Mr. LONG of Louisiana. Both countries will have a good day on this one.

Mr. HARTKE. Let us assume that they go ahead and expand their automobile operations in Canada in order to meet the requirement of Canadian value added. If the Senator will read the agreement in the information submitted in the record after the question was asked as to what this exactly means, I think he will find that this has not even been defined, and that Canada can define it unilaterally after the agreement has been entered into.

Mr. LONG of Louisiana. We have some powers, too. We are watching what Canada is doing.

Mr. HARTKE. But Canada has a right to make a decision unilaterally. Canada can decide what it means by "Canadian value added." They have that right. The legal counsel for the Secretary of State—and Under Secretary Mann made a statement which appears in full in the record—said that there is no question that there is a lack of clarity concerning the meaning of "Canadian value added."

Mr. LONG of Louisiana. If Canada makes an agreement that is contrary to the objectives of the agreement which I have tried to spell out today, Canada will have violated the agreement, and we will be entitled to get out of it. As a matter of fact, even if Canada does not do so, we can, on 12 months' notice, get out of the agreement anyway, if we do not like it.

Mr. CARLSON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. The distinguished Senator from Louisiana is making an excellent defense of the agreement between the United States and Canada on automotive parts, and the distinguished Senator from Indiana is carefully pointing out some of the flaws. However, I do not believe it will be possible to complete the discussion on the bill this evening. Would the Senator from Louisiana be willing to conclude his remarks for today at this time, and resume on the same subject tomorrow?

Mr. LONG of Louisiana. Yes. I should like to suspend now, if that would be satisfactory to the Senator from Indiana, and reserve my further response until he has made his main presentation. He has been preparing his speech. I hope it will adequately present his position for the RECORD. I shall read it with interest. I fear that we shall not be in closer agreement than we were when we started today, but I shall certainly enjoy studying his views on the subject.

Mr. HARTKE. It is most delightful always to listen to the distinguished Senator from Louisiana. He is most persuasive; and he has persuaded me that we should proceed further into this matter tomorrow.

## AUTHORIZATION FOR COMMITTEES TO FILE REPORTS UNTIL MIDNIGHT TONIGHT

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be permitted until midnight tonight to file its reports on H.R. 3141, the Health Professions Educational Assistance Amendments of 1965, and H.R. 8310, the vocational rehabilitation amendments, together with additional, supplemental, minority, and individual views, if any; and that the Committee on the District of Columbia be permitted until midnight tonight to file its report on S. 1719, a bill to provide overtime compensation for District of Columbia police and firemen, U.S. Park Police, and White House Police.

Mr. CARLSON. Mr. President, reserving the right to object—and I certainly shall not object—I hope that these requests have been cleared with the appropriate Members of the minority.

Mr. LONG of Louisiana. I understand that they have been cleared with members of the committees on both sides of the aisle.

The PRESIDING OFFICER (Mr. GORE in the chair). Is there objection? The Chair hears none, and it is so ordered.

## ORDER FOR RECOGNITION OF SENATOR SYMINGTON AT THE CONCLUSION OF ROUTINE MORNING BUSINESS ON WEDNESDAY

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that at the conclusion of the routine morning business tomorrow, the senior Senator from Missouri [Mr. SYMINGTON] be recognized and that he may be permitted to proceed for 1 hour.

The PRESIDING OFFICER (Mr. GORE in the chair). Without objection, it is so ordered.

## ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, if other Senators do not desire to make speeches, I am prepared to move that the Senate adjourn.

I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 47 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, September 29, 1965, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate September 28, 1965:

DIPLOMATIC AND FOREIGN SERVICE

The following-named Foreign Service officers for promotion from the class of career minister to the class of career ambassador:

Foy D. Kohler, of Ohio.

Douglas MacArthur II, of the District of Columbia.

Thomas C. Mann, of Texas.

The following-named Foreign Service officers for promotion from class 1 to the class of career minister:

Richard H. Davis, of the District of Columbia.

G. McMurtrie Godley, of the District of Columbia.

Marshall Green, of the District of Columbia.

William Leonhart, of West Virginia.

Henry J. Tasca, of the District of Columbia.

Leonard Unger, of Maryland.

THE JUDICIARY

Francis X. Morrissey, of Massachusetts, to be U.S. district judge for the district of Massachusetts vice a new position.

## WITHDRAWAL

Executive nomination withdrawn from the Senate September 28, 1965:

The nomination sent to the Senate on August 31, 1965, of Mr. Robert R. Mease to be postmaster at Springtown, in the State of Pennsylvania.

# HOUSE OF REPRESENTATIVES

## TUESDAY, SEPTEMBER 28, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer, and used this verse of Scripture: Matthew 7: 12: *Therefore all things whatsoever ye would that men should do to you, do ye even so to them: for this is the law and the prophets.*

Almighty God, we thank Thee for the many kind and gracious words which came from the lips of our blessed Lord.

When we consider and ponder this Golden Rule, we realize that here is the sovereign law of love in action and that it is something which humanity ought to take to heart more seriously.

Inspire us to obey it as the supreme law in human relations. Thus may we become the messengers of generosity and good will.

May we not forget that we must apply this rule not only to our deeds but to thoughts and words as well.

Help us to give evidence of the wisdom of the law of love in the world of trade and industry, of government and politics, of religion and creed.

When we take this simple step pointed out by the Golden Rule and show forth a finer skill of insight and sympathy, there will come a new day such as the sun has never looked down upon.

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 agrees to the amendments of the House to the bill (S. 1766) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes, with amendments in which the concurrence of the House is requested.

## RESIGNATION OF MEMBER

The SPEAKER laid before the House the following communication, which was read:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., September 28, 1965.*

DEAR MR. SPEAKER: It is with a considerable degree of sadness that I take this official means of resigning as a Member of the House of Representatives—a Representative from the 26th District of California—effective as of noon, Thursday, September 30, 1965.

I hope it is appropriate for me to add that I can sincerely say I have had the privilege of serving my country not only under the leadership of the great Speaker, Sam Rayburn, but under your speakership, which I regard as probably the most effective and productive sessions in our country's history. You have, in so many ways, given me your support and friendship that I, of course, cannot find a way to adequately express my appreciation and everlasting affectionate respect.

I look forward to my new assignment in a critical area of the world's history with the hope that I can put to use the lessons I have learned during my service in the House. So many Members on both sides of the aisle have made it possible, I hope, for me to have made some contribution, and I take this last opportunity of expressing my warmest thanks to each and every one of my colleagues. I shall hope to visit with you frequently.

With sincere regards and best wishes, as always, I am

Yours sincerely,

JAMES ROOSEVELT.

## FOREIGN ASSISTANCE APPROPRIATION BILL, 1966

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 10871, making appropriations for foreign assistance for the fiscal year ending June 30, 1966, with Senate amendments, disagree to the amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. PASSMAN, Mr. ROONEY of New York, Mr. NATCHER, Mrs. HANSEN of Washington, Mr. COHELAN, Mr. LONG of Maryland, Mr. MAHON, Mr. SHRIVER, Mr. CONTE, Mr. ANDREWS of North Dakota, and Mr. BOW.

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the conferees on the disagreeing votes of the two Houses on the bill H.R. 10871 have until midnight tomorrow night in which to file a conference report on the bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## CONTINUING APPROPRIATIONS, 1966

Mr. MAHON. Mr. Speaker, pursuant to the unanimous-consent order of last Friday, I call up the joint resolution (H.J. Res. 673) making continuing appropriations for the fiscal year 1966, and for other purposes, and ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the State of the Union.

The Clerk read the joint resolution, as follows:

H.J. RES. 673

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 101 of the joint resolution approved June 30, 1965 (Public Law 89–58), as amended, is amended by adding a new subsection as follows: "(e) Such amounts as may be necessary for continuing Civil Supersonic Aircraft Development Activities which have been conducted in the fiscal year 1966 but at a rate for operations not in excess of the rate provided in the supplemental estimate pending before the Congress until the enactment into law of the applicable appropriation", and section 102 is further amended by striking out "September 30, 1965" and inserting in lieu thereof "October 15, 1965", except as provided in section 101(e) hereof.

The SPEAKER. Is there objection to the request of the gentleman from Texas that the resolution be considered in the House as in the Committee of the Whole House on the State of the Union?

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to inquire of the gentleman if it is not true that we were advised by the Appropriations Committee the last time we extended appropriations through a continuing appropriations resolution that that would be the last one in this session?

Mr. MAHON. If the gentleman would first permit us to begin the consideration of the resolution, we can then discuss these matters. This is merely a unanimous-consent request that the resolution be considered in the House as in the Committee of the Whole.

Mr. HALL. If the gentleman from Texas will reflect, he will know that I realize full well, the nature of the request. The gentleman himself has emphasized that it is a unanimous-consent request. Therefore, I make the reservation of my right to object even to consideration of such further foolhardiness as continually extending the appropriations, on the same or like basis. I well realize that I may not have the right to object during the colloquy, debate, and the usual panoply of individual opinions that go on under the control of the Chairman as to why we should, or should not, continue appropriations under such a resolution; and whether or not agencies would indeed be harmed if we should not continue such appropriations. This is especially true after promises have been made that we would be in adjournment by this time, that the work of the House and the Congress under dynamic and better leadership could be expedited, and that no further similar continuing appropriations would be required. So I renew my question, and I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, the gentleman has asked if there was a promise, or a statement to the effect that the previous continuing resolution—which runs through September 30—would be the last one required at this session.

I know of no such statement or promise. We have been expressing sanguine hopes—those of us who wish to adjourn as soon as reasonably possible—that we would not have to seek additional continuing resolutions. But these things are unpredictable. This request today is unpredictable. Against all hope, I foresee that prior to the 15th of October, which would be the general limit of applicability of the present resolution, we may have to request an additional extension or another continuing resolution. I hope not—but we cannot know what the future necessities will be.

With respect to the bills still pending, let us consider the appropriations for the Department of Agriculture. The House passed that bill months ago. The other body passed it many weeks back. Some of the conferees on the present omnibus farm bill are also members of the conference on the agricultural appropriation bill. We have met on several occasions. We have been seeking to meet again. When we can meet again we will probably be able to iron out the difficult controversies which exist between the House and the Senate on that bill—and hopefully meet before October 15.

With respect to the public works appropriation bill, which has also cleared both Houses, it would appear that final action could be taken this week or next. At least we have high hopes that final action can be taken on it prior to the 15th of October.

The gentleman from Louisiana [Mr. PASSMAN] has asked consent today to go to conference on the foreign aid appropriation bill and he manifested hope of expeditious disposition by securing consent to have until midnight tomorrow to file a conference report if agreement is reached tomorrow.

It looks like we are getting in good shape. We are doing the best we can with a difficult situation.

Mr. HALL. Mr. Speaker, if we are in good shape, we are just about 2 months too late being in good shape, according to the Constitution and existing law. We continue to operate under existing Korean "emergencies."

I believe we all understand the full details of the various congressional conferences of the committees of the two bodies.

With respect to "sanguinity of hope," I, too, continue to express it. It reminds me very much of the statement of a mayor of one of the towns I am privileged to represent, who said that big government nowadays is like giving yourself a blood transfusion from one arm to the other, and spilling 20 percent in the process. Whatever we get in the form of good government, it is time that we considered the source, and not transfuse ourselves with further appropriations and taxpayers' money deficiency bills.

In view of the hope expressed and the stated record of good intent, Mr. Speaker, I withdraw my reservation.

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

Mr. GERALD R. FORD. Further reserving the right to object, Mr. Speaker—and I do not intend to object—I feel it is appropriate for those of us on the minority side to express our deep concern over the seemingly never-ending continuing resolutions for the financing

of the various departments for fiscal year 1966.

The original request in this instance, as I understand it, was for the month of October. By negotiation between the gentleman from Texas and the gentleman from Ohio, the date for this continuing resolution was agreed to as October 15. It seems to me that between now and October 15 all of the appropriation legislation can be taken care of and taken care of satisfactorily.

It also appears to me that our other legislative matters can likewise be handled and completed. It is perfectly obvious to those of us on the minority side that unless we say "No" to a continuing resolution after the 15th of October the Congress will go on ad infinitum during 1965.

I believe the gentleman from Texas and others should know that we on the minority, after the expiration of this resolution, October 15, will violently object to any further extension.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

Mr. MAHON. Mr. Speaker, I move to strike the last word.

I share, as I believe all Members do, the hope of the distinguished minority leader [Mr. GERALD R. FORD] that we may adjourn at the earliest practicable date.

I would remind us, however, that we are paid by the year and it is our duty to discharge our responsibilities here. We have to stay here until we complete our work.

Let me say this: The House of Representatives is a proud body. I would say that we could have already agreed with the other body on the Agriculture appropriation bill, for example, but we did not feel, as Representatives of the House, that we should yield on certain items. We are working with the other body in a spirit of comity and good will. We will be able soon, I hope, to resolve the issues before us. To yield as a matter of expediency in matters which we feel would not be in the best interests of the country is something we do not propose to do. The other body likewise has its responsibilities and mutually satisfactory agreements are being sought. I am sure my good friend from Ohio [Mr. BOW], who is on his feet, and my good friend from Michigan [Mr. GERALD R. FORD] would agree with that.

There are only three bills pending that have not been finally sent to the White House, aside from the customary last supplemental bill which we hope to report shortly. I feel confident we should be able to dispose of the conferences on the three bills by the 15th of October, but we may have a problem meeting that date with regard to the supplemental appropriation bill. It may be that we could complete the supplemental by the 15th of October. I hope we can but I seriously doubt that this will be possible. I have informed the Director of the Bureau of the Budget that we must take stock and expedite the budget requests in connection with the bill. We have some requests in hand and are processing them, but there are several others in the offing. I have a meeting this afternoon with the Director at which time I shall undertake to persuade him to expedite these matters for our early consideration.

Mr. Speaker, in addition to the 15-day extension beyond September 30, the pending resolution contains one other matter. As the committee report clearly points out, the resolution also authorizes continuation of the work on development of a civil supersonic aircraft. The independent offices bill for 1966, in which it normally would have been funded, did not contain supplementary funding because various special studies of the economics of alternative designs and technical problems were then under evaluation. Decisions have since been made and on August 12 the President requested an additional $140 million to continue work on this important project.

The work has continued during the current fiscal year with balances of prior appropriations, but we are advised that these will be exhausted in the next several days. This is an ongoing project and to avoid a disruptive gap in the work, and liability for certain charges if the work is terminated or suspended, the accompanying resolution, in effect, advances some of the pending supplemental request, but at a rate not in excess of what it would allow. The matter is more fully explained in the committee report which is at the desk.

Mr. BOW. Mr. Speaker, will the gentleman yield to me?

Mr. MAHON. Yes. I am glad to yield to the distinguished gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Speaker, I appreciate the gentleman yielding to me.

Mr. Speaker, it is unfortunate indeed that it is necessary to bring before the House another continuing resolution. The Appropriations Committee, under the leadership of our able chairman, the gentleman from Texas [Mr. MAHON], has worked hard and diligently. Our work is practically completed, the exception being conference reports and the last supplemental.

I would urge upon the leadership of the Committee on Appropriations and the leadership of the House that the executive branch of the Government be advised that we shall act upon deficiencies and supplementals during the week of October 4, having in mind that all appropriation bills will be concluded by the Congress on or before October 15, the date of the expiration of this resolution. There is no reason why this cannot be done. If it is not and we continue on our present course, Congress cannot and will not adjourn. It is time to call a halt on spending and reevaluate what we have done. We have already provided more spending than ever before in the history of the Republic—this in spite of claims of economy by the executive branch.

There should be no further continuing resolutions. Let us complete our work in the interest of the American taxpayer.

Mr. Speaker, I should like to outline what we have been doing. I think it underscores the statement I keep in front of me, over my desk:

> Nothing is easier than the expenditure of public money. It does not appear to belong to anybody. The temptation is overwhelming to bestow it on somebody.

The following table as of September 17, 1965, "Summary 1966 New Obligational Authority Provided in Appropriation Bills," shows that the House has considered revised budget estimates of $90.7 billion, from which the House cut $2 billion. The Senate has considered estimates of $92.4 billion, making a cut of $1.4 billion. The increase in budget estimates considered resulted primarily from the $1.7 billion which was submitted to the Senate for Vietnam and added to the defense appropriation bill after action by the House.

The 10 appropriation bills on which final action has been completed have been cut $1.6 billion.

I want to point out that the estimates used in compilation of this table were January estimates, which will be revised considerably by the administration when the Bureau of the Budget Midyear Review is published. For example, postal operations are carried on a net basis in the administrative budget; therefore when estimates of receipts are changed, there will be a change in the amount shown for the Treasury-Post Office appropriation bill.

The summary table does not include permanent authorizations not requiring action by the Congress, which in January were estimated at $12.9 billion. It does not include borrowing authority or contract authority provided in legislative bills. Housing legislation provided $1.31 billion for 1966. The Pacific Northwest Disaster Relief Act included $85 million contract authority for 1966 for roads.

Adding budget estimates, as considered by the Senate of $92.4 billion, permanent appropriations—at the January estimate of interest on the public debt, and so forth—$12.9 billion, backdoor financing in the legislative bills which I just mentioned, and deducting a cut of around $2 billion in the bills considered so far, results in a total of $104.7 billion. To that amount should be added the supplemental for Great Society legislation to be considered this session of Congress of several billion dollars, and we are billions over the January estimate of $106.4 billion for new obligational authority in fiscal year 1966.

In addition there will be another 1966 supplemental next January for Vietnam, of nobody knows how many billion. In the Treasury Department "Monthly Statement of Receipts and Expenditures" just received, expenditures of the Defense Department were reported at $7.9 billion for the first 2 months of fiscal year 1966, compared with $6.9 billion in the same period of 1965—$1 billion higher for the period July 1 through August 31, 1965. So the increased Vietnam costs are readily apparent.

*Summary, 1966 new obligational authority provided in appropriation bills, 89th Cong., 1st sess., as of Sept. 17, 1965*

[In millions of dollars]

| | Budget estimates to House | House passed | House change | Budget estimates to Senate | Senate passed | Comparison, Senate versus— | | Final action | Congressional change compared with— | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Budget | House | | Budget | House | Senate |
| District of Columbia | 79.4 | 70.4 | −9.0 | 79.4 | 75.4 | −4.0 | +5.0 | 72.4 | −7.0 | +2.0 | −3.0 |
| Interior | 1,125.0 | 1,068.4 | −56.5 | 1,125.7 | 1,115.2 | −10.5 | +46.8 | 1,097.3 | −28.4 | +28.9 | −17.9 |
| Treasury-Post Office | 2,091.0 | 1,986.9 | −104.1 | 2,097.2 | 2,046.2 | −51.1 | +59.3 | 2,016.9 | −80.3 | +30.0 | −29.3 |
| Labor-HEW | 8,294.6 | 7,964.0 | −330.6 | 8,294.6 | 8,023.1 | −271.5 | +59.1 | 8,011.3 | −283.3 | +47.3 | −11.8 |
| Independent offices | 13,772.9 | 13,401.0 | −371.9 | 13,807.9 | 13,546.9 | −260.9 | +145.9 | 13,415.1 | −392.7 | +14.1 | −131.8 |
| State, Justice, Commerce | 1,678.5 | 1,623.5 | −55.0 | 1,682.7 | 1,625.3 | −57.5 | +1.8 | 1,630.4 | −52.3 | +6.9 | +5.1 |
| Legislative | 192.3 | 138.4 | −54.0 | 230.8 | 178.6 | −52.2 | +40.3 | 177.8 | −53.0 | +39.4 | −.8 |
| Labor-HEW supplemental | 1,553.9 | 1,223.2 | −330.7 | 1,553.9 | 1,407.2 | −146.7 | +184.0 | 1,223.2 | −330.7 | ---------- | −184.0 |
| Defense | 45,152.1 | 45,067.5 | −84.6 | 46,852.1 | 46,756.3 | −95.8 | +1,688.8 | 46,766.4 | −85.7 | +1,698.9 | +10.1 |
| Military construction | 2,049.0 | 1,755.5 | −293.5 | 2,049.0 | 1,759.5 | −289.5 | +4.0 | 1,756.6 | −292.4 | +1.1 | −2.9 |
| Subtotal | 75,988.7 | 74,298.8 | −1,689.9 | 77,773.3 | 76,533.7 | −1,239.7 | +2,234.9 | 76,167.5 | −1,605.9 | +1,868.7 | −366.2 |
| Agriculture | 6,152.1 | 6,157.3 | +5.2 | 6,119.6 | 6,254.2 | +134.5 | +96.9 | ---------- | ---------- | ---------- | ---------- |
| Public works | 4,322.3 | 4,190.1 | −132.2 | 4,336.1 | 4,276.0 | −60.0 | +86.0 | ---------- | ---------- | ---------- | ---------- |
| Foreign aid | 4,215.9 | 4,028.5 | −187.5 | 4,215.9 | [1] 3,934.2 | [1] −281.7 | [1] −94.3 | ---------- | ---------- | ---------- | ---------- |
| Total | 90,679.0 | 88,674.6 | −2,004.4 | 92,444.9 | 90,998.1 | −1,446.9 | +2,323.5 | ---------- | ---------- | ---------- | ---------- |

[1] As reported.

The following three tables break down the 1966 new obligational authority provided in appropriations bills by showing the amount of appropriations and itemizing, the adjustments necessary to arrive at new obligational authority—addition of loan authorizations and reappropriations—deduction of liquidating cash—appropriations for liquidation of contract authority—deduction of appropriations for years other than 1966, rescissions, and so forth. The first table shows House action, the second Senate action, and the last indicates final action.

Mr. Speaker, it will be recalled that in the last hours of the last session of the 87th Congress, in October of 1962, the customary closing supplemental appriation bill of the session, which had been passed by both Houses, failed to go to conference and died on tne Speaker's table. Congress adjourned sine die, went home, and left it there.

That bill carried with it budget estimates for appropriations of $631,785,000 for the then current fiscal year—fiscal year 1963. The bill as it came from the Senate carried appropriations of $550,668,000.

When the Congress returned to its work in the next session—the 1st session of the 88th Congress—in due time it was, as invariably it is early in every session, presented with a raft of supplemental appropriation requests for the then, and still current fiscal year 1963. But it was soon noted that many of the amounts requested for the fiscal year 1963 which had died with the bill in the preceding session had not been resubmitted by the President.

The distinguished chairman of the Committee on Appropriations, the late Honorable Clarence Cannon, submitted to the House a study of the resulting savings in appropriations requested for fiscal 1963. The total savings directly attributed to this episode amounted to over a quarter of a billion dollars—$251,601,000, according to the study submitted.

Clearly, this showed that the supplementals were excessive; that there was no urgency; that essential services were in no way discommoded by the failure of the bill; and that such of the supplements as might require consideration in the fiscal year 1963 could very well be put over to the next session.

The bill that failed was loaded with propositions to initiate new projects and programs. We are faced with a somewhat similar situation in these supplementals now in hand and presumably yet to come from the President.

A supplemental bill, rushed through in the closing days of a long, weary, and expensive session is hardly the best time and place to maturely consider these new propositions that tend to start off at a relatively low figure but enlarge in the following budgets. It is more orderly to consider them in the regular order; in the regular way in the regular bills, alongside the hundreds of ongoing activities of the Government.

Furthermore, Mr. Speaker, it is only a relatively short time before Congress will meet in the next session—if this one ever concludes.

The tables referred to follow:

*1966 new obligational authority provided in appropriation bills as of Sept. 17, 1965*

HOUSE ACTION

[In thousands of dollars]

| | Budget estimates to House | House passed | House change |
|---|---|---|---|
| DISTRICT OF COLUMBIA | | | |
| Appropriation table | 53,122 | 44,122 | −9,000 |
| Add appropriations for loan programs | 26,312 | 26,312 | ---------- |
| New obligational authority | 79,434 | 70,434 | −9,000 |
| INTERIOR | | | |
| Appropriation table | 1,240,850 | 1,184,090 | −56,759 |
| Add: | | | |
| Reappropriation (fishing vessels) | ---------- | ---------- | ---------- |
| Loan authorization (helium) | 16,780 | 16,000 | −780 |
| Deduct liquidating cash | 132,672 | 131,672 | −1,000 |
| New obligational authority | 1,124,958 | 1,068,418 | −56,540 |
| TREASURY-POST OFFICE | | | |
| Appropriation table | 6,708,510 | 6,604,404 | −104,106 |
| Deduct: | | | |
| Postal receipts | 4,617,532 | 4,617,532 | ---------- |
| 1965 appropriation for IMF | ---------- | ---------- | ---------- |
| New obligational authority | 2,090,978 | 1,986,872 | −104,106 |

*1966 new obligational authority provided in appropriation bills as of Sept. 17, 1965*—Continued

HOUSE ACTION—Continued

[In thousands of dollars]

| | Budget estimates to House | House passed | House change |
|---|---|---|---|
| LABOR-HEW | | | |
| Appropriation table | 8,293,814 | 7,964,034 | −329,780 |
| Adjustment to reflect amount requested in January budget for wage and labor standards | +804 | ---------- | −804 |
| New obligational authority | 8,294,618 | 7,964,034 | −330,584 |
| INDEPENDENT OFFICES | | | |
| Appropriation table | 14,531,023 | 14,109,908 | −421,115 |
| Add rescission of VA permanent loan authorization | −100,000 | ---------- | +100,000 |
| Deduct: | | | |
| Liquidating cash | 445,665 | 526,428 | +80,763 |
| 1967 appropriations for FAA and HHFA | 212,500 | 182,500 | −30,000 |
| New obligational authority | 13,772,858 | 13,400,980 | −371,878 |
| STATE, JUSTICE, COMMERCE, ETC. | | | |
| Appropriation table | 2,167,736 | 2,085,690 | −82,046 |
| Add reappropriation for ABMC | 32 | 32 | ---------- |

*1966 new obligational authority provided in appropriation bills as of Sept. 17, 1965*—Continued

HOUSE ACTION—Continued

[In thousands of dollars]

| | Budget estimates to House | House passed | House change |
|---|---|---|---|
| STATE, JUSTICE, COMMERCE, ETC.—con. | | | |
| Deduct: | | | |
| Liquidating cash | 239,240 | 237,240 | −2,000 |
| Repayable advances to highway trust fund | 250,000 | 225,000 | −25,000 |
| New obligational authority | 1,678,527 | 1,623,482 | −55,046 |
| LEGISLATIVE | | | |
| Appropriation table | 204,872 | 150,589 | −54,283 |
| Add: Reappropriation (Library buildings and grounds) | | 265 | +265 |
| Deduct liquidating cash | 12,500 | 12,500 | |
| New obligational authority | 192,372 | 138,354 | −54,018 |
| LABOR-HEW SUPPLEMENTAL, 1966 | | | |
| Appropriation table and new obligational authority | 1,553,918 | 1,223,182 | −330,737 |
| AGRICULTURE | | | |
| Appropriation table | 5,815,134 | 5,717,832 | −97,302 |
| Add: | | | |
| Loan authorization (REA) | 447,000 | 447,000 | |
| Contract authorization (ACP) | 120,000 | 220,000 | +100,000 |
| Deduct liquidating cash | 230,000 | 227,500 | −2,500 |
| New obligational authority | 6,152,134 | 6,157,332 | +5,198 |
| PUBLIC WORKS | | | |
| Appropriation table | 4,373,805 | 4,241,636 | −132,168 |
| Deduct indefinite appropriations for AEC and O. & M. Reclamation | 51,545 | 51,545 | |
| New obligational authority | 4,322,260 | 4,190,091 | −132,168 |
| DEFENSE | | | |
| Appropriation table | 45,248,844 | 45,188,244 | −60,600 |
| Add estimate for claims, Defense | 24,000 | | −24,000 |
| Deduct: | | | |
| Liquidating cash | 54,044 | 54,044 | |
| Deficiency appropriations for military personnel (Army 1956, 1957, 1961; and Air Force, 1958, 1959) and medical care, Navy (1958) | 66,700 | 66,700 | |
| New obligational authority | 45,152,100 | 45,067,500 | −84,600 |
| MILITARY CONSTRUCTION | | | |
| Appropriation table and new obligational authority | 2,049,000 | 1,755,495 | −293,505 |
| FOREIGN ASSISTANCE | | | |
| Appropriations table | 4,188,923 | 4,001,453 | −187,470 |
| Add reappropriations | 27,000 | 27,000 | |
| New obligational authority | 4,215,923 | 4,028,453 | −187,470 |

SENATE ACTION

| | | | |
|---|---|---|---|
| DISTRICT OF COLUMBIA | | | |
| Appropriation table | 53,122 | 49,122 | −4,000 |
| Add appropriations for loan programs | 26,312 | 26,312 | |
| New obligational authority | 79,434 | 75,434 | −4,000 |
| INTERIOR | | | |
| Appropriation table | 1,241,549 | 1,230,803 | −10,747 |
| Add: | | | |
| Reappropriation (fishing vessels) | | 750 | +750 |
| Loan authorization (helium) | 16,780 | 16,000 | −780 |
| Deduct liquidating cash | 132,672 | 132,377 | −295 |
| New obligational authority | 1,125,657 | 1,115,176 | −10,482 |
| TREASURY-POST OFFICE | | | |
| Appropriation table | 7,749,770 | 7,698,669 | −51,101 |
| Deduct: | | | |
| Postal receipts | 4,617,532 | 4,617,532 | |
| 1965 appropriation for IMF | 1,035,000 | 1,035,000 | |
| New obligational authority | 2,097,238 | 2,046,137 | −51,101 |
| LABOR-HEW | | | |
| Appropriation table | 8,293,814 | 8,023,101 | −270,712 |
| Adjustment to reflect amount requested in January budget for wage and labor standards | +804 | | −804 |
| New obligational authority | 8,294,618 | 8,023,101 | −271,516 |

*1966 new obligational authority provided in appropriation bills as of Sept. 17, 1965*—Continued

SENATE ACTION—Continued

[In thousands of dollars]

| | Budget estimates to Senate | Senate passed | Senate change |
|---|---|---|---|
| INDEPENDENT OFFICES | | | |
| Appropriation table | 14,566,023 | 14,299,898 | −266,125 |
| Add rescission of VA permanent loan authorization | −100,000 | −100,000 | |
| Deduct: | | | |
| Liquidating cash | 445,665 | 437,988 | −7,677 |
| 1967 appropriation for FAA and HHFA | 212,500 | 215,000 | +2,500 |
| New obligational authority | 13,807,858 | 13,546,910 | −260,948 |
| STATE, JUSTICE, COMMERCE, ETC. | | | |
| Appropriation table | 2,171,936 | 2,052,472 | −119,464 |
| Add reappropriation for ABMC | 32 | 32 | |
| Deduct: | | | |
| Liquidating cash | 239,240 | 227,240 | −12,000 |
| Repayable advances to highway trust fund | 250,000 | 200,000 | −50,000 |
| New obligational authority | 1,682,727 | 1,625,264 | −57,464 |
| LEGISLATIVE | | | |
| Appropriation table | 243,262 | 190,840 | −52,421 |
| Add: Reappropriation (Library buildings and grounds) | | 265 | +265 |
| Deduct: Liquidating cash | 12,500 | 12,500 | |
| New obligational authority | 230,762 | 178,605 | −52,156 |
| LABOR-HEW SUPPLEMENTAL, 1966 | | | |
| Appropriations table and new obligational authority | 1,553,918 | 1,407,181 | −146,736 |
| AGRICULTURE | | | |
| Appropriations table | 5,782,634 | 6,713,984 | +931,350 |
| Add: | | | |
| Loan authorization (REA) | 447,000 | 477,000 | +30,000 |
| Contract authorization (ACP) | 120,000 | 220,000 | +100,000 |
| Deduct liquidating cash | 230,000 | 1,156,800 | +926,800 |
| New obligational authority | 6,119,634 | 6,254,184 | +134,550 |
| PUBLIC WORKS | | | |
| Appropriations table | 4,387,616 | 4,327,589 | −60,027 |
| Deduct indefinite appropriations for AEC and O. & M. reclamation | 51,545 | 51,545 | |
| New obligational authority | 4,336,071 | 4,276,044 | −60,027 |
| DEFENSE | | | |
| Appropriation table | 46,972,844 | 46,877,063 | −95,781 |
| Add estimate for claims, Defense | | | |
| Deduct: | | | |
| Liquidating cash | 54,044 | 54,044 | |
| Deficiency appropriations for military personnel (Army, 1956, 1957, 1961, and Air Force, 1958, 1959) and medical care, Navy (1958) | 66,700 | 66,700 | |
| New obligational authority | 46,852,100 | 46,756,319 | −95,781 |
| MILITARY CONSTRUCTION | | | |
| Appropriation table and new obligational authority | 2,049,000 | 1,759,504 | −289,496 |
| FOREIGN ASSISTANCE | | | |
| Appropriation table | 4,188,923 | [1] 3,907,188 | −281,735 |
| Add reappropriation | 27,000 | 27,000 | |
| New obligational authority | 4,215,923 | [1] 3,934,188 | −281,735 |

FINAL ACTION

| | | | |
|---|---|---|---|
| DISTRICT OF COLUMBIA | | | |
| Appropriation table | 53,122 | 46,122 | −7,000 |
| Add appropriations for loan programs | 26,312 | 26,312 | |
| New obligational authority | 79,434 | 72,434 | −7,000 |
| INTERIOR | | | |
| Appropriation table | 1,241,549 | 1,212,739 | −28,810 |
| Add: | | | |
| Reappropriation (fishing vessels) | | 750 | +750 |
| Loan authorization (helium) | 16,780 | 16,000 | −780 |
| Deduct liquidating cash | 132,672 | 132,217 | −455 |
| New obligational authority | 1,125,657 | 1,097,272 | −28,385 |

[1] As reported.

*1966 new obligational authority provided in appropriation bills as of Sept. 17, 1965*—Continued

FINAL ACTION—Continued

[In thousands of dollars]

| | Budget estimates House | House passed | House change |
|---|---|---|---|
| TREASURY-POST OFFICE | | | |
| Appropriation table | 7,749,770 | 7,669,444 | −80,326 |
| Deduct: | | | |
| Postal receipts | 4,617,532 | 4,617,532 | |
| 1965 appropriation for IMF | 1,035,000 | 1,035,000 | |
| New obligational authority | 2,097,238 | 2,016,912 | −80,326 |
| LABOR-HEW | | | |
| Appropriation table | 8,293,814 | 8,011,331 | −282,482 |
| Adjustment to reflect amount requested in January budget for wage and labor standards | +804 | | −804 |
| New obligational authority | 8,294,618 | 8,011,331 | −283,286 |
| INDEPENDENT OFFICES | | | |
| Appropriation table | 14,566,023 | 14,246,168 | −319,855 |
| Add rescission of VA permanent loan authorization | −100,000 | −100,000 | |
| Deduct: | | | |
| Liquidating cash | 445,665 | 530,048 | +84,383 |
| 1967 appropriation for FAA and HHFA | 212,500 | 201,000 | −11,500 |
| New obligational authority | 13,807,358 | 13,415,120 | −392,738 |
| STATE, JUSTICE, COMMERCE, ETC. | | | |
| Appropriation table | 2,171,936 | 2,057,597 | −114,338 |
| Add reappropriation for ABMC | 32 | 32 | |
| Deduct: | | | |
| Liquidating cash | 239,240 | 227,240 | −12,000 |
| Repayable advances to highway trust fund | 250,000 | 200,000 | −50,000 |
| New obligational authority | 1,682,727 | 1,630,389 | −52,338 |

*1966 new obligational authority provided in appropriation bills as of Sept. 17, 1965*—Continued

FINAL ACTION—Continued

[In thousands of dollars]

| | Budget estimates House | House passed | House change |
|---|---|---|---|
| LEGISLATIVE | | | |
| Appropriation table | 243,262 | 189,993 | −53,268 |
| Add reappropriation (Library buildings and grounds) | | 265 | +265 |
| Deduct liquidating cash | 12,500 | 12,500 | |
| New obligational authority | 230,762 | 177,758 | −53,003 |
| LABOR-HEW SUPPLEMENTAL | | | |
| Appropriation table and NOA | 1,553,918 | 1,223,181 | −330,736 |
| DEFENSE | | | |
| Appropriation table | 49,972,844 | 46,887,163 | −85,681 |
| Add estimates for claims, Defense | | | |
| Deduct: | | | |
| Liquidating cash | 54,044 | 54,044 | |
| Deficiency appropriation for military personnel (Army, 1956, 1957, 1961, and Air Force, 1958, 1959) and medical care, Navy (1958) | 66,700 | 66,700 | |
| New obligational authority | 46,852,100 | 46,766,419 | −85,681 |
| MILITARY CONSTRUCTION | | | |
| Appropriation table and new obligational authority | 2,049,000 | 1,756,635 | −292,365 |

The following table is the familiar one which shows the amounts of appropriations in each of the bills on the same reporting date as of September 17, 1965. In addition to the $1.7 billion added in the Senate, in the Defense appropriation bill, there was $1.035 billion added in the Treasury-Post Office appropriation bill for the International Monetary Fund, which the administration quickly used in 1965. These two items contribute to a lopsided appearance of comparisons of the items in the table:

*Appropriation bills, as of Sept. 17, 1965*

[In millions of dollars]

| | Budget estimates | House passed | Comparison | Budget estimates | Senate passed | Comparison | | Final action | Final compared with— | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Budget | House | | Budget | House | Senate |
| District of Columbia | (387.5) | (356.3) | (−31.2) | (389.3) | (364.4) | (−25.0) | (+8.1) | (360.2) | (−29.1) | (+3.9) | (−4.1) |
| Federal payment | 53.1 | 44.1 | −9.0 | 53.1 | 49.1 | −4.0 | +5.0 | 46.1 | −7.0 | +2.0 | −3.0 |
| Loan authorization | (26.3) | (26.3) | | (26.3) | (26.3) | | | (26.3) | | | |
| Interior Department | 1,240.8 | 1,184.1 | −56.8 | 1,241.6 | 1,230.8 | −10.7 | +46.7 | 1,212.7 | −28.8 | +28.6 | −18.1 |
| Borrowing authority | (16.8) | (16.8) | (−.8) | (16.8) | (16.0) | (−.8) | | (16.0) | (−.8) | | |
| Treasury-Post Office | 6,708.5 | 6,604.4 | −104.1 | 7,749.8 | 7,698.7 | −51.1 | +1,094.3 | 7,669.4 | −80.3 | +1,065.0 | −29.2 |
| Labor-HEW | 8,293.8 | 7,964.0 | −329.8 | 8,293.8 | 8,023.1 | −270.7 | +59.1 | 8,011.3 | −282.5 | +47.3 | −11.8 |
| Independent offices | 14,531.0 | 14,109.9 | −421.1 | 14,566.0 | 14,299.9 | −266.1 | +190.0 | 14,246.2 | −319.9 | +136.3 | −53.7 |
| Agriculture | 5,815.1 | 5,717.8 | −97.3 | 5,782.6 | 6,714.0 | +931.3 | +996.2 | | | | |
| Loan authorization | (787.0) | (787.0) | | (787.0) | (852.0) | (+65.0) | | | | | |
| State, Justice, Commerce | 2,167.7 | 2,085.7 | −82.0 | 2,171.9 | 2,052.5 | −119.5 | −33.2 | 2,057.6 | −114.3 | −28.1 | +5.1 |
| Legislative | 204.9 | 150.6 | −54.3 | 243.3 | 190.8 | −52.4 | +40.3 | 190.0 | −53.3 | +39.4 | −.8 |
| Public works | 4,373.8 | 4,241.6 | −132.2 | 4,387.6 | 4,327.6 | −60.0 | +86.0 | | | | |
| Defense | 45,248.8 | 45,188.2 | −60.6 | 46,972.8 | 46,877.1 | −95.8 | +1,688.8 | 46,887.2 | −85.7 | +1,698.9 | +10.1 |
| Military construction | 2,049.0 | 1,755.5 | −293.5 | 2,049.0 | 1,759.5 | −289.5 | +4.0 | 1,756.6 | −292.4 | +1.1 | −2.9 |
| Labor-HEW supplemental | 1,553.9 | 1,223.2 | −330.7 | 1,553.9 | 1,407.2 | −146.7 | +184.0 | 1,223.2 | −330.7 | | −184.0 |
| Foreign aid | 4,188.9 | 4,001.5 | −187.5 | 4,188.9 | [1] 3,907.2 | [1] −281.7 | [1] −94.3 | | | | |
| Total, 1966 bills | 96,429.6 | 94,270.7 | −2,158.9 | 99,254.4 | 98,537.4 | −717.0 | +4,266.7 | 83,300.4 | −1,594.9 | +2,990.6 | −288.3 |

[1] As reported.

Mr. MAHON. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

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

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short summary tabulation on the appropriations business of the session to date.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAHON. Mr. Speaker, I first wish to thank the gentleman from Ohio [Mr. BOW] for his remarks. We will continue to work together in an effort to dispose of these bills as expeditiously as circumstances permit.

Mr. Speaker, under leave to extend, may I say that both Houses have now passed all of the regular annual appropriation bills for the current fiscal year. Three of them—agriculture, public works, and foreign assistance—are pending in conference and it is perhaps not too much to say that prospects for early conference disposition look encouraging.

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.

The Senate has considered $104 billion of budget requests; allowed $103.1 billion; thus making a net reduction of some $900 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 the 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. 28, 1965*

[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]

| | All figures are rounded amounts | | |
|---|---|---|---|
| | 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 | 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 |
| NOTE.—All bills except final supplemental are included—precise budget requests unknown. | | | |
| B. Senate actions: | | | |
| 1. Budget requests for appropriations considered | 4,723,000,000 | 99,254,000,000 | 103,977,000,000 |
| 2. Amounts in bills passed by Senate | 4,558,000,000 | 98,487,000,000 | 103,045,000,000 |
| 3. Above House amounts in these bills | +140,000,000 | [1] +4,217,000,000 | [1] +4,357,000,000 |
| 4. Reduction below corresponding budget requests | −165,000,000 | −767,000,000 | −932,000,000 |
| NOTE.—All bills except final supplemental are included—precise budget requests unknown. | | | |
| 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 | 4,527,000,000 | [2] 83,301,000,000 | [2] 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 amounts | | +381,000,000 | |
| c. With bills of the last session | | | + [3] |
| NOTE.—4 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). | | | |

[1] Includes 2 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).
[2] Includes $201,000,000 for fiscal 1967 (grants for airports and mass transportation).
[3] Undeterminable until the last bill is enacted.

Mr. BOW. Mr. Speaker, I ask unanimous consent to extend my remarks and include charts.

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

There was no objection.

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

## SUBCOMMITTEE ON ELECTIONS OF COMMITTEE ON HOUSE ADMINISTION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Elections of the Committee on House Administration have permission to sit while the House is in session during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## TO AMEND THE CONSOLIDATED FARMERS HOME ADMINSTRATION ACT OF 1961

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1766) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes, with Senate amendments to the House amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments to the House amendments, as follows:

Page 3, line 12, of the House engrossed amendments, strike out "'(4)a." and insert "'(4)(A)".

Page 3, line 16, of the House engrossed amendments, strike out "'(b)" and "'(B)".

Page 4, line 18, of the House engrossed amendments, strike out "*Provided further,* That no" and insert "No".

Page 4, line 23, of the House engrossed amendments, strike out "'In" and insert "'(10) In".

Page 5, line 16, of the House engrossed amendments, strike out "loan" and insert "Act".

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

Mr. HARVEY of Indiana. Mr. Speaker, reserving the right to object, and I shall not object, will the gentleman from Texas explain briefly the nature of these amendments.

Mr. POAGE. Each one of them is typographical or clerical, made necessary by errors in engrossment of the bill as it went over to the other body.

Mr. HARVEY of Indiana. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Senate amendments to the House amendments were concurred in.

A motion to reconsider was laid on the table.

## GENERAL LEAVE TO EXTEND TODAY

Mr. MULTER. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may revise and extend their remarks in Committee of the Whole today and include extraneous matter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## 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. 332]

| | | |
|---|---|---|
| Anderson, Ill. | Hardy | Rivers, S.C. |
| Andrews, George W. | Hébert | Roncalio |
| Aspinall | Holifield | Scheuer |
| Bolton | Hosmer | Scott |
| Bonner | Johnson, Okla. | Thomas |
| Callan | Landrum | Toll |
| Colmer | Long, La. | Udall |
| Corman | McEwen | Willis |
| Fisher | Mize | Wilson, Charles H. |
| Frelinghuysen | O'Hara, Ill. | Wright |
| Goodell | O'Hara, Mich. | |
| Hansen, Wash. | Powell | |
| | Resnick | |

The SPEAKER. On this rollcall 393 Members have answered to their names, a quorum.

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

## HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. MULTER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4644) to provide an elected mayor, city council, and

nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 4644, with Mr. KEOGH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from New York [Mr. MULTER] had 1 hour and 31 minutes remaining, and the gentleman from South Carolina [Mr. McMILLAN] had 1 hour and 20 minutes remaining.

The Chair recognizes the gentleman from Maryland [Mr. SICKLES].

Mr. SICKLES. Mr. Chairman, I yield 5 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, I wish to take this opportunity to commend the distinguished gentleman from Maryland and the others on his committee for the wonderful leadership they have provided in order to bring this measure to the House for consideration. I am grateful for this opportunity to participate in what I consider to be a most historic debate by the House of Representatives.

Mr. Chairman, I rise in all earnestness today, to voice my support of H.R. 11218, which is symbolic of the hopes and aspirations of all peoples to have a voice in the affairs of their Government.

I must confess that I am unable to address myself to this subject dispassionately, for the very issue before us today is one which long was the central issue of statehood of Hawaii.

For most of you the exercise of the rights and privileges of citizenship are commonplace occurrences, punctuated by the many and numerous opportunities you have to determine the course of your local and national affairs. For me, my attainment of adulthood was constantly shattered by the nagging question of whether our status as American citizens would ever be fully recognized by this country. All the documents of liberty gave me great hope, as each year we came before the Congress to plead our case for equality.

I feel most strongly for the thousands of schoolchildren in this District, who cannot understand, let alone comprehend the complicated arguments that we have heard in the last few days against this simple proposition of whether they and their parents shall have the right of local self-government.

At the heart of every technical objection that is raised against this proposition is the simple question, "Are the people of the District able to govern themselves in the best interests and traditions of this great Capital City?"

When we in Hawaii were struggling for statehood, we were constantly asked to prove our worth, our ability to govern, and even our loyalty to our country. We were then being tested to determine our readiness to assume our rightful roles as American citizens, a status conferred upon us in 1898. These were not proper issues then, any more than they are today in the question before this House. The single question we must answer is whether our fellow Americans who live in this District shall have the right to elect their own local government and otherwise run their own affairs.

These citizens are not asking as much as we in Hawaii were during our quest for statehood. This bill for instance does not provide for a voting Member of Congress. In short they will only gain that status in local affairs that we in Hawaii enjoyed as a Territory. The Congress under this bill will still be able to exercise legislative and fiscal control over the District's internal affairs. Viewed from the perspective of statehood, this bill merely provides the basic fundamental right to have elected local officials who will still have to come to the Congress for funds with which to run their local government.

If all argument fails to convince you of the merits of this bill, then I ask you to be persuaded by the moral arguments of what our fellow citizens are at the very least entitled to have in this great democracy of liberty and freedom. As ourselves the beneficiaries of an electorate, I ask you to translate your faith in the American constituency into a vote for these disenfranchised citizens of the District. The first two pages of this bill eloquently set forth all the justifications you need to support it.

By your vote you do not surrender the sovereign rights and prerogatives of the Congress, rather you restore to the people that right which belongs to them by principle and by tradition, to have a voice in purely local matters.

From one who lived through the years of desperate longing to enjoy fully all the rights and priviliges as an American citizen, I ask you to place yourselves in these circumstances, and to reaffirm the sacred and solemn rights of our American heritage to these 800,000 of our fellow Americans waiting in the very wings of liberty for this symbolic gesture of our confidence and trust.

Mr. McMILLAN. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. FUQUA].

Mr. FUQUA. Mr. Chairman, supporters of home rule for the District of Columbia, now as in the past, endeavor to establish a constitutional basis for their position by referring to Federalist Paper No. 43, written by James Madison. In addition, they cull out of the Journals of the Continental Congress, the Minutes of the Constitutional Convention, and other utterances and writings of the founders of the Nation, weak statements intended to give support to Madison's 18-word statement in Federalist Paper No. 43. The curious fact is that this statement by Madison is about the only statement of any sort which can be interpreted as showing some intent that inhabitants of the seat of the Federal Government might have their own local government.

Among the documents, records, and writings related to the formation of the Constitution and the convention proceedings and debates, those of Madison are the most voluminous of all other participants. Yet, home rule proponents seem unable to find any other similar statement by Madison, before or after the publication of Federalist Paper No. 43.

Certainly members of our early Government engaged in establishing this Nation considered the problems surrounding the location of and control over a capital city for this new Nation. But those who quote Madison appear unable to find any similar statement from Washington, Jefferson, Franklin, Adams, Monroe, Hamilton, Jay, and numerous others who were active participants with Madison. It is hardly probable that Madison was the only one of these men who knew what was planned for the ceded area which was to become the capital of the Nation. If Madison were correct, it is hardly probable that others, who knew about it and understood what was intended, would not have expressed some view similar to that of Madison.

It is further interesting to note that following the publication of Federalist Paper No. 43, Madison served in the Federal Government for 24 years. He spent 8 years in Congress, 8 years as Secretary of State, and 8 years as President. During these 24 years, Madison appears to have made no further statement which supports his statement in paper No. 43.

Within a few months after the publication of Federalist Paper No. 43, Madison participated in the debates at the Constitutional Convention of the State of Virginia. In the course of the convention, the exclusive power of legislation in the District to be established as the seat of Government was the subject of debate. Madison felt it necessary repeatedly to explain the purpose of this power of the Congress and to defend it. Patrick Henry feared that the 10-mile-square area would become a place of tyranny and favoritism. Grayson questioned whether the commerce of the Nation might become centered there and that the inhabitants of the District might aggrandize themselves at the expense of the people of the States. Mason thought that the exclusive power was dangerous and that the District might become a sanctuary for criminals and that the courts would be influenced. Pendleton felt the power necessary to give "power over the local police" and for the preservation of Congress. None stated or implied in his remarks that local self-government was provided for or intended.

In replying to the questions and criticisms, Madison repeatedly explained the purpose and need for the "exclusive" power to be exercised by the Congress. At no time did Madison state or imply that local self-government was to be provided. Nothing stated by him remotely paralleled his statement in Federalist Paper No. 43.

On the contrary, all of those who participated in debating the status of the seat of the Government understood and agreed that the power was exclusive to be exercised solely by the Congress. Although mention was made of

the activities of the people and functions of Government at the seat of the Government, none stated any view that the inhabitants of the District would exercise local self-government.

During the Virginia Constitutional Convention, Madison not only omitted any statement that local self-government was intended in the District which was to become the seat of the Government but he stated the contrary. Following a bitter criticism by Patrick Henry, Madison replied in detail as follows:

MADISON. Mr. Chairman, I am astonished that the honorable Member should launch out into such strong descriptions without any occasion. Was there ever a legislature in existence that held their sessions in a place where they had no jurisdiction? I do not mean such a legislature as they have in Holland; for it deserves not the name. Their powers are such as Congress now have, which we find not reducible to practice. If you be satisfied with the shadow and form, instead of the substance, you will render them dependent of the local authority. Suppose a legislature of this country could sit in Richmond, while the exclusive jurisdiction of the place was in some particular county; would this country think it safe that the general good should be subject to the paramount authority of a part of the community? (Elliott's debates, Virginia, vol. 3, pp. 438–9.)

In this statement, Madison is pointing out the lack of full authority of the legislature at the place of its residence and that such authority is the rule except for Holland which was similar to the unworkable situation of the new Congress of this Nation. The need for exclusive authority independent from any local authority is clearly shown in his statement.

Further examination may be made as to whether the records of the Continental Congress and the Constitutional Convention support the 18 words in Federalist Paper No. 43 regarding local self-government, or whether they support the statements of Madison in the Virginia convention as well as the statements the other framers of the Constitution made. The answer seems clear that no local self-government was intended.

Following an incident in June 1783, when the local government of Philadelphia and the government of the Commonwealth of Pennsylvania refused to furnish protection to Congress from a mob of disgruntled soldiers, Congress became acutely aware of the need for full control over the seat of the government. A special committee was appointed "to consider what jurisdiction may be proper for Congress in the place of their permanent residence." The committee members were James Duane, Jacob Read, James McHenry, Samuel Huntington, Richard Peters, James Wilson, and James Madison. The report of the committee was in the writing of James Duane and is in the papers of the Continental Congress, No. 23, folio 149. The endorsement says "delivered September 5, entered and read Thursday, September 18, 1873, assigned for consideration, September 22nd, 1783, referred to a committee of the whole. Thursday next assigned."

The Journals of the Continental Congress for September 22, 1783, pages 603–604, shows the report as follows:

That two points seem to be necessary for consideration of your committee.

The extent of the District which will be necessary for the residence of Congress, and of the powers to be exercised by Congress within that District.

Whereupon it is—

1. *Resolved,* That it is the opinion of this committee that the United States in Congress assembled ought to enjoy an exclusive jurisdiction over the District which may be ceded and accepted for their permanent residence;

2. *Resolved,* That it is the opinion of this committee that the District so ceded and accepted as the permanent residence of Congress ought not to exceed the contents of 6 miles square, nor to be less than 3 miles square.

*Ordered,* That the said report be referred to a Committee of the Whole House.

*Resolved,* That on Thursday next, Congress be resolved into a Committee of the Whole, to take into consideration the above report.

The Journals of the Continental Congress notes that two other resolutions were submitted at the same time but were not acted upon. An undated motion in the writing of James Madison, in the Papers of the Continental Congress, No. 23, folio 161, read as follows:

That the District which may be ceded to and accepted by Congress ought to be entirely exempted from the authority of the State ceding the same; and the organization and administration of the powers of government within the said district concerted between the Congress and the inhabitants thereof.

The other motion, likewise undated, in the writing of Arthur Lee and is in the Papers of the Continental Congress, No. 46, folio 93, read as follows:

*Resolved,* That the State or States ceding the territory in which Congress shall determine to fix their permanent residence, should give up all jurisdiction whatsoever over the territory so ceded, and the people inhabiting therein;

*Resolved,* That the appointment of judges and the executive power with the said territory, should vest in Congress.

*Resolved,* That the people inhabiting within the said territory should enjoy the privilege of trial by jury, and of being governed by laws made by representatives of their own election.

From this record it is clear that neither of the proposals by Madison or Lee was favorably received by the committee.

While both of those proposals suggested local self-government in the District to become the seat of the Government, the committee preferred and accepted the resolution calling for "exclusive" jurisdiction by Congress.

The records of the Federal Convention on the Constitution reveal further development of language of the seat of the Government which led to the "exclusive legislation" clause which became a part of the Constitution. The records for August 18, 1787, show that Madison submitted for referral to the committee of detail suggestions for additional powers he considered proper to be added to those of the general legislature. Among those proposed was the following—the Records of the Federal Convention, Farrand, volume II, page 321:

To exercise exclusively authority at the seat of the general government, over a District around the same, not exceeding ——— square miles; the consent of the legislature of the State or States comprising the same, being first obtained.

On Wednesday, September 5, 1787, the committee of 11 presented its report relating to several provisions of the Constitution. Included among those items was the following language proposed relating to the seat of government—the Records of the Federal Convention, Farrand, volume II, page 505:

To exercise exclusive legislation in all cases whatsoever over such District (not exceeding 10 miles square) as may by cession of particular States and the acceptance of the legislature become the seat of the Government of the United States, and to exercise like authority over all places purchased for the erection of forts, magazines, arsenals, dockyards, and other needful buildings.

At the Constitutional Convention in 1787, this issue was under consideration of the Committee of Eleven. This committee made a report on September 5, 1787, recommending language relating to the seat of government which read as follows—the records of the Federal Convention, volume II:

To exercise exclusive legislation in all cases whatsoever over such District (not exceeding 10 miles square) as may by cession of particular States and acceptance of the legislature become the seat of the Government of the United States and to exercise like authority over all places purchased by consent of the legislature of the State for the erection of forts, magazines, arsenals, dockyards, and other needful buildings.

An amendment was proposed to insert, following the word "purchased," the phrase "by consent of the legislature of the State" which amendment was approved.

The text of this provision, which became clause 17, of section 8, of article I of the Constitution, after perfecting changes, reads:

To exercise exclusive legislation in all cases whatsoever over such District (not exceeding 10 miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and.

When the people of the States ratified the Constitution, they delegated their sovereign power over their Capital City to their representatives in Congress. They felt it was necessary for their benefit and for the protection of their representatives, their investment in the buildings and shrines, and the conduct of the Nation's business without interruption or threat. The people wanted to exclude the power or influence of any State and exclude any other local government which might presume to exercise the powers within the place established for the National Government.

The foregoing history of this clause in the Constitution makes this doubly clear.

The early drafts, provided for the exercise of "exclusive jurisdiction." The August 1787 draft provided for Congress "to exercise exclusively authority" in the District. The final draft changed this to read: "To exercise exclusive legislation" and, as if any doubt remained as to what was meant, there was added the words "in all cases whatsoever." Such a history of the language and such clear and amplified expression of exclusiveness leaves no room for an exception under which home rule can be justified. Further, the same exclusive power was to be exercised in military installations. Is it to be presumed that home rule is to be established at our most secret military establishments? The question answers itself.

Within 4 months after the drafting of the Constitution was completed, Madison wrote Federalist Paper No. 43 which appeared in the press in New York in late January 1788. The original of this paper has not survived. The text of it, except for 18 words, finds ample support in the records of the Continental Congress and the Federal Convention on the Constitution and the debates of the State conventions. The text of the paper relating to the seat of the Government is as follows:

> The indispensable necessity of complete authority at the seat of government carries its own evidence with it. It is a power exercised by every legislature of the Union, I might say of the world, by virtue of its general supremacy. Without it, not only the public authority might be insulted and its proceedings interrupted with impunity, but a dependence of the members of the general government on the State comprehending the seat of the government, for protection in the exercise of their duty, might bring on the national councils an imputation of awe or influence, equally dishonorable to the government and dissatisfactory to the other members of the Confederacy. This consideration has the more weight, as the gradual accumulation of public improvements at the stationary residence of the government would be both too great a public pledge to be left in the hands of a single State, and would create so many obstacles to a removal of the government, as still further to abridge its necessary independence. The extent of this Federal district is sufficiently circumscribed to satisfy every jealousy of an opposite nature. And as it is to be appropriated to this use with the consent of the State ceding it; as the State will no doubt provide in the compact for the rights and the consent of the citizens inhabiting it; as the inhabitants will find sufficient inducements of interest to become willing parties to the cession; as they will have had their voice in the election of the government which is to exercise authority over them; as a municipal legislature for local purposes, derived from their own suffrages, will of course be allowed them; and as the authority of the legislature of the State, and of the inhabitants of the ceded part of it, to concur in the cession, will be derived from the whole people of the State, in their adoption of the Constitution, every imaginable objection seems to be obviated.
>
> The necessity of a like authority over forts, magazines, etc., established by the general government, is not less evident. The public money expended on such places, and the public property deposited in them, require that they should be exempt from the authority of the particular State. Nor would it be proper for the places on which the security of the entire Union may depend, to be in any degree dependent on a particular member of it. All objections and scruples are here also obviated, by requiring the concurrence of the States concerned, in every such establishment.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. SICKLES. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. FUQUA. I yield to the gentleman from Maryland.

