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PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 21, 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: I Thessalonians 1: 3: *Remembering without ceasing your work of faith, and labour of love, and patience of hope in our Lord Jesus Christ.*

O Thou blessed and eternal God, we rejoice that Thou art always near us with Thy sustaining grace in all our cares and concerns, our fears and struggles, our hopes and longings.

Inspire us daily with a contributing and participating view of life and one that will always render the largest returns when we give primacy to character, walk in love and serve needy humanity.

May Thy spirit create within us a clear sense of our responsibilities and may we accept its demands and disciplines as well as its joys and delights.

Show us how we may fortify and strengthen our national life and find the secret of its cohesive and conquering power.

Grant that each to the extent of his ability and all with equal fidelity may strive to safeguard our heritage of liberty.

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 one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 797. An act to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes;

H.R. 5493. An act to provide that the flag of the United States of America may be flown for 24 hours of each day in Lexington, Mass.;

H.R. 7475. An act to name the authorized lock and dam No. 6 on the Arkansas River in Arkansas and the lake created thereby for David D. Terry;

H.R. 8353. An act for the relief of Becky Jo and Charles R. Smith.;

H.R. 11267. An act to amend the joint resolution of March 25, 1953, relating to electrical and mechanical office equipment for the use of Members, officers, and committees of the House of Representatives, to remove certain limitations; and

H.J. Res. 671. Joint resolution to authorize the President to proclaim the month of November as "Water Conservation Month."

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5026. An act to authorize the Burt County Bridge Commission, a public body politic and corporate in the county of Burt and State of Nebraska, to refund the outstanding revenue bonds of said Burt County Bridge Commission heretofore issued to finance the cost of the construction of a bridge, together with the necessary approaches and appurtenances therefor, from a point located in the city of Decatur, Burt County, Nebr., across the Missouri River to a point located in Monona County, Iowa.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 919. An act for the relief of Lt. Col. William T. Schuster, U.S. Air Force (retired); and

S. 1758. An act to provide for the right of persons to be represented in matters before Federal agencies.

The message also announced that the Senate disagrees to the amendments of the House to Senate amendments Nos. 5, 7, 8, 9, 10, and 12 to the bill (H.R. 168) entitled "An act to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes."

The message also announced that the Senate insists upon its amendments Nos. 5, 6, 7, 8, 9, 10, 11, and 12 to the above-entitled bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 619) entitled "An act for the relief of Nora Isabella Samuelli," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DODD, Mr. KENNEDY of Massachusetts, and Mr. JAVITS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9567) entitled "An act to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in post-secondary and higher education."

The message also announced that the Senate recede from its amendment No. 2 to the bill (H.R. 227) entitled "An act to amend title 38 of the United States Code to entitle the children of certain veterans who served in the Armed Forces prior to September 16, 1940, to benefit under the war orphans educational assistance program."

PRINTING OF COMMITTEE ACTIVITY REPORTS

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. BURLESON. Mr. Speaker, with reference to the printing of committee activity reports for the session, I wish to remind the chairmen of all committees that the Joint Committee on Printing has very properly ruled that the printing of such reports both as committee prints and in the RECORD is duplication, the cost of which cannot be justified.

It is requested that committee chairmen decide whether they wish these reports printed as committee prints or in the RECORD since the Government Printing Office will be directed not to print them both ways.

INCREASING RATES OF DISABILITY COMPENSATION

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 168, insist on disagreement to Senate amendments 6 and 11; insist on House amendments to Senate amendments 5, 7, 8, 9, 10, and 12, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. TEAGUE of Texas, DORN, HALEY, ADAIR, and AYRES.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communications from the Clerk of the House of Representatives:

OCTOBER 21, 1965.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives of the

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United States from the President of the United States, received in the Clerk's office at 11:30 p.m., October 20, 1965, and said to contain H.R. 1384, an act for the relief of Theodore Zissu, and a veto message thereon.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

THEODORE ZISSU—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 308)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 1384, "For the relief of Theodore Zissu."

This bill would waive the applicable statute of limitations and permit Theodore Zissu to seek administrative and judicial return of his interest in certain property of a Rumanian corporation which was vested by the United States in 1942 under the Trading With the Enemy Act.

I recognize that the legislative history in this case makes it clear that H.R. 1384 is not designed to affect substantive law, that Mr. Zissu's claim is to be considered under the law as it now exists. Notwithstanding this, I do not consider that its approval is justified from a procedural point of view.

According to the reports of the Judiciary Committees, representatives of the Office of Alien Property advised Mr. Zissu in 1943 that, as a minority shareholder in an enemy corporation, he was ineligible for return of his interest in the property of that corporation which had been vested. This information was correct, then and now, and I am advised that a number of timely claims have been denied on the grounds of ineligible minority stock ownerships. However, this information is said to have dissuaded Mr. Zissu from pursuing his claim administratively and through the courts, even though the Government representatives could not have prevented him from doing so had he desired to press it.

Subsequent court decisions—including one by the Supreme Court in 1952 reversing the denial of a return claim by the Office of Alien Property—have interpreted the Trading With the Enemy Act in a way which proponents of H.R. 1384 think might lead to a favorable ruling on behalf of Mr. Zissu. I am unable to perceive why such decisions occurring many years after Mr. Zissu failed to press his claim should now form the basis for granting him preferential treatment over other shareholders who either had timely claims considered and rejected or failed to file such claims for the same reason as Mr. Zissu.

Further, by providing for revival of a lapsed claim on the basis of subsequent judicial rulings which appear more favorable to the claimant's cause, H.R. 1384 runs counter to the spirit of one of the fundamental tenets of our legal system. This tenet seeks finality of judgment and stability in the law by a refusal of the courts to reopen settled cases simply because new judicial decisions may be more favorable to disappointed litigants.

There is another finality aspect to this bill, too. The program in connection with which Mr. Zissu seeks redress has ended and the property with which he is concerned has long since been sold and its proceeds, along with the proceeds from the sale of other vested property, have been transferred to a statutorily established fund for the payment of war claims against Germany and Japan. We should not, at this late date, reopen this program without the most compelling reasons, especially in view of the precedent that this bill could establish for what is potentially a very large group of claimants. I do not consider that such compelling reasons exist in this case.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 20, 1965.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and message will be referred to the Committee on the Judiciary and ordered to be printed.

CREATION OF A BOARD FOR THE CONDEMNATION OF INSANITARY BUILDINGS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 1778) to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 5, strike out lines 4 to 20, inclusive.

Mr. McMILLAN. Mr. Speaker, the purpose of the bill is to amend the act of May 1, 1906, as amended by the act of August 28, 1954—Public Law 681, 83d Congress—so as to correct what has proved to be certain administrative deficiencies in such act. The bill would bring the provisions of the act of May 1, 1906, relating to assessment and collection of taxes, into conformity with the provisions for assessment and collection of taxes applicable to special assessments levied for public improvements under the act of July 25, 1935—section 47–1103(b), District of Columbia Code.

The Senate deleted from the bill section 4, which had been added to the floor of the House without prior hearings or committee consideration.

The effect of this section would have been to reduce by 5 years the period of time that the District of Columbia would have had to remove substandard housing where the District receives Federal assistance in the development of low-rent housing projects.

The Senate, in deleting the section, was of the view that the District should not be treated differently than the other cities of the United States in qualifying for public housing projects funds, and that in the event a special problem does exist with regard to the District of Columbia in the removal of substandard housing, then the matter should be gone into by the appropriate legislative committees of the Congress that have jurisdiction of public housing projects financed under the Federal Housing Act.

The House Committee on the District of Columbia concurs in the deletion of section 4, thus restoring the bill to its original form as reported by the committee.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from South Carolina if the amendments to the bills that he proposes to call up are all amendments germane to the bills?

Mr. McMILLAN. That is correct. The amendments to all bills which I shall ask today to take from the Speaker's desk are germane to the bills.

Mr. GROSS. I thank the gentleman from South Carolina. Mr. Speaker, I withdraw my reservation of objection.

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

TO RELIEVE PHYSICIANS OF LIABILITY FOR NEGLIGENT MEDICAL TREATMENT AT THE SCENE OF AN ACCIDENT IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5597) to relieve physicians of liability for negligent medical treatment at the scene of an accident in the District of Columbia, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, strike out all after line 2 down to and including "rendering" in line 6 and insert: "That no physician licensed to practice medicine or osteopathy in the District of Columbia or in any State, and no registered nurse licensed in the District of Columbia or in any State, shall be liable in civil damages for any act or omission, not constituting gross negligence, in the course of such physician or nurse rendering".

Mr. McMILLAN. Mr. Speaker, the purpose of the bill is to relieve physicians licensed to practice medicine or osteopathy in the District of Columbia, or in any State, and registered nurses licensed in the District, or in any State, from liability for civil damages for any act or omission, not constituting gross negligence, upon the occasion of their rendering free and voluntary medical treatment at the scene of an accident or other medical emergency outside of a hospital, in the District of Columbia.

The Senate added to the House bill provisions to include physicians licensed to practice osteopathy and also included registered nurses licensed in the District, so that they, too, may be protected when rendering aid in these so-called "Good Samaritan" cases.

