRIVER
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. SHRIVER. Mr. Speaker, the Kansas Turnpike Authority and the Knute Rockne Clubs of America on Sunday, September 12, 1965, joined in dedicating a new memorial to the famed Notre Dame football coach and inspirational leader of American youth who died in an airplane crash in 1931 near Bazar, Kans.

The beautiful new memorial to Coach Rockne is of native Silverdale stone with a bronze plaque inset. It has been erected at the Matfield Green Service area on the Kansas Turnpike. This area is the nearest point on the turnpike to the actual plane crash site and the memorial will be seen and visited by hundreds of thousands of motorists who pause at or pass by the service area annually.

Members of the Knute Rockne family were present for the dedication ceremonies. Knute Rockne, Jr., of Stevensville, Mich., and John Rockne, South Bend, Ind., sons of the famed American, and his daughter, Mrs. Anthony Kochendorfer of Dickinson, N. Dak., unveiled the memorial and placed a wreath at its base at the dedication. The dedication address was given by Rev. Father Joyce, vice president of Notre Dame University.

Others who participated in the program included Dr. D. M. Nigro, Kansas City, president of the Knute Rockne Club of America; Rolla Clymer, El Dorado, publisher of the El Dorado Times; Robert Duncan, Atchison, chairman of the turnpike authority; L. W. Newcomer, El Dorado, Kansas Turnpike Authority, chief engineer-manager; and Msgr. George King of Kansas City.

We are proud to have this memorial to the late Knute Rockne in Kansas. His leadership of and significant contributions to our youth, the game of football, and physical fitness in general will long be remembered.

Washington Report

EXTENSION OF REMARKS
OF
HON. JAMES D. MARTIN
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my Washington Report to the people of my district for August 16, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

TERMITES IN GREAT SOCIETY FOUNDATION

While the great "I" in the White House continues to flood the airways and newspaper columns with statements of how much he is doing for you and trying to convince you how well off you are, the foundations of the Great Society are being steadily weakened by the termites of inflation, lower farm income, and continued cheapening of the dollars in your pocket. The record is clear that the Johnson farm program is not meeting the needs of farmers, consumers, or taxpayers.

Ten years ago the farmer received 42 cents from each consumer food dollar. Today he receives only 37 cents, less than in the depression days of 1935. Farm debt stands at an alltime record of over $36 billion. The parity ratio (what a farmer pays for goods as compared to what he gets for his produce) has dropped to 75 in 1964, the lowest level in 30 years. Retail food prices have increased 29 percent in the last 16 years, while the net income of agriculture has gone down 29 percent.

The most damaging figures show how Federal bureaucracy is growing: in 1933 there was one employee in the Department of Agriculture for every 203 farms. In 1961 there was one for every 37 farms, and today you are paying one Federal employee in the Agriculture Department for every 32 farms in the United States.

FARMERS GET LITTLE, HOUSEWIVES PAY MORE

In the L.B.J. supermarket you may clearly see what is happening to the purchasing power of your dollar under the Johnson big spending programs and political boondoggles. In June the cost of living showed the largest increase in 23 months, with food prices jumping 2 percent. Some typical increases in groceries under the L.B.J. program: lettuce from 29 cents for two heads a year ago, to 46 cents today; potatoes from 89 cents for a 10-pound bag to $1.19; tomatoes from 29 cents a pound a year ago to 33 cents today; whole chicken fryers from 35 cents to 45 cents a pound; bacon from 69 cents a pound to $1.05; pork chops from 69 cents a pound to $1.29, and eggs from 46 cents a dozen to 61 cents. This is the way L.B.J. and his Great Society pick your pocket to pay for the big new poverty program, with all its fancy salaries; the rent subsidy program, new welfare programs, aid to education programs which pour more of your money into the richest States, and all the other projects the President is ramming through Congress to perpetuate himself and his party in office. Remember, all these grand schemes don't cost L.B.J. a penny of his personal $14 million. You pay the bill through taxes and higher prices. Isn't it time for the American people to demand that the President be a little bit more responsible in the way he spends your money?

The President's farm bill, which will soon come before the House, is not the answer. Certainly we must enact some new farm legislation to prevent chaos when some of the

present laws expire, but the Johnson bill needs drastic amendment and I am working tooth and nail to help improve it. As an example, the cotton section, while maintaining one-price cotton, changes the release and reapportionment of cotton acreage in such a way that many small cotton farmers in Alabama will be forced out of cotton production. I hope we may be able to take out the worst parts of the administration's bill and I will do my best to try to get a bill which will be good for the farmer as well as the consumer.

IMMIGRATION BILL

The bill to change the immigration system has been reported by the Judiciary Committee and will be voted on in the House later this month. While some of the worst features proposed by the President have been eliminated through the efforts of Republican members of the committee, I will not support any legislation to increase the flow of immigrants to this country or to flood the United States with cheap labor in competition to our workers.

CONGRESSMEN DON'T NEED PAY INCREASE

The House Post Office and Civil Service Committee has approved a bill to increase the pay of Federal workers, including Congressmen. There is justification for increasing the pay of some Federal workers whose salaries are not comparable to those paid for similar work in private industry, but I see no valid reason for including an additional increase for Members of Congress. I will oppose the increase for Congressmen when the bill comes before the House. When Congress takes action to cut unnecessary Federal spending, balance the budget and begin to pay off the debt so that your taxes will be lower and your dollar worth a dollar, then it will be time to consider higher pay because by this action Members of Congress will have earned it.

BRIEFING ON VIETNAM

Last week I attended a 2½-hour meeting at the White House where the President, the Secretary of State and others brought Congress up to date on the progress of the war in Vietnam. While I have supported and will continue to support the President in any effort to stop Communist aggression and save the freedom of the people of South Vietnam, I am deeply concerned that we may be heading for another stalemate or a negotiated peace that will give the Communists by agreement what they can't win through war. We should win the war in Vietnam and make it clear to Communist China and the Communist Soviet Union who are the instigators of the war, that they cannot get away with aggression or with invasion of free nations we are committed to help.

Needy Help Given to Louisiana

EXTENSION OF REMARKS

OF

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. WAGGONNER. Mr. Speaker, a great deal has appeared in the press since the tragedy of Hurricane Betsy detailing the Federal assistance given my State of Louisiana. For this help in this period of devastation and loss of life, we are grateful.

I would like to add here in the RECORD another tribute, this one to the American Telephone & Telegraph Co.

Damage to telephone property in Louisiana alone is expected to be more than $8,953,000.

Already, men, tools, equipment and vehicles from four other Bell System companies have been sent to augment Southern Bell of Louisiana. Over 800 trained technicians are in our State now having been sent there by motor convoy and airlift. More than 12 tons of cable, wire and equipment have already been delivered and more is on the way. This includes 600 million conductor-feet of cable, 8 million feet of drop wire, 2 million feet of inside station wire and 2 million feet of rural wire.

When the storm passed over Louisiana, 351,000 telephones were out of service. By Saturday of this week, complete restoration is expected with the exception of 32,000 homes which are either under water or have been destroyed to the extent they are uninhabitable.

This magnificent achievement is worthy of public acclaim and I would like to commend American Telephone & Telegraph for all they have done and continue to do to reduce the total tragedy which has befallen my State.

The Du Pont Estate

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. BENNETT. Mr. Speaker, Alfred I. du Pont died on April 29, 1935. At that time, 30 years ago, his widow, Mrs. Jessie Ball du Pont, was 51 years of age. Edward Ball, Mrs. du Pont's brother, was 47. In Mr. du Pont's will he established a testamentary trust and directed the trustees to set up a corporation for charitable purposes to be designated and known as the Nemours Foundation.

Under the will, upon the death of Mrs. du Pont, the entire income from the estate would go to the Nemours Foundation, after certain specific individual bequests were honored. Mr. du Pont gave his widow an option, however. He said that if she chose to create the Nemours Foundation during her lifetime that with her authority the trustees of his estate could immediately pay over to the Foundation the sum of $1 million to embark it on its charitable function. Mrs. du Pont did that, and the Foundation has been engaged in charitable works for the past 28 years.

In addition to the $1 million first payment to the foundation, Mrs. du Pont has made an irrevocable assignment of 12 percent of her income from the estate to the Nemours Foundation. This 12 percent is tax free, under the law, as the foundation donating funds primarily to assistance and research in the prevention of crippling in children. The remaining 88 percent of Mrs. du Pont's income is taxable, and she annually pays some $5 million in taxes on this income. She has made tremendous contributions to charities, particularly private colleges and universities.

The trustees of Mr. du Pont's estate were given powers to engage in such business enterprises as they elected. Significantly, Mr. du Pont envisioned the management of the estate as a going concern, and as the annuities established by Mr. du Pont are fulfilled, 100 percent of the earnings of the estate will go to the Nemours Foundation.