Mr. SICKLES. Is the gentleman aware of the letter dated September 21, 1965, which I inserted in the RECORD on September 24 at page 25178 wherein the Attorney General, Mr. Katzenbach, reviewed the constitutional question raised about this legislation, and in this letter said:

> There is, I believe, no longer room for any doubt that Congress has the constitutional power to provide for an elected council for the District of Columbia, and to confer upon that body all the legislative power which could be exercised by a State or territorial legislature.

In the case of District of Columbia against Thompson wherein the expression "exclusively" was interpreted by the U.S. Supreme Court, the local legislative action was held constitutional.

Mr. FUQUA. I might point out to the distinguished gentleman from Maryland that I am well aware of this. But Madison was used or quoted as the source for saying that he was in favor of legislation that would give a local government to the community.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman from North Carolina.

Mr. WHITENER. Of course, the gentleman realizes as I am sure the gentleman from Maryland does that the Attorney General is just a lawyer and that he is not endowed with any superhuman knowledge. I imagine he puts his shirt on in the morning just like any other qualified attorney does. If you follow the reasoning of some of those who are so willing to interpret away the plain language of the Constitution, the reasoning of the Attorney General could be extended to say that under section 8 of article I of the Constitution, Congress could delegate to a city council here in Washington the authority to regulate commerce with foreign nations or to raise armies, finance militia, to set up post offices and post roads, and to do many other things. I say with all due deference to the Attorney General and those who make statements such as the gentleman from Maryland just made that they are apparently half blind because they are not reading the balance of section 8, article I of the Constitution.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SICKLES. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. WELTNER].

Mr. WELTNER. Mr. Chairman, I speak in support of H.R. 4644. I think it is time to extend the franchise to all of the citizens of the United States, and that includes those who live within the Federal City. I see nothing heretical about letting people govern their own affairs. I see nothing unconstitutional about letting people vote.

In accordance with simple justice, this needs to be done.

In addition to that, there is a great benefit flowing to the Congress of the United States. I do not believe my constituents feel it is my primary duty here in Washington to be concerned with streets, sewers, and sidewalks in the District of Columbia, nor to be concerned about dog laws, nor the height of television antennas, nor whether the mortuary needs a new roof. Let the people here decide those issues for themselves.

For these reasons, Mr. Chairman, I support the bill H.R. 4644.

I am also very happy to see that the bill introduced by the gentleman from New York [Mr. MULTER] contains the long-needed provision with regard to the franchise, and that is the provision that those citizens within the District of Columbia who are 18 years old or over shall be entitled to participate in elections.

This is in accord with a very fine precedent established by the State of Georgia some 20 years ago, when the State of Georgia extended the franchise to young men and women 18 years old and over. It is in accord, of course, with the bill passed by the other body. Three other States of the Union have also lowered the voting age.

I think it is time to recognize that young men and women upon whom we place such heavy responsibilities should also be accorded the rights of citizenship—that is, the right to vote. We can draft them at 18 years of age. We can train them to fight and we expect them to fight. We expect them to die—and they do.

Mr. ROUDEBUSH. Mr. Chairman, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from Indiana.

Mr. ROUDEBUSH. I wonder if the gentleman realizes that the substitute bill which will undoubtedly be considered by the House would change the voting age qualification from 18 back to 21?

Mr. WELTNER. I realize that quite well. I thank the gentleman for making my point for me. The bill H.R. 4644, which is before the committee at this time, contains a provision for an 18-year voting age. If the substitute is offered, and the parliamentary situation permits, it is my intent to offer an amendment to change the substitute and provide therein the 18-year voting age qualification. I hope that is what the House will do.

I thank the gentleman from Indiana.

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

The CHAIRMAN. The Chair will count. [After counting.] One hundred seven Members are present, a quorum.

Mr. WELTNER. Mr. Chairman, we have placed awesome responsibilities on the young men and women of this country between the ages of 18 and 20. We have placed them in remote outposts of civilization around the world. We expect them to represent this country with reliance and with dignity. We have sent them abroad as representatives of this

Nation in athletic events and in conferences of students from throughout the world. We have placed them in the service of humanity in the VISTA program and in many other programs designed to lift up those who are downtrodden in this Nation. We have made them citizens insofar as their responsibilities are concerned, but we have refused them the basic right of citizenship, the right to vote. So I hope that the wise provisions presently contained in H.R. 4644 and in the measure passed by the other body will be continued in the measure that ultimately will pass this body.

Mr. DUNCAN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from Oregon.

Mr. DUNCAN of Oregon. Some of us were wondering if in the opinion of the gentleman from Georgia there was any connection between the 18-year voting requirement in the State of Georgia and the high quality of leadership which the gentleman's State enjoys in this body.

Mr. WELTNER. I shall disqualify myself in answering that question. But I would say to the distinguished gentleman from Oregon that I am perfectly satisfied with the electorate of my State, and I trust that feeling is mutual. I thank the gentleman.

Mr. MULTER. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. GRIDER].

Mr. GRIDER. Mr. Chairman, I wish to express my support for the bill now before us.

This bill does not represent a sharp break from past traditions; rather, it represents a return to the principles which were promised even before the Constitution was adopted, and which were assured by those wise statesmen who drafted the Constitution and secured its ratification. We perhaps tend to forget that for almost three-quarters of a century the residents of the District had home rule, and that what we will do today is to restore, not to innovate.

There are necessarily many provisions in a charter act. This bill before us is a long bill, which I have reviewed with care. It contains, I think, the necessary elements of a good municipal charter; at the same time, it also contains the necessary precautionary provisions which adequately guarantee that the interests of the Federal Government in its Capital City will be both protected and, indeed, fostered.

There is one aspect of the bill on which I should like to comment. Suggestions have been made, particularly, I think, by the employees of the school board, that in some way the bill is inadequate in protecting teachers' rights. If this were so, it should be amended; but I have taken the trouble to examine the bill carefully with this problem in mind, and I find that it is not so. The rights of employees of the present District Government are fully secured.

In section 402, the bill expressly provides, in subparagraph (4), that all personnel legislation now in force, including legislation relating to appointments, promotions, tenure, residence, discipline, separation, pay, unemployment compensation, health, disability, death benefits, leave, retirement, insurance, and veterans' preference—and all of these are specifically mentioned in the bill—continue to be applicable. In the same section it is also provided that any District government merit system or systems which may be established must provide, and I quote, "equal or equivalent" coverage, and indeed may provide for continued participation in all or part of the Federal civil service system. And it is made equally clear that the same rules apply to the employees of the Board of Education. It may be worth while to point out that the provisions in the bill before us are even stronger than those contained in the bill originally submitted to the Congress by the administration. In that bill, the requirement was that any District merit system or systems would have to provide, and I quote, "similar and comparable" protections to those which the employees of the District now enjoy. In the Senate these words were changed from "similar and comparable" to the present language, "equal and equivalent."

As I have already said, if I were not persuaded that employees were adequately guaranteed the rights which they have won from Congress through the years, I would propose an amendment to the bill to guarantee them those rights. I am perfectly persuaded, however, by a careful study of the provisions in this bill and the changes that have been made in it from the original administration proposal that District employees need have no fear that their hard-won rights and privileges are in any way in jeopardy.

Mr. MULTER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. McCLORY].

Mr. WAGGONNER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-six Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 333]

| | | |
|---|---|---|
| Adams | Harris | Redlin |
| Anderson, Ill. | Hébert | Rivers, S.C. |
| Andrews, George W. | Holifield | Rogers, Fla. |
| Aspinall | Hosmer | Ronan |
| Ayres | Irwin | Roncalio |
| Blatnik | Jarman | Scheuer |
| Bolton | Johnson, Okla. | Scott |
| Bonner | Jones, Ala. | Smith, Calif. |
| Callan | Landrum | Stalbaum |
| Clark | Leggett | Steed |
| Colmer | Long, Md. | Teague, Tex. |
| Daddario | McEwen | Thomas |
| Fisher | Martin, Nebr. | Toll |
| Frelinghuysen | Miller | Watson |
| Goodell | Mize | Williams |
| Griffiths | Moorhead | Wilson, Charles H. |
| Hansen, Wash. | Moss | Wright |
| Hardy | Pickle | |
| | Powell | |

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 4644, and finding itself without a quorum, he had directed the roll to be called, when 374 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Illinois [Mr. McCLORY] is recognized for 10 minutes.

Mr. McCLORY. Mr. Chairman, I rise in support of the home rule legislation for the District of Columbia. And may I say that from my examination of the various bills, I prefer H.R. 11218 which is referred to as the bipartisan bill. However, I would not want to suggest in this behalf that this measure might not have some defects or that I will not support some amendments to this bill that may be offered. My experience is that all legislation, however carefully prepared and thoughtfully developed, requires clarification or revision. It is primarily the principle of home rule to which I will address myself. This principle of local, representative self-government is one which is basic in my political beliefs.

The question occurred to me in the first instance that perhaps the situation in the District of Columbia was different from that in any other city or community in the Nation. Indeed, it is different in one respect because this Capital City is one in which the entire Nation has a special interest and in which the Congress has a particular and a constitutional responsibility.

But in other respects the city of Washington is similar to any other large or small city in our Nation. It has the same requirements for water, sewer, streets, fire, and police protection, garbage disposal, and all of the multitudinous municipal functions which must be carried on by responsible, local governmental units.

Since the Constitution, under article I, section 8, imposes the exclusive legislative responsibility in the Congress, I was of the original opinion that only the Congress could handle these essentially municipal obligations. However, the constitutional requirement obviously does not mean that the Congress must sit as city council and that every detailed ordinance and regulation of our municipal government must be reviewed and passed upon by the 535 Members of the Congress.

I have noted that in 1802 during the administration of President Jefferson, home rule was authorized for the city of Washington with the mayor appointed by the President and the city council of 11 members elected by the people. In the year 1812 under President Madison the mayor became an elective office pursuant to a provision that the city council should name the mayor from among the council members. Then in 1820 legislation was enacted to provide for the election by the people of the mayor and the city council. Accordingly, in the early days of the Republic with the principle of representative self-government among the cherished rights of our young and free Nation, the city of Washington, D.C., had an elected city administration to govern its municipal affairs. This form of government continued until 1871 when it was replaced by an appointed

three-man commission. This was a temporary enactment at first. Later, a comparable system was made permanent.

My information is that some of the elected officials of the city of Washington did not perform their jobs with any great distinction. Whether this was entirely the fault of the city administrations of those days or whether the Congress itself must bear some responsibility for what occurred, the fact remains that there is little in the earlier history which commends that arrangement for us today.

On the other hand, there is little that commends the existing system under which committees of the House and the Senate are bogged down with detailed problems of the local city government with little opportunity for the citizens of the city to utilize their time and talents for self-government. With grave national and international problems besetting this Congress, it seems most unwise to devote 2 full days per month as District days in order that we may sit, in effect, as city council for Washington, D.C.

The issue is twofold, in my opinion. There is the practical side of the issue which suggests that a responsible, locally elected municipal government could perform the job of managing this city's affairs better than the Congress and could relieve the Congress of this detailed responsibility, thus releasing the Members for greater public tasks. Then there is the philosophical and very fundamental issue of representative self-government which has guided my political thinking throughout my career.

I note that many Republicans are supporting a home rule bill. It appears also that during the two Eisenhower administrations a home rule bill passed the U.S. Senate on three different occasions—on June 29, 1955; again on August 6, 1958; and on August 15, 1959. My colleague, the Republican leader in the other body, Senator DIRKSEN, voted for the home rule bill when it passed the Senate this year, as did a majority of the Republicans in that body. Home rule for the District of Columbia was advocated by former President Eisenhower and is supported today by Republican District Chairman of the District of Columbia, Carl Shipley, who testified in support of the home rule bill in the Senate as well as in the House, and who has communicated to me in behalf of such legislation.

Mr. Chairman, the issue with me is clear. Functions of government should be performed at the lowest level of government possible. To manage the local affairs of Washington at the highest level—namely, the National Government—is inconsistent with the principles of the Republican Party to which I subscribe and of our American system which I revere.

During the time that the Congress is in session, I live just a few blocks from the Capitol where this issue is being debated. I think I know something about the management of the municipal affairs of this city. I am confident that a locally elected, representative municipal government can do the job better and can do it in a manner entirely consistent with our constitutional system. I am fortified in this belief by the knowledge that in the bill before us both the President and the Congress can override any objectionable actions which the proposed municipal government might take and by the further knowledge that the authority which would be vested by the home rule bill can be revised and, for this matter, the entire authority can be withdrawn if abused or completely misdirected.

Mr. Chairman, in my opinion the time has come for this home rule measure to be enacted and I am proud to give it my support.

Mr. McMILLAN. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, we have added confusion to an already confusing situation by not even knowing what bill we are talking about when various Members of the House take the well to discuss the pending legislation. I think it may be very well to pause for just a moment in this argument we are having as to how to write this prescription for this alleged illness, and see if we cannot possibly agree on the diagnosis for the patient.

I said during the committee consideration of this legislation that I felt the areas of agreement on this particular problem were far greater than the areas of disagreement. Therefore I think we should just pause for a moment and try to bring this whole matter into its proper perspective and see if we cannot determine what we are actually talking about.

The gentleman from Virginia, Judge SMITH, on yesterday referred to this nice-sounding phrase known as home rule. Now, what does home rule mean? What do we mean when we say home rule? Do we mean the right to vote; self-government; representative government; a voice in local affairs; objection to taxation without representation? These are basic inalienable rights of American citizens. We all agree that they are desirable objectives. There is no argument about that. We do not need to choose up sides here at all to show that one group in the House of Representatives is more pro-American or more pro-basic American rights than some other group.

I sent to all of the Members of the House today an editorial which appeared in the Sunday Star of September 26, which predicted that the first words uttered in this debate were going to be on the argument about these basic, inalienable American rights. Yet we are being called upon here today to use this bill, or whatever bill is pending, as a yardstick to measure as to whether or not we are for or against self-government. Now, I think it is unfair to draw an inference from Members voting for or against this bill as indicating that they are for or against these basic, inalienable American rights. We may as well face it. This is one of the main political difficulties with this legislation. Many Members of the House have told me, not only on this legislation, but as far back as the 86th Congress when the matter was pending here on a discharge petition, that it is extremely difficult for them to refuse to sign a discharge petition and have it inferred back home that they are against self-government. It is far better to sign the discharge petition and vote for any kind of alleged home rule bill, they complained, than it is to have go back home and explain why they voted against it.

You have heard of the Lou Harris poll that appeared in the Washington Post that other day, pointing out that by a margin of 6 to 1 the American people were for self-government for the people of Washington. I am surprised that the margin was not far greater. I do not know why they did not have in the same poll the question of whether or not you were for motherhood, the flag, and your country, because it would mean the same thing. All of us are for the maximum amount of self-government for all of our people.

You have heard the poll or the referendum here in the District of Columbia referred to, which indicated that the overwhelming majority of the people of the District of Columbia are for home rule.

The overwhelming majority of the people of the District of Columbia are transient residents. They do not have their grassroots here. They could pick up and leave if things did not go as they wished. Also, they were aware of the type of government that existed here before they ever came to the District of Columbia.

Mr. Chairman, not one Member of the House of Representatives is more concerned about the people of the District of Columbia, their hopes, their dreams, their aspirations, than is the Member who is now occupying this well. I know thousands of them. I have worked with them. I have them as my friends and neighbors, and many of them have relatives who live in my district. No Member of this House has taken this well more often in the last 13 years, pleading in behalf of legislation for the welfare of the people of the District of Columbia, than the Member who now occupies the well of the House.

So I do not need to worry about which side I am placed, in regard to being concerned about the interests of the people of the District of Columbia. Mr. Chairman, I will say this about the majority of the people of the District of Columbia who have a vested interest here, who have an economic stake or perhaps a business interest here, who may have been lifelong residents here, who belong to citizens associations and take part in other community activities; that the overwhelming majority of those people do not want the present form of government changed here in the District of Columbia.

There is another problem, a political problem, in this legislation; and that is the question of civil rights. There have been charges made, not here on the floor of the House during this debate but on many occasions elsewhere, that if you oppose these pending bills, or if you vote against these pending bills, then you are against civil rights—if you are opposed to this so-called home rule, then you are anti-Negro. That charge has been made time and time again.

Well, there have been people who have spoken here against a change in the form of government in the District of Columbia long before there was a change in the racial balance. We heard a quotation the other day from a former Senator from Ohio, the former Mr. Republican, Senator Taft, which indicated, it was said, that he was for home rule. The gentleman from North Carolina [Mr. WHITENER] read excerpts from a speech by Senator Taft's father, former Justice of the U.S. Supreme Court and former President of the United States, made back in 1911 when he spoke of the evils and the wrongs inherent in turning over the government of the District of Columbia to the people living within its jurisdiction.

I am beginning to wonder if this shoe is not actually on the other foot, so far as these civil rights charges are concerned. For example, the other day a very fine outstanding Member of this body, whom I admire and respect, and who is chairman of one of the most important subcommittees of this House, asked me when I thought the final vote would come on this legislation, because he had a very important meeting that he had to attend back in his district. I suspect that he might not vote as I would on this particular bill, and I said, "Why don't you stay away? You don't have to get back tomorrow."

Then he told me in all seriousness:

My State has been redistricted, some new territory has been added to my congressional district, which is largely Negro, and the Negroes in my congressional district want me to vote for this home rule bill.

He did not tell me that these Negroes knew what was in the bill, or which home rule bill they were talking about. And he said this without shame or embarrassment. He was merely indicating that here was a practical political problem with which he was confronted. How many Members of the House feel the same way, that they might be charged with voting anti-Negro if they voted against any home rule legislation? I believe it is just as bad, just as wrong, to vote for this legislation for such a reason as this, as it is to vote against the legislation because there have been built up certain burning points about civil rights, such as the fear that some Negro may be elected to office here in Washington. Are we doing something here similar to the pot calling the kettle black?

In any event, I believe that this editorial that appeared in the Sunday Star and which I sent to all Members of the House this morning would be a good answer to send to your constituents, if you want a brief, simple explanation of how and why you could vote against this bill without being charged with being anti-self-government or being charged with being anticivil rights or anti-Negro. But, Mr. Chairman, let us agree that we are all in favor of the maximum amount of self-government for all of our people. The question is—and this is where the main area of honest disagreement comes in—How can we provide the maximum amount of self-government for the people living within the boundaries of the District of Columbia and at the same time protect the interests and responsibilities of the Federal Government and the 195 million other American citizens? We cannot ignore that fact, nor the fact that this is the Nation's Capital. There is a different, much different, situation in this city than in any other community in these United States.

Mr. Chairman, the proponents of these many bills pending before us agree that this is the Nation's Capital and that there is a Federal responsibility and that there is a national interest. But, do you know how they propose to discharge that national interest and responsibility? By simply permitting the people in the District of Columbia to tax the Federal buildings, by merely turning over the Federal interest to the people living in the District of Columbia, and in that way discharging the Federal responsibility.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. McMILLAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. Let me finish my statement and I shall be most happy to yield to the gentleman.

Now, Mr. Chairman, the recent statements made by Attorney General Katzenbach to the contrary notwithstanding, there are serious, grave constitutional questions involved. I am not going to recite article 1, section 8 of the Constitution to the members of the committee again. All of you have heard it and have read it many times. I am not going to argue as to the meaning of those words, because, goodness knows, almost daily we find a new interpretation, a new meaning, ascribed to these simple words as contained in the Constitution. But I believe any student of history will recognize, and every Member of the House of Representatives will admit, that the Founding Fathers when they wrote the Constitution were concerned about our Nation's Capital. They meant for the situation here in Washington to be treated differently than that in any other community in this country. They felt that the interest of the Federal Government and the people of this Nation should be paramount insofar as the Nation's Capital is concerned. They felt that the same authority of the Federal Government and all of the people should prevail over this Nation's Capital, and these words are right in the same paragraph in the Constitution, the same authority that the Federal Government has over forts, magazines, arsenals, and dockyards.

Mr. Chairman, until this day the concept that the interests and the responsibilities of the Federal Government are paramount in those Federal areas has never been questioned.

But, Mr. Chairman, even if it were not for the constitutional question involved here, and in the absence of any statement found in the Constitution, all of us know that American tourists come here by the millions every year and have a feeling of pride and possession toward this city.

Mr. Chairman, I believe the Congress should hesitate before it puts the interest of 760,000 people, most of whom are transient people, above the interest of the other 195 million people of this Nation.

Mr. McMILLAN. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I am glad to yield to the gentleman from South Carolina.

Mr. McMILLAN. Is it not a fact that the 7 million students who came to this Nation's Capital every year, before they leave home, are taught that this is a Federal city, and that they come here to see their own Capitol at the Federal city?

Mr. BROYHILL of Virginia. There is no question about that. In fact, the Office of Education has put out a publication which points out the fact that this is our Federal city. That reference is distributed throughout the school systems of this Nation.

Mr. McMILLAN. Mr. Chairman, if the gentleman would yield further, I would like to ask the gentleman from Virginia, since he has been a very good member of the Committee on the District of Columbia for the past 18 years, whether at any of the committee meetings he has heard civil rights or race questions discussed by that committee?

Mr. BROYHILL of Virginia. The question of race and of civil rights has never been discussed at any deliberation or meeting of the Committee on the District of Columbia. There are enough other problems involved which confront the District of Columbia without getting into the question of race and civil rights.

Mr. McMILLAN. And, if the gentleman will yield further, as chairman of that committee I would not permit such a question to come up. It belongs to the Committee on the Judiciary, and I would not let it be discussed at any time by the Committee on the District of Columbia.

Mr. BROYHILL of Virginia. Mr. Chairman, this is not only the Capital of the United States, it is the Capital of the world, which is at present a very sensitive and troubled world. We have many activities here, we have hundreds of diplomats, thousands of foreign visitors. Do we want to have these people subjected to what might be the whims of some local political machine in the field of law enforcement?

We have many, many national ceremonies here. I do not have to mention the inaugural parade and the other inaugural ceremonies, and many other solemn affairs which may conflict with local laws and local ideas of how this city should be operated.

We have heard a great deal about protection of the Members of Congress. This was brought up by a Member of Congress yesterday, when he referred to emotions. We do not have to refer to the recent threats which were made of riot if we do not enact home rule for the District of Columbia, for I realize there is some danger that Members of Congress may be subjected to harm. We could go back to 1783, when the Members of Congress were forced out of Philadelphia because of a mutinous group of revolutionary soldiers over the matter of back pay. The proponents of some of

this legislation admit to an oversight in this regard, and propose that the President may take over the local police force in the event of an emergency. What police force? What type of police force would be taken over at the time the President considered an emergency to exist, and that it was necessary to take it over?

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. McMILLAN. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. BROYHILL of Virginia. Mr. Chairman, in this atmosphere of violence and riots and threats of riots, there is challenge to law and order, charges of police brutality, and countercharges. Do you not think it would be extremely wise, in this volatile situation, just to pause for a moment and take it easy in acting on this legislation until the whole matter can be more clearly explored and grave questions answered, because this is the Nation's Capital we are talking about? I do not think we should act in haste at this time.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from Kentucky.

Mr. CHELF. The gentleman mentioned the Sunday Star editorial of September 26, 1965, and that he had mailed copies or reproductions of it to all of the Members of the House. This was a splendid article and I sincerely trust that all will take the few moments necessary to read it. The following excerpts are most enlightening and with the able and distinguished gentleman's permission, I would like to quote this for the RECORD:

> As recently as a week ago, home rule leaders unanimously agreed that the single crucial feature of the administration bill was its automatic financing provision, assuring a reasonable annual Federal payment from Congress on the one hand, and on the other delegating a remarkable degree of local control over the city budget. In the flurry of head counting, however, the House managers decided this "indispensable" provision might not be salable. So it was bartered away for votes. * * * And what is being said of this now? Well, some of the apologists are saying that this was just too bad, really, but that Congress will just have to realize that it can't meddle in the city budget.

Mr. BROYHILL of Virginia. I am glad the gentleman wants to help me emphasize that, but the reason I spent $8.50 to have it printed was so that I would not have to take the time to read it here.

Mr. CHELF. The gentleman did not send it to me. I cut it out myself. I am reading from the original and I firmly believe that at least these thoughts should be lodged in the CONGRESSIONAL RECORD for all to see for all time. For instance, the editorial goes on to say this:

> The President has gone out of his way to represent home rule as a racial issue, and he obviously hopes, through the passage of some kind of bill, to carve one more notch on his civil rights gun.

And this cogent and refreshing handiwork of the Star editor winds up saying that this so-called home rule bill will not do what it is intended to do—it says: "it will be chaos" for this city.

Mr. BROYHILL of Virginia. That is exactly correct. I hope every Member will read that editorial. That is enough reason to justify a vote against this bill.

Mr. CHELF. And may I add one thing more and then I will be through, so help me. I have not spoken on this legislation and I will ask that you be given a couple of minutes more on account of me. A Washington Post editorial said last Friday and I quote:

> Effective control of its own budget by the city of Washington is the very essence of home rule.

In light of this statement I cannot help but believe that this great liberal newspaper unwittingly agrees with the thinking of the more conservative Star newspaper. The home rule boys have a bear by the tail and truly cannot turn him loose. Especially since that bear, in the form of the Multer substitute, has turned on them—leaving them "in the middle of a bad fix."

Mr. BROYHILL of Virginia. Mr. Chairman, regardless of the problems involved by virtue of this being the Nation's Capital, there are many alternative proposals which would provide self-government for the people living within the District of Columbia which would avoid the conflicts with the Federal interest. These alternatives should be preferred if self-government is what is sincerely desired rather than a lust on the part of some people to rule and control the Nation's Capital.

First of all, the 23d amendment to the Constitution of the United States gave the citizens of the District of Columbia the right to vote for President and Vice President. This was a far greater achievement for the people of the District of Columbia than any subsequent proposed home rule bill. The irony of it is that the proponents of home rule were not in the forefront of our fight to obtain approval of the 23d amendment. On the contrary, they were even advocating control of Washington as being more desirable than the right to vote for President and Vice President.

There is another proposal to amend the Constitution now pending in the House Judiciary Committee and, in fact, it has been pending for many, many years. This proposal would give the people of the District of Columbia a full voting representation in the Congress of the United States. Many organizations in the District of Columbia, including the Washington Board of Trade and the Washington Star newspaper, have stated over and over again that the only way the people in Washington can have full self-government is to have the same type of representation and voice in the Congress as all other American citizens. While this would require a constitutional amendment it would not conflict in any way whatsoever with the interest or responsibility of the Federal Government to the Nation's Capital.

It is amazing indeed that the bleeding-heart proponents of the alleged home rule bill do not insist that this basic right of all American citizens be obtained for the people of the District of Columbia. Reference has been made to the American colonists rebelling against the Crown and the interesting thing was that they were rebelling against lack of representation in the Parliament rather than for local self-government.

The greatest amount of our tax dollar is taken from us as a result of the actions of Congress, and more control of our daily lives is being increasingly exercised by the Federal Government. Therefore, it is positively amazing that national representation is not the first and foremost thing the so-called self-government advocates demand. Another proposal is for an elected school board for the citizens of the District of Columbia. I was rather surprised yesterday to hear one of the leading proponents of home rule for Washington make the charge that the opponents of the pending legislation were opposed to an elected school board for the people of the District of Columbia. We have stated time and time and time again that here was an excellent way in which the people of the District of Columbia could have complete control of a local matter without any conflict with the Federal interest. I had, in fact, sponsored a bill providing for a separate school board but regardless of how many times we say we are for this type of local self-government the proponents of the pending legislation turn a deaf ear and actually display ignorance of what is actually going on concerning the other alternatives and proposals. An elected school board would be an important first step because in most communities of the United States management of the school system takes up half of the local budget and more than half of the local concern.

Another alternative which has been offered by many witnesses before our Committee is to leave the present form of government the same as it is but permit the people of the District of Columbia to elect one or two or three additional Commissioners. This proposal would provide a measure of self-government for the people living within the boundaries of the District of Columbia, yet not conflict with the interest and responsibility of the Federal Government.

The bill reported by the District of Columbia Committee provided for retrocession to the State of Maryland of 85 percent of the existing land area. Unfortunately, some of the officials of the State of Maryland have expressed opposition to this proposal. But there is no question but what this would give the citizens of the District of Columbia more self-government, more home rule, and more national representation than the bill we are considering today. There is no question about the constitutionality of such a proposal and there is historic precedent for it since the county of Arlington and the city of Alexandria in Virginia were originally a part of the District of Columbia and were retroceded in 1864.

Another alternative would be to provide full local self-government for the 85 percent of the land area which was proposed in the District of Columbia bill that is outside of the original Federal

city. The net effect of this would be to reduce the size of the city of Washington to the boundaries of this original city as laid out by Pierre L'Enfant and George Washington in 1790, and which was the actual size of the city of Washington until 1874. I realize this is difficult for some Members to comprehend, but the reason I propose it as a better alternative is the fact that it would still preserve the integrity of a city which would still be under the control of the Congress and which the other 190 million Americans could call their own. At the same time it would provide a full measure of self-government for the other 85 percent of the land area without a conflict with the national interest or a requirement for a Federal payment or subsidy in order to survive.

Then there is the provision offered by the gentleman from California [Mr. SISK], which is a part of the bill reported by the District of Columbia Committee. It would permit the citizens of the District of Columbia to conduct a referendum and set up an elected charter board to draw up a charter outlining the type of self-government they would want. The only objections I can see to this proposal is that it does not require a final approval by the Congress before it automatically goes into effect. Later on during debate I propose to offer an amendment which would require final approval by the Congress before the charter government would go into effect.

These are just some of the alternative proposals and there are many, many others. The reasons why the ones I have mentioned are better is that the emphasis is placed on self-government of the people of the District of Columbia and not on rule of the Nation's Capital by the people of the District of Columbia. There is an important difference, and I submit, Mr. Chairman, that the primary interest of some of the alleged home rule proponents is in gaining the rule of the Nation's Capital for a political clique rather than for citizens desire to govern themselves. The pending bill, however, or combination of pending bills, known as the "compromise" is absolutely the worst imaginable approach that we could possibly take for self-government. It actually gives up the rights and interests of Congress and the Federal Government in the Nation's Capital and turns them over "lock, stock, and barrel" to the people living within the geographic boundaries.

The other day while speaking on the floor of the House I likened this situation to that of King Lear after he gave his kingdom and all of his property to his eldest daughters. As Shakespeare relates it, Lear was chided by his jester who told him he became a weakling "Whence thou made thy daughters thy mother, gave them the rod and lowered thy breeches." Then, in answer to Lear's question "Think you me to be a fool"? the jester replied, "All thy other titles thou hast given away; that thou was born with."

The proponents of this legislation say that Congress will be overseeing the actions of the proposed City Council and that we retain the right to veto their actions. This is completely untrue. We provide the President with veto power over the City Council's action. The Congress would have to go through the process of enacting legislation to reverse action of the City Council. This would require a two-thirds vote of both Houses of Congress if the President agreed with the original action of the City Council. This is legislating in reverse and there may be many, many instances when it is not convenient for Congress to so act. The worst thing, however, in the pending proposal is granting the citizens of the District of Columbia power to tax Federally owned property, including the Capitol Building and the White House. The proponents state that this is not a tax; but merely a formula on which a payment is based. How silly can we get? What is the difference? A rose by any other name will not smell any sweeter.

The formula in the proposed bill provides that the same tax rate or method of taxation be applied to Federal property as is provided for private property. At any time the proposed City Council wants to raise additional revenue and increase the Federal payment all they will have to do is to raise the tax rate or change assessed valuation. The only authority we retain over this action is the right to determine whether their mathematical calculations are correct and whether the change of assessment made is consistent with the increased assessment of private property. The mere fact city officials are required to submit this request to the Appropriations Committee does not, and I repeat for emphasis, does not, provide the protection to the American taxpayers the proponents attempt to make us believe it does. We are saying in the bill that the City Council is entitled to the Federal payment based on a formula outlined in the bill. There is no provision for the Congress to scrutinize any part of the District of Columbia budget so there will be no way in which the Appropriations Committee can determine how the budget could be cut. It will merely place the Appropriations Committee in the position of reneging on what will be a legal and moral obligation of the United States if they do not meet whatever demands the City Council makes on them. If the Appropriations Committee attempts one small cut all sorts of chaos will arise and all sorts of charges against the Congress will be heard throughout the length and breadth of this land.

It might be interesting to compare the dilemma we are creating for the Appropriations Committee with that control they now supposedly exercise over the interest payments on the national debt. The Appropriations Committee has the authority to appropriate this money, but no one ever heard of their refusing to appropriate the money, or being able to refuse to appropriate it.

There are many, many other difficulties in this bill, some of which have already been mentioned and others will be mentioned later, by other Members as well as by myself. One of these which has not been mentioned as yet I will touch upon briefly. It is the question of zoning. While this is a matter over which other communities should have control, it is astonishing to me that anyone would say that the esthetic beauty of the Nation's Capital isn't one of the primary matters of national concern, particularly in view of the increased interest expressed by the present administration, including the First Lady. A recent action taken by the Secretary of the Interior asked and obtained from Federal courts a grant of a $750,000 scenic air easement on property on the northern Virginia bank of the Potomac in order to prevent zoning voted by the Fairfax County Board of Supervisors. I can cite other examples of conflicts between the Federal interest and local jurisdictions in connection with zoning outside the District of Columbia boundaries but within the metropolitan area of Washington. One of these is the Mount Vernon overlook, which not long ago was zoned by the Prince Georges County Board of County Supervisors to permit construction of, among other things, a sewage plant, and the Congress hastily approved legislation permitting acquisition of this property by the Federal Government simply to preserve the scenic values. Yet, here in the Nation's Capital itself we are willing to turn this entire matter over to a political organization who can be subjected to attempted financial bribery as well as political pressure to determine the zoning character in the future Washington. To say that Congress can and will reverse this action by legislation is ridiculous. The mere assumption that we can and probably may have to do so indicates that we should not give up the zoning to start with.

Congress could very well be out of session when objectionable zoning is granted, and by the time they reconvened and got around to legislating in a normal manner to reverse such an action several million dollars of expense might have been incurred.

Another rather amusing example, although not as important as many others, is how there has been total lack of information and understanding about this pending legislation. During the consideration of the arts and humanities bill just recently one of the outstanding Members of this House, and a man for whom I have the greatest admiration and respect and consider a close friend, offered an amendment which would designate the District of Columbia Recreation Board as "the State agency for the District of Columbia to carry out the arts program to be established under the National Foundation on the Arts and Humanities." This amendment was promptly adopted unanimously, and should have been, because it was proper for the Congress to designate what agency would carry out the program within the District of Columbia. The interesting thing about this amendment, however, is the fact that the Member who offered it had signed the discharge petition to bring this so-called home rule bill to the floor, and this bill would abolish the District of Columbia Recreation Board—the very agency to which his amendment referred. Obviously

this will be corrected by an amendment to the pending bill. It will be one of the dozens of amendments that are going to be offered in an attempt to make a silk purse out of a sow's ear. How many hundreds of other matters are there of which Congress will be made aware later, in which there will be grave interest and concern expressed only after we have radically changed the organizations and made any corrections almost impossible? How many other mistakes created by this legislation will be uncovered later?

I intend to take time later on during the debate under the 5-minute rule in an attempt to point out some of the difficulties and problems in the bill which may not be pointed out by other Members. In conclusion, however, I would like to repeat what I believe is the number one objection to this proposal, which I feel has not been emphasized enough and should not be ignored by the Members in final consideration of this or any other alleged home rule legislation. I am going to refer to it again as it was stated so well in a letter to me from one of my constituents. Incidentally, I have received a large volume of mail on this subject from individuals as well as organizations and I believe I have a fairly accurate insight not only into how individual citizens feel about this matter but why they feel as they do.

The one particular letter I am now quoting in part, brings out many reasons why the writer feels that there would be grave problems created by this legislation, but he makes two principal points. His first objection, of course, is to the Federal payment. The second, and the one I would like to read to you now, is as follows:

> My second—and primary—objection arises from a conviction that Washington belongs to 195 million people in this Nation, not a mere fraction of them who happen to live within its borders.
>
> When Americans come here, they're not vacationing in just another city. New York and Chicago are more entertaining; Miami and Phoenix are more healthful; Los Angeles is more glamorous.
>
> They come because this is the city that symbolizes the workability and the greatness of representative government. They come because this is the city whose streets have been walked by 36 Presidents. They come because every sidewalk and every building rings with names of greatness: La Follette, Taft, Calhoun, Clay, Webster, Marshall, Norris, and a hundred others.
>
> Washington visitors come to stand outside the gates of the Executive Mansion—and to wish its occupant well, even though they may have voted against him. And that is why they come: Not to visit a city, but to experience government.
>
> It is a selfish request, to ask that 60 million American families be denied the privilege of governing their city, their Capital.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MULTER. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. BELL].

Mr. BELL. Mr. Chairman, in establishing home rule for the Nation's Capital, Congress has a special duty to provide local citizens with the best possible opportunity for successful self-government.

A unique Federal-local relationship exists in the District of Columbia. This unique relationship will pose extraordinary problems for any municipal government in the District. We are forewarned that such problems exist, and must therefore provide safeguards against their ruining the prospects for successful home rule government in the city of Washington.

Mr. Chairman, I have long been an advocate of home rule for the District of Columbia. However, I have always felt that nonpartisan election of the Mayor and the City Council is vital to the type of city government recommended in H.R. 4644. Such a provision was included in my home rule bill introduced back in May.

I want, therefore, to make it clear that at the appropriate time I intend to offer or support an amendment to this legislation which would provide nonpartisan election for the Mayor and City Council. The District delegate to Congress would remain partisan.

In my opinion, the most important safeguard that Congress can provide is nonpartisan election machinery for the new District government. The nonpartisan system has been successfully adopted in cities, large and small, throughout the country. It would be especially effective in dealing with the municipal problems affecting District home rule government.

The nonpartisan municipal election system traces its origins to my home State of California. During the past 50 years, this system has spread throughout the country as an answer to municipal ills brought on by the evils of local "spoils" politics. The nonpartisan municipal movement has served as a model for good government in city halls from coast to coast.

It has opened the door to political participation for citizens previously frozen out of community politics by the machine-ridden partisan system.

Provisions of the pending District home rule bill would establish a partisan political system for the Nation's Capital. Yet such a system would compound the unique area problems I have previously mentioned. Those responsible for guiding this legislation through the House should therefore keep their minds open to the very real benefits which can be realized by establishing a nonpartisan election system in District home rule government.

A nonpartisan election system would obviate the need to establish a double standard under the Hatch Act in order to permit Federal employees living in the District to participate in local politics. While it is true that such a double standard exists in other special areas, there is no justification for needlessly permitting it here in the Nation's Capital, at the very heart of our Federal employee system.

Indeed, it would not be necessary to undermine the Hatch Act in the District if the home rule bill provided for nonpartisan elections. As the Washington Post said in its editorial of March 10, 1965:

> The obvious answer for this Federal City is nonpartisan local politics. Primary elections can be arranged to encourage the kind of nonpartisan local coalitions that have been very effective elsewhere. The (Senate District) Committee would perform a valuable service by taking the national parties altogether out of a city election.

This last point made by the Post editorial goes to the heart of my case for nonpartisan elections in the District of Columbia. The national parties ought to be disengaged from the local political structure, not only to retain Hatch Act protection but for other reasons vital to National Capital affairs.

National party affiliation in municipal politics is not necessary for the establishment of widespread community participation in local government—as has been proven in communities operating under nonpartisan election procedures.

As Charles R. Adrian, an author and prominent authority on the nonpartisan system, has observed:

> City government is largely a matter of good business practice or * * * municipal housekeeping. The problems and issues that come before a city council are not really political in nature.
>
> The nonpartisan ballot promotes the strength of independent civic associations * * *. Local responsibility becomes possible when attention can be focused on community issues and programs as under the nonpartisan system.

It is true that the nonpartisan system, having begun in California, is more extensively known in the western part of the country. Nevertheless, many of the major cities east of the Mississippi operate under nonpartisan election procedures.

As was pointed out by Mr. Patrick Healy, executive director of the National League of Cities, in this testimony before the Senate District Committee:

> Detroit is nonpartisan, Los Angeles and San Francisco are nonpartisan. I think Philadelphia and New York are partisan, but I might comment here that in the opinion of a great many students of government, the local governments in California, the cities, are perhaps outstanding in the entire United States in their government, in their operation, their caliber of people that are attracted into local government. The League of California cities attributes this, among other things, to the fact that they have nonpartisan government out there. It is all nonpartisan, throughout the State of California, and I am going to have to say that they are outstanding as city government goes.

The elimination of national party considerations from essentially local political problems is the key to the successful operation of nonpartisan municipal governments. In this regard, it is significant that in the opinion of the National Municipal League—and I quote:

> The intervention of the national parties in municipal affairs typically has either or both of two undesirable effects: (1) it overrides and obscures the real local issues and keeps them from being given effective consideration; and/or (2) it injects irrelevant

considerations of local patronage and personal ambition into the national party counsels and thus tends to depreciate both the integrity and the clarity of national politics.

Mr. Chairman, the problems which will beset a home rule government in the District of Columbia will be complex under the best of conditions. As I have said, Congress must provide safeguards to assure that District home rule is given every chance for success. We want the District of Columbia to serve as a model for the Nation—indeed, for the entire world—in the operation of an efficient, honest municipal government. And we ought therefore to give the District the benefit of the experience of other communities. To saddle District home rule with a partisan political system, vulnerable to the worst excesses of wardheeler politics and machine rule, is to mock the very purpose and aim of this legislation. Only by establishing a nonpartisan election system—and by also opening the way for full community participation in local government affairs—can we reduce the element of Federal-local conflict in District municipal administration.

I ask that the House give District home rule a real chance to succeed. I ask that we look to the future of the Nation's Capital and its municipal political system. Let us provide the safeguard of nonpartisanship in local elections to guarantee that the city of Washington will enjoy the benefits of enlightened, progressive, and efficient local self-government.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. HALEY. I wonder if the gentleman would inform me—was the nonpartisan election procedure in the discharge petition that you signed?

Mr. BELL. It was not but I hope we can correct that.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. I rise in support of what the gentleman has said. He has made a very important contribution. Those of us who have had experience in California government have seen how well it has worked. In fact, the gentleman from California [Mr. SISK] is attempting to make the same recommendation in the alternate home rule proposal that we are supporting. Both of us have had experience in California and have witnessed the success of this type of home rule. We would hope the District of Columbia could look forward to a similar success as they establish a responsive and responsible system or unit of government.

Mr. MULTER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. WILLIAM D. FORD].

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in support of the bill and unfortunately to disagree with my good friend and colleague from the Committee on Education and Labor, and from the city of Los Angeles, on the question he has touched on so very ably here; the question of partisan versus nonpartisan elections for the District of Columbia.

I am opposed to the gentleman's proposed amendment, which would put in this bill a requirement that all elections in the future in the District of Columbia be held on a nonpartisan basis.

I was interested in the parallel the gentleman attempted to draw between the District of Columbia and other major cities of this country which he mentioned. This is a comparison which certainly falls very short when we are talking about the political structuring of the District of Columbia as opposed to a city like the city of Detroit. In the city of Detroit, it is true, we have nonpartisan elections for the mayor and members of the common council, but every citizen of the city of Detroit is encouraged to participate in the life of the political system in America—which to me is the two-party system—by the fact that he votes in elections for members of the State legislature on a partisan basis; for Representatives in the Congress and the Senate of the United States in partisan elections; and for Governor, secretary of state, attorney general, and other State officials on partisan tickets. So he has a feeling at all times of being a part of the political system; and even if a person lives in the rural part of that State, he has the same feeling when he votes to elect county officials.

I am delighted that after so many years we now have the opportunity to fulfill pledges of our parties and give to the residents of the District the home rule that they have so overwhelmingly demonstrated they want and need.

I am opposed to the proposed amendment that would modify this bill and require that elections under it be nonpartisan. There are several reasons.

In the first place, a requirement for nonpartisan elections would impose on the citizens of the District the need for a completely new set of political organizations, which would have to spring up virtually full blown in the space of only a very few months—before the primary elections in May 1966. We must all recognize that nonpartisan elections do not mean that there will not be political groupings, and I am sure highly organized political groupings. "Nonpartisan" means no more than that the political groupings to which names like "Republican" and "Democrat" are attached are to be prohibited.

Today in the District there is political organization along the traditional lines of Republican and Democrat. These organizations can be expected to function to bring out the best possible candidates for the municipal positions which the bill creates. They can be expected to give direction and coherence to the political campaigns that will take place under this act. I think we would do a great deal of damage and very little good if we were now to deprive the citizens of the District of the benefit of these organizations.

Let me remind the Members of the House, as other speakers have done, that we are not by this bill deciding on the form of municipal government in the District for all time to come. In the event partisan elections produce the evils that are cited by the proponents of this amendment, we can require a change. But we can do that later, after there has been experience and after a functioning District government has been created, so that the new organizations which nonpartisan elections would require would not have to come into being at the same time that District citizens were wrestling with all of the other problems of getting their government underway.

I do not contend, of course, that nonpartisan elections in municipal governments are evil. They exist and they function with success in many cities, but by the same token I do not in any way concede that partisan elections in municipal governments are necessarily wicked. Many of our great cities as well as many of our smaller ones function successfully with partisan elections. Indeed, studies have shown that voter participation in municipal elections—and we want, of course, to encourage the greatest participation—is substantially higher in municipal elections on a partisan basis.

Politics should not be taken out of government. Indeed, it is a misconception of both politics and government when there is an attempt to so sterilize the local situation. As an observer of elections in large cities, it is readily apparent that the party affiliation of the individual candidates is generally known and often plays an important role. Indeed, often the candidate for mayor of a large city in a nonpartisan election has in the past held partisan office as a member of the State legislature, a county official, or a Member of Congress, so that the nonpartisan nature of the election is more a fiction than a reality.

On the other hand, the pretense of nonpartisanship often weakens the city executive in relation to the political machinery of his State and the Nation. It would seem particularly appropriate that in a strong mayor-council system that partisan elections would be desirable. In such a system the mayor needs to be a political leader and particularly here in the District of Columbia in many matters the mayor would be dealing directly with State Governors and nonpartisanship is not a characteristic of Governors.

I suppose it is obvious that partisan elections as provided in the bill do not preclude independent candidates who may not wish to run on a partisan ticket. The bill expressly provides for independent candidates for the municipal offices to be on the ballot in the general election along with the candidates nominated by the Republican, Democratic or any other political party.

No more am I persuaded by the argument advanced in support of this amendment that it will eliminate all problems under the Hatch Act. It is true that participation by Government employees in nonpartisan elections is expressly permitted by section 18 of the Hatch Act, and that on the surface, perhaps, all

Hatch Act difficulties would disappear. But let us not fool ourselves into thinking that in a city as oriented to political thinking and political life as the District a nonpartisan candidate would not be known as a nonpartisan Republican or a Democrat, and that inevitably—and I submit properly—the nonpartisan political groupings would immediately become recognized as but another name for existing political philosophies.

In my judgment we do better to recognize, as the bill does now, the values to be gained by permitting the limited participation of Government employees in these municipal elections. The elections will occur only in nonpresidential election years, so that separation of activities in connection with municipal elections from any in connection with national elections will be simple. The fundamental protections contained in both the Hatch Act and the criminal code against solicitation by one employee for another or in Government buildings, or the use of political pressure to secure or to reward contributions, and all such matters, will continue. The bill will simply permit Federal employees in these off-year municipal campaigns to take their part as important and concerned citizens of the District, and participate in rallies, street parades, make speeches for their preferred candidates, and in other ways conduct themselves as the responsible District citizens they are.

This is not a radical proposal, and it is not the end of the merit system or of the Hatch Act. It is simply a small gesture toward Government employees who live in the District and who, I am sure, would welcome the opportunity to participate in these ordinary and usual ways in the political campaigns that will take place as a result of this bill.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD I yield to gentleman from California.

Mr. DON H. CLAUSEN. In the case where there are Federal employees in the Detroit area, each one of them is still subject to the Hatch Act, is that not true?

Mr. WILLIAM D. FORD. Yes, it is true.

However, that is not the point at issue with respect to the amendment of the gentleman from California [Mr. BELL]. Mr. BELL's amendment would prohibit the election of local officials on a partisan basis, apparently based on a long-standing myth which pertains in some parts of this country that there is something inherently evil or wicked in the partisan political system, and this notwithstanding the fact that the distinguished minority leader, from my home State of Michigan, is going all around this country at the present time, in company with the former Vice President of this country, telling people that the Republican Party must rebuild itself from the grassroots up, because if the two-party system dies democracy in this country dies with it. How can they urge throughout this country the importance of a viable two-party system—incidentally, I agree wholeheartedly with these spokesmen for the Republican Party in this regard—and at the same time suggest they believe, when we are talking of establishing an elective government in the Nation's Capital, that we should deprive the citizens of this community of an opportunity to participate in partisan activities?

Mr. DON H. CLAUSEN. I do not believe there is any basic disagreement between our points of view. All the amendment of the gentleman from California would provide is that there be a nonpartisan participation in the local election process. This way we would not subject the Federal employees to any harassment in the future for anything relating to partisan poltics. As a result, we would still protect the Hatch Act, which is something about which people are concerned.

As has been pointed out, I believe in your own city of Detroit you have the nonpartisan concept. This is all we are asking for in the adoption of the Bell amendment.

Mr. WILLIAM D. FORD. I should like to point out that the gentleman is talking the way the leaders of his party in my State talked 30 years ago—they do not talk that way any more—about the wickedness of partisan politics.

Do you know that the Ford Motor Co., for example, in my State, makes a very deliberate effort to have its employees participate by solicitation of funds "on the job" exactly the kind of solicitation Federal employees are prohibited from now, and would be in the future District government—because that corporation has come to believe that its employees have a duty as citizens to participate in that activity which actually leads to major decisions in this country—that is, a voice in the political parties?

To suggest that partisan elections for local offices here are going to lead to widespread abuse and lawbreaking in terms of harassment of Government officials is, it seems to me, somewhat naive when we consider that the same officials can be subjected to whatever is being suggested every time there is a presidential election, anyhow.

Mr. DON H. CLAUSEN. Mr. Chairman, if the gentleman will yield further, I might add to the gentleman that in the State of California Democrats and Republicans alike support this nonpartisan concept because we believe we have, in effect, the most progressive system of government, at the local level, that exists in America. We further believe progress has been made primarily because of the retention of the nonpartisan approach.

As we work to improve our great federal system, and I emphasize system, of Government, I believe we should encourage nonpartisan elections at the local level and partisan elections at the State and Federal level. The major problems in America are in those sections of the country where one-party rule prevails. The machine partisan political organizations of the big cities of New York, Chicago, and Philadelphia have restricted a maximum participation in the election process—resulting in the many problems we are now faced with. To date, California has had a substantially lesser amount of machine politics in our big cities and I am convinced will continue to resist and restrict the establishment of "bossism" and ward healing methods of politics—if we maintain the nonpartisan method of electing our local officials.

Washington, D.C., the Nation's Capital—must move in the direction of home rule but the type of home rule we select must guarantee, to the maximum of our ability, a unit of government that will reflect the best in America—a unit or system of government that will be symbolic of our heritage and present the proper image to those people throughout the world who are looking to us for the example they can be proud to emulate.

Mr. MULTER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, in the first place, I should like to take this opportunity to commend the leaders of the bipartisan group which brought this bill to the floor.

I think it is significant that the House is actually debating home rule legislation. The opportunity is at hand to provide for the citizens of the Capital of the world's greatest democracy the deeply cherished right to govern themselves. Self-government is the essence of democracy, and the citizens of the District should be encouraged not only to have it but to elect their own mayor and city council and to conduct the affairs of local government. I have introduced legislation in past Congresses to accomplish this purpose—H.R. 11328, 87th Congress; H.R. 3568, 88th Congress—and served as a member of the home rule steering committee of the Democratic study group. In speeches on the floor and in testimony before the House District Committee I have commented upon the absurdity of 535 Members of the House and Senate acting as city councilmen for the District. How often have we become immersed in the minutiae of District affairs such as the size of ice cream containers or the right to stand up or sit down in a bar, the details of liquor laws. How seldom have we taken up the really serious problems affecting the District among which are housing, education, jobs, and equal opportunity. The pressing social problems of the District cannot be met by sporadic enactment of ad hoc legislation. These problems require full-time attention by a local city council directly responsible to the citizens of the District. It cannot be argued that persons absorbed in the service of their community are not better qualified to legislate for that community than the Congress, which is basically concerned with national and international issues.

Denial of home rule in effect implies that citizens of other cities have the wit and wisdom to govern themselves in their own and in the Nation's best interests, but the citizens of the District do not.

Denial of home rule in effect implies that, like everyone else, the citizens of the District must pay taxes and serve in the Armed Forces but that, unlike everyone else, they have no voice to determine where their tax money goes

and have only a partial share in the democracy they protect.

It is curious that those most determined to retain Federal control over District affairs are the very ones most resistant to Federal activity in voting rights and other civil rights issues. In both instances they seek to perpetuate a status quo which denies basic democratic rights.

Mr. Chairman, contrary to the editorial cited earlier and contrary to statements made on this floor, this is a civil rights issue. The right to vote is basic to civil rights. I think we are entitled to know that civil rights has been a question which has affected the judgment of the House District Committee. If we look back a few months, there was a time when the Commissioners of the District of Columbia proposed an order which would eliminate discrimination in housing in the District of Columbia and which would carry out the law of the land. What happened? The chairman of the House Committee on the District of Columbia and other members of that committee wrote, if I recall correctly, to the District Commissioners urging that this Executive order be abandoned. They sponsored a resolution against it, a resolution against the simple proposition that there should be no discrimination in the sale or rental of housing in the District of Columbia. The power of the committee was used in an attempt to prevent the District Commissioners from carrying out their sworn duty to follow and enforce the law of the land. So let us not hide from the fact that this is a question of civil rights. This is a question of whether or not we are going to provide the basic right to vote to the District citizens and whether or not the District government is going to be able to implement public policy and the law of the land without interference on the part of the House District Committee or any other body which sets itself up to thwart the Supreme Court and the Constitution.

Mr. Chairman, it is well known that the denial of home rule has resulted in maintaining power over the District's affairs in the hands of those who oppose integration in housing and other areas and who have used this power to obstruct and frustrate the achievement of full civil rights for all the citizens of the District.

It is clear that we do have a basic, fundamental human rights question before us. Are we going to provide the simple elementary right to vote to the citizens of the District and are we going to permit them to exercise self-government?

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman.

Mr. DON H. CLAUSEN. Mr. Chairman, the gentleman has made a very broad general statement. He says that this is a civil rights issue. Let me say to the gentleman that I, as one, have consistently voted for civil rights legislation. I happen to believe in home rule. But we have another approach to this, and if the gentleman will listen very attentively to the Sisk proposal when it is brought forward, he will find some of the points that will be made. It is not a question of civil rights being an issue here. It is a question whether we want to have the type of home rule that will permit these people to exercise not only their rights but to assume their responsibilities as well.

Mr. RYAN. Let us not delay it any longer. Let us enact the bill on the floor and give self-government to the citizens of the District.

Mr. Chairman, legislation to grant home rule to the District of Columbia puts to a test our belief in democratic government.

The time has come for us to put up or shut up on this issue. Either we pass this bill or quit talking about the value of local self-government in America. Either we pass this bill or admit that some of the basic tenets of democracy are, in the opinion of many Members of this Congress, a lot of empty platitudes. Either we pass this bill or stand before the country as believing that every great city in this land can and should govern itself except the Capital City of the Nation.

The issue is squarely before us. It has been delayed for years. Each time that has happened we have lost a little more of the respect of the Nation, and our words about democracy have taken on an increasingly hollow ring.

Just as they have done year after year, the opponents of home rule have marched out all their forces to fight it. They have had their way in the past, not because of the logic of their arguments or the merit of their position, but because they have been able to use the rules and procedures of the House to thwart the will of the majority of its Members.

As in previous years, we are being subjected to the same tired and discredited arguments in opposition to home rule.

One of the classic myths is that the Constitution requires Congress "to exercise exclusive legislation in all cases whatsoever" over the District; and, therefore, no home rule is possible. This is erroneous. It ignores the fact that the primary purpose of this phrase was to foreclose the exercise of any political power by the States over the site of the National Capital. As I stated in testimony before the House District Committee last year, it ignores the clear intention of the Founding Fathers, as expressed by Madison in Federalist Paper No. 43 when he wrote that residents of the Nation's Capital "will have their voice in the election of the Government which is to exercise authority over them, and a municipal legislature for local purposes, derived from their own suffrages, will of course be allowed them."

This language is clear. Attempts made earlier in the debate to minimize the importance of Madison's words will not change the basic intent—that the residents of the District be allowed to elect their own municipal legislature.

This wholly untenable conclusion on the unconstitutionality of home rule also ignores a unanimous decision of the Supreme Court in 1953—*District of Columbia* v. *John R. Thompson Co.*, 346 U.S. 100—which reads in part:

> It would seem then that on the analogy of the delegation of power of self-government and home rule both to municipalities and to territories there is no constitutional barrier to the delegation by Congress to the District of Columbia of full legislative power, subject of course to constitutional limitations to which all lawmaking is subservient and subject also to the power of Congress at any time to revise, alter or revoke the authority granted.

Finally, such a conclusion ignores the historical fact that for almost three-quarters of a century the District of Columbia functioned under some form of home rule government. When Congress took it away in the 1870's, the compelling reason was alleged fiscal irresponsibility. The issue of constitutionality received little or no attention.

Supporters of home rule know that ultimate legislative authority over the District will remain with Congress and that only an amendment to the Constitution could change this. I think all of us agree that this interpretation is legally sound.

But this does not in any way impair the authority of Congress to delegate sufficient legislative power to create a sound and workable local government in Washington. As President Johnson said in his home rule message on February 2 of this year:

> The Constitution wisely delegates to the Congress supreme legislative power over "the seat of the Government of the United States." The Congress can, however, delegate to a municipal legislature all the powers necessary for local self-government, and at the same time preserve its ultimate power and the interests of the Federal Government.

The reference in the President's message to the interests of the Federal Government suggests another argument long voiced by opponents of home rule. They are afraid the Federal interest would not be adequately safeguarded under local self-government.

These apprehensions ignore those provisions in the pending home rule legislation designed expressly to protect the Federal interest. For example, Congress is given the overriding power to repeal or amend any action of the District Council, to initiate its own legislation for the District, and to modify or even revoke the charter itself. In the words of Senate Report No. 381 accompanying the administration bill, S. 1118, already passed by the other body:

> The Congress, under the terms of this bill, retains full residual, ultimate and exclusive legislative jurisdiction over the District in conformity with the constitutional mandate.

Furthermore, this bill specifically gives the President authority to veto any measure passed by the District Council if he deems this measure to be contrary to the Federal interest. This veto is absolute and final; it cannot be overridden.