"Good Samaritan" laws have already been enacted in 32 States.

The House Committee on the District of Columbia concurs in the Senate amendment.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ADMINISTRATION AND DEVELOPMENT OF PENNSYLVANIA AVENUE AS A NATIONAL HISTORIC SITE—REREFERRAL OF BILL

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia be discharged from further consideration of the joint resolution (H.J. Res. 678) to provide for the administration and development of Pennsylvania Avenue as a national historic site, and that the bill be rereferred to the Interior and Insular Affairs Committee, which more appropriately should handle such legislation.

Also, I make the same request with respect to the Executive communication thereon, dated September 30, 1965, and printed as House Document No. 296, which was also referred to the Committee on the District of Columbia.

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

There was no objection.

THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia be discharged from further consideration of the joint resolution (H.J. Res. 659) directing the National Capital Planning Commission to make a study of the site selected for the John F. Kennedy Center for the Performing Arts and any other sites proposed for such Center, and that the bill be rereferred to the Committee on Public Works, since that committee has already taken original action on this legislation.

I might say that similar action has already been taken on House Joint Resolution 646, an identical bill which was rereferred from the Committee on the District of Columbia to the Committee on Public Works.

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

There was no objection.

SUMMARY REPORT OF LEGISLATIVE ACTIVITIES OF THE HOUSE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to have printed at this point in the RECORD a résumé of the work of the House Committee on the District of Columbia.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The report is as follows:

SUMMARY REPORT OF LEGISLATIVE ACTIVITIES OF THE HOUSE COMMITTEE ON THE DISTRICT OF COLUMBIA

STATEMENT OF THE CHAIRMAN

I want to take this opportunity to express appreciation to the members of the House Committee on the District of Columbia for their untiring efforts, cooperation, and diligence during the 1st session of the 89th Congress.

The House Committee on the District of Columbia, by its legislative activities in this session of the Congress, has again demonstrated its abiding interest in the Nation's Capital, and in helping the Congress to meet its responsibility as set forth in article I, section 8, of the Constitution, which defines the powers of Congress and provides that the Congress "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."

The devotion of committee members to their duties has been particularly significant during these times when certain of the news media and other irresponsible parties try so vainly to discredit the Congress and the workings of the dedicated men and women who are contributing so unselfishly to showing the world how democracy can effectively function. The Congress and the committee are fortunate in having such able and experienced Members so conscientious and thorough in their efforts on behalf of the District of Columbia.

This has been perhaps one of the busiest sessions our committee has experienced in recent years. The committee or subcommittees have frequently been in session, either in open hearings taking evidence, or in executive meetings considering and drafting legislation deemed by the committee to be necessary for the District officials to carry out their delegated responsibilities. The testimony taken by the House District Committee and subcommittees in this session alone covers 1,857 printed pages and 559 pages of transcripts not printed.

The subcommittee chairmen, as usual, have contributed immeasurably by their advice and time, their study and devotion, to the committee's tasks, and to the record of achievement summarized below.

Further, I should like again to commend the staff of the legislative counsel's office of the House, whose technical advice and assistance on drafting legislation materially aided the committee. This staff was always available to committee members and to the committee staff, and we are particularly appreciative of their help.

The committee members are deserving of well-earned respite from their labors, and I wish for them all a refreshing season with their families and their constituents. We hope to be on hand again, with the convening of the next session of the Congress in the new year, to continue in our determined efforts to meet the needs of the Nation's Capital.

I want to take this opportunity on behalf of the committee members, and the other Members of Congress, to thank the staff of the House District Committee for their diligence and efficiency in breaking down each of the 38 home rule bills pending before the committee, showing the major provisions of each bill, so that the Members of Congress would know the different approach and scope of the legislation they were considering on the floor. I think that very few Members of Congress realized the unusual and controversial provisions in the bill which was petitioned from the House District Committee to the floor of the House, until the committee staff made a complete analysis of each of the provisions contained in that bill. The Senate had considered more than 22 amendments to an identical bill and had adopted 14 of them, showing the existence of many debatable features of the bill. The House District Committee was prepared to offer an even greater number of important amendments to meet some of the more glaring defects in this legislation.

It has been very evident during the past few weeks that the people throughout the Nation and the leading newspapers in every State have become much interested in this proposed legislation which would turn over their affairs and interests in the National Capital to a local government controlled by local residents and dominated by private groups. Washington is the only city in the United States created for a special purpose—to be the Federal City and seat of the Federal Government. The taxpayers of all the States have a great financial as well as personal interest in their National Capital and are giving serious thought to the propriety of Congress redelegating the power over the District of Columbia, reserved in the Constitution to all the people, to any local residents of Washington.

Specifically, I wish to report on the overall activities of the House District Committee in the 1st session of the 89th Congress, as follows:

(1) During this Congress, 210 bills and joint resolutions have been referred to and considered by the House Committee on the District of Columbia, 197 of these being House bills and joint resolutions and 13 being Senate-passed bills.

(2) Public hearings have been held by the District Committee subcommittees on 79 bills and resolutions which have been referred to them. Hearings on 29 so-called home rule proposals were held over a 3-week period and were in progress when the committee was summarily discharged by petition, thus closing the door to many witnesses who had requested to be heard.

(3) Twenty-two executive sessions have been held by the full District Committee and by subcommittees on the various bills, the most important and major legislative proposals being anticrime legislation, rapid transit, minimum wage, revenue, divorce, administrative procedure, motor vehicle insurance, home rule, overtime pay for police and firemen, and teachers' retirement increase. Practically all these have been given approval by overwhelming majority action in the committee.

(4) During this session, 43 bills have been favorably reported by the District Committee to the House, 40 of which have passed and 8 of which have been signed by the President.

Following is a brief summary of the bills reported by this committee to the House. The law numbers of those which passed the Senate, as well as the House, and were signed by the President, are included:

Administrative Procedure Act—H.R. 7067—covers more than 93 District of Columbia administrative governmental agencies in the District and the laws which they administer. Modeled on the Federal Administrative Procedure Act, this bill follows similar legislation enacted in 19 States. It provides for, first, the compilation and publication of all rules and regulations of the District of Columbia administrative agencies; second, the opportunity for hearing for all parties in contested cases; and, third, establishes uniform means for judicial review of final administrative determinations.

American Legion Convention—House Joint Resolution 195—promulgates special regulations for the American Legion National Convention to be held in Washington on August 29–31, and September 1, 1966. (Public Law 89–25.)

Attachment before judgment—S. 1321—amends the District of Columbia Code to permit a plaintiff in certain actions to take out a bond in an amount twice the value of

the property in the District to be attached, rather than twice the value of his claim against the defendant, when the property sought to be attached is of less value than the total claim. It avoids placing an undue burden on the plaintiff who finds the defendant has insufficient property in the District to satisfy plaintiff's claim. (Public Law 89–113.)

Canine Corps of the Metropolitan Police Department—H.R. 1064—authorizes the expansion of said corps as may be necessary for police use. Presently, there are 90 man-dog teams patrolling the streets of Washington.

Chancery locations—H.R. 10274—amends the District of Columbia Chanceries Act of 1964 (78 Stat. 1091; 5 D.C. Code 418a)—regulating the location, construction, alteration, repair, or conversion of chanceries of foreign governments in Washington—by supplementing and clarifying the "grandfather" clause in said act. Recognizing and reaffirming the principle that the use of property runs with the land, the bill specifies that the said act shall not prohibit the future or continued use of a building as a chancery: first, even though such building was so used contrary to law or regulation between May 12, 1958, and October 13, 1964, the owner or occupant not having before the latter date received a written notice from any governmental authority of such unlawful use; and, second, even though such use as a chancery may be interrupted and the building become vacant or is used for other purposes, or where its use is transferred from one foreign government to another.

Condemnation of insanitary buildings—H.R. 1778—amends the act of May 1, 1906, as amended, to update provisions relating to the assessment and collection of taxes applicable to special assessment where the owner of a condemned building has failed to comply with governmental orders to repair or demolish same.

Criminal assaults—S. 1715—amends present law to extend penalties for assaults on police officers to assaults on officers and employees of penal and correctional institutions and places of confinement of juveniles. Present law imposes a fine of $5,000 or imprisonment of no more than 5 years for assaults on police in the District but does not cover such assaults upon correctional officers. The District of Columbia Commissioners urged this legislation (making such assaults a felony) as a desirable means of aiding in the maintenance of discipline at the Receiving Home and Children's Center and empowering the juvenile court judges to take appropriate action where a felonious assault has occurred on supervisory personnel.

Criminal laws—S. 1320—amends and strengthens certain District of Columbia criminal laws and makes others conform to other Federal statutes, e.g., makes a felony of vandalism in injuring, disfiguring, or destroying public property; broadens the existing kidnaping statute, broadens the immunity privileges granted witnesses in civil cases relating to abatement of disorderly house nuisances; restates bonding requirements for private detectives; and permits the substitution of the District of Columbia Corporation Counsel vice the U.S. District Attorney for the District of Columbia in prosecutions municipal in character such as violations of acts relating to licensing and regulating certain professions.