The major operations in the estate are the 31 banks of the Florida National group of banks with deposits of over $600 million, the St. Joe Paper Co., which employs over 1,300 persons with an annual payroll of $7.5 million in Florida alone, and the Florida East Coast Railway.

The motivation behind these substantial enterprises and the Du Pont estate are Mrs. du Pont and her brother, Edward Ball.

Mr. du Pont early in his life outlined his excellent goal in life:

My philosophy of life is exceedingly simple: be fair to everyone, do as much good as you can; be honest with yourself, which means, honest with everybody; * * * if one would keep one's head above the water, one must struggle, and use such weapons as our Creator has provided.

Mrs. du Pont and Edward Ball have lived that faith envisioned by Mr. du Pont. The intelligent kindness and good works of Mrs. du Pont have been felt by millions of persons, while Mr. Ball has attained the highest aspirations of Mr. du Pont in his efforts to build a greater Florida and a greater America.

Statement of Senator Robert F. Kennedy Before the Joint Legislative Committee on Mental Retardation

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. MURPHY of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the statement of Senator ROBERT F. KENNEDY, of New York, before the Joint Legislative Committee on Mental Retardation in New York City on September 9, 1965:

STATEMENT OF SENATOR ROBERT F. KENNEDY BEFORE THE JOINT LEGISLATIVE COMMITTEE ON MENTAL RETARDATION, SEPTEMBER 9, 1965

Mr. Chairman and members of the committee, it gives me great pleasure to come before the Joint Legislative Committee on Mental Retardation. This committee has done as much or more for mentally retarded New Yorkers as any other agency of government. And I would like to pay special respects to Senator Kraf, under whose able chairmanship the committee steered so much legislation to passage in the legislature this year; and to Senator Conklin, who has led the way for many years—and still does.

So I am pleased to come here; but I am not happy at much of what I have come to say. I have within the past week visited two of the largest State institutions for the

care of the mentally retarded. I was shocked and saddened by what I saw there.

There are young children slipping into blankness and lifelong dependence.

There are crippled children without adequate medical attention or rehabilitative therapy.

There are retarded children living in the midst of severely disturbed adults.

There are children and young adults without education and training programs adequate to prepare them for life in the community.

And there are many—far too many—living in filth and dirt, their clothing in rags, in rooms less comfortable and cheerful than the cages in which we put animals in a zoo—without adequate supervision or a bit of affection—condemned to a life without hope.

In the State of New York, in the year 1965, such conditions are intolerable. I will this morning go further into the conditions at these institutions, and the reasons for their existence. But at the outset, I want to make clear that all of us bear full responsibility for these people and the lives they lead. Like children, and like the sick and the crippled, the retarded need our help.

And they have a right to our help.

For they have the same rights as others—to the fullest possible development of their capacity to learn and work and live—and to their simple dignity as human beings.

We hear a great deal, these days, about civil rights, and civil liberties, and equality of opportunity, and justice. But there are no civil rights for young retarded adults—when they are denied the protection of the State education law which commands that all other children must receive an education.

There are no civil liberties for those put in the cells of Willowbrook, living amidst brutality, and human excrement, and intestinal disease.

There is no equality of opportunity for the retarded when they are not trained for jobs which they can do.

Without civil rights, or liberties, or opportunity, there is no justice.

Nobody who has ever raised a child would want him to live for a moment as thousands of the mentally retarded now live in New York.

I ask you all to think of the inmates of these institutions as the children they are, whatever the age of their bodies—children who have done no wrong, children who through no action or fault of their own have been placed in circumstances for which all of us in the State of New York are responsible.

First look at the way they sleep. Wards built for 40 patients have 80 or more; some I saw, with a certified capacity of 80 when they were built in the 19th century, now hold nearly twice that number. Beds literally cover the entire floor, with 3 inches between them; one aisle goes up the center—but there are two rows of beds on each side of it. Patients in Willowbrook must walk on other patients' beds to get to their own.

There is, of course, no room in such a ward for personal possessions—for any shred of individuality—for a toy, or some clothing, or a book. Think of how our own children of 5 of 6 or 9 treasure their possessions—and think of them without any such possessions, or of any they do possess locked always in a closet.

And what do they do during the day? Many just rock back and forth. They grunt and gibber and soil themselves. They take off their clothes. They struggle and quarrel, though great doses of tranquilizers usually keep them quiet and passive. But, for the most part, they sit too often in dimness and gloom, and idlenes and stench, staring at the wall or an attendant, or an occasional strange visitor.

They sit in dayrooms and the dayrooms I saw at Willowbrook are without a book or a toy or a game, without anything to stimulate or distract the minds of these children, save, in some places, a blaring television set. There are playrooms, 1 for every 4 wards, which can be used by one ward at a time; and they are locked up after 3 in the afternoon.

Even for the children—at Willowbrook or Rome—I saw no toys, morning or evening; just children, rolling or sitting or capering on the floor.

The absence of toys—the lack of organized play—is not a light matter. Children learn by play. It is play with toys that teaches them control of objects, so that they can grow up to work with them. It is organized play with other children that teaches them to accommodate and protect themselves in a world with other people, so that they may one day return to the community. Without proper play from the moment they open their eyes, children cannot develop to their full capacity. Without it, these children are doomed to a life of dependence—the hopeless and hapless adult inmates of the future.

The complete lack of physical play is most acute, perhaps, for those children who are severely physically handicapped. Many of these children remain all day in their beds, or in little carts—without exercise, without appetite, without strength, wasting away to permanent physical disability and near-death. At Willowbrook, in a wing housing 200 children, of whom at least a third seemed to be physically handicapped, there is only a tiny room perhaps 12 feet long and 6 feet across—devoted to physical therapy. Its only equipment is a small wooden walkway and three boxes in which children may stand; and because of a lack of trained personnel, only seven children may be treated in a day. On the staff at Willowbrook, with 1,000 children under the age of 7, there is not a single certified pediatrician.

The absence of a pediatrician is but one instance of the shocking understaffing at these institutions. The director of Willowbrook needs 52 recreation workers; he has 7. Many low-functioning patients there see the world outside their dayrooms only when a summer intern takes them out. But the summer interns will return to school in a week; where will the director then find the staff to take these patients outside?

The State institutions are supposed to offer safety and protection to the retarded, but sometimes they are not much safer than the outside. There are too few attendants, they are too busy to watch carefully enough, they are too often absent. In the last year at Willowbrook, five patients have died unnatural deaths.

Two of these deaths dramatically illustrate the dangers of overcrowding and inadequate staffing. One patient was burned in a shower by another retarded patient; he was in a wheelchair as the result of earlier shower burns. Another boy, a low-functioning retardate, was killed by an older, more capable boy—who was put in with the slower boys as punishment.

This practice—universally condemned by all authorities—persists. There is a 12-year-old boy, robust and not deeply retarded, in the low-functioning adult wards in Willowbrook. We were told that he is there because he was unruly, and hit attendants. But he has been in the adult ward for 5 years—since he was 7 years old. So he probably functions less well than he would if he had been with his proper group; and if he is in fact unruly, he will shortly be dangerous to the lower-functioning disturbed adults with whom he now is kept. Here is another life soon to be wasted irretrievably—for punches thrown 5 years before. Why is he in this ward? Because there is no adequate provision for housing or attending him and the other unruly patients.

All these shortcomings—from toys to outdoor recreation to staff to crowded beds—make it far harder than it should be to train young adult patients for a role in the community. These shortcomings are reinforced by a lack of adequate job training and education. And the result is that far too few ever leave these places, to go either to halfway houses or to their families.

For example, in one ward of ambulatory adults at Willowbrook—these are retarded patients with IQs over 50, able to dress and feed and wash themselves—only 20 out of 312 males work as much as 1 day a week outside the institution; only 9 out of 312 work full-time. But this is the same group that, in other programs in other places, has been proved able to work—in the Justice Department and the Treasury Department; in 28 other Federal agencies; in thousands of private businesses, and in our office at the Kennedy Foundation. For only 9 of these 312 to work outside the institution is inadequate.

At Rome, custodial conditions are far better than at Willowbrook. The beds are not quite as crowded; the dayrooms are brighter, and most of the adults have things with which to occupy themselves; in many rooms there are colorful chairs in place of the omnipresent heavy benches of Willowbrook. But of Rome's over 4,000 patients, nearly one-third—about 1,300—have IQs over 50. Yet of all these patients, only 35 to 40 are discharged each year.

Why is this? One reason may be that there is no schoolwork for those over the age of 21. Vocational training is all very well for these adults; it is needed. But vocational training, without the ability to read and write and count does not equip a retarded young adult for life in the community. The State education law guarantees to all New York children between the ages of 5 and 21 the fullest education which they are capable of absorbing. That guarantee is denied to the retarded—who need it most of all. Whether it is practicable to write such a guarantee into the statute books for the retarded of this age, I do not know; I do know that we shortchange the retarded, and deprive ourselves, when we deny them their full development.