With both Congress and the President enjoying such extensive and definitive powers over the proposed District government, it seems to me that fears that the Federal interest will be jeopardized are groundless.

Another argument directed against home rule is that a local government would have to rely upon a Federal payment to meet part of its expenses. This is true and nobody denies it, but it is also irrelevant as far as home rule is concerned.

The present commission government has to rely on a Federal payment to survive.

The truth of the matter is that in recent years the Federal payment has constituted only a small proportion—admittedly an essential contribution—of the District's general fund. Local taxes regularly account for 85 to 90 percent of this fund, with the Federal Government supplying the remainder.

The necessity for Federal assistance arises from the fact that well over one-half of the city's land area is tax exempt. Federal real property holdings in the District are, of course, enormous. Embassies and other property acquired by foreign governments are also nontaxable, as are the headquarters of the many charitable, educational, religious, and similar organizations located in this city.

The pending home rule legislation contains a formula for determining the amount of the annual payment that takes all of these factors into consideration. This formula would be a useful step forward in the fiscal relations between the National Government and the District government.

Under the provisions of the home rule bill passed by the other body, the operation of the formula would be automatic. After the amount of the payment had been determined, it would be made directly from the Federal Treasury to the District government.

However, under the compromise bill, H.R. 11218, which will be offered as a substitute, these payments would be subject to review by the Appropriations Committees of the two Houses and passage by Congress.

I support the automatic payment concept which is basic to genuine home rule.

The amount of the Federal contribution to the District would be primarily a payment in lieu of taxes lost because of all the tax-exempt property in Washington. With District council approval, the mayor would each year make the determination of what this payment should be. Certification of the request by the Administrator of General Services would then be required to make absolutely certain that the payment would be based upon a reasonable and fair assessment of the exempted property and upon the proper and accurate use of the various factors in the formula.

Even without the automatic feature, the payment formula has not entirely lost its usefulness. It can provide a reasonably accurate index to the changing financial needs of the District government because it would reflect fluctuations in the purchasing power of the dollar and changes in the value of real property. Although the Appropriations Committees and the two Houses of Congress would still have to act on the payment under the proposed substitute bill, no budget authorization would be required from the District Committee.

Considered as a whole, the local government contemplated by this legislation should be an excellent one to meet the needs of Washington. It is basically a strong mayor-council plan.

The mayor is to be elected for a 4-year term. He shall exercise the executive powers in the government and be responsible for its efficient and effective administration. He shall have authority to make key appointments, to make legislative recommendations to the council, and to exercise in general the considerable authority granted to strong mayors in large cities.

Members of the District council will also be elected. Terms will be for 4 years with election in the nonpresidential years. Among the principal duties of the council will be enactment of legislation, consideration of the budget, and jurisdiction over the municipal courts. The mayor will have a veto over council enactments, but the council will also have authority to override this veto.

District residents will elect a nonvoting delegate to represent them in Congress. This term will be for 2 years. Members of the board of education will also be elected, but on a nonbipartisan basis.

Other provisions of the home rule bill establish those agencies and give to the local government those powers that are necessary for any great city to provide services and protect the rights and interests of its citizens. These include such matters as the right, with limitations, to borrow money, appointment by the mayor with council approval of a board of elections, the right of the voters to propose and enact legislation through the initiative, submission of the charter to a referendum, and so forth.

A newly released survey of public opinion which was published on September 23 shows that Americans throughout the country favor home rule for their National Capital by more than six to one. This overwhelming support comes from all regions of the country, from members of both major political parties, from all income groups, from city, suburban, and rural dwellers alike, from all racial and religious categories, from all educational levels, and from all income classifications.

Three reasons are advanced for this judgment: First, every city should determine its own destiny; second, every community has the right to self-government; and third a local home rule government could do a better job than Congress.

Mr. Chairman, these reasons are right. There is no justification for continuing to deny self-government to the citizens of the District of Columbia. We have confronted the basic issue of democracy in other legislation during this session. We answered in the affirmative. In this country there can be no other answer. I urge passage of this legislation which will mean a new day for the District—an opportunity for its citizens to begin to solve its pressing problems through responsible self-government.

Mr. McMILLAN. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. O'Konski].

Mr. O'KONSKI. Mr. Chairman, the last time I appeared in the well I wished you all a Merry Christmas and Happy New Year, thinking that I would not take the floor again. But I was not aware at that time that there is a Jewish New Year, and I want to wish you all a merry and happy and prosperous Jewish New Year.

When I came to this Congress almost 24 years ago I was the red-hottest advocate of home rule for the District of Columbia, and I could not understand why they did not have it. The fact of the matter is that for the first 10 years of my service here in this House I, myself, introduced home rule bills in the Congress of the United States. But during that time, and especially since that time I did a lot of reading. I read all of the hearings that took place in the Senate and in the House. I have been doing a lot of thinking and a lot of observing and a lot of listening. Just as almost 24 years ago I was a red-hot advocate of home rule, today, I am a stanch opponent of home rule. And not for reasons that some may think. I would be against home rule for the District of Columbia if it were all Negro. I would be against home rule for the District of Columbia if it were all white. I would be against home rule for the District even if the Pope lived here or if Moses lived here, or even if the city were inhabited by angels.

So, make no mistake as to my motives in opposing this home rule bill. I cannot for the life of me understand why a small minority of the people of the District of Columbia want home rule. They are the most favored people on earth. They have gotten more from the Federal Treasury than any people in any community in any State or in any territory. And I challenge anybody to dispute that statement.

You and I in our communities have to build our own stadiums, our own airports, and everything else. This city gets them all free, handed to them on a platter.

We passed an aid bill for elementary and secondary education a short time ago, and despite the fact that this city is the richest city in the world, with the highest per capita income of any city in the world, with the highest consumption of hard liquor of any city in the world, yet this city, under the bill we just passed, was the most favored city in the United States of America, getting almost as much money as entire States. Per capita, Washington, D.C., got more per student than any single area in the Nation. And this happens in the richest city in the world.

No matter what aid we passed, no matter what Federal program we passed, the District of Columbia per capita of population got more from the Federal Treasury than any other segment of our society, and I challenge anyone in the House of Representatives to stand up and dispute that statement.

Mr. Chairman, take the matter of Federal roads, or the matter of interstate highways. Just in the area of the District of Columbia there were more Federal moneys granted for interstate highways in and surrounding the District of

Columbia than in the entire States of Wisconsin and Minnesota put together.

Yet, Mr. Chairman, they are saying, "That mean old Congress, being so mean to the District of Columbia. We ought to have home rule. We ought to manage our own affairs."

Mr. Chairman, where do you have a situation in a city where the juvenile delinquents can go out in the summertime and knock out $120,000 worth of windows and have Uncle Sam pick up the tab and no one go to jail for doing it?

Where in any city in the United States of America or for that matter in the world can a man seek the favors of a woman and live with her and raise a family of 12 without wedlock and have Uncle Sam pick up the tab?

Where in the world do you have a situation of that type? And then, when the Congress passes a "man-in-the-house" proposition, where if there is a man in the house he ought to help support the family—the bleeding press and the bleeding hearts, and, I am sorry to say, some members of the clergy say what a mean and inhuman Congress we have just because a man lives in a house and raises a family, that he should be expected to help support that family. Why does the inhuman Congress expect such a tired man to help support his children? How heartless can the Congress get? Give us home rule.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. McMILLAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. O'KONSKI. Where in the United States do you have a professional football team subsidized by the Federal Treasury like you have in the District of Columbia? The sum of $800,000 has been appropriated by the Congress this year to support a place where the Redskins and the Senators play ball. It is one of those places where anyone can put on a uniform and join the team. They are usually in the cellar position. Why should they have to win when they know they can always go to Uncle Sam and he will help foot their bills and provide a nice stadium in which they can play? It proves a government subsidized team just does not have the incentive to give all it has.

I attended a ball game at the stadium the other day. The umpire yelled "play ball" and a player replied, "Why umpire, what do you think we have been playing?"

And, Mr. Chairman, I could go on and on give you favor after favor that this city is receiving. It is the most favored city in the world, certainly the most favored in the United States of America.

Now, Mr. Chairman, let me tell you that when some of us say, "Well, yes, we do have a situation over here, but let us wash our hands of it; let us wash our hands of it and give them home rule and then we can attend to the affairs of the Congress"—we are just inviting trouble.

Mr. Chairman, this city is like that of no other in the United States. You have self-government in the city of New York. But the city of New York cannot say whenever they have a crime problem or whenever they have any kind of a problem, the people and the government officials of the city of New York cannot say, "Of course, we have that problem because we have a niggardly and stingy Congress that would not give us enough money." That is exactly what you are going to have here. You are inviting trouble. You are going to give them home rule, the local people, and the authority to run the Government and no matter how badly they mismanage it, you are going to bear the brunt of the blame, because should crime double, they are going to say, "Of course, it doubled. We asked Congress for 25,000 policemen and they only gave us 15,000."

No matter what problem you have, if your relief rolls should increase, they will say, of course, it was because Congress did not give us enough money for poverty. They did not give us enough money for schools, they did not give us enough money for this or that. No matter what problem you have, no matter how badly mismanaged the city is going to be, the blame will be put on the doorstep of Congress because every time mismanagement is pointed out, or corruption, or whatever it may be, their answer is going to be, of course, you have a stingy, niggardly Congress, and they would not give us enough money to do the job we want to do. If you think you are absolving yourselves of the responsibility of running this city or of washing it off your backs, by passing a home rule bill, you are badly mistaken, because you are inviting more trouble than you now have, and the problems you now have—and we have many—are going to be more than multiplied. Congress is stingy. Congress is heartless. Congress will not give us enough money. That is the cry you will be hearing a thousand times a day.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to the gentleman from Wisconsin.

Mr. REUSS. The gentleman has made a devastating attack on the way Congress has handled the affairs of the District of Columbia. He pointed out that Congress apparently has placed too low a tax on liquor in the District, and this has led to an increase in per capita consumption of alcoholic beverages.

It seems to me the whole thrust of the gentleman's position is that, Congress having failed in its duty, the people of the District of Columbia who have many times voted for self-government ought to be given some say in their own government. I do not understand the gentleman's logic. Could he spell it out a little?

Mr. O'KONSKI. I am glad the gentleman mentioned that. The Congress of the United States follows pretty well the wishes of the people of the District of Columbia. I might mention to the gentleman that the District of Columbia Commissioners have the right to increase the real estate taxes in the District of Columbia, which are lower than those of any comparable city in the United States. The gentleman points out the liquor taxes. You only pay 2 cents a pack for cigarettes, and in my home State I think it is 11. It merely follows the idea that the people of the District of Columbia do not want to assume their fair share of their responsibility to the Government. You are passing it on to the U.S. Congress.

Mr. Chairman, when you get right down to it there is only one reason behind this bill, and one only. You strip it of everything, and this is it in a nutshell: They are trying to wiggle around and get their hands in the Treasury of the United States without going to the Congress for an accounting of how they are going to spend it. That is all there is behind this bill, and nothing else. I have studied it from A to Z, and you cannot come up with any kind of answer. They will make more compromises to get any kind of a bill through. They know this is one step forward. But the ultimate goal is this automatic payment formula. That is all this thing is about. All the other things we are talking about are merely procedures and steps in the direction of achieving that goal, and let nobody kid you to the contrary.

Mr. SICKLES. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to the gentleman from Maryland.

Mr. SICKLES. The gentleman in the well has indicated that the District Commissioners have essentially kept local taxes low. Then in the next breath he inferred that this was the will and wish of the people of the District of Columbia. The people of the District of Columbia had nothing to do with the selection of the District Commissioners, who were appointed by the President of the United States. I cannot follow the gentleman's logic that the people of the District are in any way responsible for the actions of the District Commissioners.

Mr. O'KONSKI. I am glad the gentleman from Maryland asked that question.

In one of the committee hearings we called on the District Commissioners. I own a home five blocks from the Capitol. It has twice the value of property I own in Wisconsin, and my taxes in the District are one-half of those which I pay in Wisconsin.

I pointed out to the Commissioners why in the world does that situation exist, and the Commissioner said, "Well, Congressman, we know you are right. But we raised taxes just a little bit a while ago and we thought the roof was going to cave in—from the people of the District of Columbia." So he is responding to the will of the people of the District of Columbia.

Mr. SICKLES. If the gentleman will yield further, I just do not understand how the District Commissioners in any way can be responsible or responsive to the people of the District of Columbia since the people of the District have nothing to do with the selection of the Commissioners in the first place.

Mr. O'KONSKI. Well if the District Commissioners are reluctant to raise property taxes to where they ought to be when they are not chosen by the people of the District of Columbia, can you imagine how much more reluctant they would be to raise property taxes if they had to depend on their votes?

Mr. MULTER. Mr. Chairman, I yield 1 minute to the gentleman and ask him to yield to me.

Mr. O'KONSKI. I gladly yield to my friend, the gentleman from New York.

Mr. MULTER. I have the utmost respect and confidence in the gentleman and I am sure no one is attacking the gentleman's motives or will attack his motives. We believe the gentleman is sincere in his motives. We believe the gentleman is sincere in his opposition to any home rule for the District of Columbia.

I would like to direct the gentleman's attention to the statement he made, and I am inclined to agree with that statement, that the District of Columbia has been receiving more money from the Federal Government than any other community in the United States. I agree with that. But up to this time, is it not true that neither your constituents nor my constituents nor the constituents of any other Member of this Congress have ever raised their voice against our spending of these Federal taxes, their tax dollars, to support the District of Columbia? Is that not the fact?

Mr. O'KONSKI. No, and I want to say I am glad the gentleman brought that point out. Because if you get to figuring out all the monuments and all the other Federal buildings, and all the road money, and airport money which was given by the Federal Government, which means the people back home, I want to say to the gentleman from New York that the people outside of the District of Columbia have a larger investment in what is in the District of Columbia than the people of the District of Columbia themselves. I do not want to disenfranchise them, either.

Mr. MULTER. As I say, I am agreeing with my colleague.

Mr. O'KONSKI. As I say, the people outside the District of Columbia, the people back home own most of what is in the District of Columbia, and they have paid for most of it, and so I want the people back home to have something to say about how the District of Columbia is run.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to the gentleman.

Mr. MULTER. I have asked the gentleman to yield in order to correct what I think is a misunderstanding on the part of the gentleman. I am agreeing with him as to the money going from the Federal Treasury to the District of Columbia.

Mr. O'KONSKI. If you are with me, then vote with me.

Mr. MULTER. Is it not a fact that neither your constituents, my constituents, nor the constituents of any other Member of the House object to moneys from the Treasury of the Federal Government being used for District purposes and that they do not object to taxpayers' money being used to support the government of the District of Columbia because without it, the District government cannot support itself.

Mr. O'KONSKI. I thank the gentleman—we agree.

Mr. BROYHILL of Virginia. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to the gentleman.

Mr. BROYHILL of Virginia. The difference now in answer to the statement made by the gentleman from New York is the reason we do not hear as much opposition now as we will hear in the future is that now the Congress controls all of the spending and every nickel and every dime of the money they appropriate now. But under the bill that is pending, we will have nothing to say about how that money will be spent.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to the gentleman.

Mr. DON H. CLAUSEN. I wonder if the gentleman can tell me whether or not there is a provision for a board of equalization so as to determine whether or not appraisals are made and property taxes are equal in this bill?

Mr. O'KONSKI. I cannot understand it. That seems to depend on what kind of compromise is made on this formula in this bill.

Mr. DON H. CLAUSEN. Under this formula, this will be permissive; will it not?

Mr. O'KONSKI. I just want to say this in closing. Think a little about history. During the War of 1812, the British tried to sack the Nation's Capital and they could not. During the Civil War, the Confederates tried to sack the Nation's Capital and they could not. But what the British and the Confederates could not accomplish, it seems the Congress of the United States is going to accomplish this week; namely, to sack the Capital of the United States of America. We are going to sack the city—do not do it—I plead with you and beg with you—do not do it. Do not sack the Nation's Capital.

Mr. MULTER. Mr. Chairman, I yield to the gentleman from Maryland [Mr. MATHIAS] 10 minutes.

Mr. MATHIAS. Mr. Chairman, I wish to thank my good friend, the distinguished gentleman from Wisconsin, who has just left the well, incidentally, a gentleman with whom I so often agree, because I believe he has contributed a great deal to the debate this afternoon. He has given us a seventh-inning stretch. He has provided us with the kind of comic relief that make Shakespeare's great plays even greater. But, Mr. Chairman, he has done something more. The gentleman from Wisconsin has put the issue squarely before us. He has said—and certainly no one here will disagree—that Washington is a fortunate city. I think he described it as the most fortunate city in the country.

A generous Congress, he said, showers favors upon this District of Columbia; yet, the people still call for home rule and this causes the gentleman from Wisconsin to cry out in amazement. In doing so, the gentleman has ignored the whole history of the political progress of mankind. If there is one thing that history tells us, it is that no matter how benevolent an autocratic government may be, people prefer a democracy. That, I submit, is the issue before this Congress in this debate.

Mr. Chairman, the Nation owes much to Virginia and to Virginians. One of the greatest Virginians committed America to the principle that we owe "a decent respect to the opinions of mankind." That principle, among others equally fundamental, is at issue in the debate on home rule for the District of Columbia. The whole Nation suffers when we imperil our reputation for sincerity and for good faith throughout the entire world by denying the sufferage on normal municipal matters to the residents of one of earth's greatest cities.

It may seem hollow to friends and foes alike to preach of free elections in East Germany and southeast Asia when our practice belies our words.

The reasons for denying home rule advanced by its opponents in this debate seem very feeble indeed. We are asked to be so gullible as to believe that a change in the vessel to which local administration is committed in the District of Columbia will diminish the national character of the Federal city. In other words, these opponents would say that the city is less a capital because its municipal executive is elected rather than appointed. By the same logic, the Capital of the Nation, in the administration of John Adams or of Thomas Jefferson, when there were several municipal corporations existing within the District of Columbia, which elected their local officials, would have been, to a degree, less national than it is today.

By the act of the General Assembly of Maryland, which ceded to the National Government that portion of Maryland which now comprises the District of Columbia, the legislature reserved the benefit of Maryland law for the citizens living within the District until that law was superseded by the Congress. Maryland law obtained in the Nation's Capital, but it was no less the Nation's Capital. The right to vote was certainly one of those rights which was preserved by the act of cession for Marylanders who had become residents of the District of Columbia. The right to vote was preserved for them. That course was contemplated from the very inception of the idea of the National Capital.

In the year 1802, the Congress, during the administration of Thomas Jefferson, provided for an elected city council for the city of Washington.

Ten years later, in the administration of President James Madison, there was provision not only for an elected board of aldermen but also for an elected mayor of the city of Washington.

I would ask those who say that to have an elected city government is to diminish the national aspect of the Capital, and to take something away from all Americans, whether they consider that there was a fluctuation in the national character of Washington, when there was more or less suffrage in the District in various periods of the history of the city of Washington.

Let us look at the bill itself for a moment. When I say "let us look at the bill," so that there can be no confusion, I mean let us look at the compromise

bipartisan bill, H.R. 11218, and its companion bills, as to the protection of what has been called the Federal interest.

In section 905 of that bill there is a provision for Federal control of the Metropolitan Police and for the use of other Federal forces to maintain order. This is an important provision in the bill. It mirrors a historical problem which existed before the Capital existed. It provides for the Federal interest.

In section 1001 there is protection for the tenure of employees who have status under the national civil service laws.

In section 324 the municipal government is specifically subjected to the 10th section of article I of the Constitution.

In section 324 again there is a comprehensive reservation of congressional right to repeal or modify District acts, whether enacted by the city council or the voters of the District.

Subsection (b) of section 324 provides that neither the council nor the voters of the District can impose any tax on the property of the United States, or lend the public credit for support of any private undertaking, or authorize the issuance of bonds except in compliance with the provisions of title VI, or authorize the use of public money in support of any secretarian, denominational, or private school except as authorized by Congress, or enact any act to amend or repeal any act of Congress concerning the functions or property of the United States, and so on.

I commend all of subsection (b) to the attention of the Members of the House, because it very vitally affects the reservation of Federal interests.

The right to tax and the right to exercise sovereignty over Federal properties is expressly reserved and excluded in subsection (e) of section 324.

There is a veto provided for the President of the United States, again to protect the national interest.

In subsection (f) the Congress reserves the right to legislate on any and all matters affecting the District of Columbia. The Congress reserves the right to legislate, as well as the city council with its delegated legislative powers.

With all of these guarantees of the integrity of the Federal interest, there seems no reason to deny home rule out of any concern for the national character of the Capital.

The founders of this Republic, I submit, would be shocked that the most basic form of self-government, muncipal government, had been abolished in the Nation that they conceived in liberty and dedicated to the proposition of government by the people. Their views are on record. They are a part of our great political heritage and they should not be ignored, for the wisdom of the past always has a proper place in the councils of today.

James Madison, to whom we owe our knowledge of the discussions of the Constitutional Convention, reviewed the considerations involved in the establishment of a National Capital, and he said, in No. 43 of the Federalist Papers, that the States conceding the territory for the new Capital "will no doubt provide in the compact for the rights and the consent of the citizens inhabiting it." The act of cession from Maryland did provide for the rights of the citizens and it did provide that the benefit of the laws of Maryland should continue to extend to those citizens, including the right to vote in their municipalities.

Madison went on to say, and I quote:

> As they will have had their voice in the election of the Government, which is to exercise authority over them; as a municipal legislature for local purposes, derived from their own suffrages, will of course, be allowed them.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. MULTER. Mr. Chairman, I yield the gentleman an additional 3 minutes.

Mr. WHITENER. Mr. Chairman, will the gentleman yield to me?

Mr. MATHIAS. Just a moment. If the gentleman will be patient for just a moment longer.

Mr. HAYS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twenty-three Members are present, a quorum.

Mr. MATHIAS. Mr. Chairman, these views of James Madison were not confined to his Republican Party of Virginia which I suppose now purports to be the Democratic Party of Virginia. They were shared by the Federalists, by John Adams, the second President of the United States. Adams, in my judgment, was the great civil libertarian of the Revolution, yet he is one who has never been accused of being a demagog. Adams' views on this question, which he presented in his message to the first Congress which met here in the new seat of government, described the District of Columbia: "As the Capital of a great Nation advancing with unexampled rapidity in arts, in commerce, in wealth and in population, and possessing within itself those energies and resources which, if not thrown away or lamentably misdirected, will secure to it a long course of prosperity and self-government."

This was John Adams' view. These, I submit were the bipartisan views of the early administrations who held the reins of power here in Washington.

Now, I ask you where will you take your place when this debate ends? Will you be among the timid and the fearful and the doubters who view the future as a valley of shadows and gloom, or will you take your place beside the great humanists who led our Revolution, wrote our Constitution, and founded our Republic? I am confident, Mr. Chairman, that when the time comes you will vote in the great tradition of America for home rule.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. The gentleman from North Carolina has been very patient, so I will yield to him.

Mr. WHITENER. The gentleman testified before the subcommittee of which I am chairman in the 88th Congress, I note with interest at one place in his testimony he said:

> I believe my bill—

As you discussed your delegate bill—

> will provide to the residents of the District of Columbia a long-sought opportunity to build a responsible electorate and thus to help in the development of an improved sense of responsibility and maturity among the permanent residents of the Nation's Capital.

Then on page 394 of the hearings the gentleman said this:

> I think there is a great deal of wisdom in having an area of some substantial size which is subject to the control of the Federal Government. I would not be the one who would wish to disturb that principle.

I gather from the gentleman's statement today, as compared to what he said in the 88th Congress, that the little ditty might be applicable:

> He wiggled in and he wiggled out and left the matter much in doubt as to whether the snake that laid the track was coming in or going back.

Mr. MATHIAS. I would like to say that I reiterate what the gentleman has just quoted from my testimony in the 88th Congress. I think it was sound when I said it, and if the gentleman had agreed with me at the time, if the gentleman had accepted some of what I said at the time, we probably would not have had to go through the difficulties of a discharge petition.

Mr. McMILLAN. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, I would like to ask some member of the committee a question about title II on the status of the District. Section 201(a) says:

> All of the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia.

Subparagraph (c) says:

> Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the act of October 31, 1945.

Obviously the boundary line between the District of Columbia and Maryland has been ignored, and I wonder what the reason is, why the boundary line between the District of Columbia and Maryland is left in balance.

Mr. SICKLES. Mr. Chairman, if the gentleman will yield, I have just checked with my colleague and neither one of us knows why the State of Maryland was left out. I am a resident of that State; I shall check and respond to the gentleman either privately or on the floor when I find out.

Mr. WAGGONNER. I appreciate that. The only conclusion I could come to is that there must be some merit to Congressman BROYHILL'S bill that a portion of the District be ceded back to Maryland.

Mr. SICKLES. That is why I am interested in the issue.

Mr. McMILLAN. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Chairman, I requested this time in order to attempt to straighten out some misconceptions that have developed with respect to what I propose to offer in the way of a substitute to the pending legislation. Let me say initially that as one who has supported home rule and advocated self-government for the people of the District of Columbia, I feel that it has been somewhat unfortunate that there has been some confusion with respect to bills which bear my name and, I might say, identical numbers.

I appreciate the fact that there are those who view this situation in a different way. I appreciate the fact that there are those who feel it is unconstitutional to provide self-government. And I respect those views. At the time that the Committee on the District of Columbia acted on legislation and reported out a bill, my bill was the vehicle used and at that time the gentleman from Virginia, my good friend Mr. BROYHILL, offered his substitute which, by a margin, I believe, of one vote, was adopted over my opposition. I respect my good friend from Virginia. I respect his views. I happened to disagree with him at that time. I opposed a retrocession as a remedy for the problems of the District, and I still oppose it now.

The bill which I propose to offer as a substitute for Mr. MULTER's bill is H.R. 10115 as introduced originally by me on July 27. The declaration of policy could almost be substituted for the declaration of policy in the bill which the gentleman from New York has offered. And I might just briefly cite it in order to outline my own personal position with reference to support for self-government for the people of this District.

And, it is this:

> It is the intent of Congress to make available to the inhabitants of the District of Columbia such measure and form of local self-government as they themselves shall democratically establish if such self-government is consistent with the constitutional injunction that Congress retain ultimate legislative authority over the Nation's Capital. In taking this action it is further the intent of Congress to demonstrate its fundamental and enduring belief in the merits of the democratic process by exercising its retained legislative responsibility for the seat of the Federal Government only as it concerns amendments to any charter which might be established under this Act, but not as it concerns the routine municipal affairs of the District of Columbia.

As I say, Mr. Chairman, basically that declaration of policy is almost verbatim with the declaration of policy of the other proposals which are pending today, indicating that jointly we agree with reference to the question of self-government for the people of the District of Columbia.

Now, Mr. Chairman, let me quickly run over the principal provisions of the legislation and of the substitute which I shall propose. It was actually taken from the code of my home State of California and I might say that codes with respect to the authority to charter incorporated cities are pretty well identical across the Nation where a city provides for the election of a board of freeholders, or in this case I call it a charter board, and seeks an original charter or a new charter for that city.

So, Mr. Chairman, as a result of our desire to give completely to the people of the District of Columbia complete democratic processes and permit them to work, we introduced this, which I call an enabling act. It provides, first, that within 100 days after enactment, if this bill should become law, that a special election will be held in the District of Columbia.

Let me say, Mr. Chairman, I have had many people in the District come to me and say that one of the things which the District needs is some practice in self-government.

Mr. SMITH of Virginia. Mr. Chairman, the gentleman is explaining the bill that we will first vote on when this question comes up under the 5-minute rule and some of us would like to hear that explanation. I think those gentlemen who are not interested in such matter might well retire so the rest of us can hear the explanation.

The CHAIRMAN. The Chair has been attempting to maintain order but it needs the cooperation of the Members of the Committee.

The gentleman from California [Mr. SISK] will proceed.

Mr. SISK. Mr. Chairman, repeating briefly the proposal, as I say, if enacted into law there would be required that within 100 days after the date of enactment a special election be held in the District of Columbia in which the people of the District of Columbia would be asked to act on two matters: First, whether or not the District of Columbia desired home rule.

Oh, yes, Mr. Chariman, I have heard all kinds of rumors and discussions about some of the so-called referendums and so on that have been held before, but there has never been so far as I know a case which we can find in the record where this specific issue alone has been presented to the people in a nonpartisan election—and this will be a nonpartisan election if my substitute should be enacted, because it provides for the election to be held on a nonpartisan basis.

It provides for the election of an nonpartisan charter board simultaneously with that election, a 15-man charter board to be set up.

Mr. HORTON. Mr. Chairman, will the gentleman yield to me at that point?

Mr. SISK. I yield just briefly to the gentleman from New York.

Mr. HORTON. I would like to ask a question on that point. There was mention made earlier to the fact that the gentleman's bill provided for a nonpartisan council. I do not understand that. It does not so provide, does it, or is there a limitation in the gentleman's bill which would require the charter commission to provide for nonpartisan elections?

Mr. SISK. I appreciate the gentleman clarifying the issue and I might say to my good friend, the gentleman from New York [Mr. HORTON], that he is one of the first people who saw a copy of this bill before it was introduced and I know the gentleman is very familiar with the language contained therein.

I might say the language is still practically identical to that which the gentleman saw back, I believe perhaps, in May or June. It provides for a nonpartisan election for members of the charter board. It does not specify. It leaves up to the judgment of the charter board the type and kind of charter which that board shall finally come up with and submit, first, so the electorate of the District of Columbia, be it a city council or a strong mayor form or a city manager, whatever it may be that they might propose; could be, either partisan or nonpartisan as the bill is now written, and I want to make this completely clear.

Mr. HORTON. May I say at this time I do appreciate the confidence of the gentleman because, as he has stated here this afternoon, he did give me the opportunity to see a copy of his proposed bill long before it was introduced, and consulted with me. I appreciate his confidence. I do feel that the gentleman has made a very sincere effort as a member of the District of Columbia Committee not only to serve as a member of that committee, but also has put forth a sincere effort to provide a means for the people of this community to have home rule. I want to verify one thing: As I understand it, there is no limitation on your proposal with regard to the charter commission and the report that they would make? In other words, they could require a partisan or nonpartisan council, or they may provide for a State legislature.

Mr. SISK. The gentleman is correct, and I appreciate his clarifying the situation. The charter board itself would have the authority to draw up a charter, and that would be a nonpartisan board. But what they finally came up with in the way of a city government or city council could be partisan or nonpartisan.

Mr. HORTON. One further question. I want to make this point: This is the place at which your bill and the bill that will be before us differs. There is provided a referendum for the people of the District of Columbia to approve what is done here, so that for all practical purposes we are providing here, or would be providing here, a charter for the people to vote on, under the bill that we will be acting on. Under that bill the charter commission would write the charter.

Mr. SISK. I hope the gentleman will allow me to proceed.

Mr. HORTON. I thank the gentleman.

Mr. SISK. The election which would be held, as I say, within 100 days after enactment, would provide for, first, the right of the people to determine whether they want home rule and, second, the election of a charter board. That charter board would be empowered to sit down and write a charter for the District of Columbia, exactly as every other city in America is permitted to do under their State codes.

At the end of 210 days they must have completed their work, and it is provided within 45 days after that they

submit to the electorate of the District of Columbia the proposal as to the type and kind of government they want. We provide $300,000 in funds so that they may hire the best experts, the best advisers, the best counsel on city government anywhere in the United States, to come in and consult with them. Within 45 days after completion of their work there must again be a special election, at which the people of the District of Columbia can vote upon the charter as it is proposed. If they accept it, then that charter comes down here to the Capitol, where it will lay on the Speaker's desk and the desk of the President of the Senate, for 90 days, during which the Congress is in session.

Now the Congress can do three things. They can pass a dissenting resolution and then the issue is dead. The Congress, that is, the House with the other body, can pass an approving resolution and then the charter will be approved. Or if they do nothing within the 90 days, then it automatically becomes the law of the land.

Let me simply conclude by saying, if we seek—and I frankly do, and I believe in good conscience others do also—to give the people a true democratic process which is the way it is done in my hometown and your hometown and in every other city in the Nation. This to me is the true democratic way.

I might say with reference to the time element, this could become available to the people early in 1967. I believe that the bill of the gentleman from New York also has an effective date of 1967. So there is no question about any idea that this is a delay nor is it in issue here because in either case it could become available at approximately the same time.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. DON H. CLAUSEN. My colleague knows that I have been working for some little while on this matter. Actually this is home rule at its best. Because the people themselves will have the opportunity under two circumstances to decide whether or not they really want home rule and they have a right to decide what kind and what type of charter they want. Which is exactly what we have in the city of Los Angeles and in San Francisco.

Mr. SISK. The gentleman is exactly right.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. HORTON. In connection with the proposal that the gentleman is making, does it provide for a referendum after the Charter Commission has acted and after the proposed charter has been returned to the Congress?

Mr. SISK. No, I propose that after the charter board has completed its work, it must go to the people on a referendum, exactly as is done in my hometown and your hometown and the people in that referendum will pass on whether they want it or not. This gives them exactly the kind of government and the right to vote for it and prove it. Then it comes to the Congress and within 90 days the Congress must act.

Mr. CHELF. Can the gentleman give us some idea as to what we can expect with respect to the budget? What does this have to do with the budget? Does the budget or do any of the tax questions come up in this referendum? This is very important. All of us need to know about this.

Mr. SISK. Let me say to my good friend that this does not enter into the financial picture whatsoever. This provides for the people in the District of Columbia to elect a 15-man charter board.

I want to say I have confidence in the people to make that choice, and I also have confidence that they will elect good, honest, sincere men of judgment to write the type and kind of charter that will be proper for this city. As I say, this does not get into the financial picture.

Mr. CHELF. In other words, it leaves it to them after the referendum has been passed and has to be submitted within 210 days?

Mr. SISK. The gentleman is exactly right.

Mr. CHELF. I thank the gentleman.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. DON H. CLAUSEN. Under your proposal in conection with this question, can you have a nonpartisan election or a partisan election or whatever the charter recommends? If it is a partisan election then the delegates would possibly participate in the national elections. And an elected school board and you could be subjected to impact area assistance in the schools themselves under the formula that might be adopted by the charter. You could have an elected or appointed Board of Education. You could have split police authority if they so desired in the charter. They could draft anything they want and the people themselves could decide and then the Congress could ratify it.

Mr. SISK. That, of course, would depend on the charter or it would be up to the charter board and up to the Congress as to whether the Congress finally approved it or rejected it.

Mr. MULTER. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Chairman, I have listened to the alternative substitute proposal by my respected friend, the gentleman from California [Mr. SISK]. I am obliged to oppose that suggestion, because in my judgment this would not bring home rule to the District of Columbia.

Here is why I believe it would be a most unhappy substitute. In the first place, the Sisk substitute provides for a referendum by the people of the District of Columbia on whether they want home rule. Well, they have had these referendums. In 1956 the people of the District of Columbia voted 18,333 to 1,234 in favor of home rule.

In the 1960 referendum they voted 26,094 for home rule and 3,651 against.

In 1964 they voted 72,674 in favor of home rule and 12,106 against.

How many more times do we want to ask them whether they are for home rule? The have given us not just a hint, not just a preliminary disclosure, but they have told us in a thundering voice that they want home rule.

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman.

Mr. SISK. Would the gentleman explain the basis and the point of these elections and the conditions under which they were held? I am sorry to disagree completely with the gentleman after having researched this matter at great length.

There has never been a direct question on a proposal such as that proposed in this referendum. They have been held on a partisan basis. They have been held as adjuncts in other elections. I regret to disagree with my friend, but I believe he is wrong.

Mr. REUSS. I recognize the gentleman's right to disagree. But the fact is that those referendums were on the simple question, "Are you for home rule or against it?"

The second point I wish to make is that the Sisk substitute then, if the people approve home rule, requires that the charter board draw up a detailed home rule bill or charter, and that this be submitted to the Congress, and if either the House or the Senate changes one comma or one semicolon of that proposed charter, then the thing is dead forever. The game of parchesi is over, and you go back to home plate. Maybe not for another 80 years would the Congress have an opportunity to debate and to consider home rule.

Our debate here yesterday and today shows that men of good will, reasonable men, may differ about the exact details of a home rule bill. We shall have some amendments which will test those propositions later on. But if there is one thing that the debate shows it is that the House wants to work its will on the details of the home rule bill without the necessity of considering on a "take it or leave it" basis something that a charter board hands it. So if we want home rule, we must vote down the Sisk substitute.

And, believe me, we need home rule because just as every other great capital of the free world—London, Paris, Bonn, Tokyo, or Rome—has it, so the people of our great Capital City of Washington ought to have it, too.

Mr. MULTER. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. FRASER], 5 minutes.

Mr. FRASER. Mr. Chairman, I have had the honor of serving on the District of Columbia Committee for the past 9 months. I wish to say to this committee that my service on the District of Columbia Committee has served to strengthen and reaffirm my belief that it is important that we pass a home rule bill this week.

I would like to comment, if I may, on some of the reasons that have lead to this conclusion.

First, it is clear to me from my service on the District of Columbia Committee

that many of the members of the committee, including myself, have a difficult time devoting an adequate amount of time to studying the many and varied problems which face this large metropolitan community. It is hard under the circumstances for the members of the committee to maintain the interest which normally characterizes a municipal council or any other level of legislative responsibility in which there are direct ties to the voters.

I have served in public life for 12 years, and I have some sense of what it means to be tied directly to the vote of the people. If the people decide that you are not doing a job, or that you are doing it poorly, you know that they can express their views at the polls. This inevitably has an effect on the diligence and the enthusiasm with which you go about our work and in carrying out our public responsibilities.

But such a relationship does not exist between the District of Columbia Committee—nor, for that matter, the entire Congress—and the citizens of the District of Columbia.

There are several examples that help to point out this problem. Earlier this year the Commissioners of the District asked for new taxing authority but it was many months before a bill was introduced which even incorporated all of those requests. In the meantime, the Commissioners set down in the city hall totally unable to make any protest in an effective way.

Another example is tied to this freeway dispute, revolving around a leg of the freeway heading out toward the northern part of the city. I have been petitioned by numerous citizens of the District to take action on a bill which relates to the future of that freeway. The truth is that for me fully to understand the implications of that proposals, the rightness or wrongness of it, would take weeks and weeks of study, and I do not have the time. I doubt that many Members of the Congress have the time for these kinds of issues.

The second reason why I believe we need to turn this back to the people is the clear proof that public services in the District are not adequately financed. The clearest example of this is the school system. I do not believe one has to go out to the schools to find this out, though I have made an effort to get to one or two of them to look for myself. One can read about them, and there are plenty of people in the District who will come in to you about them and to tell about their disappointment concerning the action of Congress this year in failing to authorize adequate funds for the construction of the new schools which are so badly needed.

We have only to read the Washington Post in recent days to see what inattention and neglect have done to the schools. Classrooms in the basement, inadequate auditoriums, gymnasiums, books, tools, libraries, or lunchrooms; rats, leaky roofs, rotten floors—these characterize too many District of Columbia schools.

We need better schools in the District. We need better vocational training. Probably as important as anything else is the need for better opportunities for higher education for the young people in the District. They are not getting it, or are only getting it in limited form.

Why are they not getting it? First, we do not have a direct responsibility for these schools in the sense that we are responsible to the parents who have children in the schools. Second, the District does not know from year to year how much money it is going to get.

If the local school district in Minneapolis, or the school district of the gentleman from Wisconsin, in Superior, had to go before the State legislature each year, hat in hand, to ask how much money would be available for schools before it could plan the budget, hire teachers, and plan construction, that school district would have the same kind of difficulty that the schools in the District of Columbia have.

It is interesting to note that the discussion today has pointed out the fact that in a city without a vote property taxes are generally lower than in cities where there is a vote. If there is any clear lesson to be drawn from this it is that the voters of a school district or of a community are prepared to support high taxes when this will produce for them good schools. Yet in this district and in this community the voters do not have the right to assert this kind of influence and to make this kind of decision.

I believe the fact that higher taxes might come through home rule is a matter which ought to be pondered carefully, because this demonstrates that democracy and the right to vote are an exercise in responsibility.

I congratulate the gentlemen from New York [Mr. MULTER and Mr. HORTON] and the gentlemen from Maryland [Mr. SICKLES and Mr. MATHIAS] for their efforts on behalf of self-rule for the citizens of the District. I have supported their efforts over the past 9 months to get a home rule bill before the House.

Mr. Chairman, we began back last winter by calling on the gentleman from South Carolina, the chairman of the District Committee [Mr. MCMILLAN], to schedule hearings on the various home rule bills then before the committee. Hearings, however, did not begin until the discharge procedure was initiated.

No one can say that we did not follow the usual procedures of the House. A home rule bill was introduced on the first day of the session. It was referred to committee and hearings were requested. But then nothing happened. During this same time the committee of the other body held hearings, reported out a bill, which was approved by the other body, and still no action in the House.

Now, Mr. Chairman, this is an important proposal. It does not deal with the regulation of kiteflying in the District, or the sale of ice cream on a stick or the size of rockfish that can be taken from the Potomac. This bill deals with the fundamental right of self-government, with the issue of taxation without representation, and with the right of people to decide for themselves the important issues affecting education, welfare, crime, disease, and many others.

It was only after 7 months of delay that the proponents of home rule resorted to the device of the discharge petition. But even then the opponents of self-government cried foul. They said it was not fair to use the discharge petition against the District Committee. Mr. Chairman, I ask, when is the discharge petition to be used if not for just such situations?

And finally when it appeared that the discharge petition would be successful, the committee hastily reported out a bill to retrocede part of the District back to Maryland. This further clouded the issue of meaningful self-rule for the citizens of the District.

Mr. Chairman, all of these actions—moves and countermoves—underscore the reasons why the District of Columbia Committee should not rule the city. I urge support of the compromise measure providing home rule for the District of Columbia.

Mr. MCMILLAN. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Chairman, for the present and the immediately past Congress I have served on both the subcommittee which has considered home rule legislation and the distinguished Committee on the District of Columbia. In that capacity I have sat through extensive hearings on this home rule legislation with some of the highest in our land present and testifying before our committee. During that time I have met with officials of my own party of the District of Columbia, as well as with the Republican leadership of the House, concerning this weighty problem of home rule.

Yesterday I consistently voted against the procedures used to bring this legislation to the floor and to circumvent a committee trying to provide good legislation. I can honestly state that diligent and careful consideration was being given to this legislation by the House District Committee on the nearly 30 bills before that committee.

As a minority member of that committee, I resent very much this discharge of the committee, especially when such committee was acting in good faith and hearing witnesses.

But this is in the past.

I am sure that historically and traditionally my party, the Republican Party, has stood foursquare for local self-determination, for the rights of our individual citizens, for the rights of our States, and for the rights of local government. If some of those who have strongly advocated home rule for the District of Columbia had exercised similar diligence with respect to the rights of our States and the rights of our individual citizens, perhaps things would be a little different from what they are in the Nation today.

Our National Capital is not just another city. I feel that there is a clear and continuing national interest involved. I believe that the District of Columbia is in a unique category. This is the Capital of all the 50 States of our great Republic. I, for one, am not satisfied with many parts of any of the bills we are considering here. I get somewhat

confused, along with other Members of this body, I am sure, as to what bill is under debate. I am confused over the clearness of the language proposed in the so-called formula of payment as contained in the legislation.

If this is to be purely an authorization, as was brought out during the debate yesterday, for District expenditures, then what value does it perform? Congress always has been aware of the needs of the District budget. And what new information would this method give to the Members of this body? Now let us look at the legislative situation which is facing this House. We have a bill passed by the other body, S. 1118. While the committee was actually seated and holding hearings a similar bill was discharged by petition here in the House, H.R. 4644. Now we see here today that neither the Senate bill nor the House bill which was discharged is to be considered but, rather, a substitute or perhaps more than one substitute on which not a single witness has appeared or been heard. Our committee never considered this so-called substitute. I understand it is being billed as a bipartisan effort. Bipartisan here I think needs some explanation since the bill was never considered by the committee but by apparently a minority of the minority of the committee and a minority of the majority of the committee. This consolidation of these two groups has given birth to this excellent legislation now and hereafter referred to as a compromise or substitute bill.

Mr. MULTER. Mr. Chairman, will the gentleman yield to me at this point?

Mr. ROUDEBUSH. I do not have the time. I am sorry. We have several great newspapers that concern themselves with the welfare of this District. I am sure the editorial that was read here a few moments ago should be reread. I would like to read just the last paragraph of this editorial:

> In one previous respect Mr. Lynes is wrong. It is not a home rule bill that this city will get if the House bill becomes law. It is complete chaos.

I hope you read this editorial from the Sunday Star of September 26. I hope that you will read the printed hearings of our committee. This booklet represents the interrupted hearings of your subcommittee and the grave problems presented during those hearings.

Mr. Chairman, I do hope that this legislation in its present form is rejected by this body. If we allow the House committee to bring home rule legislation to this floor as promised by our distinguished chairman, it will be here at a very early date.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman.

Mr. CHELF. Does the gentleman feel, after having been on the District committee as long as you have and having made this study, as I also know you have, would the gentleman say at this time whether or not he favors the so-called Sisk substitute?

Mr. ROUDEBUSH. The Sisk substitute is a portion of the bill that was voted out by the District Committee. I do favor the principal of the Sisk substitute, as indicated by my vote on committee, when it was reported.

Mr. CHELF. Thank you very much. Mr. SISK and you have sold me on his approach. As I understand his bill it gives the bona fide residents of the District the right to vote it up or down. That is democracy in action—and at its best.

Mr. MULTER. Will the gentleman yield to me?

Mr. ROUDEBUSH. I will be very happy to.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MULTER. Mr. Chairman, I will yield the gentleman an additional minute and he can yield to me.

Mr. ROUDEBUSH. I am happy to yield to the gentleman from New York.

Mr. MULTER. Thank you. The gentleman has said that the substitute was not before the District Committee. The fact of the matter is that there were 29 bills before the District Committee all of which are printed in the District Committee's printed hearings, and H.R. 4644 and S. 1118 are in substance the bill that is going to be offered as a substitute. S. 1118, which was before the committee, was the bill as passed by the Senate. H.R. 4644 is S. 1118 as it was modified in that body and sent to this House, and in the form that it passed the other body it was before the District Committee. So you have in the substitute everything that was before the District Committee at all times with the exception of four separate amendments we now are offering to S. 1118 as it passed the other body. Those are the only differences. They have been amply explained and, as a matter of fact, they have been explained in the RECORD and will be explained again when the amendment is offered.

Mr. ROUDEBUSH. If the gentleman will permit me to use some of the time, I will say H.R. 11218 has never been considered by our committee.

Mr. MULTER. As a bill with that number it was not. But its substance and provisions were before the District Committee and the committee hearings are full of testimony referring to the substance of that bill.

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. SICKLES].

Mr. SICKLES. Mr. Chairman, earlier in the colloquy this afternoon the question was raised about section 201(c) of the bill, on page 9; the fact that there was language there with respect to the boundary line between the District of Columbia and the Commonwealth of Virginia but that there was no reference to the State of Maryland. Since this disturbed my local pride as well as raised the question whether there might be a defect in the bill, I have researched the matter and find that the reason why there is a different treatment with respect to the two States is that the boundary between the District of Columbia and Maryland is not in dispute and has not been in dispute and there is no reason, therefore, to mention it.

As a matter of fact, there has been a continuing dispute as far as the boundary between the District and Virginia is concerned. It was an old boundary which was originally between Maryland and Virginia. It was the high water mark on the Virginia side. It was established by the original English grants which, of course, were back in the 17th century. Just where that high water mark was is not completely certain. Therefore, this statute referred to in the bill was passed in 1945 and it is referred to herein to assure that the effect of that statute is not overturned by this legislation.

Mr. Chairman, I would like also to comment briefly on three questions that have been raised with respect to the legislation before us.

First, responsibility for supplying water to the District of Columbia is divided between the Army Corps of Engineers and the Water Department of the District. The Corps of Engineers is responsible for producing the water and the District for distributing the water.

The expense of the water system, however, is entirely borne by the District. The District reimburses the Corps of Engineers for any operating expenses they incur and for the total capital expenditures made. All water expenses, therefore, are District of Columbia expenses, and not Federal expenses.

It had been the practice of the Federal Government to pay the District for water it uses just like any other customer. In fiscal year 1966, the House Appropriations Committee approved and the Congress appropriated $1,973,000 to the water fund of the District for this purpose.

Second, a question has been raised regarding the relationship between the District and St. Elizabeths Hospital. The District of Columbia pays its fair share of the expenses of St. Elizabeths Hospital. Currently, the Hospital receives $10.43 per day for each District patient. In fiscal year 1966, a total of $18,482,000 was appropriated for St. Elizabeths Hospital out of District funds.

The $10.43 per diem rate not only reimburses the Federal Government for operating expenses, but is also calculated to pay a portion of the capital costs of the hospital. The capital costs are divided between the District and the Federal Government on the basis of their respective patient loads and the amortization of the District share is included in the daily rate. Currently, the District pays about 60 percent of the cost of any new construction at the hospital.

Third, regarding the stadium, it should be made clear that the citizens of the District, not the Federal Government, are paying for the stadium. Of course, they have to borrow money to do it, but it is their debt. When the stadium is 50 years old, the Federal Government will receive full title to it, under the present law, because it is built on Federal land. In summary, the District of Columbia pays for it and the Federal Government gets it.

Mr. MULTER. Mr. Chairman, I yield 5 minutes to the gentleman from Hawaii [Mr. MATSUNAGA].

Mr. MATSUNAGA. Mr. Chairman, to keep in tune with the spirit of the time permit me to begin by wishing to all whom it may concern a "Hauoli Maka Hiki Hou," which in Hawaiian means "Happy New Year."

I rise in support of home rule for the District of Columbia. I can see no reason why 800,000 citizens of one of our Nation's largest cities should be denied a voice in their own local affairs. We have promised—both political parties have promised—for decades that we would grant home rule to the District of Columbia. It has been urged by Republican and Democratic Presidents alike. It has been approved by the majority of the members of both parties in the other body. We should approve it likewise, and I hope in this House, too, by a majority of Members on both sides of the aisle.

Mr. Chairman, I am puzzled by the argument advanced over and over again that because this is the National Capital there is something intrinsically impossible about allowing the citizens of the District a voice in their own local affairs. I am puzzled because there seems to be no difficulty in such an arrangement in other world capitals—London, Paris, Madrid, Mexico City, Ottawa, and all the rest. In none of those cities, so far as I know, are the inhabitants disfranchised as they are in our National Capital. I am puzzled, too, because without exception our State capitals have never found it necessary to disfranchise their residents in order to avoid supposed impossible conflicts between the interests of the State government and those of the citizens who live there.

In truth, there is really nothing to this argument. The bill before us does not jeopardize the Federal interests. Indeed, it protects them, and far more than comparable State interests are protected in our State capitals. Not only does the bill expressly reserve to us the power—which we would have anyway under the Constitution—to take any actions we wish with respect to the District, whether the residents would approve it or not. Not only does the bill do this, but it provides for a veto by the President of any action by the District Council which accidentally or otherwise adversely affects the Federal Government. Not only this, but the bill expressly reserves all Federal powers in specific areas of the District now owned by the Federal Government, or, for that matter, hereafter acquired. We do not in any conceivable way jeopardize the Mall, the national parks, the national shrines, or any other part of the Federal Establishment. And of course, finally, we do not make an irrevocable commitment in any event. This bill, which will become the District Charter Act, is nonetheless no more than an act of the Congress, which we may amend or even repeal in the event we believe it appropriate at any time to do so.

I will not repeat the arguments for local suffrage which have already been stated and restated many times. Nor will I attempt to deal with the very many provisions of this bill that have been carefully devised to provide a workable self-government for the District. Doubtless there are many provisions on which reasonable men might differ. There may be provisions which the experience of a few years will strongly suggest should be changed, and we can change them. But having reviewed the entire bill as it is now before us, I am convinced that we will be granting an effective voice in local affairs to District of Columbia residents. I am equally convinced that they are entitled to nothing less.

Mr. Chairman, those who have never been disfranchised may have some difficulty in understanding what it means to be an American and yet be denied the full privileges of an American. As a citizen of the youngest State in the Union, and as one whose full privileges of American citizenship were denied him until only 6 years ago, let me assure you that self-government means much more than seeking a greater share of the Federal treasury, as one opponent of the measure has put it. It represents a yearning which has glowed in the breast of mankind since time immemorial. It is the very essence of the greatness of our system of government. Home rule for the District of Columbia would be in keeping with that greatness.

Mr. ABERNETHY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-eight Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 334]

| | | |
|---|---|---|
| Anderson, Ill. | Hansen, Wash. | Moeller |
| Andrews, George W. | Hardy | Powell |
| Aspinall | Harsha | Redlin |
| Ayres | Harvey, Ind. | Rivers, S.C. |
| Bolton | Hébert | Roncalio |
| Bonner | Holifield | Roosevelt |
| Callan | Holland | Scott |
| Clark | Hosmer | Thomas |
| Colmer | Landrum | Toll |
| Daddario | Long, La. | Willis |
| Frelinghuysen | McEwen | Wilson, Charles H. |
| Goodell | Martin, Mass. | |
| | Mize | |

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 4644, and finding itself without a quorum, he had directed the roll to be called, when 394 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. McMILLAN. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Chairman, I think it is to be expected, in the exuberance of some of the proponents of this bill who seem to be carrying a torch that they would make some statements which might not be made in calmer times. For example, I understand one gentleman made the statement today that this was a civil rights matter. Well, I was against home rule when I came here 17 years ago, when the population of the District was 75 percent white, and it was not a civil rights matter with me then and it is not now. I consider this to be the Federal City, the property of all the people, paid for by the taxes of all the people, and I want all the people to have something to say about it.

The gentleman from Wisconsin [Mr. REUSS] said— and I think I am quoting him accurately—that on many occasions the people of the District had spoken with a thunderous voice in favor of home rule. And then he cited statistics, and I took them down in a couple of instances; 76,000 to 18,000 in one instance and 18,000 to 1,000 another time. I do not know what kind of thunder they have in Milwaukee, but with fewer than 10 percent of the population voting we would not call that thunderous in Ohio. We might call it a vociferous squeak, but hardly a thunderous voice.

I have heard the population of this District quoted variously as 800,000, 850,000, 900,000; but when you add 76,000 and 18,000, at best you get 10 percent of the population that participated and about 8 percent of the population in favor of this so-called, alleged, home rule.

What have we got up here today? Well, the proponents came out with a bill, although I would not vote for it, I think would have given home rule. And then they saw, after a hardhead count, whatever that is—I do not know whether it was hardheads counting or whether they counted hardheads—but that is what they did, according to the press, and they decided that they could not ram it through the House. So they came in with what they call a bipartisan compromise, which guts home rule and is nothing more than a slogan and a shibboleth and the responsible people in the District know that without automatic payments you cannot have home rule, because they are not going to tax themselves what it costs to run this District and they are not going to get out of Congress any amount that they decide to throw away, to waste, and so on.

Now, who is for this? Well, the ADA, whose Chairman is Mr. Rauh. I will not say more except to say that my advice to Mr. Rauh—I have given this before, and he does not take it—is for him to call a meeting of the Executive Committee of the ADA and then meet jointly with the John Birch Society and all of them resolve to go out into the middle of the Atlantic and jump overboard. What a boon that would be for the country.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. HAYS], has expired.

Mr. McMILLAN. I yield the gentleman 2 additional minutes.

Mr. HAYS. I thank the gentleman. I sort of terminated there, and I do not know whether I can get back in high gear or not. But I will say to you that really the people of Washington have not signified in any loud voice that I have been able to hear that they want this bill or any similar bill. I said that I have opposed this for 17 years, and I have. I have never signed a discharge petition. I have never voted for it, but if we are going to have it I think the sensible approach is the Sisk substitute.

Mr. Chairman, I will say to you that I am not one of those who votes for every amendment and then votes against the bill. I think the Sisk bill would give the people of the District a chance to say whether they want to assume responsibility, or whether they would come out and vote, and what kind of charter they would write, and so forth. I will vote for the Sisk substitute and, if it is adopted, I will vote for the bill, because I do not believe in obstruction for obstruction's sake.

And if the people who say they really want home rule really mean what they say, then we ought to pass the Sisk substitute, and we ought to be able to do that tomorrow in about an hour, and then we should vote on it and get rid of this.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield.

Mr. ARENDS. Mr. Chairman, along with the gentleman, I, too, have been sympathetic when the opportunity to vote for home rule came before us, but always we approached the question on the basis of merit, whether it would be good for the District of Columbia. Up until this time it has not appeared to me to be so. I want to say that I agree with the gentleman. I want to say that if we will forget all of the extraneous matter that has been offered here, we will be better off. If some of the Members of Congress will go around and talk to the people who live in the District of Columbia, they would soon find out what the real attitude of the people is in this District.

Mr. HAYS. I agree with the gentleman from Illinois and I want to say one other thing. The charge has been made here that we do not have any confidence in local government. I have confidence in local government. I get a lot of mail complaining about local government that ought to go to the local government officials. But after what happened in New York in the primary, I have confidence in them and I hope my confidence will be sustained in November when the people of New York elect a Democratic mayor and send the boy without a party back down here, although, well, I am of two minds because it would be nice if they had him as mayor, then he would not be here, and you could get a near unanimous opinion that Congress could get along without him.

Mr. MULTER. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, following the very distinguished, very eloquent, and very outspoken colleague from Ohio with the tremendous backlog of experience which he has pointed out he has, and I being a mere sophomore of 3 or 3½ years' experience and listed as being on the national honorary board of the ADA and being for home rule, I feel that the chances to become emotional and stray from the topic are too tempting to overlook, but I will.

Mr. Chairman, I say that this issue is very important and it has been all along. I feel that more eloquent and more competent Members who have studied this diligently from the very first Congress when they were elected to this body have already spoken, I think, some of the more cogent and more articulate reasons why this should be considered soberly and responsibly, leaving aside the emotion and prejudice that tend to crop up in these issues, that a case can be made for serious-minded, honest-minded, well-intentioned Members of this House to discuss the advantages of home rule so described for the District of Columbia.

Mr. Chairman, I have had the great privilege of serving on a municipal body in my hometown and native city of San Antonio, Tex. I served as a city councilman, and as the mayor pro tem for that city for a period of 3 years.

Then, Mr. Chairman, I had the great privilege of serving in the State senate and now I have had the great and unbounded privilege of serving as a Member of this House of Representatives.

Mr. Chairman, I can say that there is no question in my own mind, and from my experiences, limited as they may be, and I have wondered at this, that there is nothing like the people having the right to choose their own destiny.

Mr. Chairman, we cannot protect the people from themselves.

Mr. Chairman, there have always been two basic schools of thought which constantly have been entangled in argument right here, and if one reads the history of home rule, it is one of the most interesting chapters in American history.

Mr. Chairman, from the very inception the question of accession of the land, the 10 square miles that the District encompasses, was one that engendered intense interest and participation of every single leader in and out of Congress during that time.