Criminal penalties for telephone calls—H.R. 10497—makes it unlawful to use the telephone to make anonymous calls, or repeated calls, to annoy, abuse, torment, harass, or embarrass anyone, or for any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent. It subjects violators to a $500 fine or 12 months imprisonment, or both, and provides for a pretrial mental examination of a person charged as a violator thereof.

Crime and criminal procedures—H.R. 5688—an omnibus anticrime bill which consolidates various bills and proposals into amendments to the District of Columbia Criminal Code, in order to provide the District of Columbia police with additional tools for law enforcement and to assist the prosecuting officials and the courts in ameliorating crime conditions in the Nation's Capital through changes in the Mallory rule, the Durham rule, and others. This bill passed the House on March 22, 1965, by a 2-to-1 rollcall vote. It has been before the other body for 2 years, as it is identical to a House bill which your committee reported and the House passed on August 12, 1963. Its major provisions have recently been materially changed by the other body, and it is awaiting action by conferees of the two Houses. Conference meetings have several times been requested by me of the other body.

Meanwhile, the Washington crime wave continues unabated. The most recent statistics released by the Metropolitan Police Department shows September 1965 to be the 40th consecutive month with an increase in crime in the Nation's Capital, reaching the very deplorable alltime high of 33,608 serious offenses for the past 12 months. The crime increases in September represent an increase in serious offenses of 112.8 percent from the low point of June 1957.

Daughters of the American Revolution—H.R. 6905—exempts from District taxation certain real property and improvements occupied by the District of Columbia component of the DAR.

Deeds of trust—H.R. 647—provides for the substitution of trustees under deeds of trust in the District of Columbia by means of a written instrument entered into by all the parties, or their successors in interest, notwithstanding any provision of the deeds of trust to the contrary.

Discharge of parolees—H.R. 66—authorizes the Parole Board for the District of Columbia to discharge a parolee from supervision when the Board deems that the purpose for which the parole was granted has been accomplished. (Public Law 89–24.)

Dishonored checks—S. 1317—authorizes the District of Columbia Commissioners to prescribe money penalties for handling dishonored checks which have been presented to the District government by persons in payment of a tax, assessment, or other District government obligations. (Public Law 89–208.)

District of Columbia Training School—H.R. 1700—provides for voluntary admissions to this institution for mentally retarded citizens of the District of Columbia, in addition to admissions presently authorized by commitment through court order.

Divorce—H.R. 948—liberalizes the District of Columbia laws, commencing with the act of March 3, 1901, relating to divorce, legal separation, and annulment of marriages, to make them conform to more modern laws of other States, including Maryland and Virginia. The bill, as approved, reduces the waiting period prerequisite to filing actions for divorce to 1 year's residence, and eliminates the 6-month waiting period before a decree of absolute divorce or annulment becomes final. It permits absolute divorce, (1) for actual or constructive desertion after 1 year's desertion; (2) for voluntary separation after 1 year; and (3) where one party has been convicted of a felony and has served at least part of a sentence therefor of not less than 2 years in a penal institution. Limited divorce may be granted for cruelty, and a limited divorce may be enlarged into absolute divorce after 1 year. The bill further strengthens provisions for maintenance of a wife and minor children, or both. (Public Law 89–217.)

Fire and Casualty Act of 1940—H.R. 959—amends the same so as to permit domestic insurance companies to do a fidelity or surety business in the District if they maintain a paid-up capital stock of not less than $500,000 and a surplus of not less than $250,000. As the law is presently administered, such domestic insurance companies must maintain a capital stock of not less than $1 million, whereas foreign insurance companies doing a fidelity or surety business in the District must have a paid-up capital stock of only $150,000 and a surplus of $150,000.

Fire and Casualty Act of 1940—H.R. 8466—amends the same to provide for licensing and regulating of insurance premium finance companies which finance premiums on property and public liability insurance. The bill would rectify abuses which have been reported by those desiring to pay insurance premiums in installments, abuses such as excessive finance charges and cancellation of insurance policies without reasonable notice to the insured.

Francis Case Memorial Bridge—House Joint Resolution 230, Senate Joint Resolution 5—names the bridge across the Washington Channel on the Potomac River connecting the Rochambeau Memorial Bridge with the Southwest Freeway in honor of the late U.S. Senator Francis Case, of South Dakota. (Public Law 89–203.)

Home rule—H.R. 10115 (S. 1118)—as passed by the House provides (1) for a referendum of District of Columbia voters to determine if the residents of the District want self-government; (2) the election of a Charter Board to prepare a District of Columbia charter and a second referendum for voter action thereon; and (3) submission of the charter to Congress for approval or disapproval. As reported to the House, title I of H.R. 10115 provided for retrocession of part of the District to the State of Maryland from whence it came, that it might enjoy self-rule and also representation in Congress. The Congress retained jurisdiction over the balance of the District, as well as over the Federal real and personal property within the portion of the District retroceded to Maryland. However, as offered on the floor of the House, H.R. 10115 contained only its original provisions, as above, exclusive of title I referred to. H.R. 10115 was adopted by a rollcall vote in the House of 227 to 124, which constituted thereby a rejection of the Senate-passed bill (S. 1118) for which it was substituted.

Insurance companies—H.R. 11664—confers jurisdiction on the District of Columbia Superintendent of Insurance to regulate domestic stock insurance companies as to solicitation and voting of proxies (41 States have adopted similar laws) and as to the sale of their securities by stockholders, officers, and directors (32 States have enacted similar provisions), thus complying with the intent of the Congress as expressed in the Securities and Exchange Commission Act Amendments of 1964 (78 Stat. 569) that such regulation of insurance be retained by the States and local governing bodies.

Judges' retirement, increase in—H.R. 1066—provides for increase in retirement salaries of judges of the District of Columbia Court of Appeals and the District of Columbia Court of General Sessions, and in addition provides active duty pay when they perform full-time judicial duties.

Marriages, permarital examination—H.R. 3314—requires laboratory tests, as do 45 of the States, to determine if applicants for marriage licenses are infected with syphilis.

Merchant Marine War Veterans Association—H.R. 3862—grants incorporation to such association, whose purposes are, first, to foster appreciation for the wartime services of veterans of the American merchant marine and the U.S. maritime service and the betterment of the plight of said veterans; second, the perpetuation of the Memorial Day shipboard ceremony to honor the war

dead of these services, as inaugurated on Memorial Day, May 30, 1958; third, to encourage the retention and availability of a modernized and adequate American merchant marine held in readiness at all times; and, fourth, to encourage the governmental formation of a U.S. Maritime Service Reserve, the acknowledged training branch of the wartime American merchant marine.

Minimum wage amendments—H.R. 8126—amends present District of Columbia minimum wage law (40 Stat. 690; 36 D.C. Code 401) which covers women and minors and extends its coverage to include men. It would increase current minimum wage coverage for persons employed in the District from almost 85,000 women and minors to an estimated 250,000 men, women, and minors. Adding the 151,000 employees in the District who are already covered by the Federal act, a total of 402,500 employees in private industry in the District of Columbia will receive the minimum wage and maximum hour benefits. Emulating the 1961 amendments to the Federal Fair Labor Standards Act, the bill adopts the escalation method to reach the $1.25 an hour minimum rate—in two steps by September 1966 for occupations presently covered by minimum wage orders, and in three steps by September 1967 for occupations not now covered. The bill also establishes a workweek of 42 hours effective in 6 months and 40 hours beginning September 3, 1966. Compensation for overtime is fixed at 1½ times the regular rate for employment in excess of the hours indicated. This is another area in which the Commissioners have recommended such legislation as being urgently needed for the District.

Motor vehicle collision reports—H.R. 947—requires that all collisions involving motor vehicles in the District of Columbia, which result in property damage in excess of $100, or in personal injury to any degree, be reported immediately to the District of Columbia Chief of Police. Presently, only collisions involving personal injury are required to be so reported.

Motor vehicle insurance—H.R. 9918—as reported, this bill, first, amended the District of Columbia Fire and Casualty Act to make uninsured motorist coverage a required part of every automobile liability policy with the right of rejection to such coverage reserved to the insured; and, second, amended the District of Columbia Motor Vehicle Safety Responsibility Act to strengthen it through provisions such as suspension of license and registration of both owner and operator if law requirements are not met; minimum security deposit of $500 for 2-year minimum and suspension for same period if security not deposited and claim unsettled; proof of financial security required following an accident, to be maintained for 5 years; and impoundment of motor vehicle after accident in case of failure to establish coverage or deposit of security. As passed by the House, there was substituted for the foregoing, provisions establishing an unsatisfied judgment fund, made up of fees—$40 in first year—collected from all persons registering uninsured motor vehicles in the District. Only District of Columbia residents—whether noncar owners or owners of cars registered elsewhere—could qualify to file claims against the fund. Maximum payments would be $10,000 to $20,000 for bodily injury or death, and $5,000 for property damage.