These are some of the consequences of some of the shortcomings which we have allowed to exist in our institutions for the retarded. They are not necessary; thus, they are all the more cruel. I would like now to mention some of the things that could be done to improve these institutions and the lives of the children of all ages who live in them. And it is all too clear that to describe what can be done is to expose still more of the things that we have failed to do—more of the ways in which we have failed those who have been put in our care.

At the outset and above all else, it is necessary that we stop thinking of these institutions as an end in themselves or for the people who go there. To be sure, many of the patients are of the most severely retarded class. But even at Willowbrook, over 1,000 have an IQ over 50. And even many of those with IQ's under 50, in the 30 to 40 range, can be educated and trained to a significant degree. Taking just the over-50 patients at these two institutions, there is a pool of 2,500 people of whom many hundreds could be returned to the community on a fully or partially self-supporting basis. But they will return only if we are determined that they will do so—only if we set that as our goal and devise and put into operation the programs that are necessary to reach it.

I have not observed the programs at either of these schools. In visits of a morning and an afternoon at Willowbrook, and in a morning at Rome, by myself and my staff, we observed no ongoing programs with any purpose or direction. The classrooms at Rome were empty, as were the shops. The playrooms at Willowbrook were also empty. There is a merry-go-round there—and on a balmy summer afternoon and evening, it

sat idle and locked. There are swings and slides; many are rusting, but some are not—none were being used. Clearly, there is not sufficient staff to run programs for the hundreds of idle people we saw. But I think that if we were committed to a specific and definite goal, we would see more program and less simple custody on our visits.

The programs of which I speak are of many kinds—job training, education, general self-reliance and better care. The director of Willowbrook has recognized this; he has requested a total of 69 school teachers; he presently has 33. He has requested 97 occupational therapists; he has 11. He has requested 52 recreational workers; he has 7. Clearly, such additional staff could do much to turn simple custody into active program. But apparently the budget division, while willing to provide additional custodial personnel, have not been willing to provide the necessary program help.

At the same time, the institutions themselves, and the division of mental retardation, have not begun to use the full range of resources which are available for the augmenting and upgrading of their staff. I suggest that the following steps—for all of which Federal support is now, or soon will be, available—be undertaken immediately.

First, there should be an effort to augment staff by use of students. It is not necessary, for example, to hire dozens of new professional recreational workers. Under the supervision of a few well-trained, dedicated professionals, students and other part-time or volunteer workers can meet the full range of needed help. Indeed, recreation work at both institutions during the summer is performed by students. But there is no attempt to use them during the remainder of the year. The same is true for education, particularly of the very young.

The lack of such programs is due to no lack of money; there is a wide variety of Federal assistance available for them. For example, the hospital improvement program will give up to $100,000 a year for programs designed to foster an improved quality of care in State institutions for the retarded. At the Mansfield State School in Storrs, Conn., a grant of $50,000 a year pays for 72 students who conduct an imaginative and effective recreation program. Twenty-six other States have had programs under the hospital improvement program for a year. Willowbrook has an application in; a grant has been approved by the Federal Government for Rome, but the State has yet to release the funds to the institution.

Another major Federal program which could pay for the services of students throughout the school year is the work-study program administered by the Office of Education. Under it, hundreds of millions of dollars over the next several years will be paid by the Federal Government to students for work in public benefit activities; tens of thousands of students in New York State alone will work for part of their college expenses. Work-study has been in operation for a year; there are no present plans by Willowbrook or Rome to receive student help under it from the nearby colleges of Wagner and Utica.

Second, there should be a major effort to use the services of persons from the community other than students—especially in programs for retarded children. In many communities, there have been programs by which foster parents or grandparents—people with spare time and energy—come into the institutions from time to time to work with individual children, and send them cards and small gifts. These highly successful programs could be funded in substantial part through the hospital improvement program. Moreover, a new $41 million program of aid to the elderly has as a major ingredient the very foster-grandparent program just described. Four thousand persons over 65 will be hired to care for children in State institutions; but if any of these 4,000 are to work in New York, we will have to change our attitude toward Federal aid.

Third, we need to better utilize the efforts of unpaid volunteers—especially through proper training and orientation, and in the organization of structured programs in which they can participate. Funds for such training and program planning are available from the hospital improvement program.

Fourth, education in the institutions should be extended to the preschool ages. The Head Start program of the Office of Economic Opportunity is open to retarded children, as it is to other disadvantaged children. It should be brought into the State schools.

Fifth, inservice training of attendants and other personnel should be intensified; most receive no organized refresher training after their initial 4-week orientation course. A social inservice training program makes funds and assistance available for this purpose. And title I of the higher education bill now being passed by the Congress will provide additional refresher training for such personnel.

Sixth, new educational programs should be planned to use funds soon to be available under an amendment I introduced, in the Senate Committee on Labor and Public Welfare, to the Elementary and Secondary Education Act. Under this amendment, the Federal Government will assist special programs for the education of retarded children in State schools.

Seventh, we should make use of the on-the-job training program of the Department of Labor, by which employers are paid to hire and train persons previously not qualified to work for them. The Mansfield School, to use it again as an example, is presently training 350 workers in the community under a grant of some $350,000.

Perhaps more important than the money which is available through these programs is the new thinking, the new spirit, the wind of change which they can bring. And that spirit should extend to action by the State without Federal assistance.

First, all State schools for the retarded should be affiliated with elements of the State university system or other colleges—just as all new hospitals must be affiliated with medical schools. Affiliation with colleges would help make available the services of students who might receive course credit for work with the retarded. It would also make available the services of university personnel—both to patients and to the staff. And the association would certainly tend to attract higher grade professional personnel, who might receive joint appointments by both the institutions.

Second, sufficient money will have to be spent—to relieve overcrowding, to purchase adequate physical therapy and recreational equipment, to hire more stable staff in high-cost areas such as New York City.

In this connection, I would urge that all members of the legislature—and all members of the executive branch of the State government with jurisdiction over these matters—visit these institutions and become as thoroughly acquainted with them as are the members of this committee. Words are no substitute for a day spent in Willowbrook.

Third, I would urge that the report of the special investigating committee appointed by Senator Conklin, presented to the Governor last year, be made public. Our shortcomings are due to no one man and no single administration. And the responsibility for remedy likewise belongs to all of us.

But above all, I think we need a new commitment—a commitment to what Dr. Nicholas Hobbs called a new bill of rights for children, guaranteeing even to the retarded the fullest expression of their individual capacities for growth. This legislature, it should be noted, made great strides in this direction—especially by assuring the retarded the right to complete medical and surgical treatment.

Nothing that I have said today is new. The recognized standards for these institutions are here in a pamphlet of the American Association on Mental Deficiency. You can open it to almost any page and measure another way in which we fail to meet these standards.

But because we know so much, because we know how much can be done for the retarded, there can now be no excuse for inaction. What we can do, we must do, to work with these people not to what we think is the limit of their ability, but to the very limit of our ability to help them fulfill their potential. There are those in this room, most notably in this committee, who are meeting their responsibilities. Another I would name is Mr. John Mallon, of the Daily News, whose articles on this subject awakened many people to our needs.

But more must be done; the time is now; the burden is ours. In the year 1965, that conditions such as those I saw should exist in this great State is a reproach to us all. When the Federal Government stands ready to help, when thousands of students and other volunteers and nonprofessions are eager to help, when new knowledge has given us the opportunity to give hope to the retarded, these opportunities must be seized. We cannot tolerate a new snakepit in New York, a place where life is like that of which Sophocles asked,

"What joy is there in day that follows day,
Some swift, some slow, with death the only goal.
We can do better. We must do better."

Washington Report

EXTENSION OF REMARKS
OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I would like to include my newsletter to my constituents for August 9, 1965:

WASHINGTON REPORT FROM CONGRESSMAN JIM MARTIN, SEVENTH DISTRICT, ALABAMA

WHO'S RUNNING THE COUNTRY?

Early last week I predicted that an infamous letter written by Attorney General Nicholas Katzenbach to a Member of Congress on the voting rights bill would be made public. On August 4, Congressman WILLIAM CRAMER, of Florida, did make the letter public by putting it in the CONGRESSIONAL RECORD. I am making this letter a part of this newsletter because I believe it is vital that the people of Alabama and the rest of this Nation know how much influence Martin Luther King has in directing the policies of the Democratic Party and in the legislation the President is sending to Congress with a demand that it be passed:

"[From the CONGRESSIONAL RECORD, House, Aug. 4, 1965]

"Mr. CRAMER. Mr. Chairman, this might be entitled the third event in the saga of the Attorney General's secret letter.

"As I stated in yesterday's RECORD during the debate on the voting rights bill conference and later in reading a telegram into the RECORD addressed to the Attorney General,

Nicholas Katzenbach, that it is my firm belief that a letter addressed to the conference by the Attorney General which influenced the conferences's decision at the 11th hour on the question of poll taxes should be made public. I requested the Attorney General, who wrote the letter, to make it public, and gave him a reasonable period of time to do so, of course after first asking that the chairman of the Judiciary Committee himself make it public.