If the original resolution which had been presented for the acquisition of land had contained the language that the resolution contained where "rights to the soil" had been acquired, perhaps we would not be discussing this. It was not. The rest is a matter of history, and it has been brought out here well by some of the preceding orators. I join with my vote, the advocates of home rule, right or wrong, with the best of intentions, in order that the residents of this District of Columbia will have some measure of say-so in those processes that you and I take for granted at home. Too often I would see, and have seen, the difference between having a self-perpetuating board in connection, say, with a water board, as differentiated from one that had to run for election, that had to answer to the people.

I have seen cases in my own district where these boards were willing from year to year to see people drinking water out of barrels with wiggleworms in them because they were a self-perpetuating water board. They did not have to answer to the people. When the form was changed and they had to stand for election, or were appointed by officials who were elected, that entire system changed.

I cannot emphasize in words the necessity of setting up as a jewel the Nation's capital city on a small scale the reflection of our Nation's democracy. As we say in Spanish, "auto determinación," that is, self-determination, at least to a certain extent—because under the Constitution the Congress will always have the last word in the governing of this District—should be the goal.

Yes, Mr. Chairman, it is still yet time for us to provide by the example here in the Nation's Capital that we practice what we preach. Yet, I must digress a bit in order to comment on the historical developments with respect to the evolution of government in the District, inasmuch as much has been said about how history does not sanction home rule, this being the argument of most of those opposed to the pending legislation.

From the very beginning, in 1802, when a municipal charter was granted Washington, the citizens were conscious of the loss of some political rights. They resented that they would have no voice in electing the members of Congress, who, for them, would be both a State and an omnipotent legislature. In fact, the citizens of the District of Columbia in that early period were so sensitive that they petitioned Congress this way:

> We shall be reduced to that condition of which we pathetically complained in our charges against Great Britain.

They protested against the principle as undemocratic; it was taxation without representation; that had been declared to be tyranny. I echo the sentiments thus expressed, for I have always believed that it is what is developed by, not what is imposed upon, a people that makes for real greatness. And it is a searing insult to the American people generally and a libel upon the intelligent population of the District especially to assume that there is any excuse for disfranchisement, for disfranchising more American citizens who live in this great District than reside in any one of several States.

Mr. McMILLAN. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, as we near the close of general debate on the pending legislation, I think it may be well for us to again state that at the time this matter was taken away from the Committee on the District of Columbia, a diligent effort was being made to give everyone an opportunity to be heard, and to seek answers to some of the questions that have been raised as we have considered the bill up to this point on the floor.

Without desiring to be critical, I can say to my colleagues that as we considered the bill in the subcommittee we asked many questions of those who were sponsoring the legislation. I must say, in all candor, that very few of those questions were answered satisfactorily by the proponents of the bill. The answer which we usually got was: "Well, it can be amended on the floor of the House if it is not satisfactory." Yet, as we have gone through the debate here on the floor of the House and sought answers to some of the same questions, we find that we have still not received satisfactory answers.

We find that the proponents have talked about everything but the contents of this legislation. Not a member of the group sponsoring this bad legislation

has told you that the two bills that are offered under the name of the gentleman from New York [Mr. MULTER] completely abolish the Public Utilities Commission of the District of Columbia. I do not believe that any of them have told you that it specifically abolishes the Zoning Board of the District of Columbia and other necessary agencies of District government.

I would ask our colleagues before we get to a final vote to look at the bills and to see just what they do here in the District of Columbia.

We hear a great deal of talk about the thunderous support for home rule in the Nation's Capital. May I ask you as fairminded Members of Congress that between now and the time that you vote, as you go by a laundry to pick up your laundry and as you go by a drycleaning place to pick up your drycleaning, and as you walk into a bank to transact business, or into a department store, or as you ride in a taxicab, ask those citizens what they think of home rule as I have done. You will find there will be a thunderous answer of "No." Then you might ask them, "Well, why all the agitation?" You get the same answer—a group—a small and hungry group who are seeking political positions are pushing this so-called home rule issue. If you have looked about the galleries and the Halls of the Capitol as you have moved back and forth in the past 2 days, you find that those who are here pushing for it have what they believe to be a potential pecuniary or special personal interest.

There is no thunderous support by the people of the District of Columbia.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield briefly to the gentleman.

Mr. WAGGONNER. I have a little news item from one of the local newspapers saying that 18,000 from far and near are seeking to hear the House debate on home rule. The galleries are almost empty and I think that is a confirmation of what the gentleman is saying. I wonder where all these people are?

Mr. WHITENER. Of course, I have not taken a census today in the District of Columbia so I do not know where they are. But I know this, we have the Federation of Citizens Association of the District of Columbia, the Washington Metropolitan Board of Trade, and the General Federation of Women's Clubs with 11 million members in the Nation saying to us that they oppose any form of home rule in this city.

I notice that my good friend, the gentleman from New York [Mr. HORTON] yesterday deprecated the position of that great Republican President, President Taft, who in 1912 sent a message to the Congress in which he said that this was not a proper procedure for the Nation's Capital.

This message of 1912, which I put into the RECORD several days ago, has been bandied back and forth.

As I said, President Taft in 1912 made the statement that I put into the RECORD some time ago, but in 1909 he made another statement. This is what he said then, and I think it is as true today as it ever was:

> Washington intended that it be a Federal city, and it is a Federal city, and it tingles down to the feet of every man, whether he comes from Washington State, or Los Angeles, or Texas, when he comes and walks these city streets and starts to feel that "This city is my city; I own a part of the Capital and I envy for the time being those who are able to spend their time here." I quite admit that there are defects in the system of government by which Congress is bound to look after the government of the District of Columbia. It could not be otherwise under such a system, but I submit to the judgment of history that the results vindicate the foresight of the Fathers.

He continued by saying:

> Now, I am opposed to the franchise in the District; I am opposed and not because I yield to anyone in my support and belief in the principles of self-government; but principles are applicable generally, and then, unless you make exceptions to the application of these principles, you will find that they will carry you to very illogical and absurd results. This was taken out of the application of the principle of self-government in the very Constitution that was intended to put it in force in every other part of the country, and it was done because it was intended to have the representatives of all the people in the country control this one city, and to prevent its being controlled by the parochial spirit that would necessarily govern men who did not look beyond the city to the grandeur of the Nation, and this as the representative of that Nation.
>
> I have gotten over being frightened by being told that I am forgetting the principles of the Fathers. The principles of the Fathers are maintained by those who maintain them with reason, and according to the fitness of the thing, and not by those who are constantly shaking them before the mass of voters for the purpose of misleading them.
>
> I think that when it comes to looking into the hearts of the American people, that they will not be convinced when they come to Washington that the Washingtonians are suffering to the degree that requires a reversement of the policy adopted, with entire clearness of mind, by the framers of the Constitution.

I yield to the gentleman from New York, who wishes to controvert the words of the great Republican Taft.

Mr. HORTON. The Taft that I referred to was Senator Robert A. Taft, and the remarks I referred to were the remarks that Senator Taft made in the Senate in May of 1949.

Mr. WHITENER. I am delighted to have that comment, because it indicates that the gentleman is saying that the son of the father did not agree with the father. But, you know, that is not too unusual. I find from looking at the record that the gentleman from New York does not even agree with himself. If Members will look at the hearings on home rule legislation in the 88th Congress before the subcommittee, of which the gentleman from New York is a member, they will find that the formula proposition was then before us for consideration, the same one that is in this bill. I should like to quote the statement of the gentleman from New York at that time on the formula:

> And at the same time it seems to me that this would be a very dangerous precedent with regard to payments to a municipality. And it would, certainly, seem to me that this would be a precedent which might lead to greatly increased payments for Federal buildings and other Federal installations in municipalities and States throughout the country.
>
> I understand that is the purpose of it. I am concerned with the fact that other municipalities could use this same purpose to attempt to increase the Federal contribution or to gain another source of income or revenue for their municipality.

On page 360, the gentleman from New York said:

> It would, certainly, seem to me that this would be a peg on which municipalities could hang their hats to try to get additional money and they would, certainly, be able to point to this, if this precedent were established, or if this provision were accepted, it would be, certainly, a place to which they could point for justifying their own unique situation. And it seems to me that it would open some doors.

That is what the gentleman from New York said just a few months ago. Yet today he is heralding himself as the author, not only of the administration bill, the so-called Multer bill, but all this phony alleged compromise which was devised in the minds of the four men, none of whom found themselves in dispute with each other, but were merely trying to bamboozle the Members of this Congress.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I am delighted to yield to the gentleman from Ohio.

Mr. HARSHA. I should like to ask my good friend, the able and persuasive, and in this particular instance the most successful, leader of the effort to provide a rapid rail transit system for the District of Columbia, whether the gentleman has any view of what, if anything, possibly will happen to the rapid transit system for the District of Columbia?

Mr. WHITENER. I thank the gentleman for mentioning that. Probably I will have to yield to my good friend the gentleman from New York [Mr. MULTER], before I finish my remarks.

I regret that my time has expired and that it is, therefore, necessary that I forgo further discussion at this time. Under the 5-minute rule I shall discuss the rapid transit question further.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. MULTER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. O'BRIEN] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. O'BRIEN. Mr. Chairman, I intend to vote for the Washington home rule bill, with some misgivings, but I am intrigued by the financial support aspects of the bill we have before us.

There has been talk here of compromise in that area and I assume there will be compromise.

Under the original proposal, however, the U.S. Government would pay about

$61,900,000 annually in taxes to the District of Columbia, of which $46,400,000 would be in property taxes and $15,500,000 in business income taxes.

Property taxes paid by others in the District would total $94,200,000. In other words, by applying the current District real property tax to Federal holdings, the Federal Government would pay about one-third of the total property tax in the District.

Defending this approach, section 741 (a) of the bill states:

> In recognition of the unique character of the District of Columbia as the Nation's Capital City, regular annual payments are hereby authorized to be appropriated from revenues of the United States to cover the proper Federal share of the expenses of the government of the District.

I do not quarrel with that statement. This is the Nation's Capital City and, in a sense, part of the cost of keeping it a showplace is a proper charge to all of us.

Nonetheless, I am impelled to seek a comparison between the Capital City of the United States, Washington, and the capital city of the Empire State of New York, Albany, which is my home city.

Could it not be said, with equal fairness: "In recognition of the unique character of the city of Albany as the State's capital city, regular annual payments are hereby authorized to be appropriated from revenues of the State of New York to cover the proper State share of the expenses of the government of the city?"

Earlier in this debate, the distinguished gentleman from Virginia [Mr. SMITH], suggested that enactment of this bill might lead to demands for taxation, or payments in lieu of taxes, on post offices and other Federal facilities across the land.

In most communities, however, the impact of Government installations is slight.

Two sharp exceptions are Washington, with its huge complex of Federal holdings, and Albany, with its huge complex of State holdings. That is why, Mr. Speaker, I am pondering the old question of whether sauce for the goose is not also sauce for the gander.

The total assessed valuation of all property in the District, taxable and exempt, is $5,261,012,451. The total taxable is $2,849,439,428. The total value of Federal holdings, now exempt, is $1,663,107,773.

Now, look, if you will, at my home city, Albany, which is the capital of New York State.

The total assessed valuation there, taxable and exempt, is $536,290,326, of which only $291 million is taxable. I believe that the real value of State and Federal holdings in my small city of 138,000 is over $200 million. Developments now underway, including a downtown mall and uptown State university and State office building complex, will raise this total to at least $291 million, or roughly equal to the total assessed valuation of all taxable property in the city.

In Washington, the total value of Federal holdings is not equal to the total taxable, but less than 60 percent of that figure.

If we applied our current tax rate to presently exempt State and Federal property in our city, we would receive more than $15 million a year.

This bill also would apply the District business income tax to Federal employees residing outside the District. Albany has no such tax.

Washington collects huge amounts annually from nonresidents in the form of sales taxes. Albany has no such taxes.

With the exception of a small tax on business telephones, Albany collects no taxes from those who earn their living in our city and pay property taxes outside the city.

We have one problem in common with Washington. Many of our higher income group, including State workers, reside outside the city, in the suburbs, and pay real property taxes there.

Too often, those people speak with disdain of our parks and streets, overlooking the fact that a shrinking part of our city is carrying the load of maintaining those things.

If the reimbursement principle contained in this bill was carried only part way into the finances of my city, we would be able to take care of all our needs and, in addition, cut our real property taxes far below $56 per thousand, as Washington has been able to do.

My colleagues may wonder why I inject the Albany situation into this problem. They might suggest that my proper forum should be the legislature of the State of New York.

Believe me, that forum has been used. Usually we were told that if we wanted the kind of aid the Federal Government gives Washington, we should become a district and lose our votes.

What can they say, now, as we prepare to grant Washington both home rule and a multimillion dollar annual appropriation to boot?

Mr. MULTER. Mr. Chairman, I yield to the gentleman from New York [Mr. HALPERN], such time as he may consume.

Mr. HALPERN. Mr. Chairman, I rise in enthusiastic support of this legislation. As a longtime advocate of home rule, ever since I came to the House, I feel this bill is good legislation. It is long overdue.

As one who has introduced home rule legislation ever since I have had the privilege of serving in this House, I feel the bill before us is a good, sound, just, and workable measure, and I trust it will prevail overwhelmingly.

Passage of the home rule bill will finally return to the citizens of the District of Columbia the right to elect their own local officials. This is a right possessed by citizens of every other municipality in the United States, but one which has not existed in Washington, D.C., since 1874. Self-government is the only form of government consistent with the American democratic tradition, and it is about time that we reaffirmed this basic right for the residents of Washington, D.C.

Home rule has been an objective of the past four administrations, and legislation to provide home rule has passed the Senate five times since 1948. This legislation has finally come to the floor of the House, and I believe that it is our responsibility, as Members of the U.S. Congress, to bring democracy to the Nation's Capital.

The bill before us provides for the election of a mayor, and a 19-member council, to manage the affairs of the District. I have long believed that this city needs and deserves the full-time attention of locally elected officials, if its problems are to be solved, and its opportunities exploited. In May of this year, when I testified before the Joint Committee on the Organization of Congress, I stated that with all the national and international matters we must cope with, the Congress simply cannot afford the luxury of running a city as vast and complex as the District of Columbia. Nothing has transpired since that time to change my mind. Locally elected officials would have more time to devote to the task of administering the city, they would develop more expertise in its administration, and they would be more responsive to the will of those whom they govern.

I believe that it is clearly constitutional for the Congress to delegate its legislative authority to the District council. In the Thompson Restaurant case, the Supreme Court upheld this principle, and the retention, by the Congress, of ultimate legislative authority for the District, serves to reinforce my judgment of the constitutionality of this delegation. Not only does the Congress reserve the power to initiate legislation for the District, but, in the substitute bill sponsored by our distinguished colleague, the gentleman from New York [Mr. MULTER] the amount to be appropriated annually to the District would be a matter of congressional determination.

I should like to point out that I believe that the formula for determining Federal payments is a just one. Because Washington, D.C., is the seat of government, some 50 percent of the land is taken up by Federal buildings and other tax exempt institutions such as embassies. This substantial tax base is thus removed from the scope of the city's taxing power and it is only right that this loss be mitigated by Federal contributions. Under the formula, these contributions would be comparable to the real property, personal property, and business income, taxes which would have been realized, were the Federal Government a private business with similar assets and an equivalent number of employees. The Bureau of the Budget estimates that the formula would operate to provide a Federal payment of $57 million for fiscal 1966.

The requirement of annual appropriation by the Congress represents only one of the significant modifications of the Senate bill, found in H.R. 11218. Other compromises include increasing the voting age to 21 years, according the President the authority to take command of the Metropolitan Police Force, and providing for the election of city councilmen in the even numbered years, in which there is no presidential election. I believe that this latter provision is extremely important in that it preserves the full force of the Hatch Act in Federal elections, while at the same time, enabling

the thousands of Government employees who live in Washington, to participate fully in their local elections.

Mr. Chairman, I believe that H.R. 11218 is a product, not only of compromise, but of wisdom and justice as well.

A short time ago, we passed the Voting Rights Act of 1965, in which we outlawed voter discrimination based on race or color. We did this because we believed that every eligible citizen has the right to vote in all elections—local elections as well as Federal elections. I said then, and I say again now, that it is wrong to deprive an individual of his right to govern himself by casting his vote. And this is so whether the deprivation is based upon racial discrimination, or the accident of geography. Americans living in Mississippi, Washington, D.C., or New York are equal members of our society and equally entitled to share in its full heritage—and this includes the right to elect those who govern and represent them. That, in summary, is the issue before us today: Will we provide the residents of Washington, D.C., with the full measure of citizenship, or will we give them no voice in the local affairs of their city? To this question, I believe there can be only one answer, and I urge all my colleagues to join in expressing their answer by voting for H.R. 11218.

Mr. MULTER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Chairman, the House of Representatives is on the threshold of a doorway that opens onto a life too long denied to many American citizens. That life is the condition of self-government, and those citizens are the residents of the District of Columbia.

We have before us a bill to grant home rule for those who inhabit the Nation's Capital. This legislation is to allow the people of Washintgon, D.C., to guide their own municipal destiny.

I support this measure and am proud to be one of its sponsors.

For many of us in the House, and I speak particularly of the two gentlemen from Maryland [Mr. MATHIAS and Mr. SICKLES] and my colleague, the gentleman from New York [Mr. MULTER], these days of debate reach close to fulfillment of a mission we began months ago.

I believe the bill we have brought to the House is worthy of widespread support by our colleagues.

It is consistent with our national belief in the fundamental act of self-government. It guarantees representation in the government which taxes for the support of local affairs. It recognizes the distinctions which set Washington apart from other major cities, while also acknowledging that Washingtonians—the men, women, and children of this Capital City—cannot and should not be so set apart from our democratic society.

Yes, Washington is the seat of the Federal Government, conceived and created as a special site to be the home of the American executive, legislative, and judicial branches. In regard to the role of these bodies as Federal instruments, responsive to an entire Nation, there can be no question about their preemptory right.

But, Washington is more than this special site. It is home to hundreds of thousands of people. Because they live here, work here, shop here, rear their families here, go to school here, worship here, and carry on here the kind of life that characterizes the people of any and every other American city, Washington has more than the Federal meaning to them.

The residents of Washington care for this city in the same way that each one of us cares for his home community. A better municipality is their goal. They know, as do we, that its best chance of achievement lies in vesting with the citizens of this community the right to seek it.

Passage of this home rule bill into law will not end Federal interest in Washington. What it will bring about is the beginning of a Federal-local partnership in the governing of Washington where there exists a sound and sensible separation of administrative and legislative control.

Mr. Chairman, I regard the opportunity that now is presented to the House, that of voting approval for an honest and honorable home rule measure, as one that holds historic promise. We who represent can strengthen the very vitality of representative government by its installation in the District of Columbia.

Mr. Chairman, as we come to the end of the 5 hours of general debate, I believe it appropriate to say a word in connection with the House Committee on the District of Columbia.

This is my second term in the Congress. When I first came to the Congress I asked my side of the aisle for the opportunity and the privilege of serving as a member of the House Committee on the District of Columbia. I did so because I have served some 6½ years as a member of the city council of Rochester, N.Y., which is located in my district. I felt, because of that service, I might be able to contribute something to the work of the District of Columbia and the committee.

Since that time I have had the privilege of serving on the committee. I have had the privilege of working very closely with the members of that committee.

Aside from all else we might have said yesterday, we might say today, and might say in the days to follow, I believe it appropriate at this time and at this place to recognize that we have had very able, very conscientious, and very dedicated leadership in the chairman of the House Committee on the District of Columbia. I say that as one who has worked diligently on the District of Columbia Committee. I feel it appropriate at this time to say to the gentleman from South Carolina [Mr. MCMILLAN], that we of the House are grateful for the work he has done and the Members of the House District Committee have done to provide leadership in the District of Columbia.

I wish to say also that I have had the privilege of working on the committee chaired by the gentleman from North Carolina [Mr. WHITENER]. I have the greatest of respect for him, for his ability and for his conscientiousness.

The District is very much better off as a result of the leadership of these two men and of the other men who have served on the District Committee.

I also wish to pay honor at this time to the gentleman from Virginia [Mr. BROYHILL] who served on this committee in the 88th Congress as the ranking Republican member. He gave up that seat in order to go to another committee, and he came back in the 89th Congress to serve on the District Committee, bringing back the many years of experience he has had to the District of Columbia.

I also want to pay my respects at this time to the ranking Republican now serving on the District of Columbia Committee, the gentleman from Minnesota, the Honorable ANCHER NELSEN.

These men and the other men, serving on the District of Columbia Committee, have done everything they could to try to make the District of Columbia one of the best places for the people of this area to live and to make it a city we can all be proud to call our Nation's Capital.

They have also tried their best to protect the Federal interest. I say that to give you the background of the position that I take today, because when I first came to the Congress I came with an open mind with regard to home rule.

I served on the committee chaired by the gentleman from North Carolina, [Mr. WHITENER] and I do not think Mr. WHITENER or any other member of the District Committee can criticize me in any way whatsoever with regard to diligence in attendance or time spent or willingness to spend time to devote to District matters. I sat through the hearings in the 88th Congress on the home rule question, as the gentleman from North Carolina knows. He read some portions of some of the questions I asked at some of those hearings. I had some very serious questions with regard to the Federal payment and had some very serious questions with regard to the matter of home rule. I have often expressed it this way: It is very easy to say that you are for home rule, but when you say that you are, what are you for? There are many ways in which home rule can be given.

I say to you from this background and from this interest that I stand here in the well of the House today arguing for home rule for the people of the District of Columbia. The home rule that I propose is a home rule that is going to be offered shortly in H.R. 11218, which is the so-called compromise bill. I have been very much concerned about the lack of a voice of the people in the District of Columbia.

The gentleman from North Carolina referred to my reference yesterday to the words of Senator Taft. They were not the words of President Taft. I am not familiar with the words the gentleman read, but I am familiar with the words that Senator Taft used in 1949 when this question was before the Senate, in May of that year. I would like to say them

again because I think they bear repeating. The Senator said:

Washington is a great city, one of the greatest cities in the United States, a city of 900,000 people which has the same qualifications for local home rule as any other city in the United States. Here is a city in which Americans are born and grow up without any right of home rule whatsoever; without any right to participate in the Government which controls their daily lives.

That is what we are talking about here today. The Senator continued:

I myself believe that local self-government is almost as important to liberty as national government. I do not believe we can have real freedom in this country without local self-government and the right of people to determine the matters which affect them and their daily lives such as the administration of their schools and the condition of their streets, their various public services and other things in which every community has a vital interest.

These are the things we are talking about today. The vehicle to do it is this bill which will be offered as the amendment, H.R. 11218, which incorporates the provisions of the bill that passed the Senate and which, incidentally, was before our committee.

There has been reference to the fact that this committee on which I serve and I happen at this time to be the ranking Republican on this subcommittee—did not have time to study the question of home rule. The matter of hearing on home rule was not brought up until after the discharge petition was filed in this House. The minute it appeared that 218 Members were going to sign the discharge petition, thereupon there was a quick meeting of the committee called and the retrocession and Sisk bill combination, was reported out.

I spent some time in going through this city. I made a personal tour through the southeast district. Yet, we, as members of the city council, and that is what we are when we sit here, do not have the time to devote to the matters of local interest that are so important. The people of the District need full-time elected officials to be concerned about local problems and to be responsible to the voters of the District.

H.R. 11218 provides for a charter which we, as the Congress, are saying to the District of Columbia is the home rule under which you can live and under which we think you can live and under which we reserve the Federal interest to the Congress of the United States.

That means that we, as the Congress, can amend, we can modify any law that they pass; we can initiate any law. It does not eliminate the House District Committee or the Senate District Committee. It does not eliminate any of the Federal interest that we have.

This is a bill which says to the District people, "Here is the manner in which you can administer your local affairs and we give you that opportunity, when we present this charter to you, and within 4 months after it is passed, you will have a referendum on this bill under which you will vote on the question whether or not you want the bill that we pass here now." This is what we are saying to the people of the District of Columbia, that we feel they should have the opportunity, not three appointed Commissioners; that they should have the opportunity to govern their own local affairs.

If there is a question that involves the Federal Government, they must come back to the Congress. The Federal Government reserves its interest. It has been amply brought out here that the Federal interests are protected.

I say to you here now; I say to the ladies and gentlemen of the House, this is an important thing that we are doing. We are giving the people of the District of Columbia something that they have not had since 1874; namely, the right to elect their own officials.

Mr. MULTER. Mr. Chairman, I yield myself the balance of the time on this side.

Mr. Chairman, despite all that has been said during this long debate on what has not been answered, I direct the attention of the Members to the fact that every one of the bills before the House is completely analyzed in a statement which was sent to every Member of the House by the chairman of the House District Committee. It appears in full at page 211 of the printed hearings. In addition to that, the few changes that have been made in H.R. 4644 as introduced and as it passed the Senate as S. 1118 are analyzed in the home rule hearings. Full explanations were sent to every Member of Congress by letter of the four changes made in S. 1118 by H.R. 11218, which is the substitute I will offer in a few minutes.

In addition to that, set forth in full in the RECORD of September 23, 1965, are these changes, and again in yesterday's RECORD which came to our desks this morning, I have made a complete explanation of these home rule bills and of the substitute.

Once more I say, those who really want to know the provisions of these bills and of the substitute, if they have not listened to us during this debate, can read it all in any number of convenient ways.

Mr. DAWSON. Mr. Chairman, the argument that the home rule bill for the District of Columbia would impair the Federal interest is wholly erroneous. The plain fact is that Congress would fully retain its constitutional authority over the District.

The home rule bill, including the Senate-passed bill (S. 1118), the House bill which was discharged from the committee (H.R. 4644), and the recent bipartisan revised bill (H.R. 11218), contains numerous provisions which will completely safeguard the Federal interest.

Let us look at the specific language of these provisions.

Section 324(a) specifically provides:

All acts of the Council shall at all times be subject to repeal or modification by the Congress of the United States, and nothing herein shall be construed to deprive Congress of the power of legislation over said District in as ample manner as if this Act had not been enacted.

This is a positive and comprehensive guarantee that the Federal interest will never be impaired under the home rule bill. If any conflict between the local and Federal interest should ever arise, Congress can at any time promptly take whatever action is needed to eliminate such conflict. The overriding authority will remain with Congress, and I am confident that this provision alone is fully adequate to protect the Federal interest.

But there are many more provisions in the home rule bill to guarantee that the Federal interest will remain unimpaired by any conceivable action of the local government.

For example, section 324(b) specifically prevents the city council from enacting any laws contrary to the Home Rule Charter Act. In addition, it contains various other restrictions. Thus subparagraph (1) forbids the council from taxing any property of the United States, and subparagraph (5) forbids the council from enacting any law to "amend or repeal any act of Congress which concerns the functions or property of the United States or which is not restricted in its application exclusively in or to the District."

Under these provisions, all the property and every function of the Federal Government is immune from any action taken by the District government. No Federal property can be subjected to taxation by the District. All Federal property will remain subject to Federal law and cannot be regulated or affected by the District council. Nor can any function of the Federal Government, of whatever nature, be subordinated, modified, or affected by any act of the council, because all the functions of the Federal Government will be governed solely by the laws of Congress and the District council will have no power to amend or repeal the laws of Congress.

In the light of these provisions, it is obvious that there is no merit in the argument that the home rule bill will adversely affect the Federal interest.

Further assurance is given by section 324(f), which provides that Congress "reserves the right, at any time, to exercise its constitutional authority as legislature for the District of Columbia, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the District." Such reserved power, moreover, is specifically defined as including, without limitation, the power to enact legislation to amend or repeal any law in force in the District prior to or after enactment of the home rule bill, as well as any act adopted by the District council or the voters of the District. Thus, the Congress can at any time legislate on all matters affecting the Federal interest, or the District interest, including even matters of purely local concern.

Moreover, even the savings clause of the bill, which continues existing law in force until it is lawfully changed, specifically provides—in section 201(b)—that "any such law or regulation may be amended or repealed by act of Congress."

The effect of these provisions is clearly set forth in the Senate report on S.

1118—Senate Report No. 381, 89th Congress, page 4—as follows:

The delegation of permissible home rule to the residents of the District is given with the express reservation that the Congress may at any time revoke or modify the delegation in whole or in part and, further, that the Congress may take such action as, in its wisdom, it deems desirable with respect to any municipal action taken by the people or the government of the municipality under the authority of the charter. The Congress would continue to initiate local legislation should it so desire. Thus the Congress, under the terms of this bill, retains full residual, ultimate, and exclusive legislative jurisdiction over the District in conformity with the constitutional mandate.

But this is not all. There are many additional provisions to insure the total protection of the Federal interest.

Thus, section 324(e) provides that every enactment by the council will be subject to veto by the President of the United States whenever he believes that the act adversely affects a Federal interest, and his veto is final. In addition, section 324(b)(6) prohibits the council from enacting any laws inconsistent with the legislation affecting the duties and responsibilities of the National Capital Planning Commission, which has jurisdiction to guide the comprehensive development of the Nation's Capital.

Furthermore, section 337 provides that the National Capital Planning Commission will continue to review all zoning changes proposed by the council to assure that they are in conformity with the comprehensive plan for the Nation's Capital. The Planning Commission would retain its present authority to adopted redevelopment plans and to designate redevelopment project boundaries. Hence, with the Planning Commission, the President, the Congress, and the people themselves, all watching the District government, it is quite inconceivable that the city council and mayor would or could impair the city by bad zoning, or by urban redevelopment, highway, or other similar construction programs. The charges that the city would build low-cost housing on the Mall or on the Capitol Grounds are just plain bogeyman myths and totally without foundation.

Further, section 324(g) prohibits the council from transferring or modifying any function performed by the U.S. Marshal or by the U.S. Attorney; and section 324(i) forbids any curtailment of the jurisdiction of any U.S. court in the District of Columbia, including the U.S. District Court, the U.S. Court of Appeals, the U.S. Court of Claims, the U.S. Tax Court, the U.S. Court of Military Appeals, or any other U.S. court other than the purely municipal courts such as the Court of General Sessions, the Juvenile Court, the District Tax Court, and so forth.

Also, section 324(a) of the home rule bill precludes the new District government from having any additional authority over the Washington Aqueduct—which is the source of the water supply used in the Nation's Capital—or over the Commission on Mental Health, or over the National Zoological Park, or over the National Guard, or any other Federal agency, unless specifically authorized by Congress.

Many other provisions of the home rule bill will provide for strict control over any runaway actions by the District government. Thus, all the financial transactions of the District government will, under section 721, be fully audited by the General Accounting Office, which will have access to all of the District's books, records, papers, and property, and the GAO will make full reports on these audits to the Congress as well as the city council and the mayor, and section 721(b)(2) directs that all such reports shall be made available for public inspection.

To prevent the possibility that the Federal Government might have to bail out the District from financial difficulties, title VI imposes strict limitations on the city's borrowing authority.

Under section 601, the city's debt ceiling will be limited to a maximum of 12 percent of the total assessed property in the District averaged over the most recent 10-year period, and the city will be prohibited from using more than half of such funds for any purposes except for construction or acquisition of mass transit, highway, water and sanitary sewerage works, or self-liquidating revenue-producing capital projects. Moreover, any borrowing in excess of 2 percent must be approved by the voters of the city at a referendum.

I think all these protections which are contained in the Senate-passed bill are full and complete guarantees that the enactment of home rule will in no way prejudice the Federal interest. But even more protections for the Federal interest have now been incorporated into the bipartisan revised bill (H.R. 11218). Thus, the revised section 741(b) amends the Federal payment formula to require annual congressional appropriation of the Federal payment to the District instead of an automatic payment of the formula amount. In addition, the new section 905 authorizes the President, whenever he deems it necessary or appropriate, to protect the Federal interest in the maintenance of public order in the District, to assume full command of the police force of the District, and even to utilize other law enforcement personnel, including members of the Armed Forces, as special policemen to maintain public order in the District.

I say to my colleagues on both sides of the aisle: This bill is a good bill. It fully protects the Federal interest, while at the same time providing a sensible basis for the exercise of democracy in the local affairs of the District of Columbia. For more than 90 years, the people of the District have been taxed and governed without representation, without a voice in their destiny, and without the modicum of democracy that all of us take for granted in our own home districts. The Senate has passed a home rule bill in six separate Congresses. The time has come for the House of Representatives to let the people of the District become first-class citizens of the United States, like those of all other communities in our country, who can vote for both their national and local officials. I shall vote for the home rule bill. I call on all of you to help democracy and representative government become a reality in this, our Nation's Capital.

Mr. McMILLAN. Mr. Chairman, since so many residents and practically all taxpayers in the District of Columbia are opposed to home rule of any nature, I am enclosing a sample of letters I am receiving from the District on this subject; also you will find a statement showing the present District of Columbia government owes $112,563,843. How do we expect to get this debt paid under the proposed new government?

WASHINGTON, D.C.,
*September 21, 1965.*

Hon. JOHN L. McMILLAN,
*House of Reresentatives,*
*Washington, D.C.*

DEAR CONGRESSMAN: Congratulations on your efforts to defeat the home rule for the District of Columbia.

It is indeed laughable when people state "it is not racial" problem and when indeed those of us who live in the District know what is actually behind the whole situation.

The fact that Martin Luther King has threatened demonstrations with outsiders coming to Washington on a local problem is sufficient to me.

Do you think that tourists will desire coming to the Nation's Capital, a city that belongs to the people of the United States, and which is being run by the minority group and never believe that the best man will get the election, it will be the vote which will count according to the group that is voting.

If those who wish to take part in politics and desire to be represented and to vote in all elections, then let them move to Maryland or Virginia. It is as simple as that.

Thank you for your kind attention.

Sincerely,

J. MATTIE.

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ANDOVER, MASS.,
*September 24, 1965.*

The Honorable JOHN L. McMILLAN.

MY DEAR CONGRESSMAN: Because I am but one man and time to get this message over has all but run out, you will forgive me if it comes to you in photostatic form. Be assured, I wrote it in longhand first, and that it is right from the heart—a personal appeal direct to you.

First, let me disassociate myself and other true humanitarians from Dr. F. L. Thomsen, alleged lobbyist for American Humane Society, for it seems to me he has sown confusion among those who sincerely wish to help establish effective regulation of animal experimentation.

It is a disgrace to this country, to every man and woman in it, and particularly to the Congress, who now have it in their power to amend the situation, that experimenters can do their will, unregulated, on completely unprotected and helpless sentient animals.

Sane and effective laws are long overdue to prevent abuses, by the few, of the unrestrained freedom now permitted to all vivisectionists. We have no right to assume they are all kindhearted men with no sadists among them; for this is not the fact.

I urge you, sir, to support legislation to prevent theft and mistreatment of dogs and cats for sale to laboratories, by licensing dealers and laboratories who buy from them, and empowering the Secretary of Agriculture to inspect the premises and enforce decent standards.

Most sincerely,

C. A. WOOD.

WASHINGTON, D.C.,
*September 23, 1965.*

JOHN L. MCMILLAN,
*Chairman, House District Committee.*

DEAR MR. CHAIRMAN: I have been a resident of the District of Columbia for 1 year. I am expecting a baby early in October and I am not married.

Tuesday, September 1, 1965, I went to the Child Welfare Division of the District government to seek assistance and advice. I was interviewed by Miss Fine.

Miss Fine was gracious enough to say that I could be allowed to have the baby in D.C. General Hospital. However, Miss Fine was absolutely unconcerned about my welfare between now and the time I enter the hospital. She showed no concern about my welfare after I leave the hospital and before I can once again start working.

After I became pregnant I continued to work until my condition was obvious and I was forced to quit. For the past 2 months the man responsible for my condition has paid my rent and bought my food. This seems to be the reason Miss Fine will not help me.

He can no longer help me financially. He has to maintain a home for his two children in Arkansas and pay his own living expenses here in Washington. He lives in one room of a boarding house.

Sir, will you please look into this matter immediately and see for yourself if I am being treated fairly by the District government. I cannot help but feel that if I was a Negro girl and didn't know who the father was that I would already be receiving assistance. I am white and consider myself half way decent.

All I want is assistance until I can return to work and once again become a taxpayer.

Your assistance will be greatly appreciated. Please notify me with any information as soon as possible.

CONNIE L. CONKLIN.

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WASHINGTON, D.C.

Hon. JOHN L. MCMILLAN.

DEAR SIR: Home rule for this city would be a very bad thing. I own a small home and I want things to remain just as they are.

If these people want to vote so bad let them move to Virginia or Maryland, but I think there is more to this than a local issue.

If, as I think, the Communists are back of the Negro drive, after they get control of the District of Columbia it would be a matter of time they would try to control the country. There are more people in this than the local Negroes. I work in a store, some few years ago at 14th Street store a colored woman came in with two men who wore white turbans and talked with an accent. One ask me to give the lady an ice cream cone. I made it and when I held it out for them to take no one reached for it so I set it on the counter. The one man started to yell and insult me. How dare I insult this lady by putting the cone on the floor, he banged the counter with his fist. I picked up a small iron bar and ordered him out I told him, because he had been in the Army overseas he probably picked up his accent he could not come back and insult us. He said I have my credentials but he did not say where came from. The woman stood there just like it had all been prearranged.

Two Indian women came in the store with a Negro man (he was half drunk), the women asked for cigarettes. I ask again what kind and they repeated the name but before I could get them the man insulted me and the women laughed and they all left the store. Many things like this go on all the time.

The Negroes talk of housing, they are taking them all they have so surrounded three different churches I have attended they have sold to them and moved away.

The crew at many of the stores have been changed from white to colored.

Visit many People's Drug Stores and see how many have white people.

They move into apartment and 90 percent make so much trouble and noise, the white people move away.

The Negro business people hire Negroes and if white business is forced to hire them where are the white people going to work?

I do not dislike the colored race but I am getting tired of the insults of the kind that belongs to this drive they have.

One woman came in and pushed ahead of the line of customers I was waiting on and started to argue, I ask what she was arguing about and she told me she could say anything to me she wanted to and I couldn't do anything about it.

There are many good people in all races, but the M. L. King's bunch are not doing this country any good and our country comes first.

Please stop this home rule. Thank you.

Please keep my name confidential.

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WASHINGTON, D.C.,
*September 24, 1965.*

The Honorable JOHN L. MCMILLAN,
*Chairman, House District Committee,*
*Washington, D.C.*

MY DEAR MR. MCMILLAN: Your report on the proposed home rule bill was excellent. If ever there was an uniquitous piece of legislation, this is it.

Has anyone yet considered what home rule in the District with the certainty of a Negro mayor and council, would mean to the policemen of this city?

As of now, they are jumped on, attacked, beaten, when, in the course of the performance of their duty, they try to arrest a Negro.

This, while the Commissioners are in control, and the city under the congressional committees. What will be the fate of these brave officers if we have a local Negro government here? It is a good guess that many will lose their lives. Someone should think about the policemen in a new setup.

Another thing the Members of Congress who are for home rule, and live in the District, do not think about; is their own personal safety, that of their families, and their homes. Things will be very different for them with the Negroes in control here. As a Negro was heard saying to another, on a bus, recently: "When we get home rule, then Whitey will get his." To my own knowledge, four white families plan to leave the District, should home rule be passed.

Yours truly,

M. N. PATTERSON Sr.

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DISTRICT OF COLUMBIA GOVERNMENT

The total District indebtedness to U.S. Treasury is as follows:

| | |
|---|---|
| General fund | $20,346,600 |
| Highway fund | 39,624,970 |
| Water fund | 20,568,148 |
| Sanitary sewage works fund | 11,299,125 |
| Metropolitan area sanitary sewage works fund | 20,725,000 |
| Total | 112,563,843 |

Budget estimates for fiscal year 1966. Total estimates called for $387,467,800. The House approved the sum of $356,300,500. The budget, as submitted, was out of balance $27.5 million. In deducting the rapid rail transit figure, which was deferred, the budget was out of balance $21.8 million. The Senate approved a bill containing $364,358,347. The total amount agreed upon in conference was $360,228,500. The Federal payment was $43 million.

Federal contributions to the District of Columbia appear on pages 189–192 of the hearings for fiscal year 1966. The total amount estimated for fiscal year 1966 is $100,766,592. The District's portion of matching money is $38,175,853. These figures do not include the Federal payment in the District of Columbia budget.

The Federal Government in fiscal year 1966 will expend $72,965,000 on the highway system in the District. The District's portion will be $9,390,000.

For public welfare in fiscal year 1966 the Federal Government will expend $10,851,669. For urban renewal the Federal Government will expend $4,101,266. For public health the Federal Government will expend $3,629,593. For public works the sum of $6,894,829 will be expended. For vocational rehabilitation the sum of $983,880 will be expended.

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WASHINGTON, D.C.,
*September 23, 1965.*

Hon. JOHN L. MCMILLAN,
*House Office Building,*
*Washington, D.C.*

DEAR CONGRESSMAN MCMILLAN: The Committee on the District of Columbia is doing an excellent job in spite of pressures from various groups for which we are thankful. Much has been said about protecting the Federal employee under the Hatch Act but it seems to me that the District needs a special "Hatch Act" as its citizens partake in partisan politics. In the last election, many of our citizens who were dependent on the local government for the necessities of life complained of pressures that were brought against them to partake in politics. It seems unfair that these unfortunate persons should be preoccupied in politics while they are struggling to eke out a living.

If Washington gets home rule, it should have a system that is better than the present system. An improvement might be a council-manager government in which no individual councilman or group of councilmen could fear pressure on the manager or his employees. The only political offices would be those of the councilmen. Conduct of councilmen and employees would be spelled out in a code of ethics made part of the city's charter. Members of Congress, local political leaders, and citizens living or working in Washington would be urged to keep a careful scrutiny of the council's conduct so that all America could be proud of its Capital. Whatever government Washington has, it can improve itself only when all concerned start doing what is right and stop excusing what is wrong.

Sincerely yours,

WILLIAM R. PHILLIPS.

The CHAIRMAN. The time of the gentleman from New York [Mr. MULTER] has expired. All time has expired.

Pursuant to the rule, the Clerk will now read the bill by titles, instead of by sections.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the strengthened validity of principles of local self-government by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in

the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation.

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TITLE I—DEFINITIONS

*Definitions*

SEC. 101. For the purposes of this Act—

(1) The term "District" means the District of Columbia.

(2) The terms "District Council" and "Council" mean the Council of the District of Columbia provided for by title III.

(3) The term "Chairman" means the Chairman of the District Council provided for by title III.

(4) The term "Mayor" means the Mayor provided for by title IV.

(5) The term "qualified voter" means a qualified voter of the District as specified in section 807, except as otherwise specifically provided.

(6) The term "act" includes any legislation adopted by the District Council, except where the term "Act" is used to refer to this Act or other Acts of Congress herein specified.

(7) The term "District Election Act of 1955" means the Act of August 12, 1955 (69 Stat. 699), as amended.

(8) The term "primary election" means an election held to nominate candidates of a political party for inclusion on the ballot in a general election.

(9) The term "political party" means an organization which qualifies as such under any provision of the District Election Act of 1955.

(10) The term "person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(11) The term "capital project", or "project", means (a) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (b) the acquisition of property of a permanent nature; or (c) the purchase of equipment for any public betterment or improvement when first erected or acquired.

(12) The term "pending", when applied to any capital project, means authorized but not yet completed.

(13) The term "Board of Elections" means the Board of Elections created by section 3 of the District Election Act of 1955.

(14) The term "election", unless the context otherwise indicates, means an election held pursuant to the provisions of this Act.

(15) The term "domicile" means that place where a person has his true, fixed, and permanent home and to which, when he is absent, he has the intention of returning.

(16) The terms "publish" and "publication", unless otherwise specifically provided herein, mean publication in a newspaper of general circulation in the District.

(17) The term "municipal courts of the District of Columbia" means the District of Columbia Court of General Sessions, the District of Columbia Court of Appeals, the District of Columbia Tax Court, the juvenile court of the District of Columbia, and such other municipal courts as the District Council may hereafter establish by act.

(18) The terms "Delegate" and "District Delegate" mean the Delegate from the District of Columbia provided for by title XV.

Mr. MULTER (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the title be dispensed with, that it be printed in the RECORD and be open for amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The CLERK. The amendment offered by Mr. MULTER is to strike all after the enacting clause and insert in lieu thereof the following:

That, subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the

strengthened validity of principles of local self-government by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation.

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(18) The terms "Delegate" and "District Delegate" mean the Delegate from the District of Columbia provided for by title XV.

TITLE II—STATUS OF THE DISTRICT

Status of the District

SEC. 201. (a) All of the territory constituting the permanent seat of the Government of the United States shall continue

to be designated as the District of Columbia. The District of Columbia shall remain and continue a body corporate, as provided in section 2 of the Revised Statutes relating to said District. Said Corporation shall continue to be charged with all the duties, obligations, responsibilities, and liabilities, and to be vested with all of the powers, rights, privileges, immunities, and assets, respectively, imposed upon and vested in said Corporation, the Board of Commissioners of the District of Columbia, any person appointed from civil life as a member of the Board of Commissioners of the District or the Engineer Commissioner of the District of Columbia.

(b) No law or regulation which is in force on the effective date of part 2, title III, of this Act shall be deemed amended or repealed by this Act except to the extent that such law or regulation is inconsistent with this Act: *Provided*, That any such law or regulation may be amended or repealed by legislation or regulation as authorized in this Act, or by Act of Congress.

(c) Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the Act of October 31, 1945 (59 Stat. 552).

TITLE III—THE DISTRICT COUNCIL

*Part I—Creation of the District Council*

Creation and Membership

SEC. 301. There is hereby created a Council of the District of Columbia consisting of nineteen members, one elected from each of fourteen wards and five elected at-large, all as provided in title VIII.

Qualifications for Holding Office

SEC. 302. No person shall hold the office of member of the District Council unless he (1) is a qualified voter, (2) is domiciled in the District and, if he is nominated from a particular ward, resides in the ward from which he is nominated, (3) has, during the three years next preceding his nomination, resided and been domiciled in the District, (4) if he is nominated from a particular ward, has, for one year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (5) holds no other elective public office, (6) holds no position as an officer or employee of the municipal government of the District of Columbia or any appointive office, for which compensation is provided out of District funds, and (7) holds no office to which he was appointed by the President of the United States and for which compensation is provided out of Federal or District funds. A member of the Council shall forfeit his office upon failure to maintain the qualifications required by this section.

Compensation

SEC. 303. Each member of the District Council, except the Chairman, shall receive compensation at a rate of $9,000 per annum, payable in periodic installments. The Chairman shall receive compensation at a rate of $10,000 per annum, payable in periodic installments. All members shall receive such additional allowances for expenses as may be approved by the Council to be paid out of funds duly appropriated therefor.

Changes in Membership and Compensation of District Council Members

SEC. 304. The number of members constituting the District Council, the qualifications for holding office, and the compensation of such members may be changed by act passed by the Council: *Provided*, That no such act shall take effect until after it has been assented to by a majority of the qualified voters of the District voting at an election on the proposition set forth in any such act.

*Part 2—Principal Functions of the District Council*

Board of Commissioners Abolished and Functions Transferred to District Council

SEC. 321. (a) The Board of Commissioners of the District, the offices of Commissioner, Engineer Commissioner, and Assistants to the Engineer Commissioner of the District, are hereby abolished.

(b) Except as otherwise provided in this Act, all functions granted to or imposed upon the Board of Commissioners of the District are hereby transferred to the District Council except those powers hereinafter specifically conferred on the Mayor.

Functions Relating to Certain Agencies

SEC. 322. (a) Subject to the provisions of subsection (b) of this section—

(1) The Board of Education provided for in section 2 of the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia", approved June 20, 1906 (34 Stat. 316), together with all teachers, officers, and other employees thereof, are hereby continued in the municipal government of the District of Columbia. To the extent that the Act of June 20, 1906, or any other act relating to the public schools of the District of Columbia refers to a Commissioner or Commissioners of the District of Columbia, the terms shall mean, after the effective date of this section, the Mayor or such other District officer or officers as he may designate.

(2) The Zoning Commission created by the first section of the Act of March 1, 1920, creating a Zoning Commission for the District of Columbia, as amended (D.C. Code 1951 ed., sec. 5–412), is hereby abolished, and its functions are transferred to the District Council.

(3) The first sentence of section 2 of the Act of June 4, 1948 (62 Stat. 339), is hereby amended to read as follows: "There is hereby established an Armory Board, to be composed of three members who shall be appointed by the Mayor by and with the advice and consent of the Council and who shall serve at the pleasure of the Mayor."

(4) All functions and authority vested in the President by the Act of June 12, 1934 (48 Stat. 930), as amended, are hereby transferred to and vested in the Mayor.

(5) The District of Columbia Redevelopment Land Agency, a body corporate of perpetual duration, established by the District of Columbia Redevelopment Act of 1945 (60 Stat. 790), as amended, is hereby transferred to and continued in, the municipal government of the District of Columbia. Section 4(a) of said Act is hereby amended to read as follows: "The District of Columbia Redevelopment Land Agency is hereby established and shall be composed of five members who shall be appointed by the Mayor by and with the advice and consent of the Council. Each appointee shall be a resident of the District of Columbia and at least three members shall be engaged or employed during tenure of office in private business or industry or the private practice of a profession therein. Appointees shall serve at the pleasure of the Mayor. The members shall receive no salary as such, but those members who hold no other salaried public position shall be paid a per diem of $20 for each day of service at meetings or on the work of the Agency and may be reimbursed for any expenses legitimately incurred in the performance of such service or work; except that the amount authorized as per diem may be changed by act passed by the Council."

(6) The Public Service Commission of the District of Columbia; the Recreation Board; the Board of Zoning Adjustment; and the Zoning Advisory Council are hereby abolished and their functions transferred to the District Council for exercise in such manner and by such person or persons as the Council may direct.

(b) Notwithstanding the provisions of subsection (a) of this section, the agencies referred to therein, other than the Board of Education, shall, for a period of one hundred and eighty days from the effective date of this section, unless within such period the District Council shall otherwise direct, continue to exercise the functions imposed on them by the laws in effect on the effective date of this section, except that insofar as such laws refer to a Commissioner or Commissioners of the District of Columbia the terms shall mean, after the effective date of this section, the Mayor or such other District officer or officers as he may designate.

(c) In the case of the Board of Education continued under paragraph (1) of subsection (a) of this section, the members of the Board serving as such on the date immediately prior to the effective date of this section shall continue to serve, and vacancies on such Board shall continue to be filled, in accordance with the provisions of section 2 of the Act of June 20, 1906, as it existed immediately prior to its amendment by this Act, until such time as the persons first elected to the Board of Education following such effective date have qualified to take office.

Certain Delegated Functions

SEC. 323. No function of the Board of Commissioners of the District which such Board has delegated to an officer or agency of the District shall be considered as a function transferred to the Council by section 321. Each such function is hereby transferred to the officer or agency to whom or to which it was delegated, until the Mayor or Council, or both, pursuant to the powers herein granted, shall revoke, modify, or transfer such delegation.

Powers of and Limitations Upon District Council and the Qualified Voters of the District of Columbia

SEC. 324. (a)(1) The legislative power granted to the District by this Act shall be vested in the Council, and in the qualified voters of the District of Columbia (as provided in section 1701 of title XVII of this Act).

(2) Except as provided in subsection (b) of this section, the legislative power of the District shall extend to all rightful subjects of legislation within the District, consistent with the Constitution of the United States and the provisions of this Act, subject, nevertheless, to all the restrictions and limitations imposed upon States by the tenth section of the first article of the Constitution of the United States; but all acts of the Council and the qualified voters of the District of Columbia shall at all times be subject to repeal or modification by the Congress of the United States, and nothing herein shall be construed to deprive Congress of the power of legislation over said District in as ample manner as if this Act had not been enacted: *Provided*, That nothing in this section shall be construed as vesting in the District government any greater authority over the Washington Aqueduct, the Commission on Mental Health, the National Zoological Park, the National Guard of the District of Columbia, or, except as otherwise specifically provided in this Act, over any Federal agency than was vested in the Board of Commissioners of the District prior to the effective date of part 2, title III, of this Act.

(b) Neither the Council nor the qualified voters of the District of Columbia may pass any act contrary to the provisions of this Act, or—

(1) impose any tax on property of the United States;

(2) lend the public credit for support of any private undertaking;

(3) authorize the issuance of bonds except in compliance with the provisions of title VI;

(4) authorize the use of public money in support of any sectarian, denominational, or private school except as now or hereafter authorized by Congress;

(5) enact any act to amend or repeal any Act of Congress which concerns the functions or property of the United States or which is not restricted in its application exclusively in or to the District;

(6) pass any act inconsistent with or contrary to the Act of June 6, 1924 (43 Stat. 463), as amended by the Act of April 30, 1926 (44 Stat. 374), by the Act of July 19, 1952 (66 Stat. 781), and the Act of May 29, 1930 (46 Stat. 482), as amended, and the Council shall not pass any act inconsistent with or contrary to any provision of any Act of Congress as it specifically pertains to any duty, authority, and responsibility of the National Capital Planning Commission; except insofar as the above-cited or other referred to Acts refer to the Engineer Commissioner of the District of Columbia or the Board of Commissioners of the District, the former of which terms, after the effective date of this part, shall mean the Mayor or some District government official deemed by the Mayor to be best qualified, and designated by him to sit in lieu of the Mayor as a member of the National Capital Planning Commission and the National Capital Regional Planning Council, and the latter term shall mean the Council.

(c) Every act shall include a preamble, or be accompanied by a report, setting forth concisely the purposes of its adoption. Every act shall be published within seven days after its passage, as the Council may direct.

(d) An act passed by the Council shall be presented by the Chairman of the Council to the Mayor who shall, within ten calendar days after the act is presented to him, either approve or disapprove such act. If the Mayor shall approve such act (which he shall do by affixing his signature thereto), he shall present the act to the President. If the Mayor shall disapprove such act, he shall, within ten calendar days after it is presented to him, return such act to the Council setting forth his reasons for such disapproval. If any act so passed shall not be returned to the Council by the Mayor within ten calendar days after it shall have been presented to him, the Mayor shall be deemed to have approved such act and he shall present the same to the President. If, within thirty calendar days after an act has been returned by the Mayor to the Council with his disapproval, two-thirds of the members of the Council vote to pass such act, the Chairman of the Council shall again present the act to the Mayor who shall, within five calendar days, present the same to the President.

(e) Any act which has been passed by the Council and which, in accordance with subsection (d) has been presented to the President, shall become law unless, within ten calendar days after it is so presented to the President, he shall, in accordance with this subsection, disapprove the same. The President may, if he is satisfied that any such act adversely affects a Federal interest, disapprove such act, in which event he shall return the act to the Mayor with his objections and, notwithstanding any other provision of this Act, such act shall not become law. The Mayor shall inform the Council of any such disapproval.

(f) The Congress of the United States reserves the right, at any time, to exercise its constitutional authority as legislature for the District of Columbia, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the District Council and the qualified voters of the District of Columbia by this Act, including without limitation, legislation to amend or repeal any law in force in the District prior to or after enactment of this Act and any act passed by the Council or by the qualified voters of the District of Columbia.

(g) Upon the effective date of this title, jurisdiction over the municipal courts of the District of Columbia shall vest with the District Council in all matters pertaining to the organization and composition of such courts, and to the appointment or selection, qualification, tenure, and compensation of the judges thereof: *Provided*, That the Council shall not transfer or modify any function performed by the United States marshal or the United States attorney for the District on the effective date of this section. Nothing in this Act shall be construed to change the tenure of any persons occupying positions as judges of the municipal courts of the District of Columbia on the effective date of this part, except that their compensation may be increased.

(h) On or after the effective date of this part, any person appointed or elected to serve as judge of one of the municipal courts of the District of Columbia shall not (1) be appointed or elected to serve for a term of less than ten years, or (2) receive as compensation for such service an amount less than the amount payable to an associate judge of the District of Columbia Court of General Sessions on the effective date of this part.

(i) Nothing in this section shall be construed to curtail the jurisdiction of the United States District Court for the District of Columbia or any other United States court other than the municipal courts of the District of Columbia.

(j) Nothing in this section shall be construed as prohibiting the Council from enacting legislation conferring upon the District of Columbia Court of Appeals exclusive jurisdiction to review orders and decisions of administrative agencies of the District denying, revoking, suspending, or refusing to renew or restore any license or registration to engage in any profession, vocation, trade, calling, or business, which under law is now or hereafter required to be licensed or registered.

*Part 3—Organization and procedure of the District Council*

The Chairman

SEC. 331. The District Council shall elect from among its members a Chairman who shall be the presiding officer of the Council and a Vice Chairman, who shall preside in the absence of the Chairman. When the Mayor is absent or unable to act, or when the office is vacant, the Chairman shall act in his stead. The term of the Chairman shall be for the remainder of his term as a member of the Council.

Secretary of the District Council; Record and Documents

SEC. 332. (a) The Council shall appoint a secretary as its chief administrative officer and such assistants and clerical personnel as may be necessary. Notwithstanding any other provision of this Act, the compensation and other terms of employment of such secretary, assistants, and clerical personnel shall be prescribed by the Council.

(b) The secretary shall (1) keep a record of the proceedings of the Council, (2) keep a record showing the text of all acts introduced and the ayes and noes of each vote, (3) authenticate by his signature and record in full in a continuing record kept for that purpose all acts passed by the Council and by the qualified voters of the District of Columbia, and (4) perform such other duties as the Council may from time to time prescribe.

Meetings

SEC. 333. (a) The first meeting of the Council after this part takes effect shall be called by the member who receives the highest vote in the election provided in title VIII. He shall preside until a Chairman is elected. Following each such election, but not later than December 15 of the year of the election, the secretary of the Council shall call the first meeting of the Council elected in such election for a date not later than January 7 of the next year.

(b) The Council shall provide for the time and place of its regular meetings. The Council shall hold at least one regular meeting in each calendar week except that during July and August it shall hold at least two regular meetings in each month. Special meetings may be called, upon the giving of adequate notice, by the Mayor, the Chairman, or any three members of the Council.

(c) Meetings of the Council shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The records of the Council provided for in section 332(b) shall be open to public inspection and available for copying during all regular office hours of the Council Secretary. Any citizen shall have the right to petition and be heard by the Council at any of its meetings, within reasonable limits as set by the Council Chairman, the Council concurring.

Committees

SEC. 334. The Council Chairman, with the advice and consent of the Council, shall determine the standing and special committees which may be expedient for the conduct of the Council's business. The Chairman shall appoint members to such committees. All committee meetings shall be open to the public except when ordered closed by the committee chairman, with the approval of a majority of the members of the committee.

Acts and Resolutions

SEC. 335. (a) The Council, to discharge the powers and duties imposed herein, shall pass acts and adopt resolutions, upon a vote of a majority of the members of the Council, unless otherwise provided herein. Acts shall be used for all legislative purposes. Resolutions shall be used to express simple determinations, decisions, or directions of the Council of a special or temporary character.

(b)(1) The enacting clause of all acts passed by the Council shall be, "Be it enacted by the Council of the District of Columbia:".

(2) The resolving clause of all resolutions passed by the Council shall be, "The Council of the District of Columbia hereby resolves,".

(c) A special election may be called by resolution of the Council to present for referendum vote of the people any proposition upon which the Council desires to take such action.

Passage of Acts

SEC. 336. The Council shall not pass any act before the thirteenth day following the day on which it is introduced. Subject to the other limitations of this Act, this requirement may be waived by the unanimous vote of the members present: *Provided*, That the members present constitute a majority of the Council.