Physicians in "good samaritan cases"—H.R. 5597—relieves physicians of liability for civil damages for any act or omission, not constituting gross negligence, upon the occasion of their rendering free and voluntary medical treatment at the scene of an accident or other medical emergency outside a hospital in the District of Columbia. The bill is similar to laws already adopted in 32 States and is designed to assure that emergency medical assistance will be more readily forthcoming to residents and visitors to Washington, and that the physicians so rendering charitable assistance will be relieved from the threat of unwarranted litigation.

Physicians reporting injuries—H.R. 9985—requires mandatory reports by physicians and hospitals of injuries caused by firearms or other dangerous weapons, occurring during the commission of a crime, or by firearms alone under any conditions. The bill assures a physician reporting such injuries immunity from any liability for damages as a result.

Physicians reporting physical abuse of children—H.R. 10304—provides for the mandatory reporting by physicians and institutions in the District of physical injuries inflicted upon children other than by accidental means and for the protection of such children who may be threatened by further such injury. The bill, similar to the law in 40 States, gives appropriate immunity from any civil or criminal liability to those involved in such reporting, and provides for waiver, in the interest of justice, of physician-patient privilege and the husband-wife privilege.

Podiatrists—H.R. 1669—authorizes the District of Columbia Board of Podiatrist Examiners to waive its own written and oral examinations with respect to an applicant for a license as a podiatrist if he holds a certificate from the National Board of Podiatrist Examiners.

Police and firemen overtime compensation—S. 1719—authorizes compensation for overtime work in excess of basic workweek performed by the Metropolitan Police, the U.S. Park Police, the White House Police, and the Fire Department. Present law does not cover the overtime covered by numerous special events and special assignments, as for parades, demonstrations, traffic control, or other specifically ordered or approved overtime work. The bill provides payment for same at the same rate (1½ times the basic hourly rate) as is allowed nonpolice government employees for overtime work. It is deemed to be another and important part of anticrime legislation initiated by the committee and designed to assist the police in their stupendous efforts against the criminal element in the Nation's Capital. The total annual cost would be approximately $885,000, of which $741,000 would be the District's share: $697,500 for the Metropolitan Police and $43,500 for the Fire Department. The balance would be $39,000 for the White House Police and $105,000 for the U.S. Park Police.

Rail rapid transit—H.R. 4822—authorizes the National Capital Transportation Agency to undertake the construction of subways, rail rapid transit, commuter railroad, and related facilities for the mass transportation of persons mostly within the District of Columbia, with one extension into Arlington County, Va., to serve the heavy employment at the Pentagon, and a short extension into Montgomery County, Md., in order to reach a suitable terminal location. The total system would be 24.9 miles long, double track, with 29 stations. Approximately one-half the system—13.1 miles—would be in subway, 7.5 miles would utilize a portion of existing rights-of-way, and the balance would occupy other exclusive rights-of-way. Its estimated cost is $431 million, exclusive of interest requirements, financed as follows: $100 million Federal contribution; $50 million District of Columbia contribution; and $281 million from the public sale of revenue bonds. (Public Law 89–173.)

Revenues and highway fund—H.R. 11487—provides additional revenue for District needs by revising the income tax schedules (to yield $4 million per annum); by increasing the fuel tax from 6 to 7 cent per gallon (to produce $2 million annually); and by increasing by $35 million the authorized limit on borrowing authority for highway construction (from $50,250,000 to $85,250,000). The bill also provides legislative authority to the District to participate with Maryland and Virginia in comprehensive transportation planning for the National Capital region, in consultation with the National Capital Planning Commission and the National Capital Regional Planning Council.

Sales tax—H.R. 1065—exempts from the District of Columbia sales tax certain printing operations of the majority and minority rooms of the House of Representatives established many years ago to perform printing services for Members of the House.

Taxation of foreign corporations—H.R. 8058—restates provisions of the District of Columbia Income and Franchise Tax Act of 1947, as amended, to effectuate the intention of the Congress relating to the tax liability and exemption from taxes of foreign corporations which maintain an office or have representatives in the District of Columbia for the sole purpose of doing business with the United States and also who merely deal with Federal agencies in the District—in "noncommercial" activities—because Washington is the seat of the National Government.

Teachers retirement increase—H.R. 11439—grants retired District of Columbia public school teachers the same increase in annuities, based on increases in cost of living, as are provided to all Federal employees who have retired from the civil service under the act of September 27, 1965 (Public Law 89–205). The bill provides fair, moderate, and direly needed adjustments where the greatest relief is necessary and revises the application of the automatic cost-of-living feature contained in the 1962 amendments to the District of Columbia Teachers' Retirement Act. The additional cost to the District will be approximately $525,000 per year, and will benefit 1,612 retired teachers.

Title transfer of real property—House Joint Resolution 397—authorizes the District of Columbia Commissioners to transfer titles to certain real property in Southwest Washington from the United States to the District of Columbia Redevelopment Land Agency. It also authorizes the District of Columbia RLA to transfer to the District title to land now occupied by he Southwest Expressway.

Veterans of Foreign Wars—H.R. 4338—authorizes this organization, a charitable and eleemosynary organization, to rent or lease part of its property in the District of Columbia to departments or agencies of the Federal or District Government, or to nonprofit organizations, on which leased property the VFW will pay real estate taxes. (Private Law 89–1.)

Wages exempt from attachment—H.R. 1007—amends the act of March 3, 1901, to stop the practice which has been developed of filing in the District of Columbia actions for garnishment against an employer who also has a business in Maryland, so as to secure payment by attachment of wages of an employee who is a nonresident of the District.

Washington Gallery of Modern Art—H.R. 8418—exempts from District taxation certain real estate and improvements owned by the Washington Gallery of Modern Art.

Waterfront priority holders—H.R. 11428—amends present law relating to the Washington Channel waterfront by providing supplementary directives to the District of Columbia Redevelopment Land Agency for the relocation of displaced businesses who are ready, able, and willing to relocate on the waterfront in accordance with the redevelopment plans for the area. The bill provides for the use of specific procedures by the RLA for the establishment of land values, and attempts to make effective the pledges several times made by the Congress to these displacees.

Youth Council on Civic Affairs—H.R. 3329—grants incorporation in the District of such councils whose purposes are to promote interest, study, and participation in all civic matters affecting the youth of America; offers an organization through which young people may express themselves and benefit themselves and the community; initiates programs and projects designed to meet and deal effectively with such problems as school dropouts, youth employment, vocational guidance youth offenders, and the like. (Vetoed—H. Doc. 292.)

CONFERRING ADDITIONAL JURISDICTION UPON THE SUPERINTENDENT OF INSURANCE FOR THE DISTRICT OF COLUMBIA TO REGULATE DOMESTIC STOCK INSURANCE COMPANIES

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 11664) to confer additional jurisdiction upon the Superintendent of Insurance for the District of Columbia to regulate domestic stock insurance companies and to exempt such companies from section 12(g)(1) of the Securities Exchange Act of 1934, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The clerk read the title of the bill.

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

There was no objection.

The clerk read the bill, as follows:

H.R. 11664

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act, unless the context otherwise requires, "domestic stock insurance company" means a stock insurance company incorporated or organized under the laws of the District of Columbia.

SEC. 2. (a) The Commissioners of the District of Columbia shall promulgate rules and regulations with respect to the solicitation and voting of proxies, consents, and authorizations of domestic stock insurance companies in conformity with those prescribed by the National Association of Insurance Commissioners. The Superintendent of Insurance (hereinafter "Superintendent") shall have power to revoke or suspend the certificate of authority to transact business in the District of Columbia of any such company which has failed or refused to comply with the rules and regulations promulgated by the Commissioners of the District of Columbia.

(b) The Superintendent shall not revoke nor suspend the certificate of authority of any such company until he has given the company not less than thirty days' notice of the proposed revocation or suspension and of the grounds alleged therefor, and has afforded the company an opportunity for a full hearing. At any hearing provided by this section, the Superintendent shall have authority to administer oaths to witnesses. Anyone testifying falsely after having been administered such an oath shall be subject to the penalties of perjury.

(c) The provisions of subsections (a) and (b) of this section shall not apply to securities of a domestic stock insurance company if such securities shall be registered, or shall be required to be registered, pursuant to section 12 of the Securities Exchange Act of 1934, as amended.

SEC. 3. (a) Every person who is directly or indirectly the beneficial owner of more than 10 per centum of any class of any equity security of a domestic stock insurance company, or who is a director or an officer of such company, shall file in the office of the Superintendent on or before the 31st day of December 1965, or within ten days after he becomes such beneficial owner, director, or officer, a statement, in such form as the Superintendent may prescribe, of the amount of all equity securities of such company of which he is the beneficial owner, and within ten days after the close of each calendar month thereafter, if there has been a change in such ownership during such month, shall file in the office of the Superintendent a statement, in such form as the Superintendent may prescribe, indicating his ownership at the close of the calendar month and such changes in his ownership as have occurred during such calendar month.