"The chairman, in debate, informed me he would not do so, upon my request that he do so, and he suggested that the writer of the letter would have to do so.

"No reply to my wire requesting the Attorney General, as the writer of the letter, to do so, has been received.

"Certain excerpts from the letter have been leaked to the press, however, from other sources. According to today's Washington Post, after my demand a letter was circulated among the press. The Post article stated, 'Later'—meaning, of course, after I demanded that it be made public and the chairman refused to do so—'Later copies of this letter were circulated among newsmen.' Apparently, however, certain selected passages were circulated. Under these circumstances, I feel it my obligation to make the letter a matter of record. I place a copy of it in the RECORD and read it at this time.

"(The letter referred to is as follows:)

"JULY 29, 1965.

"Late last night I discussed with Dr. Martin Luther King the proposed voting rights bill as it now stands in conference, and particularly the new poll tax provision. Dr. King strongly expressed to me his desire that the bill promptly be enacted into law and said that he felt this was an overriding consideration. He expressed his understanding and appreciation of the difficulties in achieving a satisfactory compromise in conference.

"With respect to the poll tax provision he expressed his view to me thusly:

" 'While I would have preferred that the bill eliminate the poll tax at this time—once and for all—it does contain an express declaration by Congress that the poll tax abridges and denies the right to vote. In addition, Congress directs the Attorney General to institute forthwith suits which will eliminate and prevent the use of the poll tax in the four States where it is still employed. I am confident that the poll tax provision of the bill—with vigorous action by the Attorney General—will operate finally to bury this iniquitous device.'

"Dr. King further assured me that he would make this statement publicly at an appropriate time.

"While you are free to show this letter privately to whomsoever you wish I would appreciate it if you did not use it publicly without informing me so that I, in turn, may discuss it with Dr. King.

"Sincerely,

"_____ _____,

"Attorney General.

"Mr. CRAMER. The letter carries the initials N. deB. K., meaning Nicholas deB. Katzenbach, and MCM—I assume that is his secretary—dated July 29, 1965, addressed to one of my colleagues whose name I will not indicate unless he wishes to do so. I will state, however, that he was a conferee. This is what the Attorney General's letter said:

" 'Late last night I discussed with Martin Luther King the proposed voting rights bill as it now stands in conference, and particularly the new poll tax provision. Dr. King strongly expressed to me his desire that the bill promptly be enacted into law and said he felt this was an overriding consideration. He expressed his understanding and appreciation of the difficulties of achieving a satisfactory compromise in conference.

" 'With respect to the poll tax provision he expressed his view to me thusly—'

"And it is the Attorney General quoting Dr. King—

" 'While I would have preferred that the bill eliminate the poll tax at this time—once and for all—it does contain an express declaration by Congress that the poll tax abridges and denies the right to vote. In addition, Congress directs the Attorney General "to institute forthwith" suits which will eliminate and prevent the use of the poll tax in the four States where it is still employed. I am confident that the poll tax provision of the bill—with vigorous action by the Attorney General will operate finally to bury this iniquitous device.'

"Quoting Martin Luther King. These are the two interesting paragraphs, quoting the Attorney General in his letter. This letter after having been read in conference unquestionably influenced a number of the conferees in that on Tuesday they took the position they should stand by the House version of the poll tax ban and on Thursday, after this letter was read, having changed that position. Quoting the Attorney General's letter:

" 'Dr. King further assured me that he would make this statement publicly at an appropriate time.'

"I call your attention to the fact that the appropriate time has not yet arrived even though we voted on this question yesterday.

"Quoting further, and listen to this—this is your Attorney General—listen to what he is saying here:

" 'While you—'

"Meaning the recipient of the letter, the Congressman—

" 'are free to show this letter privately to whomsoever you wish I would appreciate it if you did not use it publicly without informing me so that I in turn, may discuss it with Dr. King.

" 'Sincerely,

" '_____ _____,

" 'Attorney General.'

"Mr. CRAMER. I feel it essential to bring this matter to light because I believe the Congress and the people are entitled to know how and by whom the conference was influenced and under what circumstances. A reading of the letter leaves a lot of questions unanswered. I am hereby requesting that they be answered. Here are some questions which were raised in my mind.

"First. Was the statement of Dr. King, given on the poll tax ban, solicited? It appears quite obvious it was in that it was presented to the conference at a very strategic time, and the Attorney General states in his own letter he talked to Dr. King 'last night,' meaning July 28.

"Second. What right has the Attorney General, after acquiring such a statement and after it has been read to the conference to request, 'I would appreciate it if you did not use it publicly,' in that actions of the conferees are a matter of grave national interest and of public concern?

"Third. Why did not Dr. King make his statement—giving up on the poll tax ban—public before a vote on the conference report was taken?

"Fourth. Why should a conference be influenced by opinions of one individual expressed at a time after both the House and Senate had worked their will? Why would the Attorney General want it kept secret for an indefinite period of time after he discussed the poll tax question with Dr. King, as he says in his letter?

"Why should the release of the letter be subject to Dr. King's approval?

"Fifth. Why should a statement read to the conference quoting a nongovernmental party be required by the Attorney General to be kept secret until the nongovernmental party himself, meaning Dr. King, wishes to make it public?

"Sixth. How could the Attorney General in good faith ask that Members of Congress be a party to such secrecy and such a procedure by demanding that such information be kept confidential as expressed in the last paragraph of the letter?

"I for one resent very deeply the Attorney General's injection of a third party's views into the conference intentionally, in a supersecret fashion, which unquestionably influenced the conferees, at least in my opinion, on this question.

"I do not believe it is the proper function of the Attorney General as a Cabinet officer and one of the highest ranking public officials, to take it upon himself to discuss matters which are in conference with outside individuals in an attempt to influence the conference by quoting that individual in secret. This letter was largely instrumental, in my opinion, in causing the conference on the House side to change its position which on Tuesday was to vote to sustain the House position and on Thursday to reverse it, after the letter had been read.

"Certainly the public is entitled to know, as is the Congress, how such a reversal came about, and I, for one, refuse to be muzzled at the direction of the Attorney General on any letter or any other matter that I believe to be propertly within the public domain."

King consents to see President

On Wednesday, Martin Luther King arrived in Washington for a series of meetings. He said he had not decided whether or not he would see the President, but by Thursday morning he made up his mind that he would go to the White House and an appointment was set up. He stated he wanted to talk to the President about home rule for the District of Columbia. It is also significant that the President conferred with Martin Luther King before signing the voting rights bill into law.

How closely King is working with the President may be better understood through news reports. In a front-page story on Wednesday evening the Washington Evening Star said: "President Johnson asked House Speaker JOHN W. MCCORMACK, today to press hard for congressional approval of a District home rule bill.

"In a letter to MCCORMACK, Johnson said the House must be given the chance to take action on home rule legislation for Washington.

"At virtually the same time the letter was sent, the Reverend Dr. Martin Luther King, Jr., was telling a news conference here that there was a possibility of 'massive demonstrations' in Washington if the home rule bill is not passed. He is here for a 2-day visit."

Home rule means that control of Washington will be taken away from Congress, which represents all the people, and turn it over to the local citizens. The overwhelming majority of the population in Washington is Negro. This means that the Capital of the United States will be the only Capital City in the world ruled by a minority group.

The Evening Star story goes on to say: "On arrival in Washington, King went directly to his news conference at the Adas Israel Synagogue, where he ranged over a variety of points, from local civil rights matters to Vietnam."

Besides his demand for home rule for the District of Columbia, King asked support by clergymen for the unseating of the duly elected Congressmen from Mississippi, more disobedience of laws in Alabama which he does not like or with which he disagrees, and negotiations in Vietnam. It will be interesting to see what course the President follows after his meeting with Martin Luther

King. Isn't it time for the American people to ask by what right is Martin Luther King dictating policies to be followed by this country?

United States trains invaders for South

Attorney General Katzenbach began an intensive training of 45 Civil Service Commission employees who will be sent to invade the South as Federal voting examiners. Processing these so-called examiners has been going on for over a month and their intensive training began even before the voting rights bill was approved by Congress.

Such arrogance shows once again the contempt the administration and certain Cabinet officers have for the legislative powers of Congress. Once the President sends down a bill the machinery is set up to operate the law even before Congress has a chance to act.

According to newspaper accounts "anyone was eligible to volunteer, from the janitor on up" as Federal voting examiners. These intensely trained examiners will now be sent into Alabama and other Southern States to register everyone over 21 years of age, even if the person cannot read or write, and in defiance of all State laws on voting and registration. This is a sad day for the South and America. This second invasion of the South can do nothing but cause disunity and open up old wounds that were beginning to heal before the onslaughts of Martin Luther King and the national Democratic politicians seeking votes to keep themselves in office.