Procedure for Zoning Acts

SEC. 337. (a) Before any zoning act for the District is passed by the Council—

(1) the Council shall deposit the act in its introduced form with the National Capital Planning Commission. Such Commission shall, within thirty days after the day of such deposit, submit its comments to the Council, including advice as to whether the proposed act is in conformity with the comprehensive plan for the District of Columbia. The Council may not pass the act unless it has received such comments or the Commission has failed to comment within the thirty-day period above specified; and

(2) the Council (or an appropriate committee thereof) shall hold a public hearing on the act. At least thirty days' notice of

the hearing shall be published as the Council may direct. Such notice shall include the time and place of the hearing and a summary of all changes in existing law which would be made by adoption of the act. The Council (or committee thereof holding a hearing) shall give such additional notice as it finds expedient and practicable. At the hearing interested persons shall be given reasonable opportunity to be heard. The hearing may be adjourned from time to time. The time and place of the adjourned meeting shall be publicly announced before adjournment is had.

(b) The Council shall deposit with the National Capital Planning Commission each zoning act passed by it.

Investigations by District Council

SEC. 338. (a) The Council, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District; and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence. For such purpose any member of the Council (if the Council is conducting the inquiry) or any member of the committee, or the person conducting the inquiry, may issue subpenas and may administer oaths.

(b) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Council, committee, or person conducting the investigation shall have power to refer the matter to any judge of the United States District Court for the District of Columbia, who may by order require such person to appear and to give or produce testimony or books, papers, or other evidence, bearing upon the matter under investigation; and any failure to obey such order may be punished by such court as a contempt thereof as in the case of failure to obey a subpena issued, or to testify, in a case pending before such court.

TITLE IV—MAYOR

Election, Qualifications, and Salary

SEC. 401. (a) There is hereby created the office of Mayor of the District of Columbia. The Mayor shall be elected as provided in title VIII.

(b) No person shall hold the office of Mayor unless he (1) is a qualified voter, (2) is domiciled and resides in the District, (3) has, during the three years next preceding his nomination, been resident in and domiciled in the District, (4) holds no other elective public office, (5) holds no position as an officer or employee of the municipal government of the District of Columbia or any appointive office, for which compensation is provided out of District funds, and (6) holds no office to which he was appointed by the President of the United States and for which compensation is provided out of Federal or District funds. The Mayor shall forfeit his office upon failure to maintain the qualifications required by this section.

(c) The Mayor shall receive an annual salary of $27,500, and an allowance for official reception and representation expenses, which he shall certify in reasonable detail to the District Council, of not more than $2,500 annually. Such salary shall be payable in periodic installments.

(d) Notwithstanding any other provision of this Act, the method of election, the qualifications for office, the compensation and the allowance for official expenses pertaining to the office of Mayor may be changed by acts passed by the Council: *Provided,* That no such act shall take effect until after it has been assented to by a majority of the qualified voters of the District voting at an election on the proposition set forth in any such act.

Powers and Duties

SEC. 402. The executive power of the District shall be vested in the Mayor who shall be the chief executive officer of the District government. He shall be responsible for the proper administration of the affairs of the District coming under his jurisdiction or control, and to that end shall have the following powers and functions:

(1) He shall designate the officer or officers of the executive department of the District who shall, during periods of disability or absence from the District of the Mayor, the Chairman, and the Vice Chairman of the Council, execute and perform all the powers and duties of the Mayor.

(2) He shall act as the official spokesman for the District and as the head of the District for ceremonial purposes.

(3) He shall administer all laws relating to the appointment, promotion, discipline, separation, and other conditions of employment of personnel in the office of the Mayor, personnel in executive departments of the District, and members of the boards, commissions, and other agencies, who, under laws in effect on the effective date of this section, are subject to appointment and removal by the Commissioners. All actions affecting such personnel and such members shall, until such time as legislation is enacted by the Council superseding such laws and establishing a permanent District government merit system or systems, pursuant to section 402(4), continue to be subject to the provisions of Act of Congress relating to the appointment, promotion, discipline, separation, and other conditions of employment applicable to officers and employees of the District government, to section 1001(d) of this Act, and where applicable, to the provisions of the joint agreement between the Commissioners and the Civil Service Commission authorized by Executive Order Numbered 5491 of November 18, 1930, relating to the appointment of District personnel. He shall appoint or assign persons to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners of the District and shall have power to remove such persons from such positions. The officers and employees of each agency with respect to which legislative power is delegated by this Act and which, immediately prior to the effective date of this section, was not subject to the administrative control of the Board of Commissioners of the District, shall continue to be appointed and removed in accordance with applicable laws until such time as such laws may be superseded by legislation passed by the Council establishing a permanent District government merit system or systems pursuant to section 402(4).

(4) He shall administer the personnel functions of the District covering employees of all District departments, boards, commissions, offices, and agencies, except as otherwise provided by this Act. Personnel legislation enacted by Congress, prior to or after the effective date of this section, including, without limitation, legislation relating to appointments, promotions, discipline, separations, pay, unemployment compensation, health, disability and death benefits, leave, retirement, insurance, and veterans' preference, applicable to employees of the District government, as set forth in section 1002 (c), shall continue to be applicable until such time as the Council shall, pursuant to this section, provide equal or equivalent coverage under a District government merit system or systems. The District government merit system or systems shall be established by legislation of the Council. The system or systems may provide for continued participation in all or part of the Federal Civil Service system and shall provide for persons employed by the District government immediately preceding the effective date of such system or systems personnel benefits, including but not limited to, pay, tenure, leave, residence, retirement, health and life insurance, and employee disability and death benefits, all at least equal to those provided by legislation enacted by Congress, or regulation adopted pursuant thereto, and applicable to such officers and employees immediately prior to the effective date of the system or systems established pursuant to this Act. The District government merit system or systems shall take effect not earlier than one year nor later than five years after the effective date of this section.

(5) He shall, through the heads of administrative boards, offices, and agencies, supervise and direct the activities of such boards, offices, and agencies.

(6) He shall, at the end of each fiscal year, prepare reports for such year of (a) the finances of the District, and (b) the administrative activities of the executive office of the Mayor and the executive departments of the District. He shall submit such reports to the Council within ninety days after the close of the fiscal year.

(7) He shall keep the Council advised of the financial condition and future needs of the District and make such recommendations to the Council as may seem to him desirable.

(8) He may submit drafts of acts to the Council.

(9) He shall perform such other duties as the Council, consistent with the provisions of this Act, may direct.

(10) He may delegate any of his functions (other than the function of approving or disapproving acts passed by the Council or the function of approving contracts between the District and the Federal Government under section 901) to any officer, employee, or agency of the executive office of the Mayor, or to any director of an executive department who may, with the approval of the Mayor, make a further delegation of all or a part of such functions to subordinates under his jurisdiction.

(11) There shall be a City Administrator, who shall be appointed by the Mayor and who may be removed by the Mayor. The City Administrator shall be the principal managerial aid to the Mayor, and he shall perform such duties as may be assigned to him by the Mayor.

(12) The Mayor or the Council may propose to the executive or legislative branches of the United States Government legislation or other action dealing with any subject not falling within the authority of the District government, as defined in this Act.

(13) As custodian he shall use and authenticate the corporate seal of the District in accordance with law.

(14) He shall have the right, under the rules to be adopted by the Council, to be heard by the Council or any of its committees.

(15) He is authorized to issue and enforce such administrative orders, not inconsistent with any Act of the Congress or any act of the Council or of the qualified voters of the District of Columbia, as are necessary to carry out his functions and duties.

TITLE V—THE DISTRICT BUDGET

Fiscal Year

SEC. 501. The fiscal year of the District of Columbia shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

Budgetary Details Fixed by District Council

SEC. 502. (a) The Mayor shall prepare and submit not later than April 1, to the District Council, in such form as the Council shall approve, the annual budget estimates of the District and the budget message.

(b) The Mayor shall, in consultation with the Council, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency in accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information

on performance and program costs as shown by the accounts.

Adoption of Budget

SEC. 503. The Council shall by act adopt a budget for each fiscal year not later than May 15, except that the Council may, by resolution, extend the period for its adoption. The effective date of the budget shall be July 1 of the same calendar year.

Five-Year Capital Program

SEC. 504. (a) Prior to the adoption of the annual budget, the Council shall adopt a five-year capital program and a capital budget.

(b) The Mayor shall prepare the five-year capital program and shall submit said program and the capital budget message to the Council, not later than February 1.

(c) The capital program shall include:

(1) a clear general summary of its contents;

(2) a list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements;

(3) cost estimates, methods of financing, and recommended time schedules for each such improvement; and

(4) the estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

(d) The capital program shall be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.

(e) Actual capital expenditures shall be carried each year as the capital outlay section of the current budget. These expenditures shall be in the form of direct capital outlays from current revenues or debt service payments.

Budget Establishes Appropriations

SEC. 505. The adoption of the budget by the Council shall operate to appropriate and to make available for expenditure, for the purposes therein named, the several amounts stated therein as proposed expenditures, subject to the provisions of section 702.

Supplemental Appropriations

SEC. 506. The Council may at any time adopt an act by vote of a majority of its members rescinding previously appropriated funds which are then available for expenditure, or appropriating funds in addition to those theretofore appropriated to the extent unappropriated funds are available; and for such purpose unappropriated funds may include those borrowed in accordance with the provisions of section 621.

TITLE VI—BORROWING

*Part 1—Borrowing for Capital Improvements*

Borrowing Power; Debt Limitations

SEC. 601. The District may incur indebtedness by issuing its bonds in either coupon or registered form to fund or refund indebtedness of the District at any time outstanding and to pay the cost of constructing or acquiring any capital projects requiring an expenditure greater than the amount of taxes or other revenues allowed for such capital projects by the annual budget: *Provided*, That no bonds or other evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness shall be issued in an amount which, together with indebtedness of the District to the Treasury of the United States pursuant to existing law, shall cause the aggregate of indebtedness of the District to exceed 12 per centum of the average of the aggregate of the assessed values (as of the first day of July of the ten most recent fiscal years for which such assessed values are available) of (1) the taxable real and tangible personal property located in the District and (2) the real and tangible personal property referred to in paragraphs (A) and (B) of section 741(a) of this Act, the values of which shall be computed in accordance with the applicable provisions of section 741 of this Act, nor shall such bonds or other evidences of indebtedness issued for purposes other than the construction or acquisition of capital projects connected with mass transit, highway, water and sanitary sewage works purposes, or any revenue-producing capital projects which are determined by the Council to be self-liquidating exceed 6 per centum of such average assessed value. Bonds or other evidences of indebtedness may be issued by the District pursuant to an act of the Council from time to time in amounts in the aggregate at any time outstanding not exceeding 2 per centum of said assessed value, exclusive of indebtedness owing to the United States on the effective date of this title. All other bonds or evidence of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued only with the assent of a majority of the qualified voters of said District voting at an election on the proposition of issuing such bonds. In determining the amount of indebtedness within all of the aforesaid limitation at any time outstanding there shall be deducted from the aggregate of such indebtedness the amount of the then current tax levy for the payment of the principal of the outstanding bonded indebtedness of the District and any other moneys set aside into any sinking fund and irrevocably dedicated to the payment of such bonded indebtedness. The Council shall make provision for the payment of any bonds issued pursuant to this title, in the manner provided in section 631 hereof.

Contents of Borrowing Legislation; Referendum on Bond Issue

SEC. 602. (a) An Act authorizing the issuance of bonds may be enacted by a majority of the Council members at any meeting of the Council subsequent to the meeting at which such act was introduced, and shall contain at least the following provisions:

(1) A brief description of each purpose for which indebtedness is proposed to be incurred;

(2) The maximum amount of the principal of the indebtedness which may be incurred for each such purpose;

(3) The maximum rate of interest to be paid on such indebtedness; and

(4) In the event the Council is required by this part, or it is determined by the Council in its discretion, to submit the question of issuing such bonds to a vote of the qualified voters of the District, the manner of holding such election, the manner of voting for or against the incurring of such indebtedness, and the form of ballot to be used at such election. The ballot shall be in such form as to permit the voters to vote separately for or against the incurring of indebtedness for each of the purposes for which indebtedness is proposed to be incurred.

(b) The Council shall cause the proposition of issuing such bonds to be submitted by the Board of Elections to the qualified voters at the first general election to be held in the District not less than forty days after the date of enactment of the act auhorizing such bonds, or upon a vote of at least two-thirds of the members of the Council, the Council may call a special election for the purpose of voting upon the issuance of said bonds, such election to be held by the Board of Elections at any date set by the Council not less than forty days after the enactment of such act.

(c) The Board of Elections is authorized and directed to prescribe the manner of registration and the polling places and to name the judges and clerks of election and to make such other rules and regulations for the conduct of such elections as are not specifically provided by the Council as may be necessary or appropriate to carry out the provisions of this section, including provisions for the publication of a notice of such election stating briefly the propositon or propositions to be voted on and the designated polling places in the various precincts and wards in the District. The said notice shall be published at least once a week for four consecutive calendar weeks on any day of the week, the first publication thereof to be not less than thirty nor more than forty days prior to the date fixed by the Council for the election. The Board of Elections shall canvass the votes cast at such election and certify the results thereof to the Council in the manner prescribed for the canvass and certification of the results of general elections. The certification of the result of the election shall be published once by the Board of Elections within three days following the date of the election.

PUBLICATION OF BORROWING LEGISLATION

SEC. 603. The Mayor shall publish any act authorizing the issuance of bonds at least once within five days after the enactment thereof, together with a notice of the enactment thereof in substantially the following form:

"NOTICE

"The following act authorizing the issuance of bonds published herewith has become effective, and the time within which a suit, action, or proceeding questioning the validity of such bonds can be commenced as provided in the District of Columbia Charter Act will expire twenty days from the date of the first publication of this notice (or in the event the proposition of issuing the proposed bonds is to be submitted to the qualified voters, twenty days after the date of publication of the promulgation of the results of the election ordered by said act to be held).

"_____,
"Mayor."

Short Period of Limitation

SEC. 604. Upon the expiration of twenty days from and after the date of publication of the notice of the enactment of an act authorizing the issuance of bonds without the submission of the proposition for the issuance thereof to the qualified voters, or upon the expiration of twenty days from the date of publication of the promulgation of the results of an election upon the proposition of issuing bonds, as the case may be, all as provided in section 603—

(1) any recitals or statements of fact contained in such act or in the preambles or the titles thereof or in the results of the election of any proceedings in connection with the calling, holding, or conducting of election upon the issuance of such bonds shall be deemed to be true for the purpose of determining the validity of the bonds thereby authorized, and the District and all others interested shall thereafter be estopped from denying same;

(2) such act and all proceedings in connection with the authorization of the issuance of such bonds shall be conclusively presumed to have been duly and regularly taken, passed, and done by the District and the Board of Elections in full compliance with the provisions of this Act and of all laws applicable thereto;

(3) the validity of such act and said proceedings shall not thereafter be questioned by either a party plaintiff or a party defendant, and no court shall have jurisdiction in any suit, action, or proceeding questioning the validity of same, except in a suit, action, or proceeding commenced prior to the expiration of such twenty days.

Acts for Issuance of Bonds

SEC. 605. After the expiration of the twenty-day limitation period provided for in section 604 of this part, the Council may by act establish an issue of bonds as authorized pursuant to the provisions of sections 601 to

604, inclusive, hereof. An issue of bonds is hereby defined to be all or any part of an aggregate principal amount of bonds authorized pursuant to said sections, but no indebtedness shall be deemed to have been incurred within the meaning of this Act until the bonds shall have been sold, delivered, and paid for, and then only to the extent of the principal amount of bonds so sold and delivered. The bonds of any authorized issue may be issued all at one time, or from time to time in series and in such amounts as the Council shall deem advisable. The act authorizing the issuance of any series of bonds shall fix the date of the bonds of such series, and the bonds of each such series shall be payable in annual installments beginning not more than three years after the date of the bonds and ending not more than thirty years from such date. The amount of said series to be payable in each year shall be so fixed that when the annual interest is added to the principal amount payable in each year the total amount payable in each year in which part of the principal is payable shall be substantially equal. It shall be an immaterial variance if the difference between the largest and the smallest amounts of principal and interest payable annually during the term of the bonds does not exceed 3 per centum of the total authorized amount of such series. Such act shall also prescribe the form of the bonds to be issued thereunder, and of the interest coupons appertaining thereto, and the manner in which said bonds and coupons shall be executed. The bonds and coupons may be executed by the facsimile signatures of the officer or officers designated by the act authorizing the bonds, to sign the bonds, with the exception that at least one signature shall be manual. Such bonds may be issued in coupon form in the denomination of $1,000, registerable as to principle only or as to both principal and interest, and if registered as to both principal and interest may be issuable in denominations of multiples of $1,000. Such bonds and the interest thereon may be payable at such place or places within or without the District as the Council may determine.

Public Sale

SEC. 606. All bonds issued under this part shall be sold at public sale upon sealed proposals at such price or prices as shall be approved by the Council after publication of a notice of such sale at least once not less than ten days prior to the date fixed for sale in a daily newspaper carrying municipal bond notices and devoted primarily to financial news or to the subject of State and municipal bonds published in the city of New York, New York, and in a newspaper of general circulation published in the District. Such notice shall state, among other things, that no proposal shall be considered unless there is deposited with the District as a downpayment a certified check or cashier's check for an amount equal to at least 2 per centum of the par amount of bonds bid for, and the Council shall reserve the right to reject any and all bids.

*Part 2—Short-term borrowing*

Borrowing To Meet Supplemental Appropriations

SEC. 621. In the absence of unappropriated available revenues to meet supplemental appropriations made pursuant to section 505, the Council may by act authorize the issuance of negotiable notes, in a total amount not to exceed 5 per centum of the total appropriations for the current fiscal year, each of which shall be designated "Supplemental" and may be renewed from time to time, but all such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective.

Borrowing in Anticipation of Revenues

SEC. 622. For any fiscal year, in anticipation of the collection or receipt of revenues of that fiscal year, the Council may by act authorize the borrowing of money by the execution of negotiable notes of the District, not to exceed in the aggregate at any time outstanding 20 per centum of the total anticipated revenue, each of which shall be designated "Revenue Note for the Fiscal Year 19 ". Such notes may be renewed from time to time, but all such notes, together with the renewals, shall mature and be paid not later than the end of the fiscal year for which the original notes have been issued.

Notes Redeemable Prior to Maturity

SEC. 623. No notes issued pursuant to this part shall be made payable on demand, but any note may be made subject to redemption prior to maturity on such notice and at such time as may be stated in the note.

Sale of Notes

SEC. 624. All notes issued pursuant to this part may be sold at not less than par and accured interest at private sale without previous advertising.

*Part 3—Payment of bonds and notes*

SEC. 631. (a) The act of the Council authorizing the issuance of bonds pursuant to this title, shall, where necessary, provide for the levy annually of a special tax without limitation as to rate or amount upon all the taxable real and personal tangible property within the District in amounts which, together with other revenues of the District available and applicable for said purposes, will be sufficient to pay the principal of and interest on said bonds and the premium, if any, upon the redemption thereof, as the same respectively become due and payable, which tax shall be levied and collected at the same time and in the same manner as other District taxes are levied and collected, and when collected shall be set aside for the purpose of paying such principal, interest, and premium.

(b) The full faith and credit of the District shall be and is hereby pledged for the payment of the principal of and the interest on all bonds and notes of the District hereafter issued pursuant to this title whether or not such pledge be stated in the bonds or notes or in the act authorizing the issuance thereof.

*Part 4—Tax exemption—Legal investment*

Tax Exemption

SEC. 641. Bonds and notes issued by the Council pursuant to this title and the interest thereon shall be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

Legal Investment

SEC. 642. Notwithstanding any restriction on the investment of funds by fiduciaries contained in any other law, all domestic insurance companies, domestic insurance associations, executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia may legally invest any sinking funds, moneys, trust funds, or other funds belonging to them or under or within their control in any bonds issued pursuant to this title, it being the purpose of this section to authorize the investment in such bonds or notes of all sinking, insurance, retirement, compensation, pension, and trust funds. National banking associations are authorized to deal in, underwrite, purchase and sell, for their own accounts or for the accounts of customers, bonds and notes issued by the District Council to the same extent as national banking associations are authorized by paragraph seven of section 5136 of the Revised Statutes (title 12, U.S.C., sec. 24), to deal in, underwrite, purchase and sell obligations of the United States, States, or political subdivisions thereof. All Federal building and loan associations and Federal savings and loan associations; and banks, trust companies, building and loan associations, and savings and loan associations, domiciled in the District of Columbia, may purchase, sell, underwrite, and deal in, for their own account or for the account of others, all bonds or notes issued pursuant to this title: *Provided*, That nothing contained in this section shall be construed as relieving any person, firm, association or corporation from any duty of exercising due and reasonable care in selecting securities for purchase or investment.

TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT

*Part 1—Financial administration*

Surety Bonds

SEC. 701. Each officer and employee of the District required to do so by the District Council shall provide a bond with such surety and in such amount as the Council may require. The premiums for all such bonds shall be paid out of appropriations for the District.

Financial duties of the mayor

SEC. 702. The Mayor, through his duly designated subordinates, shall have charge of the administration of the financial affairs of the District and to that end he shall—

(1) prepare and submit in the form and manner prescribed by the Council under section 502 the annual budget estimates and a budget message;

(2) supervise and be responsible for all financial transactions to insure adequate control of revenues and resources and to insure that appropriations are not exceeded;

(3) maintain systems of accounting and internal control designed to provide—

(A) full disclosure of the financial results of the District government's activities,

(B) adequate financial information needed by the District government for management purposes,

(C) effective control over and accountability for all funds, property, and other assets;

(4) submit to the Council a monthly financial statement, by appropriation and department, and in any further detail the Council may specify;

(5) prepare, as of the end of each fiscal year, a complete financial statement and report;

(6) supervise and be responsible for the assessment of all property subject to assessment within the corporate limits of the District for taxation, make all special assessments for the District government, prepare tax maps, and give such notice of taxes and special assessments as may be required by law;

(7) supervise and be responsible for the assessment and collection of all taxes, special assessments, license fees, and other revenues of the District for the collection of which the District is responsible and receive all money receivable by the District from the Federal Government, or from any court, or from any agency of the District;

(8) have custody of all public funds belonging to or under the control of the District, or any agency of the District government, and deposit all funds coming into his hands, in such depositories as may be designated and under such terms and conditions as may be prescribed by act of the Council;

(9) have custody of all investments and invested funds of the District government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the District and the receipt and delivery of District bonds and notes for transfer, registration, or exchange.

Control of Appropriations

SEC. 703. The Council may provide for (1) the transfer during the budget year of any appropriation balance then available for one

item of appropriation to another item of appropriation, and (2) the allocation to new items of funds appropriated for contingent expenditure.

Accounting Supervision and Control

SEC. 704. The Mayor, through his duly authorized subordinates, shall—

(1) prescribe the forms of receipts, vouchers, bills, and claims to be used by all the agencies of the District government;

(2) examine and approve all contracts, orders, and other documents by which the District government incurs financial obligations, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable;

(3) audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government and with the advice of the legal officials of the District determine the regularity, legality, and correctness of such claims, demands, or charges; and

(4) perform internal audits of central accounting and department and agency records of the District government, including the examination of any accounts or records of financial transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the respective agencies.

General Fund

SEC. 705. The general fund of the District shall be composed of the revenues of the District other than the revenues applied by law to special funds. All moneys received by any agency, officer, or employee of the District in its or his official capacity shall belong to the District government and shall be paid promptly to the Mayor, or his duly authorized subordinates, for deposit in the appropriate funds.

Contracts Extending Beyond One Year

SEC. 706. No contract involving expenditure out of an appropriation which is available for more than one year shall be made for a period of more than five years; nor shall any such contract be valid unless made pursuant to criteria established by act of the Council.

*Part 2—Audit by General Accounting Office*

Independent Audit

SEC. 721. (a) The financial transactions shall be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. In the determination of the auditing procedures to be followed and the extent of the examination of vouchers and other documents, the Comptroller General shall give due regard to generally accepted principles of auditing, including consideration of the effectiveness of the accounting organizations and systems, internal audit and control, and related administrative practices. The audit shall be conducted at the place or places where the accounts are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the District and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. The District of Columbia shall reimburse the General Accounting Office for expenses of such audit in such amounts as may be agreed upon by the Mayor and the Comptroller General, and the amounts so reimbursed shall be deposited into the Treasury of the United States as miscellaneous receipts.

(b)(1) The Comptroller General shall submit his audit reports to the Congress, the Mayor, and the Council. The reports shall set forth the scope of the audits and shall include such comments and information as may be deemed necessary to keep the Mayor and the Council informed of the operations to which the reports relate, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The reports shall show specifically every program, expenditure, and other financial transaction or undertaking which, in the opinion of the Comptroller General, has been carried on or made without authority of law.

(2) After the Mayor and his duly authorized subordinates have had an opportunity to be heard, the Council shall make such report, together with such other material as it deems pertinent thereto, available for public inspection and shall transmit copies thereof to the Congress.

(3) The Mayor, within ninety days after the report has been made to him and the Council, shall state in writing to the Council, with a copy to the Congress, what has been done to comply with the recommendations made by the Comptroller General in the report.

Amendment of Budget and Accounting Act

SEC. 722. Section 2 of the Budget and Accounting Act, 1921 (31 U.S.C. 2), is hereby amended by striking out "and the municipal government of the District of Columbia'.

*Part 3—Adjustment of Federal and District expenses*

Adjustment of Federal and District Expenses

SEC. 731. Subject to section 901 and other provisions of law, the Mayor, with the approval of the Council, and the Director of the Bureau of the Budget, are authorized and empowered to enter into an agreement or agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

*Part 4—Annual Federal payments to District*

Annual Federal Payment to District

SEC. 741. (a) In recognition of the unique character of the District of Columbia as the Nation's Capital City, regular annual payments are hereby authorized to be appropriated from revenues of the United States to cover the proper Federal share of the expenses of the government of the District. The annual payment authorization shall consist of an amount computed pursuant to subsection (b) of this section, as follows:

(1) An amount (to be paid to the general fund) computed as of January 1 of the fiscal year preceding the fiscal year for which payment is requested based upon the following factors:

(A) The amount of real property taxes lost to the District during the fiscal year immediately preceding the fiscal year for which the annual Federal payment is being requested, based upon the assessed value and rate of tax in effect on January 1 of said preceding year, as a result of the exemption from real property taxation of the following properties:

(i) Real property in the District owned and used by the United States for the purpose of providing Federal governmental services or performing Federal governmental functions, but excluding parklands, museums, art galleries, memorials, statuary, and shrines, and also excluding to the extent to which it may be so used, property owned by the United States and used to provide a service or perform a function which would otherwise be provided or performed by the District, such as, by way of example and without limitation, public streets and alleys and public water supply facilities.

(ii) Real property in the District exempt from taxation by special Act of Congress or exempt from taxation pursuant to subsection (k) of section 1 of the Act approved December 24, 1942 (56 Stat. 1809), as amended (sec. 47–801a(k), 1961 ed.), and not eligible for exemption from taxation under any other subsection of said section 1 of the Act approved December 24, 1942.

(B) The amount of personal property taxes lost to the District during the fiscal year immediately preceding the fiscal year for which the annual Federal payment is being requested based upon the assessed value and rate of tax in effect on January 1 of said preceding year, as a consequence of the exemption from personal property taxation of tangible personal property located in the District and which is owned by the United States, exclusive of objects of art, museum pieces, statuary, and libraries. Tangible personal property located in the District owned by the United States may be estimated by one or more methods developed by the Mayor and approved by the Administrator of General Services.

(C) The amount obtained by multiplying by a fraction the actual collections, during the second fiscal year preceding the fiscal year for which the annual Federal payment is being requested, for corporation and unincorporated business franchise taxes, and taxes on insurance premiums and on gross earnings of financial institutions and guaranty companies. The numerator of such fraction shall be the total number of Federal Government employees whose places of employment are in the District, as estimated by the United States Civil Service Commission, and the denominator of which shall be the total number of other employees whose places of employment are in the District, as estimated by the United States Employment Service for the District, but excluding employees of the government of the District, employees in nonprofit activities, and domestics in private households, also as estimated by such Service.

(2) The amount of the charges for water services furnished to the Federal Government by the District during the second fiscal year preceding the year for which the annual Federal payment is being requested (to be paid to the water fund).

(3) The charges for sanitary sewer services furnished to the Federal Government by the District during the second fiscal year preceding the year for which the annual Federal payment is being requested (to be paid to the sanitary sewage works fund).

(b) On or before January 10 of each year the Mayor shall, with the approval of the Council, submit to the Administrator of General Services a computation of the amount of the Federal payment authorized to be appropriated under this title. After review by the Administrator of General Services of the Mayor's computation and certification by the Administrator on or before April 10 of the fiscal year preceding the fiscal year for which the authorization for the annual Federal payment is being computed that such computation is based upon a reasonable and fair assessment of real and personal property of the United States and a proper and accurate computation of the factors referred to in subsection 741(a)(1) and is in conformity with the provisions of this section, the Administrator shall certify the amount of such authorization to the Mayor, who shall submit it to the Congress, together with any request for the appropriation of such payment.

(c) The Administrator of General Services shall enter into cooperative arrangements with the Mayor whereby disputes, differences, or disagreements involving the Federal payment may be resolved.

(d) For the first fiscal year in which this part is effective, the amount of the annual Federal payment authorized to be appropriated may be computed on the basis of preliminary estimates: *Provided*, That such

amount shall be subject to later adjustment in accordance with the provisions of this part.

TITLE VIII—ELECTIONS IN THE DISTRICT

Board of Elections

SEC. 801. (a) The members of the Board of Elections in office on the date when the Mayor first elected takes office shall continue in office for the remainder of the terms for which they were appointed. Their successors shall be appointed by the Mayor by and with the advice and consent of the Council. The term of each such successor (except in the case of an appointment to fill an unexpired term) shall be three years from the expiration of the term of his predecessor. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. When a member's term of office expires, he may continue to serve until his successor is appointed and has qualified. Section 3 of the District Election Act of 1955 is hereby modified to the extent that it is inconsistent herewith.

(b) In addition to its other duties, the Board of Education shall also, for the purposes of this Act—

(1) maintain a permanent registry;

(2) conduct registrations and elections;

(3) in addition to determining appeals with respect to matters referred to in sections 808 and 811, determine appeals with respect to any other matters which (under regulations prescribed by it under the subsection (c)) may be appealed to it;

(4) provide for recording and counting votes by means of ballots or machines or both and, not less than five days before each election held pursuant to this Act, publish a copy of the official ballot to be used in any such election;

(5) divide the District into fourteen wards equal as possible in population and of geographic proportions as nearly regular, contiguous, and compact as possible, and establish voting precincts therein, each such voting precinct to contain at least three hundred and fifty registered voters, and thereafter, within six months after the publication by the United States Census Bureau of the population of the District at each decennial census or any more recent official census of the population of the District, redivide the District into fourteen wards in accordance with the criteria in this paragraph;

(6) operate polling places;

(7) certify nominees and the results of elections; and

(8) perform such other functions as are imposed upon it by this Act.

(c) The Board of Elections may prescribe such regulations not inconsistent with the provisions of this Act, as may be necessary or appropriate for the purposes of this title, of title XIV and of section 602, including, without limitation, regulations providing for appeals to it on questions arising in connection with nominations, registrations, and elections (in addition to matters referred to it in sections 808 and 811) and for determination by it of appeals, and regulations permitting qualified voters for the purpose of voting in any election held pursuant to this Act, to register at times when such persons are temporarily absent from the District or in the case of persons not absent from the District but who are physically unable to appear personally at an official registration place, to register in the manner prescribed in such regulations: *Provided*, That the Board of Elections shall accept as evidence of registration any Federal post card application for an absentee ballot prescribed in section 204 of the Federal Voting Assistance Act of 1955 (69 Stat. 584) when such application is duly executed and filed with the Board by any person included within one of the categories referred to in clauses (1), (2), (3), or (4) of section 101 of such Act.

(d) The officers and agencies of the District government shall furnish to the Board of Elections, upon request of such Board, such space and facilities in public buildings in the District to be used as registration or polling places, and such records, information, services, personnel, offices, and equipment, and such other assistance and facilities, as may be necessary to enable such Board properly to perform its functions. Subject to the approval of the Council, privately owned space, facilities, and equipment may be rented, or donations of such space, facilities, and equipment may be accepted for registration, polling, and other functions of the Board.

(e) In the performance of its duties, the Board of Elections shall not be subject to the authority of any nonjudicial officer of the District.

(f) The Board of Elections, each member of such Board, and persons authorized by it, may administer oaths to persons executing affidavits pursuant to sections 801 and 808. It may provide for the administering of such other oaths as it considers appropriate to require in the performance of its functions.

(g) The Board of Elections is authorized to employ such permanent and temporary personnel as may be necessary within the limit of funds therefor. The appointment, compensation, and other terms of employment may be set by the Board of Elections without regard to the provisions of section 402 of this Act: *Provided*, That the Council may set maximum rates of compensation for various classes of employees of the Board of Elections.

(h) In lieu of the compensation provided by section 4(b) of the District Election Act of 1955, each member of the Board of Elections shall be paid at the rate of $1,500 per annum in periodic installments, provided that the rate of compensation may be changed by act passed by the Council.

(i) Notwithstanding the provisions of the District Election Act of 1955 providing (1) that qualified voters shall register during the calendar year in which a Presidential election is held, (2) that the Board of Elections shall keep the registry open only during such calendar year, and (3) that the Board of Elections shall keep the registry closed during certain periods immediately preceding elections held under the District Election Act of 1955, the Board of Elections is authorized and directed, for the purpose of this Act, and of the District Election Act of 1955, to provide for permanent registration of voters, to keep the registry open as provided in this Act, and to permit qualified voters to register in accordance with applicable laws and regulations, at any time when the registry is open.

(j) No member of the Board of Elections may be a candidate at an election held under this Act.

Elections To Be Held

SEC. 802. (a) The Board of Elections, in addition to elections conducted by it pursuant to the District Election Act of 1955, shall conduct the following elections:

(1) A primary election to be held on the first Tuesday in May of each even-numbered calendar year commencing after this title takes effect.

(2) A general election, to be held on the first Tuesday following the first Monday in November in each even-numbered calendar year commencing after this title takes effect.

(3) Special elections and referendum elections held pursuant to sections 335(c), 602, 806, 812(b), 812(c), or 1701(b).

Elective Offices; Terms of Office

SEC. 803. (a) The offices of the District to be filled by election under this Act shall be the members of the Council, the Mayor, the Board of Education, and the District Delegate.

(b) The term of an elective office on the District Council shall be four years beginning on January 2 of the odd-numbered calendar year following such election.

(c) The term of office of the Mayor shall be four years, beginning on January 2 of the odd-numbered calendar year next following his election.

(d) The term of office of the District Delegate shall be two years beginning at noon on January 3 of the odd-numbered calendar year following such election.

(e) The term of an elective office on the Board of Education shall be four years beginning on January 2 of the odd-numbered calendar year following such election; except that of the members first elected following the effective date of this title, seven shall serve for terms of two years and seven for terms of four years. The members who shall serve for terms of four years shall be determined by lot.

Vacancies

SEC. 804. (a) If the office of Delegate becomes vacant, the Mayor, by and with the advice and consent of the Council, shall appoint a Delegate to fill the unexpired term.

(b) A vacancy in the office of Mayor shall be filled at the next general election held pursuant to this title for which it is possible for candidates to be nominated, under any procedure provided for in section 809 following the occurrence of such vacancy. A person elected to fill any such vacancy shall take office as soon as practicable following the certification of his election by the Board of Elections and shall hold office for the duration of the unexpired term to which he was elected but not beyond the end of such a term. Until a vacancy in the office of Mayor can be filled at a general election, as prescribed in this subsection, such vacancy shall be filled by appointment by the District Council.

(c)(1) A vacancy in the District Council shall be filled by appointment by the Mayor, by and with the advice and consent of the Council; except that in filling any vacancy in any of the at-large seats, the Mayor shall not appoint any person who is not a member of the same political party as that of the person who vacated the office to be filled by such appointment.

(2) A vacancy in the Board of Education shall be filled, without regard to political affiliation, by the Mayor, by and with the advice and consent of the Council.

(d) No person shall be appointed to any office under this section unless he is a registered voter and meets the residence and other qualifications required on the date of his appointment of a person filling such office. A person appointed to fill a vacancy under this section shall hold office until the time provided for an elected successor to take office, but not beyond the end of the term during which the vacancy occurred.

Election of Candidates

SEC. 805. (a)(1) The candidate of each party receiving the highest number of votes validly cast for each office in each of the several primary elections shall be declared the winner, and his name shall be placed on the ballot in the next general election as the candidate of his party.

(2) The three candidates of each party receiving the highest number of votes validly cast for the offices of councilmen-at-large in each of the several primary elections shall be declared the winners, and their names shall be placed on the ballot in the next general election as the candidates of their party. In no case shall any one political party be permitted to have the names of more than three persons as candidates of that party for election to the offices of councilmen-at-large placed on such ballot.

(b) In the general election, the candidate receiving the highest number of votes validly cast for each office shall be declared elected.

(c) In the event two or more candidates receive the same number of votes validly cast for the same office, the winner shall be determined by lot.

(d) Subject to the provisions of section 812, the Board of Elections shall promptly announce to the public the results of every election and shall certify all such results to the Mayor and the Secretary of the Council. It shall also certify the results of all elections for the office of the District Delegate to the Clerk of the House of Representatives of the United States.

Recall

SEC. 806. (a) Any elective officer of the District of Columbia shall be subject to recall by the qualified voters of the District. Any petition filed demanding the recall by the qualified voters of the District of any such elective officer shall be signed by not less than 25 per centum of the number of qualified voters of the District voting at the last preceding general election. Such petition shall set forth the reasons for the demand shall be filed with the Secretary of the District Council. If any such officer with respect to whom such a petition is filed shall offer his resignation, it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled as provided by law for filling a vacancy in that office arising from any other cause. If he shall not resign within five days after the petition is filed, a special election shall be called by the Council to be held within twenty days thereafter to determine whether the qualified voters of the District will recall such officer.

(b) There shall be printed on the ballot at such election, in not more than two hundred words, the reason or reasons for demanding the recall of any such officer, and in not more than two hundred words, the officer's justification or answer to such demands. Any officer with respect to whom a petition demanding his recall has been filed shall continue to perform the duties of his officer until the result of such special election is officially declared by the Board of Elections. No petition demanding the recall of any officer filed pursuant to this section shall be circulated against any officer of the District until he has held his office six months.

(c) If a majority of the qualified voters voting on any petition filed pursuant to this section vote to recall any officer, his recall shall be effective on the day on which the Board of Elections certifies the results of the special election, and the vacancy created thereby shall be filled immediately in a manner provided by law for filling a vacancy in that office arising from any other cause.

(d) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to the form, filing, examination, amendment, and certification of a petition for recall filed pursuant to this section, and (2) with respect to the conduct of any special election held pursuant to this section.

Qualifications of Voters

SEC. 807. No person shall vote in an election held under this Act unless he meets the qualifications of a voter specified in this section and has registered pursuant to section 808 of this Act or section 7 of the District Election Act of 1955. A qualified voter of the District and a qualified elector of the District for the purposes of the District Election Act of 1955 shall be any person (1) who has resided in the District continuously during the one-year period ending on the day of the election, (2) who is a citizen of the United States, (3) who is on the day of the election at least twenty-one years old, (4) who has never been convicted of a felony in the United States, or, if he has been so convicted, has been pardoned, (5) who is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) who certifies that he has not, within six months immediately preceding the election, claimed the right to vote or voted in any election in any State or territory of the United States (other than in the District).

Registration

SEC. 808. (a) No person shall be registered under this Act unless—

(1) he shall be able to qualify otherwise as a voter on the day of the next election; and

(2) he executes a registration affidavit by signature or mark (unless prevented by physical disability) on a form provided by the Board of Elections showing that he meets each of the requirements of section 807 of this Act for a qualified voter and if he desires to vote in a primary election, such form shall show his political party affiliation: *Provided*, That the Board shall accept as evidence of registration any Federal postcard application for an absentee ballot prescribed in section 204 of the Federal Voting Assistance Act of 1955 (69 Stat. 584) when such application is duly executed and filed with the Board by any person included within one of the categories referred to in clause (1), (2), (3), or (4) of section 101 of such Act.

(b) If a person is not permitted to register, such person or any qualified candidate, may appeal to the Board of Elections, but not later than three days after the registry is closed for the next election. The Board shall decide within seven days after the appeal is perfected whether the challenged voter is entitled to register. If the appeal is denied the appellant may, within three days after such denial, appeal to the District of Columbia Court of General Sessions. The court shall decide the issue not later than eighteen days before the day of the election. The decision of such court shall be final and not appealable. If the appeal is upheld by either the Board or the court, the challenged elector shall be allowed to register immediately. If the appeal is pending on election day, the challenged voter may cast a ballot marked "Challenged", as provided in section 811.

(c) For the purposes of this Act and of the District Election Act of 1955, the Board of Elections shall keep open, during normal hours of business, as determined by the Council, a central registry office and shall conduct registration at such other times and places as the Board of Elections shall deem appropriate. The Board of Elections may suspend the registration of voters, or the acceptance of changes in registrations for such period not exceeding thirty days next preceding any elections under this Act or under the District Election Act of 1955.

Nominations

SEC. 809. (a) Nomination of a candidate to be included on the ballot for a primary election shall take place when the Board of Elections receives a declaration of candidacy, accompanied by the filing fee in the amount required in subsection (f): *Provided*, That such candidate is duly registered as affiliated with the political party for which the nomination is sought and otherwise meets the qualifications for holding the office for which he seeks nomination.

(b) Nomination of an independent candidate who desires to have his name on the ballot in the general election shall take place when the Board of Elections receives a petition signed by the number of registered voters specified in this subsection and accompanied by a filing fee in the amount required by subsection (f). Petitions nominating an independent candidate for District Delegate or Mayor shall be signed by not less than five hundred qualified voters registered in the District. Petitions nominating a candidate for the District Council, other than a candidate for Councilman-at-large, shall be signed by not less than one hundred qualified voters registered in the ward from which nomination is sought. Petitions nominating an independent candidate for the District Council as a Councilman-at-large shall be signed by not less than five hundred qualified voters registered in the District. No person shall be barred from nomination as an independent candidate in the general election because he was a candidate for nomination in a primary election: *Provided*, That he complies with the requirements of this subsection.

(c) Nomination of a candidate for the Board of Education who desires to have his name on the ballot in the general election shall take place when the Board of Elections receives a petition signed by not less than one hundred qualified voters registered in the ward from which nomination is sought, and accompanied by a filing fee in the amount required by subsection (f).

(d) No person shall be a candidate for more than one office in any election. If a person is nominated for more than one office, he shall within three days after the last day on which nominations may be made notify the Board of Elections, in writing, for which office he elects to run.

(e) A candidate may withdraw his candidacy in writing if his withdrawal is received by the Board not more than three days after the last day on which nominations may be made.

(f) Filing fees to accompany a declaration of candidacy in the primary election or a petition nominating an independent candidate or a candidate for the Board of Education for inclusion on the ballot in the general election shall be $200 for a candidate for District Delegate or Mayor and $50 for a member of the District Council or a member of the Board of Education. No fee shall be refunded unless a candidacy is withdrawn as provided in subsection (d) or (e).

(g) The Board of Elections is authorized to accept any nominating petition as bona fide with respect to the qualifications of the signatories thereto: *Provided*, That the originals or facsimiles thereof have been posted in a suitable public place for at least ten days: *Provided further*, That no challenge as to the qualifications of the signatories shall have been received in writing by the Board of Elections within ten days of the first posting of such petition.

Partisan Elections

SEC. 810. (a) Except in the case of candidates for election to the Board of Education, ballots and voting machines may show party affiliations, emblems, or slogans.

(b) The form of ballot to be used in any election under this Act shall be determined by the Board of Elections: *Provided*, That in any such election, the position on the ballot of the candidates for each office shall be determined by lot: *Provided further*, That the Board of Elections shall make provision on the ballot for voters, in their discretion, to vote for groups of candidates by a single mark or to vote separately for individual candidates, regardless of their group affiliations: *Provided further*, That a candidate's name shall not be included in any such group without his written consent filed with the Board of Elections.

(c) The second sentence of section 9(a) of the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939 (53 Stat. 1147), as amended, shall not be applicable to any election held under this Act for the office of Mayor or for the office of member of the District Council or to political management or political campaigns in connection with any such election.

Method of Voting

SEC. 811. (a) Voting in all elections shall be secret.

(b) Each voter shall be entitled to vote for one candidate for the Council from the ward in which the voter is a resident and

for five Councilmen-at-large, for one candidate for the Board of Education from the ward in which the voter is a resident, for one candidate for Mayor and for one candidate for District Delegate. The ballot shall, where applicable, show the wards from which each candidate for office as a member of the Council or of the Board of Education has been nominated.

(c) The ballot of a person who is registered as a resident of the District shall be valid only if cast in the voting precinct where the residence shown on his registration is located.

(d) Absentee voting under this Act shall be permitted to the same extent and subject to the same rules and regulations, including penalties, as absentee voting is permitted under the District Election Act of 1955.

(e) At least ten days prior to the date of any referendum or other election, any group of citizens or individual candidates interested in the outcome of the election may petition the Board of Elections for credentials authorizing watchers at any and all polling places during the voting hours and until the count has been completed. The Board of Elections shall formulate rules and regulations, not inconsistent with provisions of this title, to prescribe the form of watchers' credentials, to govern their conduct, and to limit the number of watchers so that the conduct of the election will not be unreasonably obstructed.

(f) If the official in charge of the polling place, after hearing both parties to any challenge or acting on his own with respect to a prospective voter, reasonably believes the prospective voter is not qualified to vote, he shall allow the voter to cast a paper ballot marked "challenged". Ballots so cast shall be set aside, and no such ballot shall be counted until the challenge has been removed as provided in subsection (g).

(g) If a person has been permitted to vote only by challenged ballot, such person, or any qualified candidate, may appeal to the Board of Elections within three days after election day. The Board shall decide within seven days after the appeal is perfected whether the voter was qualified to vote. If the Board decides that the voter was qualified to vote, the word "challenged" shall be stricken from the voter's ballot and the ballot shall be treated as if it had not been challenged.

(h) If a voter is physically unable to mark his ballot or to operate the voting machine, the official in charge of the voting place may enter the voting booth with him and vote as directed. Upon the request of any such voter, a second election official may enter the voting booth to assist in the voting. The officials shall tell no one what votes were cast. The official in charge of the voting place shall make a return of all such voters, giving their names and disabilities.

(i) A voter shall vote only once with respect to each office to be filled.

(j) Copies of the regulations of the Board of Elections with respect to voting shall be made available to prospective voters at each polling place.

(k) Before being allowed to vote the voter shall sign a certificate, on a form to be prescribed by the Board of Elections, that he has duly registered under the election laws of the District and that, to his best knowledge and belief, he has not since such registration done any act which might disqualify him as a voter.

Recounts and contests

SEC. 812. (a) The provisions of section 11 of the District Election Act of 1955 with respect to recounts and contests shall be applicable to any election or referendum held under this Act, except that in the case of any referendum, any qualified voter who has voted in any such election may petition the Board of Elections for a recount of the votes cast in one or more precincts under the same conditions required for a candidate for office under section 11(a) of the District Election Act of 1955.

(b) If, pursuant to this section, the court voids all or part of an election, and if it determines that the number and importance of the matters involved outweigh the cost and practical disadvantages of holding another election, it may order a special election for the purpose of voting on the matters with respect to which the election was declared void.

(c) Special elections shall be conducted in a manner comparable to that prescribed for regular elections and at times and in the manner prescribed by the Board of Elections by regulation. A person elected at such an election shall take office on the day following the date on which the Board of Elections certifies the results of the election.

(d) Vacancies resulting from voiding all or part of an election shall be filled as prescribed in section 804 unless filled by a special election held pursuant to subsections (b) and (c) of this section.

Interference With Registration or Voting

SEC. 813. (a) No one shall interfere with the registration or voting of another person, except as it may be reasonably necessary in the performance of a duty imposed by law. No person performing such a duty shall interfere with the registration or voting of another person because of his race, color, sex, or religious belief, or his want of property or income.

(b) No registered voter shall be required to perform a military duty on election day which would prevent him from voting, except in time of war or public danger, or unless he is away from the District in military service. No registered voter may be arrested while voting or going to vote except for treason, a felony, or for a breach of the peace then committed.

Voting Hours

SEC. 814. Polling places shall be open from 8 o'clock antemeridian to 8 o'clock postmeridian on each day when elections are held pursuant to this Act.

Prohibition of the Sale of Alcoholic Beverages on Election Days

SEC. 815. The second sentence in the second paragraph of section 7 of the District of Columbia Alcoholic Beverage Control Act, as amended (sec. 25–107, D.C. Code, 1961 ed.), is amended to read as follows: "Notwithstanding any other provision of this Act, neither the District Council nor the Commissioners shall authorize the sale by any licensee, other than the holder of a retailer's license, class E, of any beverages on the day of the presidential election or of any election in the District of Columbia held under the District of Columbia Charter Act during the hours when the polls are open, and any such sales are hereby prohibited."

Violations

SEC. 816. Whoever willfully violates any provision of this title, or of any regulation prescribed and published by the Board of Elections under authority of this Act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than $500 or imprisoned for not more than six months, or both.

TITLE IX—MISCELLANEOUS

Agreements With United States

SEC. 901. (a) For the purpose of preventing duplication of effort or of otherwise promoting efficiency and economy, any Federal officer or agency may furnish services to the District government and any District officer or agency may furnish services to the Federal Government. Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law, such services shall be furnished pursuant to an agreement (1) negotiated by the Federal and District authorities concerned, and (2) approved by the Director of the Bureau of the Budget and by the Mayor, with the approval of the District Council. Each such agreement shall provide that the cost of furnishing such services shall be borne in the manner provided in subsection (c) by the government to which such services are furnished at rates or charges based on the actual cost of furnishing such services.

(b) For the purpose of carrying out any agreement negotiated and approved pursuant to subsection (a), any District officer or agency may in the agreement delegate any of his or its functions to any Federal officer or agency, and any Federal officer or agency may in the agreement delegate any of his or its functions to any District officer or agency. Any function so delegated may be exercised in accordance with the terms of the delegation.

(c) The cost of each Federal officer and agency in furnishing services to the District pursuant to any such agreement shall be paid, in accordance with the terms of the agreement, out of appropriations made by the Council to the District officers and agencies to which such services are furnished. The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such agreement shall be paid, in accordance with the terms of the agreement, out of appropriations made by the Congress or other funds available to the Federal officers and agencies to which such services are furnished.

Personal Interest in Contracts or Transactions

SEC. 902. Any officer or employee of the District who is convicted of a violation of section 208 of title 18, United States Code, shall forfeit his office or position.

Compensation From More Than One Source

SEC. 903. (a) Except as provided in this Act, no person shall be ineligible to serve or to receive compensation as a member of the Council, or the Board of Elections because he occupies another office or position or because he receives compensation (including retirement compensation) from another source.

(b) The right to another office or position or to compensation from another source otherwise secured to such a person under the laws of the United States shall not be abridged by the fact of his service or receipt of compensation as a member of the Council or such Board, if such service does not interfere with the discharge of his duties in such other office or position.

Assistance of the United States Civil Service Commission in Development of District Merit System

SEC. 904. The United States Civil Service Commission is hereby authorized to advise and assist the Mayor and the Council in the further development of the merit system required by section 402(3) and the said Commission is authorized to enter into agreements with the District government to make available its registers of eligibles as a recruiting source to fill District positions as needed. The cost of any specific services furnished by the Civil Service Commission may be compensated for under the provisions of section 901 of this Act.

Federal Control of Police Force; Special Police

SEC. 905. (a) Whenever the President deems it necessary or appropriate in order adequately to protect the Federal interest in the maintenance of public order in the District of Columbia, he may, through such official or agency as he may designate and until he otherwise directs, assume command of the police force of the District of Columbia. Such action shall not affect the status of the members of the police force as employees

of the District of Columbia or the authority vested in them by law.

(b) Whenever the President deems it necessary or appropriate in order adequately to maintain public order in the District of Columbia, he may designate such persons as he may deem appropriate, including members of the Armed Forces of the United States, as special policemen in the District of Columbia. Such special policemen shall serve under the command of such official or agency as the President may designate and shall have the same powers as members of the police force of the District of Columbia and the United States Park Police.

TITLE X—SUCCESSION IN GOVERNMENT

Transfer of Personnel, Property, and Funds

SEC. 1001. (a) In each case of the transfer, by any provision of this Act, of functions to the Council, to the Mayor, or to any agency or officer, there are hereby transferred (as of the time of such transfer of functions) to the Council, to the Mayor, to such agency, or to the agency of which such officer is the head, for use in the administration of the functions of the Council or such agency or officer, the personnel (except the members of Boards or Commissions abolished by this Act), property, records, and unexpended balances of appropriations and other funds, which relate primarily to the functions so transferred.

(b) If any question arises in connection with the carrying out of subsection (a), such question shall be decided—

(1) in the case of functions transferred from a Federal officer or agency, by the Director of the Bureau of the Budget; and

(2) in the case of other functions (A) by the Council, or in such manner as the Council shall provide, if such functions are transferred to the Council, and (B) by the Mayor if such functions are transferred to him or to any other officer or agency.

(c) Any of the personnel transferred to the Council, the Mayor, or any agency by this section which the Council or the head of such agency shall find to be in excess of the personnel necessary for the administration of its or his functions shall, in accordance with law, be retransferred to other positions in the District or Federal Government or be separated from the service.

(b) No officer or employee shall, by reason of his transfer by this Act or his separation from service under this Act, be deprived of a civil service status held by him prior to such transfer or any right of appeal or review he may have by reason of his separation from service.

Existing Statutes, Regulations, and Other Actions

SEC. 1002. (a) Any statute, regulation, or other action in respect of (and any regulation or other action issued, made, taken, or granted by) any officer or agency from which any function is transferred by this Act shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made; but after such transfer, references in such statute, regulation, or other action to an officer or agency from which a transfer is made by this Act shall be held and considered to refer to the officer or agency to which the transfer is made.

(b) As used in subsection (a), the term "other action" includes, without limitation, any rule, order, contract, compact, policy, determination, directive, grant, authorization, permit, requirement, or designation.

(c) Unless otherwise specifically provided, nothing contained in this Act shall be construed as affecting the applicability to the District of Columbia government of personnel legislation relating to the District government until such time as the Council may otherwise elect to provide equal or equivalent coverage as provided in section 402(4).

Pending Actions and Proceedings

SEC. 1003. (a) No suit, action, or other judicial proceeding lawfully commenced by or against any officer or agency in his or its official capacity or in relation to the exercise of his or its official functions, shall abate by the reason of the taking effect of any provision of this Act; but the court, unless it determines that the survival of such suit, action, or other proceeding is not necessary for purposes of settlement of the questions involved, shall allow the same to be maintained, with such substitutions as to parties as are appropriate.

(b) No administrative action or proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this Act, but such action or proceeding shall be continued with such substitutions as to parties and officers or agencies as are appropriate.

Vacancies Resulting From Abolition of Board of Commissioners

SEC. 1004. Until the first day of July next after the first Mayor takes office under this Act, no vacancy occurring in any District agency by reason of section 321, abolishing the Board of Commissioners, shall affect the power of the remaining members of such agency to exercise its functions; but such agency may take action only if a majority of the members holding office vote in favor of it.

TITLE XI—SEPARABILITY OF PROVISIONS

Separability of Provisions

SEC. 1101. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

TITLE XII—TEMPORARY PROVISIONS

Powers of the President During Transition Period

SEC. 1201. The President of the United States is hereby authorized and requested to take such action during the period following the date of the enactment of this Act and ending on the date of the first meeting of the District Council, by Executive order or otherwise, with respect to the administration of the functions of the District of Columbia government, as he deems necessary to enable the Board of Elections properly to perform its functions under this Act.

Reimbursable Appropriations for the District

SEC. 1202. (a) The Secretary of the Treasury is authorized and directed to advance to the District of Columbia the sum of $750,000, out of any money in the Treasury not otherwise appropriated, for use (1) in paying the expenses of the Board of Elections (including compensation of the members thereof), and (2) in otherwise carrying into effect the provisions of this Act.

(b) The full amount expended out of the money advanced pursuant to this section shall be reimbursed to the United States, without interest, during the second fiscal year which begins after the effective date of title V, from the general fund of the District of Columbia.

TITLE XIII—EFFECTIVE DATES

Effective Dates

SEC. 1301. (a) As used in this title and title XIV the term "charter" means titles I to XI, both inclusive, and titles XV, XVI, and XVII.

(b) The charter shall take effect only if accepted pursuant to title XIV. If the charter is so accepted, it shall take effect on the day following the date on which it is accepted (as determined pursuant to section 1406) except that—

(1) part 2 of title III, title V, title VII (except part 4), and title XVII shall take effect on the day upon which the Council members first elected take office;

(2) section 402 shall take effect on the day upon which the Mayor first elected takes office; and

(3) part 4 of title VII shall take effect with respect to the first fiscal year beginning next after the Mayor first elected takes office and with respect to subsequent fiscal years.

(c) Titles XII, XIII, and XIV shall take effect on the day following the date on which this Act is enacted.

TITLE XIV—SUBMISSION OF CHARTER FOR REFERENDUM

Charter Referendum

SEC. 1401. (a) On a date to be fixed by the Board of Elections, not more than four months after the enactment of this Act, a referendum (in this title referred to as the "charter referendum") shall be conducted to determine whether the registered qualified voters of the District of Columbia accept the charter.

(b) As used in this title, a "qualified voter" means a person who meets the requirements of section 807 on the day of the charter referendum.

Board of Elections

SEC. 1402. (a) In addition to its other duties, the Board of Elections established under the District Election Act of 1955 shall conduct the charter referendum and certify the results thereof as provided in this title.

(b) Notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted under this title, the applicable provisions of section 801 of this Act shall govern the Board of Elections in the performance of its duties.

Registration

SEC. 1403. (a) All registrations which were valid for the election held in the District of Columbia on November 3, 1964, shall be valid and sufficient for the charter referendum, subject to compliance by registrants with requirements prescribed by the Board of Elections sufficient to satisfy the Board that no such registrant shall, between November 3, 1964, and the date of the charter referendum, have become disqualified for registration or to vote under this Act.

(b) The Board of Elections shall conduct within the District of Columbia for a period of thirty days a further registration of the qualified voters commencing not more than sixty days after the enactment of this Act and ending not more than thirty days nor less than fifteen days prior to the date set for the charter referendum as provided in section 1401 of this title.

(c) Prior to the commencement of such further registration, the Board of Elections shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the registration places and the dates and hours of registration.

(d) The applicable provisions of section 808, notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted, shall govern the further registration of voters for this charter referendum.