(b) For the purpose of preventing the unfair use of information which may have been obtained by such beneficial owner, director, or officer by reason of his relationship to such company, any profit realized by him from any purchase and sale, or any sale and purchase, of any equity security of such company within any period of less than six months, unless such security was acquired in good faith in connection with a debt previously contracted, shall inure to and be recoverable by the company, irrespective of any intention on the part of such beneficial owner, director, or officer in entering into such transaction of holding the security purchased or of not repurchasing the security sold for a period exceeding six months. Suit to recover such profit may be instituted at law or in equity in any court of competent jurisdiction by the company, or by the owner of any security of the company in the name and in behalf of the company if the company shall fail or refuse to bring such suit within sixty days after request or shall fail diligently to prosecute the same thereafter, but no such suit shall be brought more than two years after the date such profit was realized. This section shall not be construed to cover any transaction where such beneficial owner was not such both at the time of the purchase and sale, or the sale and purchase, of the security involved, or any transaction or transactions which the Commissioners of the District of Columbia by rules and regulations may exempt as not comprehended within the purpose of this section.

(c) It shall be unlawful for any such beneficial owner, director, or officer, directly or indirectly, to sell any equity security of such company if the person selling the security or his principal (i) does not own the security sold, or (ii) if owning the security, does not deliver it against such sale within twenty days thereafter, or does not within five days after such sale deposit it in the mails or other usual channels of transportation, but no person shall be deemed to have violated this section if he proves that, notwithstanding the exercise of good faith, he was unable to make such delivery or deposit within such time, or that to do so would cause undue inconvenience or expenses.

(d) The provisions of subsection (b) of this section shall not apply to any purchase and sale, or sale and purchase, and the provisions of subsection (c) of this section shall not apply to any sale, of an equity security of a domestic stock insurance company not then or theretofore held by him in an investment account, by a dealer in the ordinary course of his business and incident to the establishment or maintenance by him of a primary or secondary market (otherwise than on an exchange as defined in the Securities Exchange Act of 1934) for such security. The Commissioners of the District of Columbia may, by such rules and regulations as they deem necessary or appropriate in the public interest, define and prescribe terms and conditions with respect to securities held in an investment account and transactions made in the ordinary course of business and incident to the establishment or maintenance of a primary or secondary market.

(e) The provisions of subsections (a), (b), and (c) of this section shall not apply to foreign or domestic arbitrage transactions unless made in contravention of such rules and regulations as the Commissioners of the District of Columbia may adopt in order to carry out the purposes of this section.

(f) The term "equity security" when used in this section means any stock or similar security; or any security convertible with or without consideration, into such a security, or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right; or any other security which the Commissioners of the District of Columbia shall deem to be of similar nature and consider necessary or appropriate, by such rules and regulations as they may prescribe in the public interest or for the protection of investors, to treat as an equity security.

(g) The provisions of subsections (a), (b), and (c) of this section shall not apply to securities of a domestic stock insurance company if (i) such securities shall be registered, or shall be required to be registered, pursuant to section 12 of the Securities Exchange Act of 1934, as amended, or if (ii) such domestic stock insurance company shall not have any class of its equity securities held of record by one hundred or more persons on the last business day of the year next preceding the year in which equity securities of the company would be subject to the provisions of subsections (a), (b), and (c) of this section except for the provisions of this subsection (g)(ii).

(h) The Commissioners of the District of Columbia shall make such rules and regulations as may be necessary for the execution of the functions vested in the Superintendent by subsections (a) through (g) of this section, and may for such purpose classify domestic stock insurance companies, securities, and other persons or matters within his jurisdiction. No provisions of subsection (a), (b), or (c) of this section imposing any liability shall apply to any act done or omitted in good faith in conformity with any rule or regulation of the Commissioners of the District of Columbia notwithstanding that such rule or regulation may, after such act or omission, be amended or rescinded or determined by judicial or other authority to be invalid for any reason.

(i) This section shall take effect thirty days after enactment.

SEC. 4. Domestic stock insurance companies shall be exempt from the requirements of section 12(g)(1) of the Securities Exchange Act of 1934, as amended.

SEC. 5. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

The bill 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.

NORTH COUNTIES HYDRO-ELECTRIC CO.

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10097) for the relief of North Counties Hydro-Electric Co., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, lines 7 and 8, strike out "past and future."

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

Mr. McCULLOCH. Mr. Speaker, reserving the right to object, I should like to ask my colleague a question. Has this legislation been unanimously cleared by the subcommittee chargeable therewith?

Mr. ASHMORE. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from South Carolina.

Mr. ASHMORE. This has cleared the subcommittee. It has been cleared unanimously.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RALPH S. DeSOCIO, JR.

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2571) for the relief of Ralph S. DeSocio, Jr., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 8, after "amounts" insert "to be".

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ELECTION OF MEMBER TO COMMITTEE

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 615) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That EDWIN W. EDWARDS, of Louisiana, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Public Works.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. 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. 379]

Albert	Ashley	Blatnik
Andrews, George W.	Aspinall	Bolling
	Baring	Bolton
Andrews, N. Dak.	Bell	Bonner
	Berry	Bray
Broomfield	Hosmer	Powell
Callan	Ichord	Quie
Callaway	Keogh	Reifel
Corman	King, Utah	Rivers, S.C.
Craley	Landrum	Robison
Culver	Lindsay	Roudebush
Dickinson	Long, Md.	Schmidhauser
Diggs	McCulloch	Sisk
Dingell	McVicker	Staggers
Dorn	MacGregor	Talcott
Edwards, Ala.	Mackay	Teague, Tex.
Farnum	Martin, Ala.	Tenzer
Ford, Gerald R.	Martin, Mass.	Thomas
	Martin, Nebr.	Thompson, N.J.
Frelinghuysen	Mathias	Thompson, Tex.
Fulton, Tenn.	Matthews	Toll
Fuqua	Michel	Tunney
Hansen, Wash.	Morgan	Vigorito
Hathaway	Mosher	Watson
Hawkins	O'Konski	Willis
Hays	O'Neal, Ga.	Wright
Holifield	Pool	

The SPEAKER. On this rollcall 355 Members have answered to their names, a quorum.

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

ORGANIZATIONS PROVIDING FUNDS FOR SAVINGS INSTITUTIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 327) to amend section 501(c)(14) of the Internal Revenue Code of 1954 to exempt from taxation certain nonprofit corporations and associations operated to provide reserve funds for domestic building and loan associations.

The Clerk read the title of the bill.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I do so only because it might be advisable to have just a brief explanation from the chairman. Although, Mr. Speaker, as the chairman has said, all of these bills have been unanimously reported by the committee and I know of no controversy in connection with them, still it might be advisable to have a brief explanation at this point.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the chairman.

Mr. MILLS. Permit me to say that I agree completely with my friend from Wisconsin that there should be some explanation of each of them. If the gentlemen will yield, I will endeavor briefly to explain this bill.

Mr. BYRNES of Wisconsin. I yield.

Mr. MILLS. Mr. Speaker, as reported to the House by the Committee on Ways and Means, this bill exempts from income taxation mutual, nonprofit organizations organized before September 1, 1957, and operated to provide reserves for building and loan associations, cooperative banks, and mutual savings banks, if at least 85 percent of their income is attributable to providing such reserve funds and to investments. The bill extends this tax-exempt status to organizations which are similar in essential respects to those already exempt. Present law, however, exempts such organizations only if they provide both reserves for, and insurance of shares and deposits of, member associations.

The bill, which was introduced by our colleague on the Committee on Ways and Means, the Honorable EUGENE J. KEOGH, also provides that net income derived by such organizations—both that of the organizations exempted by this bill and that of the similar organizations already exempt—which is not related to the provision of reserves or insurance will be taxed as unrelated business income. This will confine the privilege of tax exemption to income derived from the specific services upon which that exemption is based.

The Treasury Department has indicated that it has no objections to this legislation, and the Committee on Ways and Means is unanimous in recommending its enactment.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501(c)(14) of the Internal Revenue Code of 1954 (relating to list of organizations exempt from Federal income tax) is amended by inserting after the semicolon the following: "corporations or associations organized before July 22, 1932, and operated for mutual purposes and without profit which perform functions substantially similar to those performed by Federal home loan banks;".

SEC. 2. The amendment made by the first section of this Act shall apply to taxable years ending after the date of the enactment of this Act.

Amend the title so as to read: "A bill to amend section 501(c) of the Internal Revenue Code of 1954 to exempt from taxation certain nonprofit corporations and associations operated to provide reserve funds for domestic building and loan associations, and for other purposes."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501(c)(14) of the Internal Revenue Code of 1954 (relating to certain organizations exempt from Federal income tax) is amended to read as follows:

"'(14)(A) Credit unions without capital stock organized and operated for mutual purposes and without profit.

"'(B) Corporations or associations without capital stock organized before September 1, 1957, and operated for mutual purposes and without profit for the purpose of providing reserve funds for, and insurance of shares or deposits in—

"'(i) domestic building and loan associations,

"'(ii) cooperative banks without capital stock organized and operated for mutual purposes and without profit,

"'(iii) mutual savings banks not having capital stock represented by shares.