Sincerely,

JIM MARTIN,
Member of Congress.

(P.S.—If you have a friend who would like to receive my newsletter, have him or her send us name and address.)

Inter-American Cultural and Trade Center in Dade County, Fla.

EXTENSION OF REMARKS
OF
HON. CHARLES E. BENNETT
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. BENNETT. Mr. Speaker, I rise in support of the legislation, H.R. 30, to provide for U.S. participation in the Inter-American Cultural and Trade Center in Dade County, Fla.

Interama was established as a State of Florida agency in 1951 and the purpose of the agency is to do whatever may be necessary for the establishment, construction, maintenance, operation, and financing of an Inter-American Cultural and Trade Center in or near Miami, Fla., as a permanent enterprise.

The character and purpose of Interama were outlined in 1951 by Dr. W. H. Walker, the first chairman of the organization, and a distinguished Floridian, who said:

The worldwide Communist drive must be met by a stronger one for truth, freedom, and democracy. If communism continues to spread the next 5 years as it has the past 5, a majority of the world's population will be under Kremlin control, greatly enhancing the possibility of eventual Russian military victory. The nations of this hemisphere constitute a strong and unconquerable group if they will stand solidly together and restrain communism within their own borders. Unless the United States can solidly cement its relations with the Latin American people, it is in a poor position to do so in other faraway countries.

Interama is to be a permanent reminder of our Nation's interest in our hemisphere—a living reminder of our belief in representative government and freedom for all people. This lasting memorial to the Americas will stand as a strong example to other nations in our desire for a permanent peace and security for our area and of the world.

I am hopeful the House will act favorably on this important project, which has had the backing of the last five Presidents of the United States, the Florida congressional delegation, the Governor and cabinet of Florida, the State legislature, and the citizens of our State.

In these days of continuing crisis in Latin America we need this concrete display of the cultures of North and South America to stand not only as an example of our mutual desire for freedom, but also as a bulwark in our national defense effort.

Participation by our Government will insure the success of Interama and assist the purpose of the undertaking as outlined by Dr. Walker; meeting the Communist threat with truth, freedom, and democracy through this hemispheric illustration of solidarity.

Fourth District Progress Conference Great Success in Middle Tennessee

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. EVINS of Tennessee. Mr. Speaker, on September 15 last, the Fourth District Partners-for-Progress Conference was held in Murfreesboro, Tenn.

This conference was a great success. An overflow attendance came to hear Federal officials explain the application of various aid and assistance programs to the problems of the great Fourth District, which I am honored to represent.

All who participated are to be commended—the leadership and citizenry of the Fourth District, the Federal officials from Washington, Atlanta, and Nashville, and others who worked so hard to set up and conduct the conference. Its success was a tribute to Americans working together.

Under unanimous consent, I include the program of the conference, the news coverage, and my newsletter relating to the conference, in the CONGRESSIONAL RECORD, believing that they will be of widespread interest to communities throughout the Nation.

The program, indicative press coverage, and newsletter follow:

FOURTH DISTRICT PARTNERS-FOR-PROGRESS CONFERENCE

Introduction of Congressman JOE L. EVINS, Member of Congress, by Sam E. Jennings, director, regional office, Small Business Administration, Nashville, Tenn.

Opening remarks and welcome by Fourth District Congressman JOE L. EVINS.

Remarks of welcome: W. H. Westbrooks, mayor of Murfreesboro and county judge James H. Threet, Rutherford County.

Introduction of guest speakers: Wilkes Coffey, Jr., attorney-at-law, field representative for Congressman JOE L. EVINS.

Speakers: Mr. Robert E. Brown, assistant area coordinator urban renewal administration, Housing and Home Finance Agency; Mr. Gil Hancock, deputy director, office of development companies, Small Business Administration; Mr. J. Paul Harris, regional director, community facilities, Housing and Home Finance Agency.

PANEL DISCUSSION

Presiding: Mr. Joe Shaver, chief, financial assistance director, regional office, Small Business Administration.

Panel members: Mr. Robert E. Brown, Mr. Gil Hancock, Mr. Paul Harris, Mr. Roy Oaks, Chief, procurement and management assistant, regional office, Small Business Administration.

AID AVAILABLE, MEETING TOLD

(By Jimmy Sarnahan, staff correspondent, the Nashville Tennesseean)

MURFREESBORO.—Federal agencies are prepared to spend millions of dollars to aid middle Tennessee communities develop their own economic development projects, Fourth Congressional District civic, political, and business leaders were told at a conference here yesterday.

Representative JOE L. EVINS, Democrat, of Tennessee, speaking over a telephone circuit from Washington, said Federal legislative programs making the funds available are designed to "release the energies of our great free enterprise system."

EVINS, who sponsored the conference, attended by an overflow crowd of 200 persons at the Murfreesboro city hall, said the Federal programs are "designed to stimulate local initiative and cooperation of our local people to put people to work."

"We want to create more economic opportunity and broaden our economy, and we want to assist businesses in diversifying and expanding," EVINS added.

Wilkes Coffey, Jr., Murfreesboro attorney and field representative for EVINS, and Sam E. Jennings, Murfreesboro, director of the Nashville regional office for the Small Business Administration, cohosted the conference which included a panel of Federal officials from Washington, Atlanta, and Nashville.

Gil Hancock, Washington, Deputy Director of the Office of Development Companies for the Small Business Administration, paid special tribute to EVINS for his leadership as chairman of the House Small Business Committee.

"Since Congressman EVINS assumed the chairmanship of the House Small Business Committee, the Small Business Administration has moved forward with more direction than in all its history. Legislation passed through his support has enabled us to make thousands of loans to aid small businesses and provide jobs through economic growth," Hancock said.

Among SBA projects Hancock stressed were 502 loans made to community owner development companies under section 502 of the Small Business Investment Act of 1958.

It is known that several downtown Murfreesboro businessmen and property owners have been investigating the possibility of 502 loans to raze and reconstruct major portions of the public square business area.

The following is an account of how 502 loans work, according to Hancock:

Loans are available for the construction or conversion of existing facilities as well as for the purchase of land, buildings, and machinery and equipment.

Under the program, loans up to $350,000 each for relending to small businesses in a community are available to a local development company which meets the charter requirements of the State and SBA regulations.

Development companies must have a broad base of ownership with not less than 75 percent of its stock held by persons residing or doing business in the locality, and with no one person or group of persons to own more than 25 percent of the stock.

SBA can place a loan to the development company or directly to the individual business, using the development company as a sponsor.

With the development company providing a 20-percent equity in a project, the SBA can then loan 80 percent of the project cost or $350,000, whichever is the least. Loans can be made for a term up to 25 years and bear a maximum interest of 5½ percent.

If a local bank participates in the loan and is willing to charge a lower rate of interest, SBA will reduce its rate accordingly but not below 5 percent unless the loan is made in an area determined by the Labor or Commerce Departments as having chronic unemployment or undergoing redevelopment. In the latter case, the interest rate is fixed at 4 percent, Hancock said.

"All of the SBA's lending programs are based on cooperation, not competition, with banks, and we are happy to report that over 90 percent of our loans are made in participation with banks," Hancock said.

Robert E. Brown, Atlanta, assistant area coordinator for the Urban Renewal Administration of the Housing and Home Finance Agency, discussed new provisions of recently passed Federal housing legislation.

New provisions he cited were:

Grants are now available up to $1,500 to owner-occupants of an urban renewal area to make home improvements.

Loans up to $10,000 at 3 percent interest are available for home remodeling under a plan for voluntary rehabilitation of a neighborhood.

Federal funds are now available in an experimental rent supplement program to aid the elderly, disabled or persons displaced by a Government project. The aid is subject to local rent levels and the housing must meet Federal Housing Authority standards.

State, county, and city governments may now receive up to 50 percent Federal aid for purchasing "open space" or unimproved land for community projects. The State of Tennessee is seeking such assistance to buy additional land for five State parks.

Others on the panel were J. Paul Harris, Atlanta, regional director of the Community Facilities Administration of the Housing and Home Finance Agency; Roy Oaks, chief of procurement and management assistance for the Nashville regional office, Small Business Administration; Joe Shaver, Nashville, chief financial assistance director for the Nashville regional office, SBA, and William Keel, special assistant to Representative EVINS.

Mayor W. H. Westbrooks of Murfreesboro, and Rutherford County Judge James Threet made welcoming addresses to the conference participants.

Attending the conference were mayors, county judges, bank officials, chamber of commerce officials, businessmen and representatives of civic clubs in the 23-county Fourth District.

A similar conference, but one limited to small business matters, will be conducted today in Nashville at Peabody College under the sponsorship of Representative RICHARD FULTON, Democrat, of Tennessee.