Charter Referendum Ballot: Notice of Voting

SEC. 1404. (a) The charter referendum ballot shall contain the following, with a blank space appropriately filled:

"The District of Columbia Charter Act, enacted , proposes to establish a new charter for the District of Columbia, but provides that the charter shall take effect only if it is accepted by the registered qualified voters of the District in this referendum.

"By marking a cross (X) in one of the squares provided below, show whether you are for or against the charter.

[ ] For the charter

[ ] Against the charter".

(b) Voting may be by paper ballot or by voting machine. The Board of Elections

may make such changes in the second paragraph of the charter referendum ballot as it determines to be necessary to permit the use of voting machines if such machines are used.

(c) Not less than three days before the date of charter referendum, the Board of Elections shall mail to each person registered (1) a sample of the charter referendum ballot, and (2) information showing the polling place of such person and the date and hours of voting.

(d) Not less than one day before the charter referendum, the Board of Elections shall publish, in newspapers of general circulation published in the District of Columbia, a list of the polling places and the date and hours of voting.

Method of Voting

SEC. 1405. Notwithstanding the fact such sections do not otherwise take effect unless the charter is accepted under this title, the applicable provisions of sections 811, 812, 813, 814, 815, and 816 of this Act shall govern the method of voting, recounts and contests, interference with registration or voting, and violations connected with this charter referendum.

Acceptance or Nonacceptance of Charter

SEC. 1406. (a) If a majority of the registered qualified voters voting in the charter referendum vote for the charter the charter shall be considered accepted as of the time the Board of Elections certifies the result of the charter referendum to the President of the United States, as provided in subsection (b).

(b) The Board of Elections shall, within a reasonable time, but in no event more than thirty days after the date of the charter referendum, certify the result of the charter referendum to the President of the United States and to the Secretary of the Senate and the Clerk of the House of Representatives.

TITLE XV—DELEGATE

District Delegate

SEC. 1501. (a) Until a constitutional amendment and subsequent congressional action otherwise provide, the people of the District shall be represented in the House of Representatives of the United States by a Delegate, to be known as the "Delegate from the District of Columbia", who shall be elected as provided in this Act. The Delegate shall have a seat in the House of Representatives with the right to debate, but not of voting. The Delegate shall be a member of the House Committee on the District of Columbia and shall possess in such committee the same powers and privileges as he has in the House of Representatives, and may make any motion except to reconsider. His term of office shall be for two years.

(b) No person shall hold the office of District Delegate unless he (1) is a qualified voter, (2) is at least twenty-five years old, (3) holds no other public office, and (4) is domiciled and resides in the District and during the three years next preceding his nomination (A) has been resident in and domiciled in the District, and (B) has not voted in any election (other than in the District) for any candidate for public office. He shall forfeit his office upon failure to maintain the qualifications required by this subsection.

(c)(1) Subsection (a) of section 601 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 31), is amended by inserting immediately after "Representatives in Congress," the following: "the Delegate from the District of Columbia,".

(2) Clause (b) of section 1 of the Civil Service Retirement Act of May 29, 1930, as amended (70 Stat. 743), is hereby amended by striking out "from a Territory".

(3) The second paragraph under the heading "House of Representatives" in the Act of July 16, 1914 (2 U.S.C. 37), is hereby amended by striking out "from Territories".

(4) Paragraph (i) of section 302 of the Federal Corrupt Practices Act, 1929, as amended (2 U.S.C. 241), is hereby amended by inserting after "United States" the following: "and the District of Columbia".

(5) Section 591 of title 18, United States Code, is hereby amended by inserting "and the District of Columbia" before the period at the end thereof. Section 594 of such title is hereby amended by inserting after "Territories and Possessions" the following: "or the District of Columbia". The first paragraph of section 595 of such title is hereby amended by inserting after "from any Territory or possession" the following: "or the District of Columbia".

TITLE XVI—BOARD OF EDUCATION

Control of Public Schools

SEC. 1601. The control of the public schools of the District of Columbia is hereby vested in the Board of Education continued in the municipal government of the District of Columbia under the provisions of section 322(a)(1) of title III of this Act. Such Board shall consist of fourteen members, one elected from each ward, as provided in title VIII. Members of the Board of Education shall be elected on a nonpartisan basis.

Qualifications

SEC. 1602. No person shall hold office of member of the Board of Education unless he (1) is a qualified voter, (2) is domiciled in the District and resides in the ward from which he is nominated, (3) has, during the three years next preceding his nomination resided and been domiciled in the District, (4) has, for one year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (5) holds no other elective public office, (6) holds no position as an officer or employee of the municipal government of the District of Columbia or any appointive office, for which compensation is provided out of District funds, and (7) holds no office to which he was appointed by the President of the United States and for which compensation is provided out of Federal or District funds. A member shall forfeit his office upon failure to maintain the qualifications required by this section.

Per Diem

SEC. 1603. The members of the Board of Education shall receive no salary as such, but shall be paid a per diem of $20 for each day of service at meetings or while on the work of the Board and may be reimbursed for any expenses legitimately incurred in the performance of such service or work; except that the amount authorized as per diem may be changed by act passed by the Council.

Amendments

SEC. 1604. (a) The fourth paragraph of subsection (a) of section 2 of the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia", approved June 20, 1906, is amended to read as follows:

"The Board of Education shall annually on the 1st day of October transmit to the Mayor of the District of Columbia an estimate in detail of the amount of money required for the public schools for the ensuing year and the Mayor shall transmit such estimate to the District Council, with such recommendations as he may deem proper."

(b) The first four sentences of subsection (a) of section 2 of such Act are hereby repealed.

(c) Subsection (b) of section 2 of such Act is hereby repealed.

TITLE XVII—INITIATIVE

Power To Propose and Enact Legislation

SEC. 1701. (a) Subject to the provisions of section 324 of this Act, the qualified voters of the District shall have the power, independent of the Mayor and Council, to propose and enact legislation relating to the District with respect to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this Act.

(b) In exercising the power of initiative conferred upon the qualified voters by subsection (a) of this section, not less than 10 per centum of the number of qualified voters voting in the last preceding general election shall be required to propose any measure by an initiative petition. Every such petition shall include the full text of the measure so proposed and shall be filed with the Secretary of the District Council to be submitted to a vote of the qualified voters. Any such petition which has been filed with the Secretary, and certified by him as sufficient, shall be submitted to the qualified voters of the District at the first general election which occurs not less than thirty days nor more than one year from the date on which the Secretary files his certificate of sufficiency. The Council shall, if no general election is to be held within such period, provide for a special election for the purpose of considering the petition.

(c) Upon receiving the certification of the Board of Elections (as provided in section 805(d) of this Act) of the results of any election held with respect to any measure proposed by an initiative petition, the Secretary of the Council, if such measure was approved by a majority of the qualified voters of the District voting thereon, shall, within five calendar days thereafter, present the petition containing such measure so approved, which was filed with him pursuant to subsection (b) of this section, to the President of the United States. Such measure shall become law unless, within ten calendar days after it is so presented to the President, he shall, in accordance with this subsection, disapprove the same. The President may, if he is satisfied that such measure adversely affects a Federal interest, disapprove it, in which event he shall return it, with his objections, to the Secretary and, notwithstanding any other provision of this Act, such measure shall not become law.

(d) If conflicting measures proposed at the same election become law, the measure receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(e) If, within thirty days after the filing of a petition, the Secretary has not specified the particulars in which a petition is defective, the petition shall be deemed certified as sufficient for purposes of this section.

(f) The style of all measures proposed by initiative petition shall be as follows: "Be it enacted by the People of the District of Columbia".

(g) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to the form, filing, examination, amendment, and certification of initiative petitions, and (2) with respect to the conduct of any election during which any such petition is considered.

(h) If any organization or group request it for the purpose of circulating descriptive matter relating to the measures proposed to be voted on, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

TITLE XVIII—TITLE OF ACT

SEC. 1801. This Act, divided into titles and sections according to table of contents, and including the declaration of congressional policy which is a part of such Act, may be cited as the "District of Columbia Charter Act".

Mr. MULTER (interrupting reading of amendment). Mr. Chairman, I ask unanimous consent that the reading of the balance of the amendment be dispensed with and that the amendment be set forth in full in the RECORD and that I be given permission to explain it.

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

Mr. WATSON. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Clerk will read.

The Clerk read.

Mr. MULTER. Mr. Chairman, I again ask unanimous consent that further reading of the amendment be dispensed with and that it be set forth in the RECORD in full at this point.

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

Mr. WAGGONNER. Mr. Chairman, reserving the right to object, will the gentleman explain his amendment?

Mr. MULTER. Mr. Chairman, if the gentleman will yield, when I am recognized under the 5-minute rule I shall be very happy to do so.

Mr. WAGGONNER. Mr. Chairman, I withdraw my reservation.

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

There was no objection.

Mr. MULTER. Mr. Chairman, it is not my desire to keep the Committee in session too long tonight. We have had a long, full day. I am going to make a brief explanation of the substitute that is pending and I would like at the conclusion of that, if it is agreeable to the members of the Committee, that the gentleman from California [Mr. SISK] be given an opportunity to offer his proposed substitute and that he then take 5 minutes to explain it and after that that the Committee then be asked to rise and come in tomorrow to proceed under the 5-minute rule.

Mr. Chairman, with reference to the proposed substitute which is now pending, H.R. 4644, was introduced in the other body as S. 1118. It was amended by the Senate. S. 1118, as it passed that body, and H.R. 4644 without amendments, were before the District Committee and are set forth in full in its hearings. Both of them are explained and analyzed throughout the RECORD and throughout the debate, and in this analysis sheet which I hold in my hand. That sheet was sent to all of the Members by the chairman of the House District Committee. It is set forth in full at page 211 of the House District hearings. It analyzes all of the bills. If the members of the Committee wish to save themselves the time they may refer to column 2, item No. 3, and there find a complete explanation of H.R. 4644 and S. 1118, as it passed the other body, together with a statement of all the things you have been told were not told to you about what commissions are abolished and what powers are given to the various functionaries brought into being by this bill. Then if you want to know succinctly the changes that the proposed amendment now before you does to that bill, and by that I now mean S. 1118 as it amends H.R. 4644, you have it in a joint letter that was sent to every Member of Congress by Messrs. HORTON, SICKLES, MATHIAS, and myself.

That letter which was sent to every Member of Congress, is set forth in full in the CONGRESSIONAL RECORD of September 23, 1965, at page 25013.

Then again you have a full, detailed explanation of S. 1118, as passed and sought to be amended by the amendment now pending before you in yesterday's RECORD which came to your desks this morning.

Very briefly, this is all the amendment does to S. 1118 as it passed the other body:

First. Instead of the proposal that those over 18 years of age shall have the right to vote it continues the voting age at 21. We continue the 21-year-age limit that we adopted some time ago when we gave the right to the District citizens to vote for President and Vice President. At that time, there was considerable debate about whether we should reduce that age limit from 21 to 18. The majority opinion was it should be 21 as it is throughout most of the country. By this amendment we continue the voting age limit at 21 years in the District.

Second. The second amendment that is proposed, at least in part to meet the objections to partisan elections. We provide that the election shall take place in off years for Mayor, City Council, and the Board of Education, and under the amendment they will be elected in years other than Presidential years, so we do not mix up local issues with national issues.

Third. The third amendment is to allay the fears of those people who, because of riots in various cities that have home rule—New York, Philadelphia, Boston, Chicago, and Los Angeles—think things may get out of hand, and there will be no force or power to bring about law and order. We give the President the right to take over the police force in the city of Washington in the event of any such emergency. We reaffirm in this same amendment the power he already has to call up the militia or the Armed Forces to maintain or restore law and order in the District of Columbia.

Fourth. The last of the amendments, except for one technical amendment which corrects the citation of a statute which was incorrectly cited is the amendment which takes out of the bill and restores and retains in the Congress the full, complete, and absolute right to appropriate money for the District of Columbia, whether it be $1 million, $50 million, or 1 penny. No money can be appropriated to the District of Columbia out of the U.S. Treasury unless and until it goes through the appropriation methods and the Congress appropriates it.

Mr. SISK. Mr. Chairman, I offer a substitute.

The CLERK. The amendment offered by Mr. SISK, as a substitute for the amendment offered by Mr. MULTER, is to strike out all after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "District of Columbia Charter Act".

DECLARATION OF POLICY

SEC. 2. It is the intent of Congress to make available to the inhabitants of the District of Columbia such measure and form of local self-government as they themselves shall democratically establish if such self-government is consistent with the constitutional injunction that Congress retain ultimate legislative authority over the Nation's Capital. In taking this action it is further the intent of Congress to demonstrate its fundamental and enduring belief in the merits of the democratic process by exercising its retained legislative responsibility for the seat of the Federal Government only as it concerns amendments to any charter which might be established under this Act, but not as it concerns the routine municipal affairs of the District of Columbia.

SELF-GOVERNMENT REFERENDUM AND CHARTER BOARD ELECTION

SEC. 3.(a)(1) The Board of Elections shall conduct a referendum, on a day specified by it, not later than one hundred days after the date of enactment of this Act to determine if the residents of the District of Columbia want self-government for the District of Columbia. The following proposition shall be submitted to the voters in the referendum:

'The voters of the District of Columbia are being asked in this election whether they want a District of Columbia Charter Board created whose purpose would be to write a charter for the District of Columbia. The charter if approved in accordance with the District of Columbia Charter Act, would establish local self-government for the District of Columbia. Do you approve the creation of a District of Columbia Charter Board? --------yes --------no."

(2) In order for the proposition to be approved, a majority of the registered voters must vote in the referendum and a majority of those voting must vote in favor of the proposition.

(b) The Board of Elections shall also conduct an election on the same day as the referendum to choose members of the Charter Board (to be established in accordance with section 4).

(c) Every qualified elector—

(1) who has registered with the Board of Elections, in accordance with section 7 of the District of Columbia election law, for the last election held in the District of Columbia prior to the date of the election and referendum authorized by this section and who the Board of Elections ascertains is still a qualified elector, or

(2) who registers with the Board of Elections in accordance with subsection (d) of this section,

shall be entitled to vote in such election and referendum.

(d)(1) The Board of Elections shall conduct a registration of electors under section 7 of the District of Columbia election law, during a period beginning as soon as practicable after the date of enactment of this Act and ending not more than thirty or less than twenty days before the date of the referendum and election.

(2) The Board of Elections may by regulation prescribe any reasonable method for ascertaining whether a person registered to vote in the last election held in the District of Columbia prior to the date of the election and referendum authorized by this section is a qualified elector. Any such person who it ascertains is a qualified elector shall be notified by mail before the beginning of the registration period established under paragraph (1) of this subsection.

(e)(1) Before the beginning of the registration period the Board of Elections shall publish in each of the daily newspapers of general circulation in the District of Columbia a list of registration places and the dates and hours of registration.

(2) Not later than two weeks before the election and referendum, the Board shall publish and mail to each registered voter a voter information pamphlet which shall contain (A) a statement (not exceeding one hundred and twenty-five words in length) by each candidate for election setting forth his qualifications, (B) an argument for approval of the proposition to be submitted in referendum, and (C) if this Act is not passed in each House without opposition, an argument for disapproval of that proposition. Each argument shall not exceed five hundred words in length. The argument for approval of that proposition shall be jointly written by two Members of Congress who voted for the approval of this Act, one appointed from the House by the Speaker and one appointed from the Senate by the President pro tempore. The argument for disapproval of that proposition shall be jointly written by two Members of Congress, similarly appointed, who voted against the approval of this Act if there were Members in each House that voted against approval of this Act; otherwise such argument shall be written by one Member, who voted against approval of this Act, who shall be selected by the President pro tempore or the Speaker, as the case may be.

(f)(1) In the election of members of the Charter Board, there shall be a number of different ballot forms equal to the number of candidates. The Board of Elections shall arrange such ballot forms so that the order in which the candidates' names appear on the ballot forms is rotated from one voting precinct to the next. The rotation shall be accomplished by arranging one ballot form so that the names of the candidates are listed vertically in alphabetical order, and by arranging each succeeding form by placing at the bottom of the list the name which was at the top of the list on the preceding form. The forms shall be allotted to voting precincts by lot in a manner prescribed by the regulations of the Board of Elections.

(2) Ballots and voting machines shall show no party affiliation, emblem, or slogan.

(g)(1) To be a candidate for the office of member of the Charter Board a person must be nominated in accordance with this subsection, must be a registered elector of the District of Columbia, and must have been a continuous resident of the District of Columbia for at least three years prior to the day of the election. The President, Vice President, Members of Congress, and officers and employees of the District of Columbia shall be ineligible for membership on the Charter Board.

(2) To be nominated as a candidate a person must present a petition to the Board of Elections not less than forty-five days prior to the election. Such petition shall contain signatures of at least three hundred registered electors and shall be accompanied by a nonrefundable filing fee of $25. The Board of Elections shall determine the validity of the signatures contained in such petition.

(3) Members of the Charter Board shall be elected from the District of Columbia at large.

(h)(1) In the election each voter may cast one vote for each of not more than fifteen candidates. The fifteen candidates receiving the largest number of votes shall be elected.

(2) The Board of Elections shall certify the results of the election and referendum to the President, the Clerk of the House, and the Secretary of the Senate, and the Board of Elections shall issue a certificate of election to each person elected to the Charter Board.

ESTABLISHMENT OF CHARTER BOARD

SEC. 4. (a) If the proposition submitted to the referendum conducted under section 3 is approved, there shall be established an independent agency of the United States to be known as the District of Columbia Charter Board. The Charter Board shall be composed of the fifteen persons elected in the election conducted under section 3. The candidate for office of member of the Charter Board who received the highest number of votes in such election shall be chairman of the Charter Board until the Charter Board selects a chairman from among its number.

(b) Each member of the Charter Board shall be entitled to receive $50 per diem when engaged in the performance of duties vested in the Charter Board, except that (1) a member who is also an officer or employee of the United States shall not be entitled to receive such per diem for any day for which he is compensated by the United States for his services as such an officer or employee, and (2) no member may receive more than $5,000 in the aggregate for his services as a member.

(c) The Charter Board shall have the power to appoint and fix the compensation of such personnel, as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(d) The Charter Board may procure, in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), the temporary or intermittent services of experts or consultants. Individuals so employed shall receive compensation at a rate to be fixed by the Charter Board, but not in excess of $100 per diem, including travel time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

(e) The District of Columbia government shall furnish such space and facilities in public buildings in the District as the Charter Board may reasonably request, and shall provide the Charter Board with such records, information, and other services as may be required by the Board for the carrying out of its function.

(f) The Charter Board may hold meetings, hearings, and issue subpenas within the District of Columbia. Subpenas may be issued under the signature of the Chairman of the Charter Board or any member of the Charter Board designated by him, and may be served by any person designated by such Chairman or member.

(g) Hearings of the Charter Board shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators.

(h)(1) There is authorized to be appropriated not more than $300,000 for the administrative expenses of the Charter Board.

(2) There is authorized to be appropriated to the Board of Elections such sums as may be necessary to conduct the election and referendums authorized by this Act.

POWERS AND DUTIES OF CHARTER BOARD

SEC. 5. (a) Subject to the limitations in subsection (b), the Charter Board shall have the power to propose a District of Columbia charter, within two hundred and ten days from the day on which the election and referendum is held under section 3. Such charter shall, if approved in a referendum conducted under section 6 and if not disapproved by Congress under section 7, establish a municipal government for the District of Columbia. The Charter Board may propose a charter only by the vote of a majority of its members, and only one charter may be proposed. A copy of the proposed charter shall be transmitted to the Board of Elections.

(b)(1) The Charter Board is authorized to prepare a charter which may vest in a District of Columbia government complete legislative power over the District of Columbia with respect to all rightful subjects of legislation which are within the scope of the power of Congress in its capacity as the legislature for the District of Columbia as distinguished from its capacity as the National Legislature. The Congress reserves the right, at any time after the adoption of such a charter, to exercise its constitutional authority to amend in whatever fashion it chooses any charter written pursuant to this Act. Provisions of a charter may provide for subsequent amendment of the charter by the people of the District of Columbia. Such an amendment must be submitted in a referendum. However, such an amendment shall not take effect if disapproved by Congress in the manner provided by section 7(c).

(2) The President of the United States may disapprove any legislation enacted by a District of Columbia government established under a charter approved pursuant to this Act, but his positive assent is not needed for any such legislation to take effect.

(3) The Charter Board may also provide in the charter for the creation of such courts as may be necessary to assume the functions, solely relating to the affairs of the District of Columbia, of any Federal court within the District.

CHARTER REFERENDUM

SEC. 6. (a) The Board of Elections shall submit to referendum the charter proposed by the Charter Board. Such referendum shall be conducted by the Board of Elections, on a day specified by it, not later than forty-five days after the Charter Board transmits the charter proposed by it to the Board of Elections. The provisions of section 3 relating to the referendum conducted under that section shall be applicable to the referendum conducted under this section, except that (1) the registration period shall begin as soon as practicable after the transmission of the proposed charter to the Board of Elections, (2) the arguments respecting approval of the proposition shall be written by members of the Charter Board appointed by the chairman thereof, and (3) the voter information pamphlet shall contain a copy of the proposed charter.

(b) The following proposition shall be submitted to the voters in the referendum:

"The District of Columbia Charter Board has written a charter which, if approved in accordance with the District of Columbia Charter Act, would establish local self-government for the District of Columbia. Do you approve the charter?

--------yes --------no."

APPROVAL BY CONGRESS

SEC. 7. (a) A charter proposed by the Charter Board in accordance with section 5 and approved in referendum under section 6 shall be transmitted to the Congress. The delivery to both Houses shall be on the same day and shall be made to each House while it is in session.

(b)(1) Except as otherwise provided in paragraph (2) of this subsection, the District of Columbia Charter transmitted to Congress shall take effect upon the expiration of ninety days following the date on which such charter is transmitted to Congress, unless between the date of transmittal and the expiration of such ninety-day period there has been approved by either of the two Houses of Congress a resolution stating that that House does not favor such charter.

(2) If before the expiration of such ninety-day period the Congress shall approve a concurrent resolution stating that the Congress approves such charter, such charter shall take

effect on the date of approval of such resolution.

(3) For purposes of this subsection in the computation of the ninety-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain or sine die.

(c) Amendments to such Charter which are approved in a referendum shall take effect in the manner provided in subsection (b) for such Charter.

DISSOLUTION OF CHARTER BOARD

SEC. 8. The Charter Board shall cease to exist seven months after the approval of the proposition submitted to referendum under section 3, unless the Board proposes a charter under section 5, in which case the Board shall cease to exist on the day after the day on which a referendum is conducted under section 6.

DEFINITIONS

SEC. 9. For purposes of this Act—

(1) the term "Charter Board" means the District of Columbia Charter Board established by section 4 of this Act;

(2) the term "District of Columbia Election Law" means the Act of August 12, 1955 (D.C. Code, sec. 1–1101 et seq.);

(3) the term "Board of Elections" means the Board of Elections for the District of Columbia; and

(4) the term "qualified elector" has the same meaning as it has in section 2(2) of the District of Columbia Election Law (D.C. Code, sec. 1–1102(2)).

Mr. SISK. Mr. Chairman, I shall not attempt to take the 5 minutes because I am sure each of us is interested in getting back to our office tonight. I would just simply say this: I would appreciate the serious consideration of every Member of this House on this substitute amendment which will appear in the RECORD in the morning. The bill is available in the back of the Chamber. The substitute that I have introduced is the original bill which I put in in July. I would appreciate my colleagues researching and reading that bill. It can be read within 10 minutes' time.

I would challenge anyone to show me where in any way it departs from the normal procedure that your own hometown would follow to secure its original charter or to secure a new charter. It is very simple. It is straightforward. It is to the point.

The question was raised a little while ago by one of my good friends and colleagues that we as Members of the Congress do not have time to spend on the affairs of the District of Columbia. This is why I believe even more strongly in my approach. Here among the Members of the Congress we have the talent to do it, but we do not have the time to spend and to analyze the problems and to write the type and kind of charter that is best for the city of Washington.

This proposal that I have offered will enable the citizens of the District of Columbia in a thoroughly democratic fashion to elect 15 of their own fellow citizens to sit down and spend 7 months to study this matter.

It further authorizes them to employ talent.

We provide up to $300,000 for them to get the finest help to draw up the kind and type of government best suited to meet the peculiar problems of this city and then to submit it back to their electorate for their vote up or down. If the electorate of the city of Washington approves it, then it comes here for the Congress to take a look at it from a constitutional standpoint and we have 90 days to act. If we do nothing, it automatically becomes law. If we approve it, it becomes the law. Or, of course, either House can pass a dissenting resolution if in the opinion of the Congress it is not in line with the best interests either of the Federal Government or of the city of Washington.

This in essence sums up my proposal. As I say I challenge anyone in this House of Representatives to tell me wherein their city and their own people and residents of their own districts do any differently when your city or your hometown seeks either an original charter or a new charter.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. WHITENER. The gentleman from California has suggested that all of us read the bill when it is printed in the RECORD. I know out of the gentleman's characteristic modesty, he would not suggest this, but I would suggest also that all of our colleagues read the splendid testimony that the gentleman gave during 2 days in his appearance before the subcommittee when we were conducting hearings. I think it would be very interesting and very helpful.

Mr. SISK. I thank the gentleman.

Mr. MULTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore, Mr. ALBERT, having assumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 4644) to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes, had come to no resolution thereon.

## COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight Thursday night to file certain privileged reports.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

## THE SOVIET AND COMMUNIST BLOC DEFAMATION CAMPAIGN

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therewith a paper entitled "The Soviet and Communist Bloc Defamation Campaign."

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

There was no objection.

Mr. PRICE. Mr. Speaker, a major program to defame and discredit U.S. departments and agencies having responsibilities for national security has been conducted by the Soviet and Communist bloc since 1948. How it operates is explained in a paper, "The Soviet and Communist Bloc Defamation Campaign," which I submit for printing in the RECORD. Main targets are the Central Intelligence Agency and the Federal Bureau of Investigation.

The paper follows:

THE SOVIET AND COMMUNIST BLOC DEFAMATION CAMPAIGN

SYNOPSIS

1. The Soviet and Communist bloc effort to defame and discredit U.S. departments and agencies that have major responsibilities for national security has been underway since 1948. A major program is aimed at the Central Intelligence Agency and has grown markedly in quantity and intensity since the establishment of the KGB Department of Disinformation in 1959. This program now produces between 350 and 400 derogatory items annually. Communist press and radio attacks against the Agency reveal an increased sophistication in recent years. In addition, many Communist-inspired books and pamphlets which attack the existence, purposes, and status of CIA, and reflect a substantial budget for this activity, have appeared throughout southeast Asia, Africa, and the Near East.

2. CIA, in its intelligence role, is feared by the Soviets for its responsibility and ability to penetrate and unmask Communist conspiracies against democratic institutions. By striking at CIA, the attack also centers on the intelligence community with particular thrust against the FBI and Mr. J. Edgar Hoover. The objective of the overall program is to achieve the destruction, breakup, and neutralization of CIA. A basic requirement of Soviet policy and a major objective of the Soviet intelligence services is the destruction of effective security collaboration among the non-Communist countries in order to carry out Soviet long-term strategic plans for subversion, political upheavals, popular fronts, and the eventual political isolation of the United States.

3. Defamation and forgery operations are conceived, directed, and perpetrated by a single organization located outside the target areas which makes use of local Communist or pro-Communist propagandists and of cooperating Communist bloc intelligence and security services. Although such undertakings are the products of the disinformation department of the KGB, known as department D, which is headed by Gen. Ivan Ivanovich Agayants, they are reviewed and passed on by the Soviet leadership. The operations of the Soviet Disinformation Department have been successful thus far in stimulating a wide replay in Africa, southeast Asia, the Middle East, and even in the United States. CIA will continue to be the prime target of Soviet disinformation and defamation operations.

SOVIET AND COMMUNIST DISINFORMATION

4. It is an established Soviet principle—now embraced by all members of the Communist bloc—that a large percentage of subversive activity be devoted to the planning and conduct of disinformation (dezinformatsiya) operations which mold, divide, and mislead other governments or leaders, and cause them to adopt policies and undertakings which are ultimately advantageous only to the Soviet Union. The Soviet leadership has charged the Soviet State Security Service, the KGB, to place very great emphasis, both organizationally and operationally, on disinformation activity. Communist bloc services, in turn, are playing their part in this work.

5. What are disinformation operations? "Dezinformatsiya," in Soviet terminology, is false, incomplete, or misleading information that is passed, fed, or confirmed to a targetted

individual, group, or country. "Propaganda," as it is defined by free world students, may be used as a support element of dezinformatsiya, but propaganda per se lacks the precision and bite of disinformation.

6. Soviet disinformation activity is planned and directed by a specialized department of the Soviet State Security Service. This KGB department, which was created to intensify Soviet disinformation activity, is headed by Gen. Ivan Ivanovich Agayants, a senior, professional intelligence officer with long experience and well-developed agent and political contacts in Western Europe, especially in France, where he served under the name Ivan Ivanovich Avalov. At one time in France he controlled the French spy Georges Pasques who was sentenced to life imprisonment on July 7, 1964.

7. The assignment of Agayants to take over the disinformation task indicates the high priority that the then Chairman of the Presidium, Nikita Khrushchev, gave to the campaign against American leadership and activity. Chairman Kosygin and First Secretary Brezhnev have made no changes in that program. Department D is still directly tied into the Presidium in the planning of its work.[1]

8. Agayants' department is staffed by an estimated 40 to 50 geographical and functional specialists in Moscow alone; it avails itself directly and peremptorily of the worldwide resources, manpower and operations, of the Soviet security apparatus. The purposes, broadly stated, of the disinformation department are to:

(a) Destroy the confidence of the Congress and the American public in U.S. personnel and agencies engaged in anti-Communist and cold war activity.

(b) Undermine American prestige and democratic institutions and denigrate American leadership with NATO governments and other non-Communist countries, thereby contributing directly to the breakup of the NATO alliance.

(c) Sow distrust and create grounds for subversion and revolt against the United States in the Western Hemisphere and among the new nations of Africa and Asia.

These purposes and objectives, it must be emphasized, have been established by the highest elements of party and government in the Soviet Union.

9. Personal experiences with this program have been described by officers who have left the Soviet system and are now in the United States. One of these—Alexander Kaznacheev, who served in Burma as an information officer—described the program and the process in a recent personal memoir:

"Articles were originated in KGB headquarters in Moscow—for example, about alleged American support of the Indonesian rebels, frequent American violations of Cambodia's sovereignty, subversive activity of Japan in the region, etc. The articles were received from Moscow on microfilm and reproduced as enlarged photo-copies at the Embassy. It was my job to translate them into English. Some other members of Vozny's[2] group would then arrange through local agents for the articles to be placed in one of the Burmese newspapers, usually pro-Communist-oriented. The newspaper would translate the article into Burmese, make slight changes in style, and sign it from 'Our special correspondent in Singapore,' for instance. Upon publication of such an article, the illegitimate creation of Soviet intelligence receives an appearance of legitimacy and becomes a sort of document.

"But the work was not yet finished. I then took the published article and checked it against the original Russian text. I noted all the changes and variations made by the newspaper, and wrote down in Russian the final version of the article. This final version was then immediately sent back to Moscow, this time through Tass channels.

"The last stage of this grandiose forgery was under the special care of the Soviet Information Bureau, Tass, Radio-Moscow, the Soviet press, and Soviet diplomatic representatives abroad. It is their duty to see that the material is republished and distributed in all countries of the region as if they were genuine documents which had appeared in the Burmese press."[3]

10. Although the KGB is able to fabricate in Moscow whatever material is needed for its disinformation operations, it has been making more and more use of material published in the West, some of which had been planted there by earlier disinformation activities. An examination of the books and articles cited in any of the anti-CIA pamphlets reveals extensive use of Western source material, often taken out of context. The most recent Soviet articles on the Agency are exclusively "documented" from Western books, articles, and newspapers.

11. In the 58 pages of "CIA Over Asia," a slanderous booklet published in Kanpur, India, in 1962, for example, American newspapers and magazines are cited 11 times, periodicals of other Western or neutral countries 15 times. The fact that some references are made to Communist organs is obscured by repeated citations from reputable American publications.

12. A study of Soviet disinformation shows that the Soviets are engaged in an impressive research project to collect and process information and speculation about American intelligence and security services that appears in Western publications and newspapers. This study also has confirmed the deep interest of the Soviet services in the development and milking of Western journalists. Americans figure prominently among these.

13. The measure and depth of department D's activity against the CIA may be judged from a single episode. A booklet attacking the former Director of Central Intelligence, Mr. Allen W. Dulles, entitled "A Study of a Master Spy" (Allen Dulles), was printed and distributed in London during 1961, and has since been reprinted. The ostensible author was a prominent maverick Labor Member of Parliament, one Bob Edwards, who was supposedly assisted in the effort by a British journalist. It is now known that the manuscript was researched in Moscow by a senior KGB disinformation officer, Col. Vassily Sitnikov, and then served up for final polish and printing in the United Kingdom. Mr. Dulles himself discussed this episode on a TV roundtable on March 29, 1964:

"Mr. HANSON BALDWIN. Well, that brings up, too, doesn't it, the question of disinformation? What kind of disinformation is being distributed by the Soviets today? Can you explain this, Allen?

"Mr. DULLES. Well, I have here right in my hand—

"Mr. BALDWIN. And what is disinformation, anyway?

"Mr. DULLES. Well, this is it. Here's 'A Study of a Master Spy.' Here's a booklet that was written about me. Now, it bears on the outside here, you see, 'A Study of a Master Spy.' I won't give you the names of the authors, but one of them is a member of the legislature of a very great, friendly country. But the real author of this—I am the 'master spy'—I have found out recently after certain research has been done, that the real author of this pamphlet is a Colonel Sitnikov, whom I believe you know, or know of. He is the real author.

"Mr. DERYABIN.[4] Sitnikov? I used to work with Sitnikov in Vienna when he was deputy chief of the Soviet spy force, and he was the chief of an American desk, I mean, working against Americans. He was trained as an intelligence officer. One time he was a spy chief in Berlin and Potsdam, another time he was in Vienna. To my knowledge last time he was in Bonn as a counselor to the Embassy, but I mentioned him in my book and in the articles in Life in 1959, and it is my belief that he is at home now.

"Mr. DULLES. He has a whole dossier on me. I've read some things there about myself that even I didn't know."

CONTINUING ATTACK ON THE DCI

14. The resignation of Mr. Allen Dulles and the appointment of Mr. John McCone necessitated a shift in the Communist attack on the Director of Central Intelligence. The Soviet propaganda transition from one Director of Central Intelligence to another was accomplished by June 1963 with the publication of a pamphlet entitled, "Spy No. 1." Issued by the State Publishing House of Political Literature in Moscow (June 1963), the substance of the book is summarized on the title page:

"John Alex McCone is the Director of the Central Intelligence Agency of the United States. Behind the exterior of a respectable gentleman is hidden the seasoned spy, the organizer of dirty political intrigues and criminal conspiracies.

"This pamphlet tells of the past of the chief of American intelligence, of the methods by which he amassed his millions and became the servant of the uncrowned kings of America, the Rockefellers, and of the influence which McCone exerts on the policies of the U.S. Government, particularly in the Cuban affair."

15. In November 1964, the Soviet newspaper Komsomol'skaya Pravda published a further attack on Mr. McCone entitled, "The Spy With the Slide Rule." Referring to Mr. McCone's activities as Director of CIA, the article added, "Under the leadership of McCone, the CIA was transformed from just an invisible government to a government of U.S. oil monopolies, mainly Standard Oil and its owners, the Rockefeller group. All of the military adventures in Lebanon, in southeast Asia, Aden, and Brazil, were carried out with the participation of emissaries of the man with the slide rule."

16. On December 8, 1964, Moscow domestic radio stated: "The American newspaper New York Herald Tribune had reported that:

"U.S. Central Intelligence Agency boss John McCone has secretly approached President Johnson with a resignation request * * * the American press prefers for the moment not to speak about the actual reason for McCone's resignation. The reason for it consists, in the first instance, in the serious collapse of American foreign policy, which, to a considerable degree, is formulated on the data provided by the CIA. Basing its activity on defense of the interests of the largest monopolistic groups based on the ideology of anticommunism and militarism, the CIA is proving incapable of a more or less objective correct appraisal of the balance of power in the world arena. * * * The American journalists, David

[1] It will be recalled that Khrushchev, during his U.S. visit in September 1959, engaged in more than one discussion at the White House and during his tour designed to destroy confidence in American intelligence. His statements and remarks made during interviews, it is known, were prepared in advance in consultation with the department of disinformation.

[2] Ivan Mikhailovich Vozny, a KGB officer, was head of the political intelligence section at the Soviet Embassy in Rangoon, Burma.

[3] Alexander Kaznacheev, "Inside a Soviet Embassy" (New York, 1962), pp. 12–173.

[4] Peter Deryabin is a former KGB officer, now in the United States. His personal memoir, "The Secret World" (New York, 1959) is probably the most authoritative public account of KGB organization and activity.

White [sic] and Thomas Ross, drawing attention to the subversive activity of the CIA, just call it 'The Invisible Government'.[5] * * * There is a basis to suspect, White and Ross write, that frequently the foreign policy of the United States as made public in the speeches of the State officials, acts in one direction, while secretly, through 'The Invisible Government,' it acts in the opposite direction."

17. President Johnson's appointment of Adm. William F. Raborn on April 11, 1965 gave the Soviet press another opportunity to review and renew its attack on the Director of Central Intelligence. Moscow domestic radio announced the next day that the appointment signified "the further strengthening of cooperation between the espionage apparatus and the military and military industrial monopolies."

18. An editorial published on April 14, 1965 in the Tanzanian newspaper, the Nationalist, which was replayed by the New China News Agency, claimed that Admiral Raborn's appointment implied an "attempt to save the face of the United States over accusations of interference in the internal affairs of newly independent states in particular."

19. Krasnaya Zvezda in Moscow asserted (April 18, 1965) that the departure of Mr. McCone and General Marshall S. Carter was "connected with new failures in assessing those forces against which American imperialism in aiming its aggressive blows." The article concluded, "The American imperialists probably assume that Raborn will be a more successful accomplice for them in the struggle against the peoples of the socialist countries and other freedom-loving peoples. These hopes are hardly justified, however, since in our era the course of historical events is not being determined by the Raborns and not even by their Wall Street bosses."

20. On June 5, 1965, the Greek Communist newspaper Avghi, in an article entitled, "U.S. Master Spy, William Raborn," alleged that the appointment of Admiral Raborn was intended "to lessen the enmity between the CIA and the Defense Department Intelligence Service." The article continued, "The main reason is the fact that the key posts in the American administration are now being taken over by representatives of the top and overt forms of monopolist capital, the most reactionary force that leans toward dangerous adventurism. At least that is what the events in Indochina, Dominican Republic, Congo, and elsewhere show."

THE COMMUNIST CHARGES AGAINST CIA

21. The themes exploited by the campaign of the Communist bloc against CIA, its Director, and its operations have remained generally the same since the beginning of the attack. Nevertheless, slants and replays have been constantly adjusted to changing world and regional political developments and to the vulnerabilities of target audiences and individuals, particularly in the newly emerging areas. The basic anti-CIA themes in use as of midsummer 1965 are:

(a) CIA is an instrument of American imperialism. It is racist, and a direct threat to national liberation movements.

(b) In its work against national liberation movements, CIA engages in espionage, economic and political subversion, sabotage, assassination and terrorism; it trains and supports counter-revolutionary forces.

(c) CIA is an instrument of American aggression and gathers intelligence for aggressive plans against peace-loving socialist states. Diplomats, tourists, and scientists are used by CIA for these purposes.

(d) CIA dominates and generates American foreign policy.

(e) CIA engages in psychological warfare, utilizing falsehoods to undermine the international authority of the U.S.S.R.

(f) CIA is fighting the Communist Party of the U.S.A. and the Communist and Worker Parties of other capitalist countries.

(g) CIA spies on the allies of the United States and overthrows its henchmen who are unable to suppress national liberation movements.

22. The increasing weight of the attack on CIA becomes evident when an examination is made of the periodicals International Affairs, New Times, and Kommunist, all three of which are issued in Moscow, the first two in English and other languages. International Affairs carried one major article on American intelligence in 1960 and another in 1962. Since March 1964, there have been five articles devoted to that theme. These articles have alleged in general that intelligence controls U.S. foreign policy and big business controls intelligence.[6] The New Times published one article on CIA in 1961, and one in 1963.

Three articles concerning CIA were published by this multilingual magazine during 1964.[7] In May 1965, Kommunist published an article with the title, "The American Intelligence Service Is a Weapon of Adventurism and Provocation."

23. The assassination of President Kennedy was the subject of a book by Joachim Joesten entitled, "Oswald—Assassin or Fall Guy?" (1964) published by Marzani and Munsell Publishers, Inc. of New York, in which Joesten states that there is no question in his mind that Oswald was a minor CIA agent. Marzani, a known Communist, was coauthor of a pamphlet, "Cuba Vs. CIA," published in 1961. Joesten is revealed in a German Security Police memorandum, dated November 8, 1937, to have been an active member of the German Communist Party (KPD) since May 12, 1932; he was issued Communist Party membership card (Mitgliedsbuch) No. 532315.

24. A primary aim of Soviet disinformation is to sow distrust among the Western allies by discrediting the policies and motives of the United States and American methods of implemeting those policies. Considerable attention is devoted to creating apprehension, uncertainty, and antagonism toward the United States among the uncommitted and underdeveloped nations. Thus, the Soviets reiterate the longstanding Communist charge that the United States is imperialistic and seeks world domination. They continually emphasize the theme that CIA is a major instrument in the execution of American policy. Two pamphlets, "CIA Over Asia" (Kanpur, 1962) and "America's Undeclared War" (Bombay, 1963), are dedicated to this theme.

25. An example of the use of the daily press and radio to mount this line of attack occurred 2 years ago in Ghana. Sufficient time has now passed to permit an evaluation of the episode. In late February and March 1963, CIA was subjected to an attack in the Ghana press and radio which attempted to tie the Agency to the death of Premier Qasim of Iraq. This campaign was allegedly based on an article in the French paper L'Express which asserted that CIA was the "author of the Iraq murder." An article in the Ghana Evening News for February 28, 1963 was headlined "Neo-Colonialist Terror in Iraq Menacing Threat Against Africa." On May 15, 1965, the Spark, a weekly Ghanian newspaper, carried a front page story with the headline "The Secret War of CIA: The Killer at Your Door." According to the article, "This murderous game, which goes by the innocent-sounding name of 'intelligence', has its Western-World nerve-center in America's Central Intelligency Agency, known briefly as CIA." Included in the article were eight illustrations of "spy equipment." Four of these illustrations had earlier appeared in West Berlin—The Facts, an anti-CIA tract that was published in Moscow in 1962.

26. A major theme developed principally in the uncommitted areas during the past 12 to 18 months has been the alleged interference of the United States, and especially CIA, in the internal affairs of other countries. Three recent pamphlets, "American Intelligence—This Is Your Enemy" (Cairo, April 1964), "The Truth About Komla Gbedemah" (Ghana, October 1964), and "Operation Boa Constrictor" (Colombo, 1964) develop the idea that through its intelligence and aid agencies, the United States is engaged in a conspiracy to dominate the Middle East, Africa, and Asia. The conspiracy allegedly takes the form of active efforts to overthrow anti-American governments and to gain economic control of these areas through foreign aid and economic exploitation.

SOVIET FORGERIES

27. One of the preferred instruments utilized by the Soviets to disseminate disinformation is the forged document. Detailed testimony on 32 U.S. forgeries attributable to the Communist bloc was given by Mr. Richard Helms of CIA on June 2, 1961, before the Internal Security Subcommittee of the U.S. Senate Committee on the Judiciary. Fourteen new instances of forged U.S. official documents have come under scrutiny by the end of July 1965. Some of the more recent examples are still being studied. Although CIA has not been omitted from some of these spurious documents, the principal purpose of such forgeries has been to discredit U.S. policies and the repersentatives of other U.S. agencies overseas, such as the Department of State, USIA, the Peace Corps, the Armed Forces of the United States and American political leaders generally.

28. The Soviet defamation campaign, whatever may be its targets, has but one objective. Defamation of CIA is only an aspect of a coherent, well-orchestrated effort to denigrate the United States and its policies before world opinion. Every department and agency of the U.S. Government is a potential target of the disinformation department when such attacks will serve Soviet interests. Whatever may be the immediate subject of any single Soviet disinformation operation—CIA, the State Department, the Peace Corps, or USIA—the ultimate objective is to isolate and destroy what the KGB designates as "Glavni Vrag" ("Main Enemy"), the United States.

[5] Reference is to the book by David Wise and Thomas B. Ross, "The Invisible Government," New York, Random House, 1964.

[6] The articles were entitled "Imperialist Intelligence and Foreign Policy" (March 1964), "CIA Intrigues in Latin America" (June 1964), "An Imperialist Spy Consortium" (September 1964), "U.S. Intelligence and Foreign Policy" (October 1964), "U.S. Intelligence and the Monopolies" (January 1965). There were short references to CIA in articles dealing with other topics in its issues of July and August 1965.

[7] "American Cassandra" (Jan. 22, 1964), "Soviet Gold" and "The Espionage Jungle" (Aug. 12, 1964). There have been two pieces on CIA in the magazine to date in 1965.

## CONCERN GROWS FOR DEPARTMENT OF DEFENSE LOAN SHARK APATHY

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

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

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, last Thursday I addressed this body concerning the widespread abusive practices that are being used by loan sharks and some finance companies in dealing with servicemen.

I also pointed out that the Department of Defense has taken some action to curtail these abuses, which is commendable, but the action is far too little considering that these loan sharks and sharp-practice finance companies have been operating without restraint from the Department of Defense for years.

It is extremely gratifying to me to know that veterans' organizations throughout this country are also concerned about this problem. The Italian American War Veterans passed a resolution at its recent convention asking that the Department of Defense take all measures to stop such operators in general, and Federal Services Finance Corp. in particular.

Mr. Speaker, the Catholic War Veterans have also expressed their acute interest in this matter and have written to the Secretary of Defense inquiring as to the positive actions which have been taken to curtail the operations of loan sharks. I am including a copy of the letter to Secretary McNamara from the Catholic War Veterans national commander, Martin G. Riley. I only hope that in the near future the Defense Department will issue regulations that are strong enough to wipe out the vicious loan sharks that prey on our servicemen.

The letter follows:

CATHOLIC WAR VETERANS,
*Washington, D.C., September 27, 1965.*

Hon. ROBERT S. MCNAMARA,
*Secretary of Defense,*
*The Pentagon,*
*Washington, D.C.*

MY DEAR SECRETARY: I have recently reviewed a copy of the CONGRESSIONAL RECORD for September 23, particularly with reference to the subject matter on page 24996 regarding an investigation of the Federal Services Finance Corp. I have also reviewed the hearings before the Subcommittee on Domestic Finance of the Committee on Banking and Currency of the House of Representatives, 89th Congress, 1st session, part I, covering hearings investigating the Federal Services Finance Corp. on June 9, 16, 17, 18; and July 14, 1965.

The information contained in these hearings is appalling and I am amazed that such a condition is tolerated or that you or your subordinates have not taken steps to prevent practices such as are indicated in these hearings, by this or any other company. To me one of the primary elements of command is protection of the troops, and I consider this to come within the scope of protection of the troops.

I would appreciate hearing of some positive action on the part of you or your subordinate commanders on this matter.

Sincerely yours,

MARTIN G. RILEY,
*National Commander.*

## LARRY O'BRIEN, POSTMASTER GENERAL

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Speaker, I was very pleased to receive information that Larry O'Brien had been appointed to be Postmaster General of the United States. I have known Larry O'Brien for many years, both before and after my entering Congress. Larry O'Brien will bring to this office a broad background and knowledge of the United States and its individual cities, and I am very pleased that such an excellent choice has been made.

I regret that he will be leaving the White House legislative liaison position because we shall all miss his personal contact with each of us. We do hope, however, that we will be able to continue seeing and working with Larry in his new position.

## NATIONAL 4–H CLUB WEEK

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, for myself, and I am sure for every Member of the Congress, I congratulate the 2,200,000 young men and women who belong to 4–H Clubs during this national 4–H Club Week. Sharing with them in this observance will be parents, leaders, and 4–H friends in all the 50 States of the American Union and Puerto Rico.

Mr. Speaker, 23 million different young people have participated in 4–H Club work since 1914 when the Smith-Lever Act authorized the Extension Service which helped finance and promote 4–H Club activity.

It is proper during National 4–H Club Week that we recall the great statesmanship and foresight of the late Congressman A. Francis Lever, of South Carolina, and the late Senator Hoke Smith, of Georgia, for sponsoring legislation which created our Extension Service.

Throughout our country this week great emphasis will be placed on National 4–H Club Week, and I hope a large number of young people will be influenced to join 4–H Clubs and that more men and women will become volunteer 4–H leaders. Ladies and gentleman of the House, I would like to emphasize the fact that these outstanding young men and women come from rural and urban communities.

Mr. Speaker, our 4–H Clubs have the answer to increasing crime, juvenile delinquency, immorality, and disrespect for law and order. These young men and women are a dynamic positive force in a world of turmoil, hatred, and war.

The 4–H emblem adopted in 1927 is the four-leaf clover with a letter "H" on each leaf. Each leaf stands for head, heart, hands, and health. The 4–H Club colors are green and white. The white background on the 4–H flag symbolizes purity; the green of the emblem represents nature's most common color, and is also symbolic of youth, life, and growth.

Mr. Speaker, the 4–H pledge is:

I pledge—
My Head to clearer thinking,
My Heart to greater loyalty,
My Hands to larger service,
My Health to better living, for my club, my community, and my country.

I salute and commend our 4–H Club young men and women during National 4–H Club Week and wish for them the very best always.

## UNITED STATES-CANADIAN RELATIONS

Mr. TUPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. TUPPER. Mr. Speaker, several weeks ago a group of Republican House Members initiated a study of United States-Canadian relations. We were very fortunate in having Dr. Douglas Bailey, a former research fellow at Harvard School of International Relations, direct the staff work on this project; to him goes a major share of the credit for this endeavor.

We have published a report with a number of recommendations which we believe are worthy of consideration, toward the end of improving relations between the two great nations.

It is our hope that a large number of Members will take the time to peruse this report carefully.

The report follows:

UNITED STATES-CANADIAN RELATIONS

On June 28, 1965, the Honorable Livingston T. Merchant, former U.S. Ambassador to Canada, and the Honorable A. D. P. Heeney, former Canadian Ambassador to the United States and present Chairman of the Canadian section of the International Joint Commission, issued their report on "Canada and the United States—Principles for Partnership." As an effort to calm tensions in an increasingly troubled relationship and as an effort to lay a broad foundation on which to build that relationship anew, the Merchant-Heeney report is a skillfully written document prepared by two masters of the diplomatic art. We hope that the two nations can now proceed to consider in depth the many real and practical issues which confront them.

This study has been designed to help the U.S. Government in its efforts to give substance to the principles defined in the Merchant-Heeney report. It is neither an exhaustive review of all United States-Canadian affairs nor a definitive examination of any single problem confronted by the two countries, but it does offer a broad number of specific suggestions for U.S. policy.

At the outset, we admit to a perspective on United States-Canadian relations which differs in degree from that embraced in the Merchant-Heeney report. We, too, in their words, "are convinced that the nature and extent of the relationship between our two countries is such as to require, in the interests of both, something more than the normal arrangement for the conduct of their affairs with one another." But we are con-

vinced further that the nature and extent of that relationship requires, in the interest of future generations around the globe, something far more than a normal international arrangement. The United States and Canada, two sovereign nations, each appropriately jealous of its national independence, have a unique opportunity to establish between themselves a model of relations between independent states which can serve to guide the future course of nations everywhere.

It is trite, but true, to talk of a world where every nation sits on the doorstep of every other, where communications with and travel to and knowledge of all parts of the globe are commonplace, and where the costs of misunderstanding and belligerence are immeasurable. It is in this perspective that the familiar cliches of United States-Canadian relations—the longest unfortified border, an unparalleled history of peace, and a common bond of purpose—take on new meaning. For it is in this perspective that Canada and the United States face their greatest challenge—in the search for the institutions and the good will which will allow great and independent nations to live at peace and in mutual prosperity.

We share the frustration of Dr. Phyllis Ross, chancellor of the University of British Columbia, who has written:

"The philosopher's dream of an age of plenty in which men through physical security might obtain serenity of mind seems, in an illusory and shifting way, to be almost within our reach. Yet many of these advances, far from placing man on the bright benchlands of a new civilization, have set him wandering aimlessly through strange and desperate valleys."

It must be the task of our two nations, individually and together, to seek the bright benchlands of a new civilization; for, if the United States and Canada cannot establish a model of peaceful and progressive international relations, which nations can?

The greatest single deterrent to a new maturity in United States-Canadian affairs is an appalling ignorance about Canada in America. In a sense, our peoples and our nations have been too close, for we Americans tend not to think of Canadians as foreigners and not to think of Canada as an independent nation. Consequently, in the foreign policy of our Government and in the day-to-day lives of each of us, Canada and Canadians are too often taken for granted. Douglas LePan, principal of University College, University of Toronto, has echoed the understandable Canadian resentment:

The United States "must come to think of Canada not essentially as a playground, not as a source of raw materials, not as a useful, if backward, annex to the domestic market, not as a glacis between itself and the Soviet Union, not as the great out-of-doors where some millions of squatters have unaccountably settled, not as a museum of old-fashioned qualities miraculously frozen in ice, not as any of these things, but as a country with its own problems, possibilities, desires, faults, virtues, contradictions."

In 1967 Canada will celebrate 100 years of complete national independence. There could be no greater contribution to the Canadian centennial celebration than a new American awareness of Canadian nationhood. We propose that the U.S. Government, the administration and the Congress, and the American people recognize the year 1966 as "the year of a new awareness of Canada" which our governmental, educational, social, and cultural institutions make a new effort to broaden American understanding of Canadian history, geography, literature, culture, attitudes, and policy. This kind of concentrated effort is, in our view, a prerequisite to building on the North American continent a model of relations between independent and sovereign States.

Two words of caution: a new awareness of Canada as a nation must not lead to renewed interest in the old proposals for political integration on the North American continent. Quite the contrary, the purpose of a new American interest and the purpose of the combined efforts of the two nations must be to seek to identify and reemphasize the constructive virtues of the Nation-State system while minimizing its destructive vices. Similarly we must be careful while seeking a new awareness of Canada not to fall prey to the illusion of continental isolation or to give others reason to believe that we have done so. Neither Canada nor the United States can withdraw from Europe or the world for the fate of our nations and our peoples are inextricably tied to those of all. In the 19th century the great British Prime Minister, George Canning, "called in the New World to redress the balance of the Old." But the hemispheres are no longer worlds apart—and we do not seek a new understanding between our two nations for our security or prosperity alone, but for the benefit of all nations of this 20th century "New World."

Before listing the specific proposals we believe to be appropriate in current United States-Canadian relations, some comment on Canadian foreign policy is in order. It is here where the American tendency to "take Canada for granted" has most seriously exacerbated tensions by resulting both in unfortunate examples of tactless U.S. diplomacy and in considerable shock and dismay at some Canadian policies.

Most of this could have been avoided, and can be avoided in the future, by a more acute awareness that an independent nation cannot be independent if its policies are subservient to another.

The Merchant-Heeney report quite correctly draws a distinction between the policy responsibilities of a super nuclear power and those of a "middle" power—a leader of the alliance and a loyal ally. In modern foreign affairs when the crisis has been immediate and great, Canada has never publicly opposed the United States. Most often she has been the first to stand at our side—but in those cases when she did disagree her disagreement was private.

The value of a stanch ally is measured in two ways: in times of immediate crisis and in the long haul. In times of immediate crisis the United States has no more stanch ally than the Canadian Government. In the long haul, Canada's value as an ally is to be found in her capacity to influence the course of history, in her capacity to persuade other nations to follow the course of peace and freedom. The capacity of a nation to influence people and events is limited indeed if it is but a satellite subservient to the wishes of a great power. The greatest strength of the North Atlantic Alliance, as a force to influence the course of history, is the knowledge that it is an alliance of independent governments, each freely elected by its people and each free to exercise its own judgment. By comparison the influence of the Warsaw Pact and its governments is pale indeed.

So while we do not always concur in the foreign policy of the Canadian Government, we cherish its capacity to exercise its own independent judgment and consider that independence a source of unending strength to the Western World.

The Merchant-Heeney report included the following language:

"In the conduct and development of their unique bilateral relationship * * * the two countries must have regard for the wider responsibilities and interests of each in the world and their obligations under various treaties and other arrangements to which each is party.

"This principle has a particular bearing upon our affairs in relation to the heavy responsibilities borne by the United States, generally as the leader of the free world and specifically under its network of mutual defense treaties around the globe. It is important and reasonable that Canadian authority should have careful regard for the U.S. Government's position in this world context and, in the absence of special Canadian interests or obligations, avoid, so far as possible, public disagreement especially upon critical issues."

If this means that each ally should attempt to consult on all policy differences with the leader of the alliance, if it means that in times of immediate crisis unresolved differences (even after consultation) should preferably not be aired, and if it means that every government has the responsibility in formulating its own foreign policy to take into consideration the interests of its allies, we heartily concur. But if it means that Canada is to defer to U.S. leadership in all of its interests which are not uniquely Canadian we must respectfully disagree.

Surely the history of the postwar years has demonstrated that a Canadian foreign policy independent on many issues from U.S. leadership has proven an invaluable source of strength to the very causes to which U.S. foreign policy is dedicated. No country, including the United States, has been more influential than Canada in the growth of the United Nations as an instrument to keep the peace and to serve the needs of man. No country, including the United States, has worked more diligently or sincerely than Canada on behalf of responsible arms control and disarmament. These have been the independent policies of an ally serving a common cause.

Similarly, as the United States now explores the possibilities of East-West trade it would do well to realize that an independent Canadian trading policy has helped to demonstrate that substantive, but nonstrategic, trade with Communist-bloc countries does not necessarily impair the security of the West. Frankly, we would prefer a common NATO trading position toward the Communist-bloc countries, but we recognize that an ally exercising its independent judgment in foreign policy may be able, precisely because it does not lead the alliance, to practice policies which are not possible for the leader of the alliance—and thereby to explore, and perhaps to open, new channels for the diplomacy of peace.

The specific policy recommendations which follow certainly do not represent a fully comprehensive review of all United States-Canadian affairs. They may, however, constitute a start in making 1966—"the year of a new awareness of Canada"—the beginning of a new and productive era of United States-Canadian relations.

EXCHANGE PROGRAMS

1. The U.S. Government should institute a program of student exchange with Canada as it has with the rest of the non-Communist world.

The Hayes-Fulbright Educational and Cultural Exchange Act of 1961 provides for scholarship programs for American students to study abroad and foreign students to study in this country. The provisions are applicable to Canada, but there is no student exchange program with Canada. In many senses, of course, American understanding of Canada may be somewhat greater than it is of other more remote areas of the world, and no doubt this is the major reason why Canada has been excluded by the administration from these student exchange programs. But American understanding of Canadian affairs is still grossly insufficient to lay the foundation for a model of relations between nations.