"'(C) Corporations or associations organized before September 1, 1957, and operated for mutual purposes and without profit for the purpose of providing reserve funds for associations or banks described in clause (i), (ii), or (iii) of subparagraph (B); but only if 85 percent or more of the income is attributable to providing such reserve funds

and to investments. This subparagraph shall not apply to any corporation or association entitled to exemption under subparagraph (B).'

"SEC. 2. Section 511(a)(2)(A) of such Code (relating to organizations subject to tax) is amended by inserting '(14) (B) or (C),' after '(6),' in the heading and in the text.

"SEC. 3. The amendment made by the first section of this Act shall apply to taxable years ending after the date of the enactment of this Act. The amendment made by section 2 shall apply to taxable years beginning after the date of the enactment of this Act."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to amend section 501(c) of the Internal Revenue Code of 1954 to exempt from taxation certain nonprofit corporations and associations operated to provide reserve funds for domestic building and loan associations, and for other purposes."

A motion to reconsider was laid on the table.

TAX TREATMENT OF EXPROPRIATION LOSS RECOVERIES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 6319) to amend the Internal Revenue Code of 1954 to provide for treatment of the recovery of losses arising from expropriation, intervention, or confiscation of properties by governments of foreign countries.

The Clerk read the title of the bill.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I yield to the chairman of the committee for a brief explanation of the bill.

Mr. MILLS. Mr. Speaker, as reported to the House by the Committee on Ways and Means, the purpose of the pending bill is to amend the Internal Revenue Code of 1954 to provide, in the case of recoveries of foreign expropriation losses, a new set of rules generally limiting the tax on the recovery to the benefit previously received in deducting the loss—but applying current tax rates—taking into account factors such as whether the loss offset income taxed at ordinary income tax rates or capital gains tax rates, and the effect, if any, of the loss on foreign tax credits, and so forth. In hardship situations the bill also makes provision for payment of the tax on recoveries in 10 equal annual installments bearing interest at 4 percent. A special rule in the case of life insurance companies provides that a recovery, for purposes of this foreign expropriation loss provision, is to include the release of a life insurance reserve resulting from the release of liabilities. These provisions would apply to recoveries on or after January 1, 1965.

The bill, which was introduced by our colleague on the Committee on Ways and Means, the Honorable HALE BOGGS, also makes provision for taxing recoveries with respect to foreign expropriation losses where a benefit from a tax deduction was received by one corporation holding securities in another whose property was expropriated. In such a case the restoration in value of the securities is treated as a recovery and taxed to the corporation receiving the benefit from the loss deduction. This provision would apply to taxable years beginning after December 31, 1965.

The Treasury Department has indicated that it has no objection to this legislation, and the Committee on Ways and Means is unanimous in recommending its enactment.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, further reserving the right to object, what is the record with respect to expropriation? Is the business of expropriation of American property in foreign countries increasing or decreasing?

Mr. MILLS. I would not say that it is increasing. The action that we took, to which I referred, some 2 or 3 years ago about losses, had to do with the expropriation of properties in Cuba. I do not know of any expropriation that has come about since that time. The importance of this bill is that we have not provided the proper rules for the future taxation of any of those properties so lost if they are ever recovered; they may or may not be recovered.

Mr. GROSS. And this bill would take care of that?

Mr. MILLS. That is right.

Mr. GROSS. Mr. Speaker, I thank the gentleman; and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill as follows:

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

SECTION 1. RECOVERIES OF FOREIGN EXPROPRIATION LOSSES.

(a) Subchapter Q of chapter 1 (relating to readjustment of tax between years) is amended by adding at the end thereof the following new part:

"PART VII—RECOVERIES OF FOREIGN EXPROPRIATION LOSSES

"Sec. 1351. Treatment of recoveries of foreign expropriation losses.

"SEC. 1351. TREATMENT OF RECOVERIES OF FOREIGN EXPROPRIATION LOSSES.

"(a) ELECTION.—

"(1) IN GENERAL.—This section shall apply only to a recovery, by a domestic corporation subject to the tax imposed by section 11, of a foreign expropriation loss sustained by such corporation and only if such corporation elects to have the provisions of this section apply with respect to such loss.

"(2) TIME, MANNER, AND SCOPE.—An election under paragraph (1) shall be made at such time and in such manner as the Secretary or his delegate may prescribe by regulations. An election made with respect to any foreign expropriation loss shall apply to all recoveries in respect of such loss.

"(b) DEFINITION OF FOREIGN EXPROPRIATION LOSS.—For purposes of this section, the term 'foreign expropriation loss' means any loss sustained by reason of the expropriation, intervention, seizure, or similar taking of property by the government of any foreign country, any political subdivision thereof, or any agency or instrumentality of the foregoing. For purposes of the preceding sentence, a debt which becomes worthless shall, to the extent of any deduction allowed under section 166(a), be treated as a loss.

"(c) AMOUNT OF RECOVERY.—The amount of any recovery of a foreign expropriation loss is the amount of money and the fair market value of other property received in respect of such loss, determined as of the date of receipt.

"(d) ADJUSTMENT FOR PRIOR TAX BENEFITS.—

"(1) IN GENERAL.—That part of the amount of a recovery of a foreign expropriation loss to which this section applies which, when added to the aggregate of the amounts of previous recoveries with respect to such loss, does not exceed the allowable deductions in prior taxable years on account of such loss shall be excluded from gross income for the taxable year of the recovery for purposes of computing the tax under this subtitle; but there shall be added to, and assessed and collected as a part of, the tax under this subtitle for such taxable year an amount equal to the total increase in the tax under this subtitle for all taxable years which would result by decreasing, in an amount equal to such part of the recovery so excluded, the deductions allowable in the prior taxable years on account of such loss. For purposes of this paragraph, if the loss to which the recovery relates was taken into account as a loss from the sale or exchange of a capital asset, the amount of the loss shall be treated as an allowable deduction even though there were no gains against which to allow such loss.

"(2) COMPUTATION.—The increase in the tax for each taxable year referred to in paragraph (1) shall be computed in accordance with regulations prescribed by the Secretary or his delegate. Such regulations shall give effect to previous recoveries of any kind (including recoveries described in section 111, relating to recovery of bad debts, etc.) with respect to any prior taxable year, but shall otherwise treat the tax previously determined for any taxable year in accordance with the principles set forth in section 1314(a) (relating to correction of errors). Subject to the provisions of paragraph (3), all credits allowable against the tax for any taxable year, and all carryovers and carrybacks affected by so decreasing the allowable deductions, shall be taken into account in computing the increase in the tax.

"(3) FOREIGN TAXES.—For purposes of this subsection—

"(A) any choice made under subpart A of part III of subchapter N (relating to foreign tax credit) for any taxable year may be changed,

"(B) subject to the provisions of section 904(b), an election to have the limitation provided by section 904(a)(2) apply may be made, and

"(C) notwithstanding section 904(b)(1), an election previously made to have the limitation provided by section 904(a)(2) apply may be revoked with respect to any taxable year and succeeding taxable years.

"(4) SUBSTITUTION OF CURRENT NORMAL TAX AND SURTAX RATES.—For purposes of this subsection, the normal tax rate provided by section 11(b) and the surtax rate provided by section 11(c) which are in effect for the taxable year of the recovery shall be treated as having been in effect for all prior taxable years.

"(e) GAIN ON RECOVERY.—That part of the amount of a recovery of a foreign expropriation loss to which this section applies which is not excluded from gross income under subsection (d)(1) shall be considered for the taxable year of the recovery as gain on the involuntary conversion of property as

a result of its destruction or seizure and shall be recognized or not recognized as provided in section 1033.

"(f) BASIS OF RECOVERED PROPERTY.—The basis of property (other than money) received as a recovery of a foreign expropriation loss to which this section applies shall be an amount equal to its fair market value on the date of receipt, reduced by such part of the gain under subsection (e) which is not recognized as provided in section 1033.

"(g) RESTORATION OF VALUE OF INVESTMENTS.—For purposes of this section, if the value of any interest in, or with respect to, property (including any interest represented by a security, as defined in section 165(g)(2))—

"(1) which became worthless by reason of the expropriation, intervention, seizure, or similar taking of such property by the government of any foreign country, any political subdivision thereof, or any agency or instrumentality of the foregoing, and

"(2) which was taken into account as a loss from the sale or exchange of a capital asset or with respect to which a deduction for a loss was allowed under section 165 or a deduction for a bad debt was allowed under section 166,

is restored in whole or in part by reason of any recovery of money or other property in respect of the property which became worthless, the value so restored shall be treated as a recovery of property in respect of such loss or such bad debt.

"(h) SPECIAL RULE FOR EVIDENCES OF INDEBTEDNESS.—Bonds or other evidences of indebtedness received as a recovery of a foreign expropriation loss to which this section applies shall not be considered to have any original issue discount within the meaning of section 1232(a)(2).

"(i) ADJUSTMENTS FOR SUCCEEDING YEARS.—For purposes of this subtitle, proper adjustment shall be made, under regulations prescribed by the Secretary or his delegate, in—

"(1) the credit under section 33 (relating to foreign tax credit),

"(2) the credit under section 38 (relating to investment credit),

"(3) the net operating loss deduction under section 172, and

"(4) the net capital loss carryover under section 1212(a),

for the taxable year of a recovery of a foreign expropriation loss to which this section applies, and for succeeding taxable years, to take into account items changed in making the computations under subsection (d) for taxable years prior to the taxable year of such recovery."