[From the Nashville (Tenn.) Banner]

DEVELOPMENT SESSION HELD AT MURFREESBORO

MURFREESBORO.—An interested community may acquire 80 percent of the funds necessary for development or redevelopment of its small businesses through loans from a Federal agency, officials and businessmen from 20 middle Tennessee counties were told Wednesday afternoon at a community development program here.

Several specific Federal aids to communities were outlined at the meeting—sponsored by Representative JOE L. EVINS, Democrat, of Tennessee.

Over 100 persons heard the Congressman speak over a telephone circuit from Washington. He said that the Federal development programs are designed to stimulate local initiative and cooperation of local people in putting people to work. Increased economy and diversified and expanding businesses are the goals of the program, he said.

Gil Hancock of Washington, Deputy Director of the Office of Development Companies for the Small Business Administration explained section 502 of the Small Business Investment Act of 1958.

"The SBA community development program is a grassroots proposition that can be of significant aid to help your community," Hancock told the group.

There has been considerable interest in obtaining funds to renovate the courthouse square section of Murfreesboro.

According to Hancock, the 502 loans are set up in the following manner:

Funds up to $350,000 may be obtained by a local development company, which meets State and SBA regulations, for relending to local small businesses.

Loans may be made by SBA to the development company or they may be made directly to the individual business with the development company as sponsor.

The funds are designated for construction or conversion of facilities and for buying land, buildings, machinery and equipment.

Not less than 75 percent of a development company's stock must be held by either residents or persons doing business in the area and no one person or group of persons can own more than 25 percent of the stock. The development company must provide 20 percent of the funds for a project and SBA can then loan either 80 percent of the cost or $350,000, whichever is lower. SBA makes the loans for a term of up to 25 years and the loans can have a maximum interest rate of 5½ percent.

Interest rates may be lowered to 5 percent by SBA if a local bank takes part in the loan and is willing to reduce the interest rate. If the vicinity receiving the loan has been determined by the Labor or Commerce Departments as having chronic unemployment or undergoing redevelopment the interest rate is a fixed 4 percent.

Discussing provisions of recently passed Federal housing legislation was Robert E. Brown of Atlanta, assistant area coordinator for the Urban Renewal Administration of the Housing and Home Finance Agency.

Under this program State, county and city governments can obtain up to 50 percent Federal aid for buying land for community projects. Tennessee is presently seeking this assistance for purchasing land for 5 State parks.

Home improvement loans up to $1,500 are available to owners and occupants of urban renewal areas; loans for home remodeling up to $10,000 at 3 percent interest are available for voluntary rehabilitation of a neighborhood; and a rent supplement program to aid the elderly, disabled, or persons displaced by a government project is available if the housing meets Federal Housing Authority regulations.

J. Paul Harris of the Community Facilities Administration outlined a plan which provides up to 50 percent in grants for basic sewer and water facilities. He said these grants will become available through the 1965 Housing Act.

CAPITAL COMMENTS

(By JOE L. EVINS, Member of Congress)

FOURTH DISTRICT PARTNERS-FOR-PROGRESS CONFERENCE PROVES BIG SUCCESS

The tremendous response and attendance at the recent Fourth District Partner-for-Progress Conference in Murfreesboro was most gratifying and considered by all most informative and a big success. The fact that the city council chambers were filled to overflowing with local governmental officials, mayors, county judges, representatives of chambers of commerce, representatives of civic clubs and industrial leaders—including many small businessmen—augurs well for the future growth of our cities and communities.

Those who attended came because they wanted to know how they could work more effectively for the improvement of their communities—how they could utilize the programs of the Small Business Administration, the Community Facilities Administration, the Urban Renewal Administration, and other agencies of the Federal Government in Federal-local programs of cooperation.

Every speaker emphasized that the initiative and impetus for progress must come from the people and the leaders of the local communities themselves. The Deputy Director of the Small Business Administration's Community Development program, Mr. Gilbert Hancock, said, "The Federal Government doesn't create projects, it lends assistance and provides funds; you have to initiate everything."

The speakers at the conference discussed a broad range of programs, with specific attention given to new legislation recently enacted by the Congress. The Regional Director of the Community Facilities Administration, Atlanta, Mr. Paul Harris, said, for example, "Of particular importance to growing cities, both large and small, are new programs providing grants for basic sewerage and water facilities." He explained this new and expanded program, pointing out that legislation provided for a more flexible program to help cities acquire and develop open space land, including grants to cover the cost of such facilities as parks, youth centers, and recreation centers.

New facets of the grants and loan program of the Urban Renewal Administration were explained by Robert E. Brown of Atlanta, area urban renewal coordinator.

The community development plan of the Small Business Administration, under which local profit or nonprofit developing companies may submit applications for loans on specific small business ventures, provides loans either to improve an existing business or to begin a new enterprise. It was emphasized that this program may be used to help revitalize downtown business sections—in conjunction with urban renewal projects.

The quality of our towns and cities of tomorrow in the Fourth District of Tennessee depends upon the leadership and the efforts exerted in our communities today. The quality of leadership displayed by local representatives at the conference is a promising indication of an even more progressive Fourth District of Tennessee.

In general, reaction at the conference was that it was most informative and helpful. Much credit must go to the planners of the conference—including Mr. Sam E. Jennings, regional director of the Small Business Administration; Wilkes Coffey, attorney at law; Mayor W. H. Westbrooks, of Murfreesboro; County Judge James Threet, Rutherford County; the Murfreesboro Chamber of Commerce, and many others. I am also grateful to the program participants who came from Washington, Atlanta, and Nashville to be of service to the people of the Fourth District of Tennessee.

Washington Report

EXTENSION OF REMARKS
OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my newsletter to my constituents for August 30, 1965:

[From the CONGRESSIONAL RECORD—House, AUG. 25, 1965]

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

A NEEDED CRUSADE

(Mr. MARTIN of Alabama asked and was given permission to address the House.)

Mr. MARTIN of Alabama. Mr. Speaker, the very foundation of this Republic is being undermined by a determined nationwide campaign to discredit our law enforcement agencies. Every rapist, murderer, robber, and petty thief is excused for his crime because we have swallowed the Communist line intended to make our police ineffective.

It is time we stage a new crusade in America, a crusade in which every responsible public official and every law-abiding, decent citizen should join, a crusade to protect our law officers as they strive to protect us.

As Martin Luther King and Bayard Rustin and other agitators go about the country calling for the ouster of good police officers and doing everything within their power to wreck the effectiveness of our law enforcement agencies, I would like to call to your attention some figures I just received from the Federal Bureau of Investigation.

Last year 88 law enforcement officers were killed in the line of duty. Fifty-seven of these were murdered by criminals. From 1960 to 1964, 225 law enforcement officers have been killed in the line of duty. I think the President should tell the American people those facts on one of his television programs in which he makes excuses for those who are part of the planned program of lawlessness and civil disobedience. I think we, as the elected representatives of the people, should demand a return to law and order and give our unqualified support to the law enforcement officers we ask to risk their lives to protect us and our society against those who would set themselves against society and those whose intent it is to destroy America.

LOOK WHO'S TRYING TO UNSEAT MISSISSIPPI CONGRESSMEN

Who is behind the move to unseat the five legally elected Congressmen from Mississippi? We've been told about the Mississippi Freedom Democratic Party which held its own election outside the laws of the State and demanded that its candidates be seated in the Congress of the United States. We have on record the 149 liberal Congressmen who voted to throw out the five Representatives elected by the people of Mississippi. But here is a brief description, taken from public documents, of five attorneys who filed the brief for the Freedom Democratic Party with the Clerk of the House to unseat the lawful Congressmen from Mississippi.

Arthur Kinoy, New York City

Member of National Lawyers Guild, vice president in 1954; member of executive committee of the American Student Union which has been cited as Communist by five investigating committees; attorney for Communist-controlled United Electrical, Radio & Machine Workers Union; attorney for Ethel and Julius Rosenberg, executed spies; attorney for Steve Nelson, the international Communist leader; member of law firm which received payments from various Communist groups including the Committee for Justice for Morton Sobell, and the Labor Youth League.

William M. Kunstler, New York City

Featured speaker at rally sponsored by the Communist front group Citizens Committee for Constitutional Liberties; has appeared on platform with identified Communists Carl Braden, Frank Wilkinson, and Henry Winston; counsel for Southern Conference Educational Fund.

Benjamin E. Smith, New Orleans

Member of National Lawyers Guild; associate of Communist organizer Hunter Pitts Odell; in 1964, registered agent for Castro's Republic of Cuba.

Moron Stavis, Newark, N.J.

Born Moses Isaac Stavisky; member of Communist Party in New York and New Jersey during 1945 and 1946; member of Union County, N.J., Communist Party unit in 1950; active in numerous Communist groups and causes.

William L. Higgs, Washington, D.C.

Disbarred lawyer following conviction on a morals charge. Not a member of the District of Columbia Bar Association; legal advisor to Student Nonviolent Coordinating Committee.