In the last academic year (1964–65) there were less than 10,000 Canadian students studying in the United States, and while

this was the largest number from any country in the world it exceeded the number of Indian students, for example, by only 2,500. At the same time there were less than 3,000 American students studying in Canada. The volume of this exchange should be encouraged by the governments to make its numbers more compatible with the unique nature of the relationships between the two countries.

This is particularly true in graduate studies, and most important in terms of Americans studying in Canada. The U.S. administration might wish to explore with the Canadian Government whether it desires the program to be reciprocal. The need for the development of graduate institutions at Canadian universities and the fear that study in the United States might lead to American employment of outstanding Canadian students may well justify limiting the program to scholarships made available to American graduates to study in Canada.

2. Under existing legislation the U.S. administration should greatly expand the exchange of journalists and political scientists between Canada and the United States.

Under this "foreign leader" program journalists and political scientists come to the United States for a period of 60 to 90 days to travel and to study the operations of U.S. newspapers and governmental institutions. Approximately 1,000 "foreign leaders" are expected to come to the United States under the program in 1966, and understandably most of these will be from the developing countries. Less than 60 Canadians have been brought to the United States under the program since its inception in 1961. The program provides a unique opportunity to broaden understanding between the two countries through the realm of communications.

More important, however, than the opportunity for Canadian professional people to study in the United States is the opportunity for American journalists and political scientists to study in Canada. While the Hayes-Fulbright program permits such an exchange, not a single American has taken part in the program in 5 years. The U.S. administration should wish to encourage a better American understanding of Canadian institutions and interests through increased attention to them in the U.S. communications media. We hope, therefore, that it will give new emphasis to the program of reciprocal exchange of journalists and political scientists between the two countries.

3. The Federal and States Governments in the United States should publicly encourage trips by high school seniors to the seats of Canadian Government in Ottawa and the Provincial capitals.

It is common practice for high school groups to spend their spring vacation or some other period during the academic year on a visit to Washington to study firsthand the operations of their government. Nothing could be more beneficial in the growth of any democracy. But it would be equally valuable, where feasible, for high schools in States along the Canadian border to plan for student trips to visit and study Canadian governmental institutions in Ottawa and the Provincial capitals. This kind of program might leave an indelible impression of Canadian nationhood and institutions on the minds of our young people—and thereby help to make more permanent the American concern for Canadian interests.

U.S. EDUCATIONAL INSTITUTIONS

4. The U.S. Government should make every effort to utilize its existing programs of aid to facilitate the growth of Canadian studies programs in U.S. colleges and universities.

A number of American universities offer courses of study in Canadian affairs. In particular the University of Rochester Canadian studies program, the Duke University Commonwealth Studies Center and the development of a center at the University of Maine specializing in the affairs of New England and the Atlantic Provinces of Canada should be cited. By and large, however, the subject of Canada and Canadian-American relations has been largely ignored in American university curriculums.

An effort by the Government to make colleges and universities fully aware of the programs available to them in the development of special schools on Canadian-American affairs might help facilitate a growth of a more comprehensive educational approach in this field. In particular, building grants and loans for academic institutions are available under titles II and III of the Higher Education Facilities Act. Title IV of the National Defense Education Act provides for scholarships to students studying in the fields of international affairs. The State Department might pay special attention to utilizing its university exchange program to allow senior State Department Fellows to further their interest in Canadian affairs and at the same time help provide impetus for expanded Canadian studies. Similarly the Government might wish to consider temporary leaves of absence for some of its officials to take on temporary faculty assignments in the teaching of aspects of Canadian-American relations in educational institutions as they develop.

AMERICAN BUSINESS IN CANADA

5. The Secretary of the U.S. Department of Commerce, upon the advice of a select committee from the U.S. business community, should prepare a detailed set of guidelines which it recommends to U.S. businesses which either have or may establish operations in Canada.

It is quite clear that the obligations upon a foreign investor are somewhat different than those applicable if he had invested his money at home. We believe that the operations of most U.S. subsidiaries and business operations in Canada have been fully exemplary. But, as is so often the case, the mistakes of a few can create an unhealthy climate for the many. Because the extent of American private foreign investment in Canada is so great that it gives rise to Canadian fear of economic domination by the United States, the American firms which operate there must be doubly attentive to accommodate, whenever possible, Canadian desires and sensitivities.

We do not suggest that the U.S. administration should impose upon American investors in Canada a rigid set of regulations for the conduct of their business operations, but we do think it would be appropriate for the administration to bring to the attention of U.S. investors those aspects of business operations in Canada which can give rise, on the one hand, to growing Canadian resentment of U.S. investment or, on the other, to an improved climate of United States-Canadian economic relations.

In particular we would hope that the Commerce Department guidelines would include the following recommendations: (a) public shares in the ownership of U.S. subsidiaries in Canada should be offered to Canadian citizens; (b) U.S. subsidiaries in Canada should retain the services of Canadian directors; (c) to the degree possible Canadian managerial talent should be employed in the operations of U.S. business in Canada; (d) United States personnel selected to operate U.S. business concerns in Canada should be chosen for their capacity to adapt to the Canadian environment and should make a sincere effort to participate in Canadian community affairs; (e) U.S. business operations in Canada should buy their components and services, when available at competitive prices, from Canadian rather than American sources; (f) U.S. subsidiaries in Canada should make every reasonable effort to export their products as well as to sell to the domestic Canadian market; (g) whenever economically feasible, U.S. businesses in Canada should develop research facilities in Canada rather than relying on their U.S. parent companies to meet their research needs, a practice which contributes to the "brain drain" of some of Canada's most promising engineering and scientific talent; (h) U.S. companies in Canada with 50 or more Canadian shareholders should publish annual financial statements, rather than permitting their records to be reported only as part of the parent company.

We recognize that there is a continuing debate as to the legitimacy of complaints against American business operations on any of these scores. Nonetheless we believe that guidelines established by the Commerce Department might better facilitate the maintenance of exemplary relations by the American business community in Canada and help remove some of the legitimate grievances which might otherwise develop.

6. The U.S. administration should express its willingness to cooperate in the development and curriculum of seminars for U.S. business personnel who are going to work in Canada.

The U.S. business community has broadly accepted the responsibility of assuring that its employees sent abroad are given some education in the politics, history, culture, and economy of the foreign countries to which they are assigned. This has been true, for example, in U.S. business operations in the Middle East and Latin America. Unfortunately it has not been true with regard to U.S. businessmen sent to Canada.

A brief, privately endowed seminar of this kind, enthusiastically encouraged and aided by the expertise of the appropriate agencies of the administration, could do much to avoid misunderstanding and apprehension when U.S. business representatives take up their posts in Canada. The site for such a periodic seminar might appropriately be at the memorial to Franklin Delano Roosevelt at Campobello off the coast of Maine.

U.S. GOVERNMENTAL MACHINERY

7. The U.S. State Department should consider creating an Office of Assistant Secretary of State for North American Affairs.

At present Canadian relations are considered in the State Department under the Office of British Commonwealth and Northern European Affairs. This is an anachronistic structure which might productively be changed by creating an independent Office of North American Affairs within the Department with an assistant secretary in charge. Perhaps Mexican relations could also be included under the office as long as close coordination is assured between the new office and the Office of Inter-American Affairs. If we truly believe that our relations with Canada are and should be unique, then surely they should no longer be considered part of an irrelevant bureaucratic organization chart.

8. The Foreign Affairs Committee of the U.S. House of Representatives should create a standing subcommittee on United States-Canadian affairs.

The Senate Foreign Relations Committee has such a standing subcommittee but, in the House, United States-Canadian affairs, when they are considered at all, are considered by the Inter-American Subcommittee of the Foreign Affairs Committee. It would be an appropriate initiative by the leadership of the House and the Foreign Affairs Committee to establish a Canadian Affairs Subcommittee and to extend to it the authority to undertake broad hearings and study of U.S. policy toward Canada.

9. The President of the United States and the Prime Minister of Canada should make every effort to exchange visits to their respective capitals every year.

The conduct of American foreign relations has become a full-time job in itself for the President of the United States, but it is important for the U.S. Government to recognize the priority of our relations with Canada. A yearly visit by the President to Ottawa and a corresponding yearly visit by the Canadian Prime Minister to Washington could help immensely in providing the opportunity for top-level talks to remove many of the obstacles to progressive relations between the two countries. Although the plethora of international travel by Government leaders greatly complicates conduct of the day-to-day affairs of any government, an established program of reciprocal visits every 6 months could impose upon the two governments a priority in their mutual affairs which otherwise would be neglected.

We hope that a pattern could be followed that upon each annual visit of the Prime Minister he would be invited to address a joint session of the Congress. And we encourage the President to accept any similar invitation which might be extended by the Canadian Parliament.

10. The United States-Canadian Interparliamentary Group should be significantly strengthened through the formation of committees to meet frequently to study specific issues of concern to the two countries and to make joint recommendations to their respective Governments.

The semiannual meetings of the Canada-United States Interparliamentary Group since 1959 have provided a valuable forum for the interchange of ideas between representatives of the two peoples. The brief history of the interparliamentary group has demonstrated clearly that a further expansion of its functions and responsibilities could make it of even greater benefit. If each session were to identify one or two of the most pressing problems affecting United States-Canadian relations and were to create specific committees among its members to study these problems in some detail in the intervening time before the next parliamentary meeting, the parliamentary group would be able to make more specific and constructive contributions to the settlement of issues.

In addition to the increased formal responsibilities of the group members, initiatives on both sides of the border from interested parliamentarians to meet in less formal setting for less official discussions should be welcomed.

It is important that the United States congressional representatives secure from the State Department and from staff of their Foreign Affairs and Foreign Relations Committees fully detailed briefing on a periodic basis on United States-Canadian affairs.

11. The U.S. Government should encourage the governments of the several States to explore with their counterpart governments in the neighboring Canadian Provinces the establishment of smaller and more regional interparliamentary groups among members of the State and Provincial legislatures.

Frequently the instances of dispute and the areas of opportunity in relations between the two countries arise in matters which constitutionally come under the ordinary jurisdiction of the States in the United States and the Provinces in Canada. More active contact between the legislators of these neighboring political subdivisions would greatly facilitate the solution of difficult technical problems, the anticipation of issues of potential conflict, the development of mutual programs for the common benefit of the region, and the growth of closer and more productive ties between the peoples of the two nations. It would be important for the U.S. Department of State to extend to participating members of the State legislatures periodic briefings on United States-Canadian affairs and on the specific issues which may arise in the conduct of the joint sessions.

IMMIGRATION

12. The U.S. immigration laws should permit unlimited immigration into the United States from Canada.

Passage of the 1965 immigration bill now before the Congress will be a welcome step forward in U.S. immigration policy by completely eliminating the obnoxious national quota system of immigration. The Congress and the administration must take care, however, to retain one of the most admirable features of the previous system—the reasonably free flow of immigration across the Canadian-United States border. Approximately 40,000 Canadians emigrate to the United States each year. And 11,000 U.S. citizens emigrate annually to Canada. Under the existing law the only restrictions on Canadian emigration to the United States are financial responsibilility and good moral character. There has been an effort to write into the new law a limitation on total Western Hemisphere immigration into the United States of 120,000 people annually. Such a provision would provide no assurance of a continued free flow across the United States-Canadian border.

The editorial reaction of the Toronto Daily Star has, in our judgment been to the point:

"Why should Canadian emigrants to the United States be subject to quota restrictions that are not imposed on Americans coming here?

"More important is the fact that a quota system will reduce the mobility of Canadians and Americans wishing to move between our two countries, a privilege—and a useful stimulation—that has existed since the founding of the two nations."

Our recommendation here is not to return to the obnoxious discrimination against nations in our immigration policy, but to recognize the vital importance of United States-Canadian relations and to discriminate in favor of Canadian emigration to the United States. (If no limit is placed on immigration from Canada to the United States the two Governments will nonetheless have to agree on a formula which will prevent citizens from third countries emigrating to Canada, meeting the requirements for Canadian citizenship and then emigrating again to the United States under the quota-free Canadian clause.)

INTERNATIONAL JOINT COMMISSION

13. The President of the United States should immediately appoint a Chairman to the U.S. section of the International Joint Commission with Canada.

No organization or institution has been more of a bulwark in the maintenance of strong and productive United States-Canadian relations than the International Joint Commission. It was the IJC that accomplished most of the technical tasks leading to the great international cooperation in the creation of the St. Lawrence Seaway and the development of the Columbia River Basin. Among its many technical studies today are the vital issues of water pollution in the Great Lakes and the St. Lawrence River system and the disastrous decline in the water levels of the Great Lakes.

There is absolutely no excuse for the U.S. Government to have left vacant for well over 1 year the chairmanship of the U.S. section of the Commission. The post has been empty since August 18, 1964, when the previous American Chairman won a contested primary election for U.S. Congressman. During the same period the corresponding Canadian post has been filled by the Honorable A. D. P. Heeney, a distinguished statesman and for two terms an Ambassador to the United States. His appointment was an honor to our Nation, and the American vacancy does us dishonor. The President should appoint to the IJC a man of unquestioned qualifications now; further delay would be unpardonable.

14. The 1909 treaty, establishing the International Joint Commission, should be renegotiated so as to broaden the functions of the Commission.

A distinguished U.S. diplomat of earlier times, when asked about renegotiating the Rush-Bagot Treaty of 1817, replied:

"A mental attitude so deeply fixed, an international habit so deeply rooted, is far more stable and lasting than any paper covenant that was ever penned. The attempt to make it a matter of formal contract is rather to degrade it than to exalt it much as if one were asked to promise in writing to observe the Ten Commandments. There it stands. Let us hold it up before our people as a thing no longer open to discussion or debate."

Such hesitancy is appropriate also in considering restructuring the International Joint Commission through renegotiation of the Candadian-American Boundary Waters Treaty of 1909. Of the United States-Canadian institutions the IJC above all has served its purpose with excellence. But it is for this very reason that we believe that it may be the institution which can bring new excellence in the relations between the two countries in fields with which it is not presently authorized to deal.

We thus fully support the recommendation of the Merchant-Heeney report:

"In our judgment, its solid foundation of law and precedent and its long and successful record in the disposition of problems along the boundary justify consideration of some extension of the Commission's functions. Accordingly, we recommend that the two governments examine jointly the wisdom and feasibility of such a development."

Ambassador Heeney had made the same point in a speech of January 14, 1963:

"The IJC is, in fact, based upon the conviction that, working together, Canadians and Americans can arrive at common decisions and formulate joint solutions which are sound and just and to the common advantage to their respective countries.

"Whether this same principle and similar procedures could usefully be extended beyond problems of the boundary seems to me worthy of consideration, on both sides, and this especially as Canadian-United States mutual involvement, and our dealings with Uncle Sam, increase daily, in volume, complexity, and significance."

In making his judgment the Ambassador noted a vitally important feature of IJC history—that the decisions of the Commission have almost always been taken unanimously by the Commissioners and that no division along national lines has ever been allowed to develop.

At least one Canadian commentator, Tim Creary of the Southham News Services of Ottawa has gone much further:

"The present main treaty of the Canadian-American relationship was signed by Britain and the United States 54 years ago. It has accommodated some of the most successful instances of cooperation. But although the 1909 treaty was formulated by men of great vision, its application today cannot encompass the range of bilateral problems and possibilities involved in North American neighborhood.

"It is time for a new treaty, a charter of North Americanism, signed by Canada and the United States. It would be a treaty which, taking account of the lessons of the past, the problems and projects of the present, and possible developments of the future, would be as much a sensible ordering of the North American relationship in the second half of the 20th century as the Boundary Waters Treaty was in the first half."

We believe that expansion of the authority of the International Joint Commission, in

accordance with the following recommendations, would enhance the capacity of the two North American nations to establish a model of relations between independent states.

15. The definition of "boundary waters" under the treaty should be extended to include the waters of Lake Michigan.

In the preliminary article to the 1909 treaty, boundary waters are defined as "the waters from main shore to main shore of the lakes and rivers and connecting waterways, or the portions thereof, along which the international boundary passes, including all bays, arms and inlets thereof, but not including tributary waters which in their natural channels would flow into such lakes, rivers, and waterways, or waters flowing from such lakes, rivers, and waterways, or the waters of rivers flowing across the boundary." By this definition the waters of Lake Michigan are not included under the jurisdiction of the International Joint Commission. Article III of the Boundary Waters Treaty, in effect, declares that the IJC has no authority to consider matters relating to the diversion of waters which are not defined as "boundary waters."

Lake Michigan, however, is one of the Great Lakes and the other four Great Lakes come under the treaty definition of "boundary waters." Diversion of waters from Lake Michigan lowers the water level of Lake Michigan and also lowers the water level of the other Great Lakes thus directly effecting the boundary waters and Canadian as well as U.S. interests. The programs of the sanitation district of Chicago provide for diversion of the waters of Lake Michigan to sweep the sewage of the city of Chicago down through the Mississippi River system and out into the Gulf of Mexico. The Canadian Government has shown consistent interest in this program and its potential effect upon the water levels of all the Great Lakes. It is a matter, in our view, which is of proper international discussions between the two countries.

The extension of the "boundary waters" definition to include the waters of Lake Michigan would not be an extraordinary or unprecedented step, in view of the fact that Article I of the 1909 Boundary Waters Treaty specifically states that the waters of Lake Michigan for the purposes of navigation will be considered as boundary waters under the treaty.

16. The International Joint Commission should be specifically empowered to consider and make recommendations relating to the continental development of water and energy resources.

In the generations to come both Canada and the United States will increasingly come to realize the vital necessity of a share approach to water and power. The issue of water is treated under the following section of this report. Let it suffice here to say that if and when the two nations reach mutual agreement on the desirability of continental plans for the sharing of water, hydroelectric power and peaceful nuclear energy, it will be important for them to have in existence an international body authorized to undertake the extremely technical studies necessary to lay the basis for constructive international agreement.

17. The International Joint Commission should include facilities for the joint study of technical aspects of foreign policy issues between the two countries.

We believe that the IJC should provide a permanent institutional location for international discussion of the many technical foreign policy differences and questions which arise between the two nations. Just as international technical expertise has been applied by the Joint Commission in the past to the problems of the Columbia River Basin and the St. Lawrence Seaway, just as it is now applied to the problems of the water levels and water pollution in the Great Lakes, just as it can be applied in the future to the questions of continental water sharing, hydroelectric and peaceful nuclear power, international technical expertise within the Joint Commission can and should also be applied to some areas of foreign policy.

For example, should the United States wish to follow the exemplary lead of the Canadian Government in the establishment of earmarked national forces on standby for potential call by the United Nations in peacekeeping operations, international discussions by technical experts under the International Joint Commission could benefit the U.S. Government immeasurably in providing it with the Canadian experience in this area. (Even though the only politically feasible contribution of this kind that the United States could presently make to the United Nations would be in the area of logistical, communications, and support forces, the Canadian experience in financing, organizing, training and supplying such forces would be invaluable.) Similarly, if the Government of Canada were to wish to follow the United States lead in placing one or more of its peaceful nuclear reactors under the safeguard and inspection system of the International Atomic Energy Agency, technical discussions with American experts under the aegis of the International Joint Commission could provide the Canadian Government the benefit of the experience gained by the United States.

It is also perfectly reasonable to anticipate that the higher echelons of the International Joint Commission could be utilized by the two governments as a standing group to discuss in private the many disagreements the two nations may have in a broad spectrum of foreign policy questions. We do not suggest that the International Joint Commission should be reconstituted to be the one and only locus of discussion on foreign policy problems between the two governments. Quite the contrary, our proposal is merely that the IJC become one more among many channels of communications between the two governments which can be utilized in the joint consideration of foreign policy differences—and that it can be a particularly appropriate institution through which the two governments can share their technical experience and expertise in some of the more intricate and scientific aspects of contemporary foreign policy.

WATER

18. The studies by the International Joint Commission of the water level and pollution of the Great Lakes should be given immediate priority emphasis by the United States and Canadian Governments.

Pollution in the Great Lakes, particularly Lake Erie, threatens the health and safety of all those who use it or its water, Americans and Canadians alike. It is beginning to have a significant effect on the fish population of the lake who cannot live because it is too dirty. Meanwhile manmade sewage in Lake Michigan is accelerating at such a rate that the weed expansion threatens to clog the middle of the lake in years to come. At the same time the water levels of Lakes Michigan, Huron, Erie, and Ontario are all significantly below the latest 10-year average levels. Shipping in the Great Lakes and the St. Lawrence Seaway is threatened.

The IJC is undertaking a study of the pollution problem in Lakes Erie and Ontario, and a detailed study of the continuing decline in the water level of the Great Lakes, particularly Lake Erie. The five U.S. States of Michigan, Indiana, Ohio, Pennsylvania, and New York have recently reached an important new agreement with the Federal Government to meet the pollution problem in Lake Erie.

These are important steps, but without the continued priority emphasis which agreement between the two national governments can give to these problems, their solution is still far away.

One important step that can be taken immediately is the expansion of the "boundary waters" definition of the IJC treaty to include the waters of Lake Michigan, as recommended above. When such provision is made, the two governments might then be able to agree to extend the scope of IJC water level studies in the Great Lakes to include both the diversion of waters from Lake Michigan by the Chicago Sanitary District down through the Mississippi River system into the Gulf of Mexico—and the possible diversion of Canadian rivers flowing naturally into the Great Lakes from Ontario and Quebec. Until both of these practices can be considered fully by the technicians of the International Joint Commission their study may not be able to make recommendations fully relevant to the solution of the problem.

19. The United States and Canadian Governments should ask the International Joint Commission to make recommendations for a continental program of water sharing and hydroelectric power development which would maximize the efficient use of water resources while reserving to each nation the use of that amount of its own resources necessary for its national needs and security.

We do not wish to minimize the primary role of private and local interests in the development of water resources. In fact we share fully the conclusion of the Merchant-Heeney report:

"Primary responsibility for moving ahead, and much of the expertise, particularly in electricity, rests with the system owners—public and private—in the two countries, and much of the authority resides elsewhere, notably within State and Provincial jurisdiction. Nevertheless, we are persuaded that in this area there is opportunity for advantageous cooperative leadership and initiative in the two National Governments."

That opportunity for advantageous cooperative leadership and initiative can best be met by international decision to expand the authority of the International Joint Commission to cover subjects of this nature and to charge it with the responsibility of making specific recommendations for a continental watersharing and power development program.

The dramatic water shortage experienced this summer along the eastern coast of the United States and the more familiar scarcity of water in the Western United States have demonstrated with abundant clarity the obvious need for comprehensive advance planning in the development of water resources. Those water resources for the continent lie largely in Canada, and lie largely untapped. The Government of Canada should not, and the Government of the United States should not ask it to consider making available to the United States water supplies which it needs for its own purposes. But if the estimates of abundance are accurate, there would seem to be no serious obstacle to the development of a continental plan for developing water resources that can meet the needs of both nations.

The proposal for an IJC study was made by the final report of the Western Canadian-American Assembly on United States-Canadian Relations held at Harrison Hot Springs, British Columbia, August 20–23, 1964. A similar proposal was made by U.S. Senator FRANK E. MOSS, of Utah, in a letter to Secretary Dean Rusk, dated October 19, 1964, after a detailed study undertaken by his Special Subcommittee on Western Water Development of the Senate Committee on Public Works. Senator Moss's study and recommendation referred only to the proposal put forward by the North American Water and Power Alliance (NAWAPA). The NAWAPA plan contemplates taking, initially, 110 million acre-feet of water from Alaska, British

Columbia, and the Yukon east to the Great Lakes and south to the United States and Mexico. After 30 years of construction it would provide water to 7 Canadian Provinces, 33 U.S. States, and three northern states of Mexico. A less spectacular plan, the Kierens plan, has drawn similar attention in Canada. Under its terms surplus waters running from rivers into the James Bay would be diverted to the Great Lakes in amounts of more than 75,000 cubic feet per second. We would recommend that both of these schemes be studied in detail and at length by the International Joint Commission for the purpose of specific recommendations for a continental plan.

TRADE

20. The Merchant-Heeney recommendation that "the Joint Committee on Trade and Economic Affairs establish a Joint Committee of Deputies which could meet frequently on behalf of their principals and be available at short notice to consider any emergent problem" should be adopted immediately.

The Joint Committee is a unique international body bringing together corresponding Cabinet members from the two countries. As a standing or relatively permanent body, however, it is not an efficient means for considering jointly the many areas of trade relations and policies in which the two nations have come into conflict. Joint consideration of policy does not mean occasional conscience-stricken attempts to salve the feelings of others; it means full, and reasonably constant, consultation on the details of policy between representatives of the two Governments. A more permanently sitting board of deputies to the members of the Joint Committee on Trade and Economic Affairs is essential.

21. The U.S. Government in its own deliberations, and upon Canadian initiative to do so within the Joint Committee on Trade and Economic Affairs, should be willing to explore the many proposals for bilateral and multilateral development of increased trade with Canada.

Eighty-five years ago, the poet Walt Whitman, wrote in his "Specimen Days":

"Some of the more liberal of the presses here are discussing the question of a zollverein between the United States and Canada. It is proposed to form a union for commercial purposes—to altogether abolish the frontier tariff line, with its double sets of custom house officials now existing between the two countries, and to agree upon one tariff for both, the proceeds of this tariff to be divided between the two Governments on the basis of population. It is said that a large proportion of the merchants of Canada are in favor of this step, as they believe it will materially add to the business of the country, by removing the restrictions that now exist on trade between Canada and the United States. Those persons who are opposed to the measure believe that it would increase the material welfare of the country, but it would loosen the bonds between Canada and England; and this sentiment overrides the desire for commercial prosperity. Whether the sentiment can continue to bear the strain put upon it is a question. It is thought by many that commercial considerations must in the end prevail."

Eighty-five years later the debate continues. The proposals of recent years have been numerous and varied:

The most detailed attempt to identify what a bilateral free trade arrangement would look like, if one were concluded, has been made by the private Canadian-American Committee. Its plan, put forth in February 1965, to stimulate discussion, would progressively abolish trade barriers affecting all raw materials and manufactured products—exempting basic agricultural products, at least at the outset—and providing steps necessary to assure that free trade would be meaningful and beneficial to both partners. Canada's need for a longer adjustment period would, in the plan, justify allowing Canadian tariffs to be removed over a period twice as long as that granted for abolishing U.S. tariffs. While the plan describes a bilateral scheme, it has been designed to minimize obstacles to accepting new members or forming a link with another trade area such as the European Free Trade Association (EFTA).

The distinguished Canadian historian, Hugh L. Keenleyside, proposed in 1960 a selective free trade program between the two countries in those products where U.S. companies were willing to allocate a significant amount of their total production to Canadian factories. "There is no reason," Keenleyside, "why it should not be extended to any country that is willing to meet the basic qualifications: the establishment of new factories in Canada and free access for their products to the consumer market in the other country."

Speaking to an American audience in February of this year, Howard Graham, president of the Toronto Stock Exchange said: "Perhaps the time has now come when Canada and the United States should seriously sit down and work toward economic union. That is to say the free movement of people and money and goods; the dollar of the same value, whether north of the 49th parallel or south * * * We all know that economic union cannot come about overnight; it will take much planning—it will require 'give and take' on the part of both sides—it may not be easy but it is a target that most businessmen feel we should now be moving toward."

Harry Johnson of the University of Chicago has commented with convincing logic that broad multilateral free trade arrangements are preferable to regional economic cooperation. He says that expanded trade through the U.S. Trade Expansion Act of 1962 and the current Kennedy round of tariff negotiations would be far more beneficial to Canada than a continental free trade area because "any regional common market or a free trade area scheme necessarily involves discrimination against nonparticipants, discrimination which imposes an economic cost on the members by forcing their citizens to buy products produced within the region at a higher cost than the price for which the same goods can be obtained from outside the region."

And in a speech on August 12, U.S. Senator JACOB JAVITS proposed negotiation by the United States and Great Britain of a Free Trade Area Treaty which would then be opened to Canada and eventually on a reciprocal basis to the other nations of the European free trade area, the members of the European Common Market and the other industrialized countries of the Organization of Economic Cooperation and Development (OECD). "The aim of this treaty is to achieve substantially free trade (subject to national security exceptions) in manufactured products among the industrialized countries by the end of the period * * *. It would enable the United States to offer full economic partnership to Great Britain and would also provide major incentives to the EEC and other European nations, as well as Canada and Japan, to see the enormous advantages of a closely integrated Western economy."

While the theorists theorize and the politicians promote, the actual governments of the two countries, with the responsibility for effecting change, have moved only tentatively in the area of greater freedom of exchange between the two economies. The agreement for free trade in automobiles and automotive parts, like the free trade in agricultural machinery which has existed for 20 years, is a clear example of international economic progress where the national economic interests converge. The directions which the two governments will now take must await not only authoritative interpretation of the results of the automotive parts agreement but also detailed study by each government of the economic ramifications of any further steps proposed.

We hope in particular that the U.S. Government will undertake exhaustive study as to the implications of freer economic trade between the two countries or within a more broad framework. It must pay particular attention to the requirements of the General Agreement on Tariffs and Trade (GATT), to the effect of greater United States-Canadian trade on commercial relations with the European market and Latin America, and to the progress of the tariff negotiations in the "Kennedy round" and its impact on future U.S. trade relations. The purpose of all this study by the U.S. Government is so that it will be able to participate constructively and to respond responsibly to any potential Canadian initiative in the area of greater economic cooperation, whether merely for detailed studies under the Joint Committee on Trade and Economic Affairs or for more specific agreements on the course of international trade.

Neither Government can afford to act precipitately on the basis of abstract and academic economic theories. Not only will the actions of the two Governments have a broad and substantive impact on the economies of their allies and the developing nations, but the impact of any proposed step on the two economies themselves must be far better and more accurately measured than can be done today.

Some broad measure of the impact of a greater rationalization of the two economies, whether through bilateral (selective or comprehensive) free trade or through multilateral free trade, is possible, however. The impact on the U.S. economy is bound to be favorable but slight indeed compared to the impact on the Canadian economy. Foreign investment amounts to over 60 percent of the Canadian gross national product—and three-fourths of that investment comes from the United States. The population ratio of 10 to 1 and the gross national product ratio of 14 to 1 indicate clearly that Canadian concern for U.S. economic domination under any freer trade is reasonable, that the impact and the need for adjustment will be immense throughout the Canadian economy if freer trade is adopted, that Canada can make no decisions on the subject of freer trade without more detailed information as to its impact, industry by industry and firm by firm—and that specific initiatives for freer trade arrangements should come not from the United States but from Canada itself.

To the Americans let it suffice to underscore the justice of Canadian concern by quoting from Prof. Jacob Viner's counsel to our study group the difficulties of keeping economic cooperation both cooperative and only economic:

"There are no genuine 'free trade areas' in the world (with the one possible exception of Benelux), which are not also politically-unified areas, and it is still a matter of doubt that such an area can exist without substantial loss of political autonomy of the weaker and smaller members if there is a 'giant' with respect to economic and military power among the members."

To the Canadians let it suffice to cite the comment of Ronald Wonnacott, the prominent Canadian economist studying the effect of freer trade on Canadian business:

"Each generation feels the time is not yet ripe, and refers this change to the next generation while regretting that it has not been undertaken by the last."

22. In accordance with the strong recommendation of the Merchant-Heeney report, the U.S. Government, working in cooperation with Canadian officials, should examine promptly the potential issuance of a general license or adoption of other appropriate

measures by which U.S.-owned branches and subsidiaries domiciled in Canada can participate in Canadian export trade without violating the, U.S. Trading With the Enemy Act.

Canadian nonstrategic trade policies toward the Communist bloc have been at considerable variance with those of the United States. The inability under American law for U.S.-owned or controlled business operations in Canada to trade with Communist-bloc countries has been a source of continuing friction between the two countries and a source of considerable resentment, understandably, among the Canadian people.

While the U.S. policy toward trade with the Soviet Union now appears to be in a state of flux approaching the more historic Canadian pattern, until U.S. East-West trade is permitted and as long as U.S. trade with Communist China and Cuba continues to be prohibited, U.S. business operations in Canada will continue in the unenviable position of abiding by their national law but criticized for not cooperating with Canadian policy. It surely must not be the policy of either Government to encourage, or appear to permit, the flow of U.S. business investment into Canada in order to participate in trade which U.S. law forbids. But the U.S. Government, the U.S. business community, and the U.S. people must realize that foreign investment is a privilege—and that because the Canadian economy requires heavy emphasis on the development of exports and export markets, foreign investment in Canada may eventually be limited unless it is free to cooperate with Canadian policy. The issues are difficult and a satisfactory solution will be complicated but the responsibility of the U.S. Government to act effectively is clear.

23. In resource development and defense procurement, to the degree that the Canadian Government concurs, the U.S. Government in the interests of national and continental security should recognize that production broadly based between the two economies is an important guarantee of sufficient capacity and availability in any potential emergency.

In the development of oil, the U.S. Government has in the past, somewhat hypocritically, taken the opposite view. It has, quite correctly, protected itself against the importation of Middle Eastern oil on the theory that if the United States were to become reliant in peacetime on oil from the Middle East it could jeopardize its national security in wartime by not maintaining a sufficiently productive domestic oil industry. The same argument is ridiculous when applied to the importation of Canadian oil. Quite the contrary, the importation of Canadian oil in peacetime, to the degree that it encourages the development of Canadian oil resources, provides an additional guarantee of the availability of petroleum in the case of a national or international emergency in which other foreign sources of oil were not available. It is utter nonsense to argue that the sources of Canadian oil might be cut off to the United States in the case of an international emergency.

Similarly, it is important for the U.S. Government to be sympathetic to Canadian initiatives to undertake significant defense procurement in its own country. For the sake of Canadian confidence in reliance on its own defense production facilities, for the sake of Canadian economic development, and for the sake of a broadly based North American defense industry capable of serving and surviving in any international emergency, it is important for the United States not to insist that Canada meet its defense contributions within NATO and the North American Air Defense Command (NORAD) with systems produced only in the United States.

24. As the U.S. balance-of-payments position continues to improve, the United States should give every serious consideration to raising substantially (and eventually removing) the limit on duty-free goods which U.S. travelers can bring back into the United States from Canada.

The duty-free limit must inevitably be in part a function of the U.S. balance of payments at any given moment. While the United States has run in substantial payments deficit in 14 of the past 15 years, the limit understandably has had to be maintained. If the present trend in U.S. international payments proves to be relatively permanent, there is not reason why serious consideration cannot be given to raising or removing the duty-free limit in regard to Canada. No action by the U.S. Government should be taken, however, until after full consultations with the Canadian Government within the Joint Committee on Trade and Economic Affairs.

25. The U.S. Government should respond enthusiastically to any request by the Canadian authorities for free and unencumbered access to an ice-free port on the Pacific Ocean along the southwestern border of Alaska.

The development of promising mineral deposits in the northern sections of British Columbia is progressing rapidly to the point where soon there will be need to develop ready transport of this ore to overseas markets. There can be little doubt that the citizens and officials of the State of Alaska would welcome the opportunity to provide Canadian interests with an Alaskan ice-free port on the Pacific in view of the impetus it would give to further utlization of Alaskan ports for trading purposes.

While the association of this issue with the issue of paving the Canadian sections of the Alcan highway linking the United States and Alaska is essentially artificial, a Canadian initiative in the latter case would seem to assure without doubt a welcome U.S. policy in the former.

### CANADIAN RELATIONS IN THE WESTERN HEMISPHERE

26. Rather than informing the Canadians that they are remiss in their international obligations by failing to join the Organization of American States, the United States should make every effort to help build the OAS into an organization of collective security which the Canadians might wish to join.

The U.S. Government by this time, and occasionally by unfortunate methods, has made it abundantly clear to the Canadian Government and the Canadian people that we feel that the institutions of the inter-American system could be significantly strengthened through Canadian membership. There may be less awareness on the part of the Government and the people of the United States of the reasons why Canada has not yet become a member of the OAS.

In the first place, it is important to realize that the inter-American system only recently, since the Rio Pact of 1947 and the OAS Charter of 1948, has come to view Canadian membership as desirable. Under the theory of the Monroe Doctrine, European colonial relationships were incompatible with the inter-American system. Even as late as the administration of Franklin Roosevelt, the American President, his Secretary of State, Cordell Hull, and his Latin American affairs adviser, Sumner Welles, were all opposed to Canadian participation in the inter-American system. As late as the 1920's the U.S. delegations to the Pan American Union were not only instructed to oppose motions for Canadian membership, they were instructed to work to prevent Latin American initiatives to invite Canada to join the system.

Secondly, it is important for people in the United States to appropriate the degree to which Canada has historically been tied not to the Western Hemisphere but to Great Britain and the British Commonwealth of Nations. In large measure the structure of her non-U.S. trade, the makeup of her foreign aid program, and the instinct of her political ties have been directed more toward the Commonwealth of Nations than toward the hemisphere. As British colonial rule has evolved into a worldwide system of independent nations, and as those independent nations have seemed to draw further and further apart across economic and political gulfs, the Canadian Government and the Canadian people have faced a difficult decision in charting a new course for their foreign policy. Full-fledged Canadian membership and participation in the institutions and programs of the inter-American system would inevitably require subordinate Canadian decisions to establish new trade patterns, new aid patterns, and new lines of political interests. Bias in this direction has been countered by the bias of the French Canadian community toward ties with the new nations of the old French colonial community in Africa.

And finally it is important for the U.S. Government and the U.S. people to realize the depth of conviction held by the Canadian Government and the Canadian people in the purpose and the future of the United Nations. The most visible contribution of the independent postwar Canadian foreign policy has been the promotion of the ideals and institutions of the U.N. Canadians are understandably, therefore, reluctant to engage fully in the operations of a regional collective defense system which may at times appear to be in conflict with the interests and global preoccupations of the United Nations.

It is largely in this sense, as well as in differences over specific policy actions, that the recent crisis in the Dominican Republic and the policies followed there by the U.S. administration must, to some degree, have diminished the enthusiasm of the Canadian Government and the Canadian people to join actively in the inter-American system. The Dominican crisis showed to the Canadians that there is a certain predictable conflict in any crisis between the interests of a regional system and the global interests of the United Nations; it showed that the Organization of American States is not a fully effective instrument which can act with speed and efficiency in an emergency; and it showed that the U.S. administration, despite the need for intervention, did not consider the Organization of American States an institution of truly collective nature, but rather one which in a crisis would hopefully ratify unilateral U.S. intervention after the fact.

It is also important, however, to realize that Canada already makes broad and important contributions to economic development and political communication within the hemisphere. She is a member of the Pan American Institute of Geography and History; she is a member of the Inter-American Statistical Insitute; she is a member of the Pan American Radio Office; she has constantly been increasing the number of her trade missions composed of business and government officials visiting Latin America; she has important new Latin American study centers at several Canadian universities; she has sent official observers to many of the crucial recent meetings of the OAS. Perhaps most importantly she is participating actively in aid and development programs in the hemisphere. She has extended significant development grants to the British Commonwealth areas in the Caribbean—the West Indies, British Honduras, British Guiana, Jamaica, and Trinidad, and Tobago. She has made significant disbursement loans to Mexico, Argentina, and other Latin American countries. While not a member of the Inter-American Development Bank her participation in this institution has been significantly increased in recent years.

It seems clear that the United States can best encourage full-fledged Canadian participation in the institutions of the inter-American system in three ways. If the United States were to prove more willing to view the development of the Organization of American States as an institution of true collective security, and not as an institution existing merely to ratify American security blueprints, Canada might prove more willing to join it. Secondly if the United States were willing to support the current trend among Latin American thinking to separate the political and economic functions of the inter-American system, the way might be paved for initial Canadian active participation in the economic realm without necessarily involving Canada directly in a political structure which at present it may find uninviting. Thirdly, to the degree that it is possible, specific American proposals to the Canadian Government for rationalizing the two now independent foreign aid programs within the hemisphere might well be welcomed in the interests of economy and commonsense.

Despite the past of inept U.S. hemispheric diplomacy, both toward the north and toward the south, we believe strongly in the need for Canadian participation in the inter-American system. No one has stated the need better or more simply than John Holmes, president of the Canadian Institute of International Affairs: "The argument for Canada's interest in Latin America is that it is in ferment and needs help."

DEFENSE

Recommendations as to Canadian-American defense policy are best left to those with the technical expertise and the specific information which sound judgments require. We would comment only on one paragraph in the Canadian white paper on defense of March 1964:

"It is, for the foreseeable future, impossible to conceive of any significant external threat to Canada which is not also a threat to North America as a whole. It is equally inconceivable that, in resisting clear and unequivocal aggression against Canadian territory, Canada could not rely on the active support of the United States."

Whatever the rewards of American neighborhood, Canadians must inevitably rue their unique location on this globe—precisely between the two great nuclear rivals, the United States and the Soviet Union. For, as James Eayrs of the University of Toronto has said of the ties of the North American Alliance: "You can break treaties, you can renounce pacts, but geography holds its victims fast."

It is of dubious consolation to the Canadian people to know that in a nuclear attack we will always be at their side. But we hope that it will be more than geography that puts us there. We hope to be at their side in the cause of peace, not just in the scourge of war. We hope to be at their side in serving the needs of man. We hope to be at their side in building on the North American Continent a durable model for relations between and among independent nations—attentive to the national interests of each, devoted to the prosperity of both, compassionate toward the human needs of all.

STANLEY R. TUPPER, Maine, ROBERT F. ELLSWORTH, Kans., PETER H. B. FRELINGHUYSEN, N.J., FRANK HORTON, N.Y., CHARLES McC. MATHIAS, Md., F. BRADFORD MORSE, Mass., CHARLES A. MOSHER, Ohio, OGDEN R. REID, N.Y., HOWARD W. ROBISON, N.Y., HENRY P. SMITH III, N.Y.

## GREAT SOCIETY'S OWN PECULIAR CODE OF ETHICS

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, I was saddened and distressed to find that the President's penchant for arm-twisting has gone to the extent of using members of his administration who should be shunning active politicking.

I refer to John Macy, Chairman of the Civil Service Commission, who called me on a Sunday at Ocean City, Md., recently to try to get my vote against overriding a Presidential veto of the military construction bill. Most recently, he called me in Arizona on a Saturday to seek my support for home rule legislation for the District of Columbia. At the same time, Mr. Macy has been telling Congress how important it is that we emphasize civil service procedures, how necessary it is that we put more nonpolitical civil service personnel in key Government jobs, and how vital it is to keep politics out of these activities.

Mr. Macy's actions as errand boy for the President's congressional conformity corps casts some doubt on his sincerity in keeping civil service out of politics—and even upon his fitness to testify on the nonpolitical nature of the agency which he heads and which is supposedly charged with the responsibilities of keeping Federal employment above politics—in effect, being the custodian of the Hatch Act.

I might note, Mr. Speaker, that Mr. Macy's calls to me—and presumably to other Members of Congress—were paid for by the White House. This use—or misuse—of public money to lobby Congress for legislation appears to be an obvious violation of the United States Code, which has apparently been supplanted by the Great Society's own peculiar code of ethics.

I fear Mr. Macy's effectiveness as Chairman of the Civil Service Commission may have been seriously undermined. If the administration continues to force him into positions so inimical to an honest execution of his job, he will soon be compromised beyond redemption.

## OPPRESSED NATIONS LOOK TO FREE NATIONS TO HELP THEM REGAIN THEIR FREEDOM

The SPEAKER pro tempore. Under previous order of the House the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, when the oppressed people of the colonies declared their independence in 1776 "to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them," their cause was aided by friends from various European nations.

Now, almost two centuries later, the situation is reversed, and the descendants of our European brothers-in-arms now behind the Iron Curtain look to our free Nation to help them regain their freedom.

One cannot help but wonder whether George Washington, Thomas Jefferson, or Patrick Henry would be pleased with our efforts in their behalf to date. Would our international representative of Revolutionary days, Benjamin Franklin, sit silently in the United Nations while history's modern counterpart in barbarism, Red China, is placed on the U.N. agenda for consideration, with nary a word in support of the many victims of communism.

Our friends in the enslaved countries will be heartened to know that in the United States today there are those who are not content with oft-repeated expressions of hope for the captive peoples—expressions which are effectively forgotten by the absence of just and responsible implementation.

Prudent but definite action was recently taken at the 47th Annual National Convention of the American Legion at Portland, Oreg., in August of this year. Resolution 239, entitled "United Nations Relationship to the Captive Nations," was passed and urges the President to instruct the U.S. Ambassador to the United Nations to demand that the United Nations enforce its charter provisions regarding self-determination of all peoples. This would include the withdrawal by the Soviet Union of all of its troops, agents, and colonialists from the captive nations.

The Legion's Resolution 239 is similar in content to House Concurrent Resolution 367 which I introduced on March 23 of this year and which I first proposed in the 88th Congress.

It is hoped that more organizations will lend their name and good will to this honorable cause by adopting similar resolutions designed to grant to the captive peoples, now numbering approximately one-third of the earth's population, the freedom "to which the laws of Nature and of Nature's God entitled them."

The texts of Resolution 239 and House Concurrent Resolution 367 follow:

RESOLUTION 239

(Resolution by the 47th Annual National Convention of the American Legion, Portland, Oreg.; August 24–26, 1965, on "United Nations Relationship to the Captive Nations")

Whereas the Congress of the United States, in Public Law 86–90, approved July 17, 1959, unanimously expressed its revulsion at the continued enslavement by the Soviet Union of the peoples of the numerous countries and areas now known as the captive nations; and

Whereas among the purposes of the United Nations, as set forth in article 1, chapter I, of the United Nations Charter, are to uphold the principle of equal rights and self-determination of peoples, and to promote respect for human rights and for fundamental freedoms for all; and

Whereas the member nations of the United Nations have failed to bring before the General Assembly for successful discussion and solution the problem of self-determination for the peoples enslaved by international communism; and

Whereas it is of great importance to the United States that the hopes for freedom and self-determination, shared by the peoples of the captive nations, be kept alive; now, therefore, be it

*Resolved by the American Legion in National Convention assembled in Portland, Oreg., August 24–26, 1965,* That the American Legion urges the President of the United States to instruct the U.S. Ambassador to the United Nations to demand, at the earliest possible date, that the United Nations enforce its charter provisions regarding self-determination of all peoples, and that the Soviet Union, as the controlling power in world communism, be called upon to withdraw all of its troops, agents, colonialists and other controls from the captive nations, and to return to their respective homelands all political prisoners and exiles now in slave labor and prison camps within the U.S.S.R.

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H. CON. RES. 367

Whereas the United States of America was founded upon and long has cherished the principles of self-determination and individual freedoms; and

Whereas these principles are the very reason for the existence of the United Nations, as set forth in the charter of that world organization; and

Whereas the United States and all other member nations signatory to that charter have solemnly pledged themselves, collectively and individually, to make these principals universal and to extend their benefits to all peoples; and

Whereas since 1918 Soviet communism has, through the most brutal aggression and force, deprived millions of formerly free peoples of their rights to self-determination and has enslaved their homelands; and

Whereas the Congress of the United States has unanimously expressed, in Public Law 86–90, approved July 17, 1959, its revulsion at the continued enslavement by the international Communist movement of the peoples of Poland, the Ukraine, Czechoslovakia, Lithuania, Hungary, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and other lands, all of which now are known as the captive nations; and

Whereas the peoples of these captive nations, as well as those of Cuba and other lands since subjugated in whole or in part by the international Communist conspiracy, have found little, if any, hope of eventual freedom in the political differences which have arisen between Soviet Russia and its satellite, mainland China, and may look only to the United States and the United Nations for liberation; and

Whereas the member nations of the United Nations have failed to bring before the General Assembly for successful discussion and solution the problem of self-determination for the peoples enslaved by international communism; and

Whereas the United States, in the case of other colonial states whose people long have enjoyed many personal freedoms and national benefits of a kind which have been denied in the colonies of Soviet communism, already has spoken out strongly in the United Nations in support of the principles of self-determination and individual liberties; and

Whereas the issue of the admission of Red China to the United Nations has been placed on the agenda of the United Nations in recent years, despite Red China's unbelievable brutality to the Chinese people since 1949, her aggression against United Nations troops in Korea, her savage treatment of the Tibetan people; and

Whereas it is vital to the national security of the United States and the perpetuation of our free civilization that the free nations of the world act in concert through the forum of the United Nations to demand the right of self-determination for one-third of the world's population and one-fourth of the world's area now under the domination of the international Communist movement; and

Whereas the Constitution of the United States of America, in article II, section 2, vests in the President the power, by and with the advice and consent of the Senate, to make treaties and appoint ambassadors: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That the President of the United States is hereby authorized and requested to instruct the United States Ambassador to the United Nations to demand, at the earliest possible date, that (1) the United Nations enforce its charter provisions which guarantee self-determination to all peoples; and (2) the Soviet Union, as the controlling power in world communism, be made to abide by its United Nations membership obligations concerning aggression and colonialism by ordering the withdrawal of all Soviet and mainland Chinese troops, agents, colonialists, and controls from the captive nations and returning to their respective homelands all political prisoners and exiles now in slave labor and prison camps.

SEC. 2. The President of the United States is further authorized and requested to instruct the United States Ambassador to the United Nations to take steps to have placed on the agenda of the General Assembly at the next regular session convening in the fall of 1964 any measure or measures which would guarantee internationally supervised free elections by secret ballot in the captive nations, and to press for early approval of such measures.

SEC. 3. The President of the United States is further authorized and requested to use all the diplomatic, treatymaking, and appointive powers vested in him by the Constitution to augment and support actions taken by the United States Ambassador to the United Nations in the interest of self-determination for the captive nations.

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## SENSE OF THE HOUSE OF REPRESENTATIVES RELATIVE TO INTERNATIONAL COMMUNISM IN THE WESTERN HEMISPHERE

Mr. HARVEY of Indiana. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, a week ago, on Monday, September 20, 1965, I joined 311 of my colleagues from both sides of the aisle in supporting House Resolution 560. As I recall the discussions and exchanges of points of views on this legislation I think both those for and those against had an opportunity to be heard. On one occasion I recall a proponent of House Resolution 560 referring to a colleague that rose in opposition to this resolution as 100-percent American. The spirit that prevailed with regard to the airing of differences was, in my opinion, a healthy one.

In recent days, however, there have been various and sundry interpretations of this resolution by the news media in order to discredit what the House did in the approval of this forthright and justifiable measure.

As Representatives of the people I think it is significant that the House reaffirmed, as it has on other occasions for instance 2 years ago, the principles of the Monroe Doctrine.

As the gentleman from Pennsylvania, Congressman FLOOD, so ably said, and I quote out of context if you please:

> There is not a man in this Chamber, if a Chinese fleet were off Peru or a Russian fleet off Brazil with 16-inch guns on a bombardment mission, who would not join the gentleman from Alabama [Mr. SELDEN] in his resolution—not one. But guns were the weapons of Mr. Monroe's day—and that is why he wrote that doctrine. Those are not the weapons of today.

I echo these remarks. Today Communist attempts to take over shaky governments in this hemisphere are from within. Subterfuge and coercion are the new orders of the day for the Communists and it is my hope our friends connected with reporting the news would remind our citizenry of this from time to time instead of trying to discredit what we did in the approval of House Resolution 560.

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## AIDING THE COMMUNISTS

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

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

There was no objection.

Mr. HARSHA. Mr. Speaker, today I called upon the Commerce Department to rescind the license granted to Litwin Engineering Co. to export Sohio's patented textile process, Acrylonitrile, to the Communists in East Germany. Present negotiations would place a process patented by Standard Oil of Ohio in the Communists' hands through the Litwin Engineering Co. at Wichita, Kans.

These negotiations have been carried on with the approval and encouragement of the Department of Commerce and the Department of State and an export license has been granted by the Commerce Department.

The acquisition of this process provides a technical advantage to East German Communists. Trade with Communist nations involving technical processes developed under free enterprise helps Communist economies to leap-frog ahead of American competitors.

The Communist world is committed to a program of world domination. The Communists are using war, economics, subversion, religion, and trade to further these ends. Trade with Communist countries does not create bonds of friendship and understanding with Communist peoples. Communist trade passes through government channels into government-owned business. The governments of Communist countries are totally made up of Communists who invariably place Communist objectives above the needs of their people.

The time has long since passed when we can continue to encourage those sworn to destroy us by giving them the best technical encouragement our Nation can provide.

There are no such things as "nonstrategic goods." All goods in an economy are strategic. The military struc-

ture of a nation is directly dependent upon its economy. When it has a strong flourishing economy the result is a strong military structure; when it has a weak economy it cannot sustain a strong military position. Therefore, anything that improves a nation's economy has a direct bearing on its military capability.

Furthermore, these Communist nations are all aiding or trading with North Vietnam. It is both morally and strategically wrong to deal with Communist systems of oppression which are supplying the means of aggression against our own soldiers. No amount of profit makes it right.

It is high time that the Departments of State and Commerce review their policies in the light of the national interest, and adopt a realistic attitude in our dealings with the Communist countries and it is likewise time some of our corporations demonstrated more interest in the welfare of this Nation than in the almighty dollar.

## HIGHWAY BEAUTIFICATION ACT OF 1965 WILL CAUSE IRREPARABLE DAMAGE TO OREGON HIGHWAYS

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

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

There was no objection.

Mr. WYATT. Mr. Speaker, I rise to point out to this House that a bill which is scheduled for consideration later this week, S. 2084, the so-called Highway Beautification Act of 1965, if passed, will cause irreparable damage to the fine highway system of the State of Oregon.

By the terms of this politically attractive but hastily conceived legislation any State which does not conform with the provisions of the bill will be fined 10 percent of their Federal-aid grants. This in Oregon amounts to $6½ million annually.

In order to comply with the terms of the bill, it would be necessary for the States to buy or condemn signs and possibly junkyards and also to condemn property rights on strips of land 660 feet wide lying on either side of the right-of-way on interstate and primary highways.

The Oregon State Highway Commission has advised me that their attorneys say that the Oregon constitution would prevent Oregon from using Motor Vehicle Trust Funds. Use of general fund moneys certainly is not practical because of the huge drain of nonbudgeted money which would be required to conform to this bill.

Therefore, for Oregon to comply it would be necesary for Oregon to amend its constitution. This is a lengthy, time-consuming, and uncertain process. The Oregon voters have recently rejected a proposal eliminating bill boards.

We in Oregon are proud of our fine highway system. The cost of complying with the proposed new act would be very substantial and would undoubtedly have a serious effect on slowing down much-needed highway construction in order to find funds for this new departure. Federal funds can only be used on a matching ratio on the basis of 75 percent Federal and 25 percent State, which is a radical change in Federal-State relations and would have drastic repercussions in Oregon.

Mr. Speaker, I submit to this body that there may be many other States which find themselves in an identical position with Oregon. As you know this bill was not scheduled for action until next year. Hearings were being held and the measure was being considered in an orderly fashion when orders were handed down from the White House that the bill was to be passed at this session. It was reported out with completely new provisions contained therein, with virtually no consideration of the vast consequences flowing therefrom.

It is but another example of slipshod legislation pushed through to satisfy the whims of an all-demanding executive. Let the Congress legislate and work its will and not be a willing party to the transfer of our legislative function to the executive.

## EXPRESSION OF CONFIDENCE IN CONSTITUTIONAL GOVERNMENT

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

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

There was no objection.

Mr. QUILLEN. Mr. Speaker, I am pleased to insert in the RECORD an editorial which appeared in the Knoxville Journal on Monday, September 27, 1965, and which was written by the Journal's distinguished editor, Mr. Guy L. Smith. I commend this provocative appraisal of the present trends in our system of government to my colleagues and to the readers of the RECORD:

CONSTITUTIONAL GOVERNMENT WILL SURVIVE JOHNSON ERA

It certainly cannot be claimed as an original discovery that there are millions of Americans, even among many who helped elect President Johnson to office, who, if not disturbed, at least have misgivings about what seems to be a trend toward dictatorship in this country since his election last November.

As this first session of the 89th Congress nears its close, the record of legislation proposed by the White House and enacted into law by the Congress makes clear that no President in our history has so completely and continuously dominated the action of the legislative branch of the Government.

If one were to select an incident during this period to be used as typical of the relationship between the White House and the Congress, he would go back to the joint session of that body which the President addressed on March 15, this year.

A TYPICAL RELATIONSHIP

This was the session attended not only by both Houses of Congress, but also members of the Supreme Court and the President's Cabinet. The subject of the President's address was passage of a voting rights law and it will be remembered by some that the President advised Congress at that time that an outline of the law to be passed was already in his possession. Both his words and the tone in which they were delivered left no doubt in the mind of any hearer that this was the master not requesting, but ordering, his faithful vassals to do his bidding. Further, he did not intend for Congress to take all year doing what it was told.

We select this incident, as we said above, because it has been typical of the relationship between the White House and the legislative branch at the other end of Pennsylvania Avenue throughout this session.

COMPLETE DOMINATION

Congress, at the President's behest, has racked up a record of social, economic, and other legislation that makes the first 100 days of the late F.D.R. appear by comparison to be a kindergarten session of our national legislative body. Mr. Johnson was successful in getting more of his proposed legislation through in less than 9 months than the late President Kennedy could wrangle through Congress in 3 years. Johnson, may, in fact, as some of the Kennedy cult charges, be short on "style"; he may lack the "charm" which F.D.R.'s devotees talked so much about; but when it comes to getting new laws on the books, President Johnson has had no peer in American history.

How he achieved this position of complete domination of the Congress need not be reviewed here at this time, save to say that the Goldwater debacle provided him with a majority in both Houses of Congress so large that he had votes to spare even when there was some rumbling of discontent among his own partisans.

SOME CONSOLATION

The thing that disturbs many Americans is the question as to whether or not the political events which have made Johnson a virtual dictator have, in fact, permanently altered the character of our Government as envisioned by the Founding Fathers and have destroyed the constitutionalism which has been the toast of this country for almost 200 years.

We believe that the answer is no, though we will confess that we are comforted by the existence of the 22d amendment to the Constitution which became effective on February 26, 1951. This was the one which restricted the tenure of any citizen to two full terms as President of the United States.

Even had this amendment not been adopted, however, so great is our confidence in the fundamental strength of our constitutional system that we are not too greatly concerned about the obliteration of our constitutional processes in the years ahead, or the seizure of complete power by a strong man to serve as dictator in name as well as in fact.

INTRUSIONS OF SOCIALISM

The tides of political change and the moods of the country have historically had a way of keeping the pendulum of power moving within the limitations of the Constitution. We are confident that these same forces will again be operative in the years to come.

It is true and may well be recognized by any student of our governmental system that future changes of leaderhip at the Federal level or future shifts of power will not roll back, for example, the intrusions of socialism or the adoption of certain features of the welfare state. These, once on the statute books, become permanent facts of life, if for no other reason because Socialist programs take the form of irrevocable contracts between the citizen and the Federal Government.

OUR CONVICTIONS

What all this adds up to is an expression of confidence that, despite the concern many of us have felt about the abdication by the majority in Congress of its constitutional

role as a branch of the Government coequal with the executive, we do not believe that the country is going to hell in a basket. Nor do we believe that the constitutional fabric of our Government has been stretched to a point which will not permit correction of the excesses—spending is one example—of the Johnson administration.

These are our convictions even though Mr. Johnson has come nearer to attaining the status of a dictator than any President in our history.