(b)(1) Part II of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically included in gross income) is amended by adding at the end thereof the following new section:

"SEC. 80. RESTORATION OF VALUE OF CERTAIN SECURITIES.

"(a) GENERAL RULE.—In the case of a domestic corporation subject to the tax imposed by section 11, if the value of any security (as defined in section 165(g)(2))—

"(1) which became worthless by reason of the expropriation, intervention, seizure, or similar taking by the government of any foreign country, any political subdivision thereof, or any agency or instrumentality of the foregoing of property to which such security was related, and

"(2) which was taken into account as a loss from the sale or exchange of a capital asset or with respect to which a deduction for a loss was allowed under section 165,

is restored in whole or in part during any taxable year by reason of any recovery of money or other property in respect of the property to which such security was related, the value so restored (to the extent that, when added to the value so restored during prior taxable years, it does not exceed the amount of the loss described in paragraph (2)) shall, except as provided in subsection (b), be included in gross income for the taxable year in which such restoration occurs.

"(b) REDUCTION FOR FAILURE TO RECEIVE TAX BENEFIT.—The amount otherwise includible in gross income under subsection (a) in respect of any security shall be reduced by an amount equal to the amount (if any) of the loss described in subsection (a)(2) which did not result in a reduction of the taxpayer's tax under this subtitle for any taxable year, determined under regulations prescribed by the Secretary or his delegate.

"(c) CHARACTER OF INCOME.—For purposes of this subtitle—

"(1) Except as provided in paragraph (2), the amount included in gross income under this section shall be treated as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231.

"(2) If the loss described in subsection (a)(2) was taken into account as a loss from the sale or exchange of a capital asset, the amount included in gross income under this section shall be treated as gain from the sale or exchange of a capital asset.

"(d) TREATMENT UNDER FOREIGN EXPROPRIATION LOSS RECOVERY PROVISION.—This section shall not apply to any recovery of a foreign expropriation loss to which section 1351 applies."

(2) The table of sections for such part II is amended by adding at the end thereof the following:

"Sec. 80. Restoration of value of certain securities."

(3) The amendments made by this subsection shall apply to taxable years beginning after December 31, 1964, but only with respect to losses described in section 80(a)(2) of the Internal Revenue Code of 1954 (as added by paragraph (1) of this subsection) which were sustained after December 31, 1958.

(c)(1) Section 46(a)(3) of the Internal Revenue Code of 1954 (relating to liability for tax for purposes of the investment credit) is amended by inserting after "personal holding company tax)" the following: ", and any additional tax imposed by the taxable year by section 1351(d)(1) (relating to recoveries of foreign expropriation losses),".

(2) Section 901(a) of such Code (relating to foreign tax credit) is amended by inserting after "section 1333 (relating to war loss recoveries)" in the last sentence thereof "or under section 1351 (relating to recoveries of foreign expropriation losses),".

(d) Subchapter B of chapter 62 of the Internal Revenue Code of 1954 (relating to time and place for paying tax) is amended by adding at the end thereof the following new section:

"SEC. 6167. EXTENSION OF TIME FOR PAYMENT OF TAX ATTRIBUTABLE TO RECOVERY OF FOREIGN EXPROPRIATION LOSSES.

"(a) EXTENSION ALLOWED BY ELECTION.—If—

"(1) a corporation has a recovery of a foreign expropriation loss to which section 1351 applies, and

"(2) the portion of the recovery received in money is less than 25 percent of the amount of such recovery (as defined in section 1351(c)) and is not greater than the tax attributable to such recovery,

the tax attributable to such recovery shall, at the election of the taxpayer, be payable in 10 equal installments on the 15th day of the third month of each of the taxable years following the taxable year of the recovery. Such election shall be made at such time and in such manner as the Secretary or his delegate may prescribe by regulations. If an election is made under this subsection, the provisions of this subtitle shall apply as though the Secretary or his delegate were extending the time for payment of such tax.

"(b) EXTENSION PERMITTED BY SECRETARY.—If a corporation has a recovery of a foreign expropriation loss to which section 1351 applies and if an election is not made under subsection (a), the Secretary or his delegate may, upon finding that the payment of the tax attributable to such recovery at the time otherwise provided in this subtitle would result in undue hardship, extend the time for payment of such tax for a reasonable period or periods not in excess of 9 years from the date on which such tax is otherwise payable.

"(c) ACCELERATION OF PAYMENTS.—If—

"(1) an election is made under subsection (a),

"(2) during any taxable year before the tax attributable to such recovery is paid in full—

"(A) any property (other than money) received on such recovery is sold or exchanged, or

"(B) any property (other than money) received on any sale or exchange described in subparagraph (A) is sold or exchanged, and

"(3) the amount of money received on such sale or exchange (reduced by the amount of the tax imposed under chapter 1 with respect to such sale or exchange), when added to the amount of money—

"(A) received on such recovery, and

"(B) received on previous sales or exchanges described in subparagraphs (A) and (B) of paragraph (2) (as so reduced),

exceeds the amount of money which may be received under subsection (a)(2),

an amount of the tax attributable to such recovery equal to such excess shall be payable on the 15th day of the third month of the taxable year following the taxable year in which such sale or exchange occurs. The amount of such tax so paid shall be treated, for purposes of this section, as a payment of the first unpaid installment or installments (or portion thereof) which become payable under subsection (a) following such taxable year.

"(d) PRORATION OF DEFICIENCY TO INSTALLMENTS.—If an election is made under subsection (a), and a deficiency attributable to the recovery of a foreign expropriation loss has been assessed, the deficiency shall be prorated to such installments. The part of the deficiency so prorated to any installment the date for payment of which has not arrived shall be collected at the same time as, and as part of, such installment. The part of the deficiency so prorated to any installment the date for payment of which has arrived shall be paid upon notice and demand from the Secretary or his delegate. This subsection shall not apply if the deficiency is due to negligence, to intentional disregard of rules and regulations, or to fraud with intent to evade tax.

"(e) TIME FOR PAYMENT OF INTEREST.—If the time for payment for any amount of tax has been extended under this section, interest payable under section 6601 on any unpaid portion of such amount shall be paid annually at the same time as, and as part of, each installment payment of the tax. Interest, on that part of a deficiency prorated under this section to any installment the date for payment of which has not arrived, for the period before the date fixed for the last installment preceding the assessment of the deficiency, shall be paid upon notice and demand from the Secretary or his delegate. In applying section 6601(j) (relating to the application of the 4-percent rate of interest in the case of recoveries of foreign expropriation losses to which this section applies) in the case of a deficiency, the entire amount which is prorated to installments under this section shall be treated as an amount of tax the payment of which is extended under this section.

"(f) TAX ATTRIBUTABLE TO RECOVERY OF FOREIGN EXPROPRIATION LOSS.—For purposes of this section, the tax attributable to a recovery of a foreign expropriation loss is the sum of—

"(1) the additional tax imposed by section 1351 (d) (1) on such recovery, and

"(2) the amount by which the tax imposed under subtitle A is increased by reason of the gain on such recovery which under section 1351(e) is considered as gain on the involuntary conversion of property.

(g) FAILURE TO PAY INSTALLMENT.—If any installment under this section is not paid on or before the date fixed for its payment by this section (including any extension of time for the payment of such installment), the unpaid portion of the tax payable in installments shall be paid upon notice and demand from the Secretary or his delegate.

"(h) CROSS-REFERENCES.

"(1) Interest.—For provisions requiring the payment of interest at the rate of 4 percent per annum for the period of an extension, see section 6601(j).

"(2) Security.—For authority of the Secretary or his delegate to require security in the case of an extension under this section, see section 6165.

"(3) Period of limitation.—For extension of the period of limitation in the case of an extension under this section, see section 6503(f)."

(e) Section 6503 of the Internal Revenue Code of 1954 (relating to suspension of running of period of limitation) is amended by redesignating subsection (f) as (g), and by inserting after subsection (e) the following new subsection:

"(f) EXTENSIONS OF TIME FOR PAYMENT OF TAX ATTRIBUTABLE TO RECOVERIES OF FOREIGN EXPROPRIATION LOSSES.—The running of the period of limitations for collection of the tax attributable to a recovery of a foreign expropriation loss (within the meaning of section 6167(f)) shall be suspended for the period of any extension of time for payment under subsection (a) or (b) of section 6167."

(f) Section 6601 of the Internal Revenue Code of 1954 (relating to interest on underpayments) is amended by redesignating subsection (j) as (k), and by inserting after subsection (i) the following new subsection:

"(j) EXTENSIONS OF TIME FOR PAYMENT OF TAX ATTRIBUTABLE TO RECOVERIES FOR FOREIGN EXPROPRIATION LOSSES.—If the time for payment of an amount of the tax attributable to a recovery of a foreign expropriation loss (within the meaning of section 6167(f)) is extended as provided in subsection (a) or (b) of section 6167, interest shall be paid at the rate of 4 percent, in lieu of 6 percent as provided in subsection (a)."