I have made this information available to all of my Republican colleagues in the House of Representatives for their consideration before they must vote on unseating the Mississippi delegation.

IMPROVED IMMIGRATION BILL APPROVED

By a vote of 318 to 95 the House passed and sent to the Senate, H.R. 2580, a bill to change our immigration laws. Although the bill was greatly improved over the one sent down by the President, I could not support it because it still places no ceiling on immigration from countries of the Western Hemisphere.

The President's bill, as originally proposed, would have increased annual immigration by several hundred thousand, an increase which the American economy could not possibly handle, an increase which would have added an unsupportable burden to the unemployment and public welfare rolls of this country, and would have further complicated our urban housing, sanitation, education and medical problems. The President's bill would have legalized the status of ship jumpers and would have lifted restrictions against admission to the United States of the insane and those afflicted with psychopathic personalities. It would have surrendered congressional control over immigration and would have given the President almost dictatorial powers in deciding who should or should not enter this country.

Although I do not approve of this bill in its entirety and therefore could not in good conscience vote for it, I will say that Republicans, under the leadership of Arch Moore, of West Virginia, made a valiant effort to "clean it up," and did a dedicated job with what they had to begin with. What started out as a monstrous injustice to American workmen and to all of America in general, became much less offensive in its final form.

PRESIDENT CONTINUES COERCION OF CONGRESS

President Johnson now says publicly that unless Congress passes the Washington home rule bill that our Capital will be rent with riots such as those in Los Angeles. Do we cringe before the agitators, the left-wing beatniks because they threaten riots? Do we sweep aside the orderly processes of Congress? I say "No." But the President wants Congressmen to sign "discharge petitions" that would allow this home rule bill to be taken out of committee and voted on immediately in order, as the President says, to avoid riots in the streets. Should this bill be passed, the District of Columbia would not a city controlled by the people of every State in the Union, but it would be the only city in the world controlled by a power-mad minority group.

Explanation of Proposed Amendment to H.R. 7371

EXTENSION OF REMARKS
OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. BENNETT. Mr. Speaker, in 1933 Congress passed a law to prohibit a bank from owning a nonbanking business. This was to prevent a bank from yielding to the temptation of bailing out its nonbanking business to the detriment of depositors.

In 1956 Congress extended this principle of prohibition to prohibit a company which owns or holds a certain percentage—25 percent—of the voting shares in two banks, from at the same time owning a nonbanking business. But there were exceptions made to the coverage of the law in the bank holding act of 1956; and the Federal Reserve Board has logically and persistently urged the repeal of these exemptions.

H.R. 7371 would remove an exemption of the 1956 act for a type of testamentary trust which, as far as is known, has only one example in fact, the Alfred I. du Pont estate. Although the application of the principle of prohibition of mixing banking and nonbanking business would seem clearly to apply to this trust, it would seem to apply with equal clarity and cogency to all the other exceptions of the 1956 law urged to be repealed by the Federal Reserve Board. Therefore, the amendment I suggest and offer will eliminate all of these exemptions urged for repeal by the Federal Reserve Board. A detailed description of what the parts of the amendment would do, follows after the following quoted proposed amendment:

AMENDMENT TO H.R. 7371 OFFERED BY MR. BENNETT

Page 2, add the following at the end of the bill:

"SEC. 2. (a) The first sentence of section 2(a) of such Act is amended by changing 'each of two or more banks' to read 'any bank' each place it appears therein.

"(b) The first sentence of section 3(a) of such Act is amended by changing 'company becoming a bank holding company' to read: 'bank becoming a bank holding company or of any other company becoming a bank holding company with respect to more than one subsidiary bank'.

"SEC. 3. The second sentence of section 2(a) of such Act is amended (1) by striking 'no company shall be a bank holding company which is registered under the Investment Company Act of 1940, and while so registered prior to May 15, 1955 (or which is affiliated with any such company in such manner as to constitute an affiliated company within the meaning of such Act), unless

such company (or such affiliated company), as the case may be, directly owns 25 per centum or more of the voting shares of each of two or more banks, (C)', (2) by changing '(D)' to read 'and (C)', and (3) by striking ', and (E) no company shall be a bank holding company if at least 80 per centum of its total assets are composed of holdings in the field of agriculture'.

"SEC. 4. (a) Section 4(c) of such Act is amended—

"(A) by striking ', or to shares lawfully acquired and owned prior to the date of enactment of this Act by a bank which is a bank holding company, or by any of its wholly owned subsidiaries' from paragraph (4).

"(B) by adding 'or' at the end of paragraph (6).

"(C) by striking:

"'(7) to any bank holding company which is a labor, agricultural, or horticultural organization and which is exempt from taxation under section 501 of the Internal Revenue Code of 1954; or'.

"(D) by redesignating paragraph (8) as paragraph (7).

"(b) Section 4 of such Act is further amended by adding at the end thereof the following new subsection:

"'(d) With respect to shares which were not subject to the prohibitions of this section as originally enacted by reason of any exemption with respect thereto but which were made subject to such prohibitions by the subsequent repeal of such exemption, no bank holding company shall retain direct or indirect ownership or control of such shares after two years from the date of the repeal of such exemption, except that the Board is authorized upon application by such bank holding company to extend such period of two years from time to time as to such holding company for not more than one year at a time, if in its judgment, such an extension would not be detrimental to the public interest, but no such extensions shall extend beyond a date five years after the date of repeal of such exemption.'"

This amendment would do the following things:

1. By section 2(a) of the amendment the bank holding act prohibition (section 1841 (a) of title 12 of U.S. Code) is made to apply where only one bank is owned together with a nonbanking business. The logic of the principle of protecting the depositors from nonbanking involvements is just as applicable where there is only one bank as where there are two, the present number of banks required. In fact, if a company controls only one large bank, that company's interests in extensive nonbanking businesses could lead to abuses even more serious than if the company controlled many small banks. An example of this would be a big rubber company such as Goodyear owning a bank or a big department store such as Macy's owning a bank.

2. Having by the preceding portion of my amendment directed that even the holding of one bank should not be accompanied by nonbanking business, an incidental and undesired change is effected by the language of my amendment and this is cured by section 2(b) of my amendment. Without section 2(b) of my amendment a holding company which is to control only one bank and no nonbanking business would have to go to the Federal Reserve Board for approval of acquiring just one bank even though no nonbanking business was involved at all. Therefore, all that section 2(b) of my amendment does is to prevent this unnecessary request to the Federal Reserve Board in a matter having nothing to do with nonbanking business.

3. Under existing law (section 1841(a) of title 12 of U.S. Code) it is provided that no company shall be a bank holding company which is registered under the investment company act of 1940 and was so registered prior to May 15, 1955, or which is affiliated with any such company in such manner as to constitute an affiliated company within the meaning of such act, unless such company or such affiliated company directly owns 25 percent of the voting shares of each of two or more banks. There is no reason why an investment company should not be restricted from owning or acquiring bank holding companies in the same way other bank holding companies are. The exemption eliminated by this first part of section 3 of my amendment is the same exemption eliminated by H.R. 7372, another bill pending before Congress and relating primarily to the Financial General Corp.

4. The last part of section 3 of my amendment relates to a company in the field of agriculture and removes an exemption in the existing law (section 1841(a) of title 12 of U.S. Code) for a company which had at least 80 percent of its total assets in the field of agriculture. I understand that this was designed for one company, Consolidated Naval Stores, which has now gone out of business. The exemption should not continue as an invitation to others to exploit in the future.

5. Existing law (sec. 1843(c)(4), title 12 of U.S. Code) exempts from divestitures requirements of section 4 of the act, shares acquired or held prior to the enactment of the 1956 act by a bank which is a bank holding company or by any of its wholly owned subsidiaries. The first part of section 4(a) of my amendment removes this exemption from divestitures requirements. I understand that the Trust Co. of Georgia is at the present time under the exemption which would be removed by my amendment. It is my understanding that this company owns over $38 million in the Coca-Cola International Co. There is no logical reason for this exemption. The principle of not having bank ownership tied to nonbanking business so as not to endanger the interests of depositors is in this case just as much present as in the case of the Du Pont estate.

6. By the last part of section 4(a) of my amendment the exemptions of section 4(c)(7) of the act (sec. 1843(c)(7) of title 12 of U.S. Code) are eliminated. These exemptions were for "any bank holding company which is a labor, agricultural, or horticultural organization and which is exempt from tax under section 501 of the Internal Revenue Code of 1954." The exemptions that would be eliminated by my amendment on this should not be allowed to continue because the opportunities to subordinate the interests of the depositors in their banks to the needs of organizational work are just as contrary to principle as the opportunities of a charitable trust organization such as the Du Pont estate. I understand that the Amalgamated Clothing Workers of America, although registered as a bank holding company as well as a labor union, have not been required to divest themselves because of the exemptions written into the existing law above described. I understand that this labor union owns controlling interests in the Amalgamated Trust & Savings Bank, Chicago, and in the Amalgamated Bank of New York. These loopholes should be eliminated. Under the new definition of the bank holding company as provided in section 2(a) of my amendment, I understand that the United Mine Workers would also be involved in the removal of this exemption because it is my understanding that this labor union owns a controlling interest in the National Bank of Washington, D.C.