## INTERNATIONAL MONETARY REFORM

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

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

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, the communique issued this morning by the Ministers and Governors of the Group of 10, meeting here in Washington, represents a solid achievement by our distinguished Secretary of the Treasury, Henry H. Fowler, and his associates, especially Under Secretary for Monetary Affairs Frederick L. Deming. The key language of the communique from the point of view of significant development in the field of international monetary reform is paragraph 9 of the communique:

The Ministers and Governors recognize that, as soon as a basis for agreement on essential points has been reached, it will be necessary to proceed from this first phase to a broader consideration of the questions that affect the world economy as a whole. They have agreed that it would be very useful to seek ways by which the efforts of the Executive Board of the Fund and those of the deputies of the Group of 10 can be directed toward a consensus as to desirable lines of action, and they have instructed their deputies to work out during the coming year, in close consultation with the Managing Director of the Fund, procedures to achieve this aim, with a view to preparing for the final enactment of any new arrangements at an appropriate forum for international discussions.

I insert here the full text of the communique for the benefit of my colleagues in the Congress:

COMMUNIQUE OF THE MINISTERS AND GOVERNORS OF THE GROUP OF 10 ISSUED ON SEPTEMBER 28, 1965

1. In the course of the annual meeting of the International Monetary Fund in Washington, the Ministers and Central Bank Governors of the 10 countries (Belgium, Canada, France, Germany, Italy, Japan, the Netherlands, Sweden, the United Kingdom, and the United States) participating in the general arrangements to borrow met under the chairmanship of Mr. Emilio Colombo, Minister of the Treasury of Italy. Mr. Pierre-Paul Schweitzer, Managing Director of the International Monetary Fund, took part in the meeting, which was also attended by the secretary general of the Organization for Economic Cooperation and Development, the general manager of the Bank for International Settlements, and the president of the Swiss National Bank.

2. They noted that, since their meeting in Paris in December 1964, the members of the Group had been called upon, in May 1965, to provide additional supplementary resources to the Fund in the amount of $525 million. This brings the cumulative use of the general arrangements to borrow to the amount of $930 million. The use made of the general arrangements to borrow has demonstrated once again the important contribution which those arrangements provide to the smooth functioning of the international monetary system.

3. The general arrangements to borrow were originally made effective from October 1962 to October 1966. It was stipulated that a decision should be taken on renewal of the arrangements before October 24, 1965. The Managing Director of the Fund has indicated his continuing need of these supplementary resources.

The Ministers and Governors agreed that the arrangements should be renewed for a second period of 4 years. However, they would suggest, in the light of increasing experience with these credit facilities, that a review be undertaken in due time for the purpose of considering whether some adaptation would be desirable in October 1968, or later.

4. The Ministers and Governors reviewed developments in international payments during the past 9 months and reaffirmed the increasingly vital role of close cooperation of the group in the light of the inevitable tendency of any major financial stresses and imbalances in payments to have consequences of importance to all members of the group. They also noted with approval the putting into effect of the program of multilateral surveillance recommended by Ministers in August 1964; this program has contributed to a better understanding of the ways in which deficits and surpluses were being financed, as well as their repercussions on other countries and on the evolution of international liquidity.

5. The Ministers and Governors noted in particular that the deficit in the U.S. balance of payments which had for years been the major source of additional reserves for the rest of the world is being corrected and that the United States has expressed its determination to maintain equilibrium in its balance of payments. They welcomed this development in the U.S. international payments position which in itself contributes to the smooth functioning of the international monetary system. At the same time, they concluded that it is important to undertake, as soon as possible, contingency planning so as to insure that the future reserve needs of the world are adequately met.

6. The Ministers and Governors recalled the mandate given to their Deputies in October 1963 to "undertake a thorough examination of the outlook for the functioning of the international monetary system and of its probable future needs for liquidity." They noted that their Deputies had submitted to them an interim report on these problems in July 1964 and had arranged for a detailed examination of various proposals for the creation of reserve assets by a special study group. The report of this group, which has now been published, will facilitate, through its exposition of the elements necessary for the evaluation of various proposals for reserve creation, the acceleration of the work of contingency planning.

7. Therefore, as the first phase of contingency planning, the Ministers and Governors gave instructions to their Deputies to resume on an intensified basis the discussions which were the subject of the Annex to the Ministerial Statement of August 1964. The Deputies should determine and report to Ministers what basis of agreement can be reached on improvements needed in the international monetary system, including arrangements for the future creation of reserve assets, as and when needed, so as to permit adequate provision for the reserve needs of the world economy. The Deputies should report to the Ministers in the spring of 1966 on the progress of their deliberations and the scope of agreement that they have found. During the course of their discussions, it would be desirable for the Deputies to continue to have the active participation of representatives of the Managing Director of the International Monetary Fund, and also of the Organization for Economic Cooperation and Development, and the Bank for International Settlements. The Swiss National Bank will also be invited to continue to send its representative to the meetings of the group.

8. The Ministers and Governors recognized that the functioning of the international monetary system would be improved if major and persistent international imbalances would be avoided. They recalled that, in their statement of August 1964 the Ministers and Governors had invited Working Party No. 3 of the Organization for Economic Cooperation and Development to make a thorough study of the measures and instruments best suited for achieving this purpose compatibly with the pursuit of essential internal objectives. They expressed the hope that Working Party No. 3 would be in a position to make their views known at about the same time as the Deputies of the Group of 10 report to the Ministers and Governors.

9. The Ministers and Governors recognize that, as soon as a basis for agreement on essential points has been reached, it will be necessary to proceed from this first phase to a broader consideration of the questions that affect the world economy as a whole. They have agreed that it would be very useful to seek ways by which the efforts of the Executive Board of the Fund and those of the Deputies of the Group of 10 can be directed toward a consensus as to desirable lines of action, and they have instructed their Deputies to work out during the coming year, in close consultation with the Managing Director of the Fund, procedures to achieve this aim, with a view to preparing for the final enactment of any new arrangements at an appropriate forum for international discussions.

## AN AMERICAN HERO SPEAKS

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

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

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, in spite of the beatnik demonstrators, the parades of cowards, the unAmerican activities of tearing up draft cards and urging Americans to refuse to support their country in time of war, there are still American heroes. More than 1,000 of them have already given their lives in defense of freedom in Vietnam. Many more have been wounded in the fight against Communist aggression and, yes, to protect the freedom of those here at home who publicly side with Communist murderers against their own country and their own people.

Mr. Speaker, this week I received a letter from one of these American heroes and I would like to quote from it as part of these remarks. Perhaps the words of Lt. John B. Givhan, of Safford, Ala., will be an inspiration to true Americans and may cause some to feel a sense of shame. Whatever the reaction, I am proud to know a man like Lieutenant Givhan, a typical American, the kind

who has always been willing to make whatever sacrifice needed, the kind of American to whom the words, love of country and duty, are full of meaning. Here are some excerpts from Lieutenant Givhan's letter:

DEAR CONGRESSMAN MARTIN: I have seen it mentioned several times in the newspaper that you plan to visit the Republic of South Vietnam in the near future. I write this letter with regard to your intended journey to southeast Asia.

I spent from September 21, 1963, until April 12, 1964, in the land of Vietnam flying transport helicopter * * *. My experience was the outstanding era of my life so far. Even though I was unfortunate as some say, to loss of limb as a result of Vietcong .50-caliber machinegun fire, I still look upon my stay in Vietnam with gratitude.

I would like to ask several favors of you when you arrive in Vietnam. Visit the 197th Armed Helicopter Company. To see transport helicopters in action go with the 120th Aviation Company. There you will be able to talk with professional aviators who get shot at so much they take it in stride as part of a day's work. There you will see men—not twaddle merchants—face to face. Go with them to their working area which is the deadly rice paddy of the Mekong River Delta in Kien Hoa Province, which is the rotting jungle around Ben Cat and its deadly Iron Triangle which is the towering mountain north of Ban Me Thout or around Da Nang and there you will find the man in the field, members of the 173d Special Forces, or the U.S. marines. When you see these men think of those in the United States who would burn their draft cards. These men in the field are the salt of the earth as far as I am concerned, for they are U.S. fighting men who know what freedom means to them and to their Vietnamese friends. Stay there for a time and you will remember for a long time what it is like to enter an arena where the very freedom that many take so lightly is being threatened by the cowardly, murdering, Vietcong.

Your U.S. marines will tell you that the Vietcong is not a soldier; he is a Communist murderer filled with a hate for our way of life that is so strong it is difficult for us with our Christian background to comprehend. Then, you will know for certain that this is not an enemy that can be negotiated away, for they know nothing of honor when it comes to words or treaties.

Congressman MARTIN, one day over there at Duc Hue which is several miles west of Hiep Hoa near the Cambodian border we helicopter men talked with a little Vietnamese lieutenant who had a small force of men there to defend the hamlet which was overrun several days later, and the lieutenant and his men were killed. I asked this lieutenant if he would be leaving soon because of reports of large Vietcong concentrations just over the border in neutral Cambodia. He said that here he was taking his stand, and that here he would die to be free because he had seen communism in North Vietnam before 1954. This man died there several days later, but he stood his ground. His people, however, looked to the great United States for backing, and we gave it to them. We must continue to stand with them forever if necessary. This attitude is deep-rooted in me partially because of that man's willingness to fight communism to the death and not to give one bit. However, can't we put freedom on the offensive and tyranny on the defensive in Vietnam; the very soul of the free Vietnamese would leap out for joy. They have known nothing but gradual defeat for so long.

Please go to the end of the line in Vietnam and talk to the U.S. soldier who bathes in a canal, who sleeps in a pup tent—if lucky, who chances to be overrun by the Vietcong every night, who gets mail once a week—if lucky, who doesn't know what a beatnik looks like. Talk to this man whose closest friend is an AR–15.

Mr. MARTIN, the 120th Aviation Company is just off the road from Tan Son Nhut down Cong Ly to Tu Do Street and the center of Saigon. As a life long honorary member of that unit I ask you to stop by and, if appropriate for a Congressman, say hi. I would appreciate it, and they would too. I wish I were going with you; I really do.

## SINGAPORE

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

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

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, this morning I had an enlightening conversation with Lim Kim San, Minister of Finance of Singapore, the world's newsest nation. The Government Mr. Lim represents is one of the strongest anti-Communist, pro-national independence governments in all of southeast Asia.

Mr. Lim outlined for me this morning the main points of his Government's policies, and I am delighted to be able to report those points to my colleagues in the Congress:

First. The Government of Singapore is anti-Communist, and pro-Singapore.

Second. In order to survive, Singapore needs trade opportunities, not aid handouts or even loans. For example, access for Singapore to one-tenth of 1 percent of the U.S. textile market would mean more to Singapore, to freedom, and to independence in southeast Asia, than $100 million in U.S. loans.

Third. The key to successful U.S. and free world policy throughout southeast Asia is national independence. The Communists are bent on domination; the people want freedom and independence.

Mr. Speaker, I commend Mr. Lim's views, as I have reported them, to the favorable consideration of our own Government.

## WALTER REED HOSPITAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. HALL] is recognized for 15 minutes.

Mr. HALL. Mr. Speaker, on Tuesday of last week there was an article in one of the local papers by a substitute columnist referring to alleged shortcomings of the administration of the Walter Reed Hospital of the Army Medical Center in this city. Many of our colleagues have seen that article. Many have recognized it for what it is—an attempt to sell copy, promote reader interest, or the typical yellow-journalism engaged in by this group.

The matter, of course, has interested Members of Congress because there is no question but what this is the responsibility of the Congress, and particularly the Legislative Committee on Armed Services and the proper Appropriations Committees of both Houses. We all recall that article 1, section 7 of the Constitution, provide the Congress the sole power to raise armies, support the Navy, determine policy, and generally provide for the defense of our Nation.

On the other hand, one does not wish to be whipping boys for such as those who write for slick-backed magazines or for readership, rather than for the objectivity of true journalism. They should not be the ones that promote, undue, hasty, or ill-considered action.

Therefore, having served as a physician on the Armed Services Committee now for three Congresses and certainly as a doctor in this House, I was perhaps more concerned than many about some of the loose facts, the statements out of context, the charges and countercharges, because, indeed, this Nation expects and rightfully demands that those who serve in our uniformed military services have the best possible quality medical treatment available.

Furthermore, I have served as Assistant Surgeon General of the Army in the past. I am very proud of that record, being one who not only built an empire of over 1,200,000 people under my direct assignment, promotion, morale, responsibility, and control, during World War II, but as one who, as a physician from civilian ranks served first in this position, and then tore it down and returned the physicians to their civilian practice, along with Army nurses, dentists, veterinarians, and others plus that fine enlisted corps that we had, before returning home myself.

Furthermore, I have served for the past 3 years as a minority member on the Subcommittee on Military Hospital Construction of the Armed Services Committee during the very interesting days in the 88th and the 89th Congresses, in which the Secretary of Defense has, by and with direction of the Bureau of the Budget, it appears, more and more, without scientific and technical background, assumed that he will run and discharge the businesses of the chiefs of technical service. This has precluded adequate and sufficient hospital construction even though recommended at times by the Armed Services Committee. There was a definite attempt, for example, to exclude all obstetrical beds, expansion capacity, and training beds to say nothing of accommodations for retirees. The latter were admittedly moral and legal medical care problems of the military. Some felt this new direction in lack of maintaining and replacing the military hospital system was a prelude to vamping the further care of the military, the dependents, and the retirees into this country's new civilan medicare program.

Furthermore, we are behind for adequate hospital construction just to care for the regular establishment on a replacement basis. It is estimated that it will take 8 years at the rate of 12 new military hospitals per year to catch up, to say nothing of the need for new and modern workshops as technical breakthroughs are made from all the research and development now going on.

It was during this time, under the leadership of the now chairman of the

Committee on Armed Services, the Honorable L. MENDEL RIVERS, of South Carolina, that we restored the expansion capability and training capacity to the staffs of military hospitals anent the day, such as now, when we are "beefing up" our troops in support of freedom-loving South Vietnam. The Congress approved in the last 2 fiscal year budgets the inclusion of hospital construction for dependents, retirees, and specifically obstetrical beds.

Therefore, on last Thursday evening, September 23, Congressman WILLIAM BRAY, of Indiana, a senior colleague on the Armed Services Committee, and I made a trip to the Army Medical Center, and unannounced went through the Walter Reed General Hospital from top to bottom. We did indeed call the administrative officer of the day and "report in," but we did not announce our arrival in advance, nor was it heralded, and of course we did not expect any honors.

I visited many patients, as did the gentleman from Indiana [Mr. BRAY]. We went from top to bottom, in all wards, open and closed, for officers and enlisted, neurosurgical, general medical, pediatric, orthopedic, reconstructive, outpatient, and vice versa. We inspected the condition of the wards, the cleanliness of the wards, and the availability of personnel, as well as the space and buildings. I have lived and served at Walter Reed in the past years, and know the layout well.

We ourselves were interested enough to go, rather than to send an administrative assistant with any blue ribbon group, regardless of their interest or qualifications, because we felt it was our responsibility and that of the Congress.

Mr. Speaker, toward that end I prepared the next day—and provided an appropriate copy to the gentleman from Indiana, Congressman BRAY—a report to the chairman of the Committee on Armed Services dated September 24, 1965, which I ask unanimous consent to have printed at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The report is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., September 24, 1965.*

Hon. L. MENDEL RIVERS,
*Chairman, Armed Services Committee, Rayburn House Office Building, Washington, D.C.*

MY DEAR MR. CHAIRMAN: Just to advise that Colleague BILL BRAY and the undersigned "took a walk" through Walter Reed General Hospital last evening after 8 p.m. We visited unobtrusively and quietly with the administrative officer of the day, unannounced and unheralded. We had requested other Congressmen to accompany us from the reception at Fort Meyer for the new Under Secretary of the Army, but all had prior commitments.

In general, Mr. Chairman, we found the hospital busy and, in fact, buzzing. It was overloaded and understaffed. One must recall that the acme of professional talent is concentrated here for maximum benefit to our battle and nonbattle casualties of war. One must also always remember that the mission of an Army hospital is different from a civilian institution—namely, "to restore the maximum capability to the fighting line with the best of quality care at the earliest practicable date." I found absolutely no signs of filth and what a casual observer had probably considered "dirty uniforms" in a bin 10 feet high on the enlisted wards, was rearrangement of furniture with covering draw drapes, etc., while progressive improvements are being made off the sides and ends of the wards; to wit, cardiac laboratory, new wings, etc. The air conditioning was adequate and good throughout.

Many soldiers, including battle casualties from Vietnam, were interviewed. To do so lifted our own morale. They have a certain esprit de corps in helping each other while realizing the shortage of personnel. I talked to male and female orderlies, as well as nurses. The new Army Nurse Training School started this month on the grounds. All are proud of their work and, surprisingly, did not feel underpaid or underbenefited. Also surprising was the number of retirees (including old soldiers' home) and dependents. In the enlisted wards I saw nothing different than in any Army hospital except, perhaps, the seriousness of the casualties. The wards were clean and actually mopped with antiseptic solution twice on one shift and once on other shifts four times daily. A highly septic old odor permeates the institution and, in fact, a war is constantly on against the dreaded hospital "staff infection." As late as 9:30 p.m. the outpatient clinics, and certainly the emergency room, were extremely active and "this was nothing compared to Saturday nights."

The building and corridors are built on the old Army cantonment design with which I consider the best modifications possible. A great percent of the grounds has been taken up with research, the radiological institute (including military bolt X-rays and cobalt bomb), and construction continues for better utilization, Forest Glenn service as an annex with a well-manned "seriously ill" ward or so, but mainly with a convalescing facility.

Diagnosis: Anyone claiming discrimination or "filth" or even poor management at this hospital is either a liar, fool, or simply writing for the sake of selling copy and in the interest of "yellow journalism." There is maximum utilization which involves crowding, but one must recall regulations require all tumor cases in the Army be forwarded here, as well as other difficult cases, and certainly, including all coronary heart attacks under age 35, etc.

Recommendation: The Army in coordination with the sister services, and particularly the U.S. Public Health Service, should immediately reinstitute World War II type of Cadet Victory Nurses training program. This may be an Interstate and Foreign Commerce Committee jurisdiction, and Mrs. BOLTON, myself, and the U.S. Public Health Service started a similar one with great success at small training schools throughout the country during the last great war.

Our committee should immediately start a long-range program of modern construction at the Army Medical Center, including a new "high rise" efficient replacement for Walter Reed General Hospital.

Respectfully submitted,

DURWARD G. HALL,
*Member of Congress.*

Mr. HALL. Mr. Speaker, I should like to say that there is no question that there is compactness, by definition, of the Army Medical Center, in this day of expansion of our hospital care, in this day of additional required and needed research, in this day when we have the Armed Forces Radiological Institute, in this day when we have million-volt generators for not only X-ray treatment but also alpha, beta, and gamma rays, to say nothing of cobalt bombs and cesium radiation, for all of the tumor patients of all of the military services who are forwarded, by regulation, to this great medical center for treatment, it must of necessity be compactly constructed on limited grounds. The only expansion now can be upward at the Army Medical Center.

Furthermore, Mr. Speaker, it is not generally known that there are in existence regulations whereunder all those who have had coronary heart attacks, under the age of 35, for example, are treated, collected and collated, and their histories, backgrounds, physical findings, electrocardiac tracings and so forth coordinated in this great Army Medical Center.

There is one other thing I must say, Mr. Speaker. It is obvious that there is the greatest of cleanliness in the wards in this hospital. At no time did we find "filth" on the floor, and to the contrary there is a vigorous anticontaminant program in full force. If one knows something of the expansion of the cardiovascular units being added and the neurosurgical units being added on all three levels of wards—which are adequately air conditioned and adequately cleansed—that beds and equipment have been stacked at the end of the wards, properly covered with sheets and other equipment, but in no case containing dirty uniforms which might be interpreted as a makeshift process in the wards where the men sleep, and are treated.

The charge has been made that 45 men are crowded into 1 ward. Actually the measurement of crowding in a facility such as this is whether or not airborne or other diseases may be spread from patient to patient by direct contact. It is ordinarily considered that in any military medical hospital, A, there is some advantage to esprit and therapy of closeness and self-help; and, B, as long as there are 72 cubic feet of airspace surrounding each hospital bed this is a quantity sufficient and that danger of contagion is lessened.

In addition there certainly are on all of the wards special rooms where severe cases may be isolated, to say nothing of protective draw curtains. The charge has been made by the writer of the scurrilous article that there are insufficient latrine facilities. Mr. Speaker, this compares very interestingly in a 45-bed ward with the number of standup receptacles or sitdown receptacles—and I know not which the writer would customarily prefer—with those of the House of Representatives. We have 435 Members here, which is just about 10 times as many, and a simple calculation and counting of the number of stalls in our Speaker's cloakroom will indicate that these men are in much better condition than we. I submit besides there is an old-fashioned hospital institution known as a bedpan, which is abhored by many and which has been recorded in history and has been written about by friend and foe, in prose and poetry, and invective and eulogy, which accommodates the people who are not able to go to the "head." I doubt if those

who lost their head in writing this article, have experienced this, but this takes care of over 50 percent of all patients in any hospital ward.

Finally, I submit, units have been made up for overseas shipment and medical care of all personnel from physicians to enlisted trained hospital corpsmen and including volunteer nurses of the Army Medical Center, to the point where admittedly they are short of personnel. Only recently this body in its wisdom raised the pay of the Army, including the enlisted men and the hospital corpsmen, doctors, and dentists and gave them incentive pay and reenlistment pay. Not once did we find any complaint while visiting this hospital about the needs that they have, or their underpayment, or find that this was a basis for lack of recruitment but on the contrary found that it was a general problem of the United States. I know there is a great shortage of registered nurses in all civilian hospitals I visit.

I have indeed recommended to the chairman of the Committee on Armed Services that we seriously again consider starting the Cadet Victory Nursing Corps, such as we had in World War II to enhance the turning out of a number of nurses that are needed for administrative direction of the wards. We found the trained and fine corpsmen are dedicated to their personnel and maintenance tasks, and clean the wards three times daily and twice on the night shift, including an antiseptic scrubbing of walls and floors. I found military patients there from all over the world with and without brain surgery, and with and without malarial disease, and those who had smothered hand grenades in Vietnam taking the entire blow themselves and having their abdomens shot away and being reconstructed by plastic surgery; pleased with the type of service they get and proclaiming that this is one of the greatest hospitals in the world.

In the long-range program recommended by the Subcommittee on Military Hospital Construction to the Committee on Armed Services last year, we suggested stepping up somewhat the replacing of the splinter villages of World War II and the inadequate hospitals where there is just no more room in which to grow, and replace them by modern type of properly designed, architecturally perfect, high-rise hospitals with modern electronic elevators and all equipment so that we can handle patients without the old ramps and wooden construction which is growing up and out to the point where there exists no more room, just as in Walter Reed Hospital. I hope that we will not demagog on this project and in fact the work was well underway before the article was written. I would certainly hope that those best qualified would investigate and recommend the spending of the taxpayers' money in this area, in the mutual hope that all of our recipients of care, whether battle or nonbattle casualties or suffering from these diseases while in the military service may have that treatment which has made the difference in morale between the American Forces and those who are shanghaied into service, because we have the ones who volunteer and serve for the sake of freedom.

## WHITE HOUSE CONFERENCE ON INTERNATIONAL COOPERATION YEAR

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, as one who will have the honor of representing the House at the White House Conference on International Cooperation Year, I was pleased to note that Raymond Nasher, a prominent, Dallas, Tex., builder, has been appointed Executive Director of the Conference.

The Conference will seek out ways in which the United States can further international cooperation.

Task forces made up of Government officials and private citizens have been at work preparing preliminary reports for the consideration of the Conference. Nasher has served as Cochairman of the Task Force on Urban Development.

Mr. Speaker, I am looking forward to the Conference with great interest, and I am certain that Mr. Nasher as Executive Director will contribute markedly to its success.

Under unanimous consent, I insert an article from the Dallas Times-Herald concerning Mr. Nasher's appointment:

INTERNATIONAL ROLE ASSIGNED NASHER

WASHINGTON.—Dallas Builder Raymond Nasher will serve as executive director of the White House Conference on International Cooperation, billed by the State Department as the major conference of its type.

In his role an Executive Director, Nasher will be "Mr. Conference," State Department officials said.

Scheduled in Washington November 29 to December 1, the Conference will bring together an estimated 1,500 experts from both the private and public sectors to explore 30 areas of international cooperation and make recommendtions directly to President Johnson.

Topics to be covered at the Conference include arms control and disarmament, education, trade, urban development, space, national resources, human rights, business and industry, aviation, atomic energy, international law, science and technology, and health, among others.

TASK FORCE

State Department officials said task forces embracing some of the best minds in the Nation in the private sector are working in tandem with Government officials in drafting preliminary reports for presentation to the Conference.

Nasher served as Cochairman of one of the panels, on urban development. His Cochairman was Robert Weaver, Administrator of the Housing and Home Finance Agency.

State Department officials who have seen the committee draft termed it brilliant and said it influenced the selection of the Dallasite to serve as overall head of the White House Conference.

The task forces have been at work on specific areas of concern in international cooperation since March. Their reports will be forwarded to Conference participants next month so they may be studied before the Conference convenes.

WHERE WE STAND

At the Conference itself, panels will wrestle with individual topics for more than 2 days before preparing the final recommendations to President Johnson.

"This Conference is a program to get the experts in the Nation to take a close look and determine where we stand in the field of international cooperation," a State Department spokesman said. "They will try to determine where we are in need, where we need to improve, what might be missing and just what we can do."

The State Department said this would be "the first time people in the private sector have been able to make recommendations to the President without Government censorship."

Nasher is developer of the new North Park regional shopping center in Dallas.

## THE POOR AMIDST PROSPERITY

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GIBBONS. Mr. Speaker, in the current October 1 issue of Time magazine in the Time essay section, there is a very intelligent and constructive discussion of poverty entitled "The Poor Amidst Prosperity," I wish to commend the editor of Time for this very informative article. It states clearly and concisely the challenge we face. Every Member of Congress should read this article and, therefore, I am inserting it at this point in the RECORD:

THE POOR AMIDST PROSPERITY

Employment in the United States stands at a record 75 million, and unemployment is down to an 8-year low. A rising stock market attests to the seemingly invincible health of the economy; the Nation shoulders the costs of foreign war and foreign aid without strain; the big metropolises revel in the autumnal excitement of the new movies, the fall fashions, the opera, the art galleries, a thousand assorted á go-gos. And amidst such affluence the U.S. Government plugs away at its war on poverty; last week Congress passed a second-year appropriation of $1.78 billion, which is more than twice what it provided for the first year.

Poverty? Americans with bloated bellies? People living under bridges? Beggars in the street? Children dying for lack of doctoring? Of course not. Nonetheless, the United States has its angry, frustrated poor. People who do not suffer poverty tend to think of it in absolute, merely materialist terms of Dickensian squalor. In fact, poverty has to be measured relative to the rising standard of living, the tenderer social conscience, the national capacity for creating wealth. Poverty is the condition—and the awareness—of being left behind while, economically, everyone else is marching forward.

The reality of the new poverty lies in its contrast to U.S. affluence, and it is heightened by the constant, often self-congratulatory talk about that affluence. It is the poverty of the Harlem woman who says, "I'm tired of 49-cent meat; I want some 89-cent meat just once." It is the poverty of people who have a refrigerator, assert their right to own a TV set, may genuinely need a car, should visit a dentist. Even if this poverty

is not like any earlier poverty or the poverty of much of the rest of the world, it is worth declaring a war on.

The war is being conducted with the same passion that the United States brings to its successive crusades against disease and, on occasion, to its foreign policy. The bureaucratic warriors are joined (and sometimes fought) by a whole new group of ideologs of poverty, notably including Michael Harrington, who discovered the new poverty in his 1963 book, "The Other America," and Sociologist Saul Alinsky, a tireless agitator and polemicist who travels from city to city advising the poor on how to organize for uplift. Underlying the antipoverty campaign is the uniquely American belief—surprisingly often correct—that evangelism, money, and organization can lick just about anything, including conditions that the world has always considered inevitable.

PAUPERS ARE EVERYWHERE

Praising the Lord and passing the alms, man has fought poverty for more than 5,000 years—but until recently without any real expectation that the fight could ever be won. Hinduism and Buddhism encouraged almsgiving but reconciled themselves to poverty by suggesting that it is a requisite for man's prime goal: the enrichment of spirit instead of body. The Hebrews equated poverty with suffering, extolled charity as one of the greatest virtues, and declared, in Proverbs, that "He who mocks the poor insults his Maker." Christ's most famous pronouncement on the problem—"For you always have the poor with you"—is usually quoted out of context and does not necessarily imply that poverty is inevitable. St. Thomas Aquinas concluded that natural law gives every man the right to enough of the world's resources to lead a decent life. Nevertheless, the traditional Christian attitude equates poverty with saintliness, deeply distrusts money, and proclaims, "Blessed are you poor."

Going a step beyond charity, the 12th century Spanish-Jewish philosopher, Maimonides, urged the well-to-do to "assist the reduced fellow by teaching him a trade or putting him in the way of business so that he may earn an honest livelihood." Queen Elizabeth I came to believe that care of the poor is not the duty of just the rich or the church but also of the state. "Paupers are everywhere," she cried after a tour of England, and her Parliament sped up passage of its poor-relief acts. Just about then, Calvin declared that idleness was the real sin—which in the United States developed into the Puritan ethic that virtuous people are bound to prosper and the slothful will earn the bitter reward of poverty. Less than a century ago, Henry Ward Beecher thundered: "No man in this land suffers from poverty unless it be more than his fault—unless it be his sin."

Such was the dominant belief until recently in the Nation of free enterprise, rugged individualism, and the Homestead Act. Only when the frontier was gone did city, State, and eventually Federal relief become a principal weapon against poverty. The force that most fundamentally changed the nature of poverty was the machine. In the short run, the industrial revolution only caused bigger and worse poverty by creating a new pauperized proletariat; in the long run, it lent reality to the utopian dream of universal abundance by almost infinitely multiplying the once strictly limited productive capacity of human hands and brains. In the United States and in most of the contemporary West, the fruits of the industrial revolution brought about a momentous change: the poor turned from a majority into a minority.

LIFE ON BREAD, RICE, BEANS, AND PEAS

As a working definition of poverty, the U.S. Government sets a minimum income sufficient for an urban family of four, based on $2.80 a day for food, with an added factor for rent and services. It adds up to $3,100 a year, or $2,200 for farm families who grow their own food.

Thus arbitrarily defined, the U.S. poor number a depressing 34.1 million. They are mostly children (15 million) and old people (5.3 million). Half of the poor families are in the South. Poverty afflicts 40 percent of the Nation's nonwhites, 40 percent of its farmers, 50 percent of the families headed by divorced, widowed, or abandoned women. The fifth of the Nation at the bottom gets only 4.7 percent of the country's personal income, while the fifth at the top gets 45.5 percent.

Compared with the 19th century poor so bitingly described in literature—Zola's Gervaise "was quite willing to dispute with a dog for a bone"—the American poor are well off. They would be considered rich by most Red Chinese, whose per capita annual income averages $70. In southern Italy and Sicily, thousands of nullatenenti (have-nots) live in caves or open trenches. Poverty is too soft a word to describe the puffed stomachs that are common sights in India, Africa, and Brazil's northeast. On the other hand, Scandinavia knows nothing like American slums, and Soviet Russia can claim to have abolished the crasser forms of poverty—but only by imposing on the whole nation a way of life that most Americans today would equate with privation.

As late as the depression, Americans starved. "In the wet hay of leaking barns," wrote John Steinbeck, "old people curled up in corners and died that way, so that the coroners could not straighten them." About 2,000 Americans still die yearly from diseases of malnutrition, and many of the poor are poorly fed. The official U.S. poverty definition is based on the Department of Agriculture's economy food plan ("essentially for emergency use"): large helpings of bread, rice, dried beans, and peas, cereals, rare servings of meat, no out-of-season or convenience foods.

Hooverville shanties went out with the 1930's, and Government-subsidized apartments are climbing skyward in the slums, but most of the poor continue to suffer mean and overcrowded shelter. The 1960 census listed 15.6 million of the Nation's 58 million houses and apartments as substandard—including 3 million shacks and tenements and 8,300,000 "deteriorating houses," where the poor often pay a higher rental per square foot than the middle classes do. Health is also a poverty problem. The poor suffer mental illness at a sinister rate, triple that of the middle and upper classes, according to an investigation in New Haven, Conn. Mostly because of its poor, the United States has a lower life-expectancy rate than Holland, Sweden, Israel, and Great Britain.

John Kennedy spoke of patches of poverty—and indeed, the poor tend to be concentrated. In Chicago the poor are the winos of skid row, the aged pensioners and beatniks of West Madison Street, and the hillbillies of the "uptown area," a middle-class neighborhood only a decade ago. Virtually every city has its Negro slums: Detroit's Brewster, Chicago's West Garfield Park, Las Vegas' West Side, and Los Angeles' now notorious Watts. The rural poor cluster in the picturesque Appalachians and the Ozarks, on the Louisiana-Texas coastal plain, in the southern Piedmont and the upper Great Lakes areas where the land is as beaten as the people.

Thus, stuck away in the country hollows, in old villages around which suburbs have grown, in city slums that look like gray blurs from expressways and fast commuter trains, the poor are scarcely visible. Society sees them mostly through the tabloid stories that reflect their roaring crime rate. For, as Henry Fielding put it 200 years ago, "the sufferings of the poor are less known than their misdeeds."

THE MIND-SET OF HOPELESSNESS

Invisible or not, the poor are real. Fifteen of them live in two rooms in one Atlanta building, where they cannot even make love in private. "I ain't got no stove in the basement and I ain't got no stove in the kitchen," says a Harlem woman who lives in a building jammed with whores, rats, and babies. "I ain't got no paint and I ain't got no windows and I ain't got no providements. I keep the place clean just so the doctor can come in, and someday the undertaker. What's a poor person? A poor person is when you see me."

Poverty is the Greene County, N.C., Negro worker, whose annual income averages $213. Poverty is the Georgia woman who cannot fill out a job application because she does not know the meaning of "spouse" or "maiden name." Poverty is the laid-off Colorado miner who does not move to a richer job market because he cannot sell his house and is afraid to lose his seniority or pension. It is the Detroit construction hand who has not worked since most of the big building jobs moved to the suburbs, because he is too illiterate to get a driver's license and the buses do not go out that far.

The U.S. economy has enabled millions to climb up from poverty, and plenty of people defined as "poor" by the Government do not think of themselves that way. Says a Houston cleaning woman: "I've got three kids at home, and I raised them on less than $2,000 a year, and I'm proud of it. You ain't poor until your spirit goes, and I think it goes if you keep on taking handouts." One impoverished ex-miner in Pennsylvania has a freezer loaded with vegetables from his backyard garden—and a shotgun in the kitchen to pepper the pants of any welfare worker who wants to check up on just how much he possesses.

Yet millions of others lack this kind of spunk—which stirs politicians and scholars to explanations. Senator ABRAHAM RIBICOFF argues that the poor "fared badly in the lotteries of parenthood, skin pigmentation, and birthplace." Author Harrington speaks of the thickness of poverty—the dead ambitions that make for apathy, immobility, unaspiring hopelessness. One Government study by psychiatrists found that many of the poor are "rigid, suspicious, have a fatalistic outlook. They do not plan ahead. They are prone to depression, futility, lack of friendliness, and trust in others." In the burned-out mining towns of Appalachia, ninth-generation Anglo-Saxon American men cluster around TV sets that blare from the grim, grimy tar paper shacks. "They're not much interested in what's on the screen," says John D. Rockefeller IV, a 28-year-old poverty worker in West Virginia, "but it gives them something to watch and pass the long hours of the day."

In a civilization where a family can be termed "poor" even if it is adequately clothed and fed, most philosophers tend to agree with Theologian Reinhold Niebuhr's contention that "poverty is not purely economic, but cultural. There is spiritual, social, and moral deprivation." UCLA Chancellor Franklin Murphy sees poverty in the lack of "the intangibles—opportunity and the experience of beauty."

Undoubtedly, the best way out of that kind of depression is education. In the land where the dream of almost every immigrant family has been to school its children for a better life, where Economist John Kenneth Galbraith remarks that he has never met a truly educated person who was impoverished, the U.S. President's 1964 Economic Report declares that "poverty and ignorance go hand in hand." Two-thirds of America's poor families are headed by people with no more than a grade school education. But to expand education without expanding jobs

would be to create bitterness, argues Economist Leon Keyserling, who believes that the surest cure for poverty is to speed the economy's growth.

WHAT TO DO WITHOUT THE POOR?

The Government is battering at poverty from all sides: the aid to education bill, the rent subsidy housing bill, medicare, civil rights, social security step-ups, and further tax cuts to stimulate economic expansion. More specifically, under Sargent Shriver and his Office of Economic Opportunity, the Government in the past year has started the war on poverty for which last week's appropriation provides funds. In it are nine programs of job training, relief, experiment, and redirection of existing welfare. It aims to prove that poverty, more than being just relieved, can be cured in a free, rich nation. Taking a tip from Maimonides, the United States hopes not merely to balm the distress of the poor but to reshape their skills, attitudes, and even their personalities.

The programs range from Head Start preschool courses and job training camps for high school dropouts to low-interest (4½-percent) loans for dirt-poor farmers and vocational courses for slum adults. The community action program, the boldest idea, is mobilizing the poor themselves, organizing people of rundown neighborhoods to run their own child-care centers and basic education courses, and to conduct self-help drives to improve housing and sanitation.

The Federal effort has touched off many fights between militant slum leaders and city and State politicians, who fear that if the poor people or their clergymen get control of the poverty millions, they will have excessive powers of patronage. The new money bill gave Governors a partial veto over Shriver's projects. Inevitably, there have been charges of graft, waste, and, above all, naivete. The battling bogged down the poverty programs in Chicago, Denver, and—most explosively—Los Angeles. On the brighter side, there is harmony and noticeable progress in New York City, Detroit, Pittsburgh, West Virginia, and several other poverty targets. In Atlanta, $36,000 invested in a pilot antipoverty program produced jobs for 272 unemployed—who now have a payroll of $744,000. Says the local antipoverty chief, Boisfeuillet Jones: "If this isn't good business, I don't know what is."

If the poverty program everywhere could get returns at Jones' rate, it would be a stunning achievement. Swedish Economist Gunnar Myrdal contends that the American poor are the greatest underdeveloped market in the world. Psychiatrist Leonard Duhl, planning chief of the National Institute of Mental Health, looks forward to the poor learning the value of books and good music and even wine.

Euphorically, some people are even beginning to wonder what society might be like without the poor. Would they be missed? After all, the poor provide often beneficial political ferment and a useful troubling of the sluggish conscience. The ancient prophets, and a great many modern ones, were kept in business largely by the poor. In his new book, "The Accidental Century," Michael Harrington speculates that "there could be a new, unimpoverished political equivalent of the poor," composed of middle-class people threatened in their jobs by automation and cybernation.

In the sense that men will always form a spectrum from the richest on down, sociologists will never be able to say that any nation is free of poverty. Some future U.S. President may deplore "one-third of a nation ill wined, ill minked, and ill mansioned," for the minimum living standards that define poverty are certain to go on rising. But that rise is what constitutes victory in war on poverty.

## HIGHER BENEFITS UNDER THE LONGSHOREMEN'S COMPENSATION ACT

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, many of us are pleased to note that action is now underway to liberalize benefit provisions of the Federal Employees Compensation Act. Another compensation act under control of Congress which deserves equal, if not greater consideration, is the Longshoremen's and Harbor Worker's Compensation Act. Its benefit provisions have fallen far behind and, it seems to me, revision of the Act should be a priority matter for the next session of Congress. To do my part in getting the ball rolling, I am introducing today a bill to bring the weekly benefits provided under the Longshoremen's Act more nearly in line with current wage levels, as well as the basic purposes of this law. It is my fervent hope that my colleagues will carry on and follow through on this urgent task next year.

The explanation that follows shows the need for this legislation and indicates why favorable action by the Congress is overdue.

The Longshoremen's and Harbor Workers' Compensation Act covers some 500,000 workers engaged in maritime employments. Included under its coverage are longshoremen or stevedores, ship repairmen, ship servicemen, harbor workers, and other employees engaged in employments on the navigable waters of the United States, but not including seamen. The Longshore Act is also the basic compensation act for employees privately employed in the District of Columbia and for employees of contractors holding contracts with the Government whose operations take place outside continental United States.

The Longshoremen's and Harbor Workers' Act is the only Federal compensation statute applying to workers in private industry. The other Federal statute in this field, the Federal Employees' Compensation Act, embraces Government employees.

The main purpose of my bill is to reconcile the maximum weekly benefit allowable under the Longshore Act for disability with the established principle that benefits should equal two-thirds of average weekly earnings. This principle was basic to the establishment of compensation insurance throughout the country. It is clearly enunciated not only in most State laws, but also in many provisions of the Longshoremen's and Harbor Workers' Compensation Act. Unfortunately, the original intent of compensation insurance has been seriously undermined by the inclusion in most of these laws of a dollar ceiling on weekly benefits. In the early years of compensation insurance, such ceilings did not present a critical problem, since the average ceiling was generally above the amount necessary to provide a benefit of two-thirds of weekly earnings. Thus, when the Longshoremen's and Harbor Workers' Act was passed in 1927, the $25 ceiling compared with average earnings of less than $30 weekly, so that the overwhelming majority of affected employees got what the act intended. Today, however, the dollar ceilings in the Longshore Act, as well as in most State laws, deprive workers of their proper benefits.

The present ceiling on weekly benefits of the Longshore Act, set in 1961, is $70. This is far too low in relation to actual wage levels prevailing for most trades covered by the act. For example, I am informed that registered West Coast longshoremen averaged $184.18 a week for the fourth quarter of 1964 and $181.59 for the third quarter. Increases in wage rates this year have pushed average earnings even higher. While earnings in other sections of longshore or in the shipyards may not be as high, they are comparable. The point is that the great bulk of the men covered by the Longshore Act are unable to recover two-thirds of their earnings when they are injured, and far below two-thirds, in many instances. Thus, a West Coast longshoreman averaging $184 weekly, is compelled to subsist on $70 a week in the event he is injured. The same tragic inequity confronts the overwhelming majority of maritime workers under the existing $70 ceiling.

It is significant to note that the $70 weekly ceiling in the Longshore Act compares with a $525 monthly ceiling provided in the Federal Employees Compensation Act as far back as 1949. Moreover, the legislation now being considered by a Subcommittee of the House Labor Committee would substantially increase this ceiling.

The injustice of the situation confronting the longshoremen comes into sharper focus when it is understood that longshoremen work in one of the most hazardous industries in the country, where the accident frequency rate is extremely high.

Obviously, it is high time that the Congress amended the Longshore Act to assure the workers in this industry of recovering a livable benefit during the period they are disabled by accidents.

My bill proposes to correct the inequity applying to benefits under the Longshore Act by replacing its $70 ceiling with the current dollar ceiling in the Federal Employees Act. Translated to a weekly equivalent, which drops the fractional part of a dollar, this ceiling is $121, the figure I am using in my bill. Such a maximum would undoubtedly provide a substantial proportion of the workers covered by the act with benefits to which they are properly entitled.

I am proposing the use of the ceiling in the Federal Employees Act for several reasons. First, on the basis of the information available, it appears that wage levels justify a ceiling of $121. Of considerable significance, too, is the fact that the ceiling in the Federal Employees Act has been in effect for many years and has covered a large number of Federal employees with a wide range of salary

levels. This should provide a background of experience sufficient to answer any factual questions arising out of an increase in the Longshore Act ceiling to $121.

At this point, it is important to understand that establishment of the ceiling I am proposing does not mean that covered employees will automatically receive $121 in weekly benefits. They will be eligible only for two-thirds of their actual average weekly earnings, up to a maximum of $121 weekly. Workers in the low brackets, in maritime, and in the District of Columbia, will get benefits equivalent to no more than two-thirds of their weekly pay. My proposal will not mean any windfall, but only what is proper under the two-thirds formula.

The basic policy on which my amendment is based was clearly stated in the report of the House Committee on Education and Labor when it approved the 1949 amendments to the Federal Employees' Compensation Act. The report said:

> Any flat monthly maximum, the effect of which inevitably in some cases prevents the employee from receiving a fair proportion of his wage loss in total and partial disability cases, is, by its very nature, unrealistic and inequitable.

With that policy I thoroughly agree, and I am sure every forward thinking leader in the field of social insurance shares a similar belief. It is now only just and fair that Congress should apply that policy to the Longshoremen's and Harbor Workers' Act by revising its present unrealistic and inequitable ceiling.

In addition to revising the maximum and minimum ceiling in the Longshore Act, my bill includes several other related changes.

The computation of death benefits would be revised to correspond with the new maximum and minimum. In addition, the present dollar limitation on total benefits as set forth in section 14 (m) would be repealed.

The changes proposed under my bill add up to simply equity for the more than half a million employees affected by the Longshoremen's and Harbor Workers' Compensation Act. My bill will restore the original premise that underlies benefits in workmen's compensation—that they should equal two-thirds of the weekly loss in wages. I commend this bill for serious study by my colleagues, and it is my hope that next January it will receive early and favorable consideration by the Committee on Education and Labor.

## HEARING ON H.R. 10049 AND H.R 10050—HUMANE TREATMENT OF ANIMALS USED IN RESEARCH

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PEPPER. Mr. Speaker, on September 30 and October 1 the House Interstate and Foreign Commerce Committee will hold hearings on my bill and other bills which deal with the humane treatment of animals used in experiment and research by recipients of grants from our Federal Government.

This legislation will provide for the best care, welfare and safeguards against suffering of these animals used in scientific research without impeding the necessary research which must go on if we are to find the cure from these diseases which kill thousands of our fellow citizens each year.

I commend the able chairman [Mr. HARRIS] and his colleague on the committee for their foresight into this problem and allowing a hearing on this subject.

Mr. Speaker, this past weekend the Florida Federation of Humane Societies met in Tampa, Fla., and adopted a resolution which supports my bill, H.R. 10050, and my colleague, Mr. ROGERS' bill, H.R. 10049.

Because of the campaign being waged to discredit me and this legislation, I offer this resolution for the attention of my colleagues and to the humane movement for their consideration:

RESOLUTION OF THE FLORIDA FEDERATION OF HUMANE SOCIETIES

Whereas the Florida Federation of Humane Societies has gone on record in a resolution passed March 16, 1963, as endorsing national legislation designed to eliminate avoidable cruelties to animals used in medical laboratories in the United States; and

Whereas the identical bills introduced in the 1st session of the 89th Congress by Congressman PAUL ROGERS of Florida, H.R. 10049; and by Congressman CLAUDE PEPPER, of Florida, H.R. 10050, meet the basic requirements set forth in the aforesaid resolution; and

Whereas passage of such desirable legislation will be furthered by presenting, as far as possible, a united front on the part of humane societies with respect to specific legislation, despite some differences of opinion among humanitarians regarding the most desirable content of such legislation, and in view of the fact that the American Humane Association and the Humane Society of the United States, the two largest national humane societies in this country, strongly endorse the identical Rogers-Pepper bills: Therefore, be it

*Resolved by the Florida Federation of Humane Societies, meeting in Tampa, Fla., on September 24–25, 1965,* That this federation endorses the foregoing bills introduced by Congressmen ROGERS and PEPPER, extends its compliments to these two Members of the Congress who have worked so diligently for humane treatment of laboratory animals, and urges all humanitarians of Florida to actively work in support of H.R. 10049 and H.R. 10050.

## CONGRATULATIONS TO THE PEOPLE OF NIGERIA ON THEIR FIFTH ANNIVERSARY OF INDEPENDENCE

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, President Nnamdi Azikiwe, Prime Minister Abubakar Tafawa Balewa and the Nigerian people yesterday celebrated the fifth anniversary of their nation's independence. We have noted with warm respect the progress in diversification of the Nigerian economy within the past year, the increase in oil production, the continuing development of the Niger River Dam program and the increasing confidence shown by foreign investors in Nigeria's stability. We know well enough that these accomplishments did not come simply as gifts from heaven, but were the products of purposeful toil, difficult decision, patience, sacrifice, and statesmanship. Let us then register our admiration for the accomplishments realized in the first 5 years of this young, vigorous and firmly democratic nation. And as the sixth year of Nigerian nationhood begins, let us convey to that most populous of all African States our sincere best wishes as it faces the challenges that lie ahead.

## UNIVERSITY OF THE ANDES CHORUS

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, today I had the honor of meeting the members of the University of the Andes Chorus, 40 fine young students who are visiting in Washington after participating in the first International Festival of University Choruses in the city of New York.

In a ceremony on the steps of our Nation's Capitol, I was presented with a Colombian flag that normally flies over the Presidential Palace in Bogotá. This flag had been given earlier to the students of the University of the Andes during an impressive ceremony just prior to their leaving on their first trip to the United States.

I, in turn, presented the students with a United States flag that had been flown over the U.S. Capitol, and I understand that they intend to display it in a conspicuous place at the University of the Andes when they return to Bogotá.

This ceremony, Mr. Speaker, symbolizes the friendship which exists between our two countries. As chairman of the House Subcommittee on Inter-American Affairs, I am very cognizant of the role that these young men, their university, and their country play in our hemispheric relations.

I had the pleasure of visiting the University of the Andes in 1962. What is being accomplished in this unique university is something of which all Colombians can be proud. The idea for the university's inception came from a young Colombian student who attended school in the United States. This young man, Mario Laserna, after graduating from Columbia University in New York, returned home with an idea and a dream.

That idea and dream today is the University of the Andes.

Mario Laserna, inspired by the free, independent institutions of higher learning he had seen here, talked with friends, teachers, intellectuals, and other influential Colombians and persuaded them to establish South America's first university, fully independent of both church and state.

The success of the University of the Andes has been phenomenal. It has grown from a student body of 76 on April 29, 1949, when it first opened its doors, to a university of 1,750 students today. There are five schools: Arts and sciences; architecture and fine arts; engineering; philosophy and letters; and economics. And I understand that a graduate school of engineering soon will be added, with the help of many Americans.

The University of the Andes has received financial support from a number of prominent individuals in the United States. In 1957 the University of the Andes Foundation was established by a group of Americans who believed that they could make an effective contribution to the growth and development of Latin America through support of the university.

As the University of the Andes continues to grow and prosper, I am certain all Latin America will be the beneficiary.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HARDY (at the request of Mr. MARSH), through October 17, on account of official business.

Mr. LONG of Louisiana (at the request of Mr. WAGGONNER), for today, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALL, for 15 minutes, today; and to revise and extend his remarks and to include extraneous matter.

Mr. ASHBROOK (at the request of Mr. HORTON), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. CAMERON (at the request of Mr. FRASER), for 60 minutes, on October 5; to revise and extend his remarks and to include extraneous matter.

Mr. Moss (at the request of Mr. FRASER), for 60 minutes, on October 5; to revise and extend his remarks and to include extraneous matter.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Member (at the request of Mr. HORTON) and to include extraneous matter:)

Mr. KING of New York.

(The following Member (at the request of Mr. FRASER) and to include extraneous matter):

Mr. ROGERS of Florida in two instances.

## ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that the committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2091. An act relating to the establishment of concession policies in the areas administered by National Park Service, and for other purposes;

H.R. 2358. An act for the relief of Tony Boone;

H.R. 2772. An act for the relief of Ksenija Popovic;

H.R. 4750. An act to provide an extension of the interest equalization tax, and for other purposes;

H.R. 8035. An act to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes;

H.R. 9417. An act to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes;

H.R. 10516. An act authorizing the disposal of vegetable tannin extracts from the national stockpile;

H.R. 10714. An act to authorize the disposal of colemanite from the supplemental stockpile;

H.R. 10715. An act to authorize the disposal of chemical grade chromite from the supplemental stockpile;

H.R. 10748. An act to authorize the transfer of copper from the national stockpile to the Bureau of the Mint;

H.R. 8283. An act to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964;

H.J. Res. 330. Joint resolution to authorize the disposal of chromium metal, acid grade fluorspar, and silicon carbide from the supplemental stockpile; and

H.J. Res. 309. Joint resolution to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House.

## BILLS 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 joint resolutions of the House of the following titles:

H.R. 2091. An act relating to the establishment of concession policies in the areas administered by National Park Service, and for other purposes;

H.R. 2358. An act for the relief of Tony Boone;

H.R. 2772. An act for the relief of Ksenija Popovic;

H.R. 4750. An act to provide an extension of the interest equalization tax, and for other purposes;

H.R. 7969. An act to correct certain errors in the tariff schedules of the United States, and for other purposes;

H.R. 8035. An act to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes;

H.R. 8283. An act to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act;

H.R. 9417. An act to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes;

H.R. 10516. An act authorizing the disposal of vegetable tannin extracts from the national stockpile;

H.R. 10714. An act to authorize the disposal of colemanite from the supplemental stockpile;

H.R. 10715. An act to authorize the disposal of chemical grade chromite from the supplemental stockpile;

H.R. 10748. An act to authorize the transfer of copper from the national stockpile to the Bureau of the Mint;

H.J. Res. 309. Joint resolution to amend the joint resolution of March 25, 1963, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House; and

H.J. Res. 330. Joint resolution to authorize the disposal of chromium metal, acid grade fluorspar, and silicon carbide from the supplemental stockpile.

## ADJOURNMENT

Mr. FRASER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p.m.) the House adjourned until tomorrow, Wednesday, September 29, 1965, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

1627. Under clause 2 of rule XXIV, a letter from the Acting Administrator, Federal Aviation Agency, transmitting a report of commissary operations for fiscal year 1965, pursuant to 5 U.S.C. 596a, was taken from the Speaker's table and referred to the Committee on Interstate and Foreign Commerce.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on Disposition of Executive Papers. Report pursuant to (63 Stat. 377); without amendment (Rept. No. 1097). Ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 11297. A bill to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States; to the Committee on Ways and Means.

By Mr. CRALEY:

H.R. 11298. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by

limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. BETTS:

H.R. 11299. A bill to amend the Internal Revenue Code of 1954 to remove certain limitations on the amount of the deduction for contributions to pension and profit-sharing plans made on behalf of self-employed individuals and to change the definition of "earned income" applicable with respect to such plans; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 11300. A bill to amend title 39, United States Code, to provide certain mailing privileges with respect to members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 11301. A bill to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements; to the Committee on Merchant Marine and Fisheries.

By Mr. BINGHAM:

H.R. 11302. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for certain dependent parents of individuals entitled to old-age or disability insurance benefits; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 11303. A bill to amend section 18 of the Civil Service Retirement Act, as amended; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 11304. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mrs. KELLY:

H.R. 11305. A bill to provide for the protection, conservation, and development of the natural coastal wetlands of Hempstead-South Oyster Bay, Long Island, for fish and wildlife and outdoor recreation purposes; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PATMAN:

H.R. 11306. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

By Mr. RESNICK:

H.R. 11307. A bill to provide for the protection, conservation, and development of the natural coastal wetlands of Hempstead-South Oyster Bay, Long Island, for fish and wildlife and outdoor recreation purposes; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FULTON of Tennessee:

H.R. 11308. A bill to amend the Internal Revenue Code of 1954 with respect to payments under certain contracts for the sale of stock; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 11309. A bill to provide for the protection, conservation, and development of the natural coastal wetlands of Hempstead-South Oyster Bay, Long Island, for fish and wildlife and outdoor recreation purposes, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROOSEVELT:

H.R. 11310. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries and for other purposes; to the Committee on Education and Labor.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 11311. A bill for the relief of Mrs. Vera Cvetkovic; to the Committee on the Judiciary.

By Mr. HALEY (by request):

H.R. 11312. A bill relating to certain Indian claims; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 11313. A bill for the relief of Cresencio Cabanatan Ajeto; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11314. A bill for the relief of Ronnie Lindsay; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 11315. A bill for the relief of Mr. Harvey Hart; to the Committee on the Judiciary.

H.R. 11316. A bill for the relief of Noel John de Souza; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 11317. A bill for the relief of Antonio Ruggiero; to the Committee on the Judiciary.

By Mr. SWEENEY:

H.R. 11318. A bill for the relief of Lt. Lawrence G. Crowell; to the Committee on the Judiciary.

# EXTENSIONS OF REMARKS

## Thanks to Residents

EXTENSION OF REMARKS
OF
### HON. PAUL G. ROGERS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, September 28, 1965*

Mr. ROGERS of Florida. Mr. Speaker, as the 1st session of the 89th Congress nears its end I want to express my thanks to Sixth District residents who have given me the benefit of their views during the year, and especially the 56,000 who responded to my questionnaire. This cooperation is most helpful and sincerely appreciated.

The questionnaire results in percentages follow:

Are you in favor of a Government-supported medical care plan for the aged? Yes, 58.9; no, 34.6

If your answer to the above question was "Yes," please answer one of the following:

(a) Do you favor medicare financed by social security taxes? Yes, 53.7.

(b) Do you favor eldercare financed by matching Federal-State taxes? Yes, 39.6.

Do you approve a reduction in excise taxes this year? Yes, 71.7; no, 21.3.

Should foreign aid be cut? Yes, 86; no, 9.7.

Do you favor repeal of section 14(b) of the Taft-Hartley Act, which now permits the States to have right-to-work laws? Yes, 25.4; no, 67.

Do you approve increased Federal aid to education? Yes, 49.2; no, 45.1.

Do you favor my bill to raise the outside income limitation from $1,200 to $2,400 for those drawing social security benefits? Yes, 88.9; no, 9.4.

Do you support U.S. military activity in Vietnam? Yes, 55.5; no, 36.9.

## The Future of the United Nations

EXTENSION OF REMARKS
OF
### HON. CARLETON J. KING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, September 28, 1965*

Mr. KING of New York. Mr. Speaker, I believe all Americans are vitally interested in the survival and success of the United Nations. It is difficult to imagine a world without some international body to which all can come in their desire to live at peace.

Many shortcomings have developed in the operation of the United Nations. Many changes, no doubt, are needed. Many praise and many condemn it. It is for us to examine all praise and all criticism to see if we cannot somehow work out a more effective body. Revision of the Charter is long overdue.

Recently, one of my colleagues, the Honorable PAUL A. FINO, of the 24th District of New York, delivered a thought-provoking address to the Veterans of World War I at their banquet in Tampa, Fla., on the occasion of their 13th annual national convention. I believe all should read carefully and reflect on Congressman FINO's remarks:

THE FUTURE OF THE UNITED NATIONS

Mr. Chairman, National Commander Colonel Houston, Mrs. Houston, Madam Auxiliary Commander Mrs. Walton, distinguished guests, and fellow Americans, it is indeed a privilege and a pleasure for me to be here this evening.

I certainly welcome and appreciate your invitation to address this convention of one of the finest veterans' organizations in America.

Tonight, I am going to speak on a matter of great interest and importance not only to you but to every American and to the free world. The topic I will speak on should be of interest to all in the light of what has been happening in the world in the last weeks and months.

I refer to the future of the United Nations—that international device whose primary objective and purpose is to keep the peace. In my opinion, which is shared by many, the future of this organization doesn't look very bright. As a matter of fact, from all indications, it is on its last legs and doomed to certain failure.