7. Finally the last part of my amendment consists of the time adjustment which the Federal Reserve Board finds to be equitable in imposing the new provisions.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my newsletter to the people of the Seventh District of Alabama for August 2, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

LIBERALS TRAMPLE ON STATE AND INDIVIDUAL RIGHTS

The liberals ganged up last week to trample ruthlessly on the freedom of individual citizens and the precious rights of the States guaranteed by the Constitution. By a vote of 221 to 203 the House passed a bill to repeal Alabama's right-to-work law as well as those of 18 other States and to deny the people of any State the right to enact such a law. I voted against repeal of section 14(b) of the Taft-Hartley Act because I think the people of Alabama should have the right to vote on this question; I believe no American worker should be forced to join a union, nor should he be denied the right to join a union if he chooses; I would not force a man, in order to hold his job, to join a union which may be controlled by a Communist or racketeers. Under the recent Supreme Court ruling, which says a Communist may hold office in a union, this is possible. It has happened in some States and the unions have been expelled by the AFL–CIO.

The main argument of those who voted to take away your rights was that they had to pass this bill to keep industry from moving south. They said that industry is running away from New England and other Northern States because of right-to-work laws in the South. Of course, this is not true. Industry is moving to the South mainly because we have a large reservoir of good workers and good unions. We have an ideal climate and our people have expressed faith and confidence in the operation of the private enterprise system. For my part, I will continue to do all I can to encourage new industry to come to Alabama and I think most Alabamians will agree with me.

CHEAP WAGE RATE CHARGE FALSE

The charge that wage rates are cheaper in the South is simply not true. In 1964 20 States had right-to-work laws. (Indiana has since repealed its law.) The annual report for 1964 on Employment and Earnings of the U.S. Department of Labor Bureau of Statistics shows: 7 of the 20 right-to-work States have higher wage rates than Connecticut; 8 have higher wage rates than Massachusetts; 12 have higher wage rates than Rhode Island and Vermont; 15 have higher wage rates than New Hampshire and Maine. Alabama, Florida, Virginia, and Tennessee all have higher wage rates than New Hampshire and Maine. Alabama wage rates are also higher than Vermont and Rhode Island.

So the real reason for doing away with right-to-work laws must be the continued goal of the Johnson administration and the liberals under pressure from northern political labor bosses for more power, more Federal control, more one-man, one-party government. Never again may the Democrat Party lay claim to championing States rights when 200 Democrats voted to take away

States rights while 117 Republicans voted for freedom.

WHAT YOU WILL PAY FOR MEDICARE

Congress gave final approval to the medicare bill last week and the law will soon be in effect although it will be next July before anyone will begin drawing benefits. In spite of the claim that this is free medicare presented to you by a gracious and loving President, the sad fact is, you are going to pay the bill. Beginning next year the amount you pay in social security taxes will go up. There are no exemptions, you pay social security tax on the first dollar earned. As an example, the person with $6,600 in wages will pay $277 social security taxes or $103 more than he is paying now. Two and a half years from now he will pay $323, or an increase of 86 percent over his present tax. Those who are self-employed and making $6,600 will pay $405 next year and $468 2 years later, an increase in social security taxes of $209 in less than 2 years. How does this stack up with the piddling tax cut for which Lyndon Johnson took so much credit last year?

RENT SUBSIDIES BILL MOVES AHEAD

The housing bill providing for the Government to pay rent subsidies for those who cannot afford to move into better neighborhoods moved ahead as Congress approved the conference report. Several editors had some fun writing editorials challenging my statements on this socialistic bill. It is evident they did not read the bill, nor do they know what it provides. The housing bill does make it possible to integrate any neighborhood in the country at the discretion of the Housing Administrator who decides on who shall get the subsidy and under what conditions and he determines where the projects will be located. Under this bill it is possible for a nonprofit organization, including a church, the NAACP, or a civic service club to build housing with Government loans and use the rent money to pay back the loans.

ALABAMA POULTRY PRODUCERS THREATENED

In cooperation with Members of Congress from other poultry producing areas, I appeared before a subcommittee of the Agriculture Committee this week to present evidence as to why the Area Redevelopment Administration should not grant a loan of $2.6 million to a Maine company to build a new processing plant in Pennsylvania which threatens the entire poultry industry. We are continuing this fight and preliminary investigation shows some very questionable actions on the part of ARA officials in attempting to rush this loan through at this time.

I am also making every effort to prevent the enactment of an egg marketing bill to bring about Federal controls on egg prices until adequate hearings have been held and representatives of the poultry and egg industry have had a full chance to present their views.

The poultry and egg industry in Alabama and other Southern States is too vital to our economy to allow any move on the part of the Government to injure the industry or to cause losses to our producers. There is complete cooperation among those of us from poultry producing areas to protect the industry from any contemplated raids.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 20, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: Acts 17: 26: *And hath made of one blood all nations of men for to dwell on all the face of the earth.*

Almighty God, we are coming unto Thee with needs that are so insistent, so profund, and so pathetic, but in Thee we have the bond by which we may live together with all the members of the human family in a sense of kinship and fellowship.

Inspire us to live and labor in terms of all humanity and follow the leading of Him who claimed all mankind to be His children and that we must seek the common good of all.

Grant that we may know Thee in fellowship, and may it be one in our social aspiration to adjust our human life in all of its relations to the ideals of Him who came to build a better social order.

May we all live together as the sons of God in mutual service and good will.

Give us a great faith in the essential unity of all men under God, and for the achievement of this better social order give us wisdom and patience, making the fatherhood of God the supreme fact of our faith and the brotherhood of man the ruling spirit as the law of life.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, September 17, 1965, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1221. An act for the relief of Betty H. Going;

H.R. 1395. An act for the relief of Irene McCafferty;

H.R. 2694. An act for the relief of John Allen;

H.R. 2926. An act for the relief of Efstahia Giannos;

H.R. 2933. An act for the relief of Kim Jai Sung;

H.R. 3062. An act for the relief of Son Chung Jr.;

H.R. 3337. An act for the relief of Mrs. Antonio de Oyarzabal;

H.R. 3765. An act for the relief of Miss Rosa Basile DeSantis;

H.R. 3989. An act to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts;

H.R. 4596. An act for the relief of Myra Knowles Snelling;

H.R. 4603. An act for the relief of Lt. (j.g.) Harold Edward Henning, U.S. Navy;

H.R. 5252. An act to provide for the relief of certain enlisted members of the Air Force;

H.R. 5839. An act for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps;

H.R. 5902. An act for the relief of Cecil Graham;

H.R. 5903. An act for the relief of William C. Page;

H.R. 6294. An act to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes;

H.R. 7090. An act for the relief of certain individuals;

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss;

H.R. 8212. An act for the relief of Kent A. Herath; and

H.R. 8352. An act for the relief of certain employees of the Foreign Service of the United States.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9877. An act to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 402. An act for the relief of Oh Wha Ja (Penny Korleen Doughty);

S. 1198. An act for the relief of Mrs. Harley Brewer; and

S. 1390. An act for the relief of Rocky River Co. and Macy Land Corp.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 331. An act for the relief of Warren F. Coleman, Jr.;

S. 337. An act for the relief of F. F. Hintze;

S. 405. An act for the relief of Gabriel A. Nahas and Vera Nahas;

S. 577. An act for the relief Mary F. Morse;

S. 1013. An act to clarify the components of, and to assist in the management of, the national debt and the tax structure;

S. 1049. An act to provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees;

S. 1804. An act to provide for the appointment of two additional judges for the U.S. Court of Claims, and for other purposes;

S. 1898. An act for the relief of certain aliens;

S. 1924. An act to amend section 39b of the Bankruptcy Act so as to prohibit a part-time referee from acting as trustee or receiver in any proceeding under the Bankruptcy Act;

S. 2039. An act for the relief of Ken Allen Keene (Yasuo Tsukikawa);

S. 2273. An act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes;

S.J. Res. 27. Joint resolution providing for the establishment of an annual National Farmers Week;

S.J. Res. 86. Joint resolution to authorize the President to proclaim a "Day of Recognition" for firefighters;

S.J. Res. 90. Joint resolution to designate the 7th day of November in 1965 as "National Teachers' Day"; and

S.J. Res. 101. Joint resolution to authorize the President to issue a proclamation designating the calendar year 1966 as "The Year of the Bible."

APPOINTMENT TO SELECT COMMITTEE ON SMALL BUSINESS

The SPEAKER. Pursuant to the provisions of House Resolution 13, 89th Congress, the Chair appoints as a member of the select committee to conduct studies and investigations of the prob-