(g)(1) The table of parts for subchapter Q of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"Part VII. Recoveries of foreign expropriation losses."

(2) The table of sections for subchapter B of chapter 62 of such Code is amended by adding at the end thereof the following:

"Sec. 6167. Extension of time for payment of tax attributable to recovery of foreign expropriation losses."

SEC. 2. EFFECTIVE DATE.

Except as provided in subsection (b)(3) of section 1, the amendments made by this section shall apply to recoveries on or after January 1, 1965, in respect of foreign expropriation losses (as defined in section 1351(b) of the Internal Revenue Code of 1954 added by subsection (a) of this section) which were sustained after December 31, 1958.

With the following committee amendments:

Page 1, line 5, after "chapter 1" insert the following: "of the Internal Revenue Code of 1954".

Page 2, line 8, strike out "section 11," and insert the following: "section 11 or 802,".

Page 2, line 10, after "poration" insert the following: "was subject to the tax imposed by section 11 or 802, as the case may be, for the year of the loss and".

Page 3, strike out lines 5 through 8, and insert the following:

"(c) AMOUNT OF RECOVERY.—

"(1) GENERAL RULE.—The amount of any recovery of a foreign expropriation loss is the amount of money and the fair market value of other property received in respect of such loss, determined as of the date of receipt.

"(2) SPECIAL RULE FOR LIFE INSURANCE COMPANIES.—The amount of any recovery of a foreign expropriation loss includes, in the case of a life insurance company, the amount of decrease of any item taken into account under section 810(c), to the extent such decrease is attributable to the release, by reason of such loss, of its liabilities with respect to such item."

Page 6, line 24, strike out "a recovery of property" and insert the following: "property received as a recovery".

Page 7, strike out lines 15, 16, and 17, and insert the following: "172, or the operations loss deduction under section 812,

"(4) the capital loss carryover under section 1212(a), and

"(5) such other items as may be specified by such regulations,".

Page 8, line 6, strike out "section 11," and insert the following: "section 11 or 802,".

Page 9, lines 19 and 20, strike out "gain from the sale or exchange of a capital asset" and insert the following: "long-term capital gain".

Page 10, line 4, strike out "1964," and insert the following: "1965,".

Page 13, line 4, strike out "of" and insert the following: "or".

Page 16, line 2, strike out "FOR" and insert the following: "OF".

Page 16, strike out lines 16 through 22, and insert the following:

"The amendments made by section 1 (except subsection (b)) shall apply with respect to amounts received after December 31, 1964, in respect of foreign expropriation losses (as defined in section 1351(b) of the Internal Revenue Code of 1954 added by section 1(a)), sustained after December 31, 1958."

The committee amendments were agreed to.

The bill 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.

SUSPENSION OF DUTY ON CERTAIN TROPICAL HARDWOODS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7723) to amend the Tariff Schedules of the United States to suspend the duty on certain tropical hardwoods, which was reported unanimously by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I yield to the chairman of the committee, the gentleman from Arkansas, for an explanation of the bill.

Mr. MILLS. Mr. Speaker, H.R. 7723 would temporarily suspend the import duties on tropical hardwood lumber, such as balsa, teak, mahogany, and virola. None of the species are grown in the United States, and the duties involved averaged about 1 percent ad valorem based on imports in 1964. Virtually all the imports came from six Central and South American countries, from Ghana and Nigeria in Africa, and from Malaysia and Thailand, all of which are classified as less developed countries.

While the Trade Expansion Act of 1962 provides authority for the elimination of the duties on tropical hardwood lumber, the administration has suggested suspension of the duties pending the outcome of negotiations for the permanent removal of the duties on these hardwoods in connection with the Kennedy round trade agreement negotiations. This suggestion was made because of the interest of the United States in assisting the developing countries in their efforts to expand their exports and because the removal of the duties under the trade agreements authority will involve delays incident to trade agreement negotiations. The countries of the EEC and the United Kingdom have already suspended their duties on various species of rough hardwood lumber, and action by the United States along the lines provided for in H.R. 7723 would demonstrate to the developing countries the will of the United States to take prompt action, where possible, to put into effect measures to facilitate the expansion of their trade

Section 1 of the bill would establish provisions in that part of the tariff schedules dealing with temporary provisions amending the tariff schedules that would provide for suspension of the duties on tropical hardwood lumber until January 1, 1968.

Section 2 of the bill reflects the intention of the Congress that the permanent removal of the duties shall be a matter for negotiation in the Kennedy round, but without the need for such staging of reductions as may be required under the Trade Expansion Act of 1962. However, all other pertinent procedures and requirements of the Trade Expansion Act will apply.

While the Committee on Ways and Means held no hearings in connection with this bill, the committee was advised that no opposition to the removal of the duties was registered with the Tariff Commission or the office of the special representative for trade negotiations in connection with the announcement by these agencies of the possibility of removal of the duties in connection with trade agreement negotiations. The committee is aware of no objection to the bill. In fact, we checked with people on the outside engaged in hardwood production here, and they have no objection. The committee unanimously recommended enactment of the bill.

Mr. BYRNES of Wisconsin. It should be said that under the Trade Expansion Act notice was given of possible elimination and there were no objections registered.

Mr. MILLS. That is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. GROSS. Is any substantial amount of this product coming from Ghana?

Mr. MILLS. It is a very small part of the total. Most of this comes to us, as I have suggested, from six Central and South American countries.

Mr. GROSS. Until this nation of Ghana shows a disposition to get out of the Communist orbit I do not know of any reason why we should be doing anything in particular to encourage trade with them. I think we ought to be doing the reverse; we ought to be penalizing them in every way possible instead of helping them with respect to trade and foreign aid.

Mr. MILLS. If this were being done solely for the benefit of Ghana I can assure the gentleman the bill would not be here.

Mr. GROSS. Well, I wish the gentleman had not included that country.

Mr. BYRNES of Wisconsin. I might say this to the gentleman from Iowa. I do not know that Ghana exports any significant quantity of this material to the United States. Ghana is listed as a producing country, because some of these woods are found in that area.

Mr. MILLS. That is right; only a small part of the total imports come from Ghana.

Mr. BYRNES of Wisconsin. And any benefit that Ghana would get would be so incidental, I do not believe the gentleman would want to interfere with other countries that are friendly to the United States such as as countries like Thailand.

Mr. MILLS. That is correct.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the appendix to title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, Aug. 17, 1963; 77A Stat.; 19 U.S.C., sec. 1202) is amended by adding at the end thereof the following new items:

"	916.20	Hardwood lumber, rough, dressed, or worked, provided for in item 202.36	Free	$3 per 1,000 ft., board measure	On or before 12/31/67
	916.21	Hardwood lumber, rough, dressed, or worked, provided for in item 202.39	Free	$3.10 per 1,000 ft., board measure	On or before 12/31/67
	916.22	Hardwood lumber, rough, dressed, or worked, provided for in item 202.41, except Boxwood (Buxus spp.), Japanese maple (Acer spp.), and Japanese white oak (Quercus spp.)	Free	15% ad val.	On or before 12/31/67
	916.23	Hardwood lumber, rough, dressed, or worked, provided for in item 202.43, except Alder (Alnus spp.), Almon (Shorea almon), Ash (Fraxinus spp.), Aspen and cottonwood (populus spp.), Bagtikan (Parashorea plicata), Basswood (Tilia spp.), Beech (Fagus spp.), Birch (Betula spp.), Black or tupelo gum (Nyssa spp.), Buckeye (Aesculus spp.), Cherry (Prunus spp.), Elm (Ulmus spp.), Eucalyptus (Eucalyptus spp.), Hickory (Carya spp.), Lauan, red (Shorea negrosensis), Lauan, white (Pentacme contorta and P. mindanensis), Magnolia (Magnolia spp.), Maple (Acer spp.), Mayapis (Shorea squamata), Meranti (Shorea spp.), Oak (Quercus spp.), Sen (Kalopanax spp.), Seraya, red (Shorea spp.), Seraya, white (Parashorea spp.), Sweet (red or sap) gum (Liquidamber spp.), Sycamore (Platanus spp.), Tangile (Shorea polysperma), Tiaong (Shorea spp.), Walnut (Juglans spp.), Willow (Salix spp.), and Yellow poplar (Liriodendron spp.)	Free	$3 per 1,000 ft., board measure	On or before 12/31/67

"

SEC. 2. For purposes of section 201(a)(2) of the Trade Expansion Act of 1962 (19 U.S.C. 1821(a)(2)), in the case of a trade agreement entered into before July 1, 1967, the duty-free treatment provided by item 916.20, 916.21, 916.22, or 916.23 of title I of the Tariff Act of 1930 for any article shall be considered as existing duty-free treatment.

SEC. 3. The amendment made by the first section of this Act shall apply to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

The bill 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.

A 1965 COMPARISON BETWEEN THE DESIRES OF IDAHOANS AND THE ACTIONS OF CONGRESS

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a report on a questionnaire I had sent out earlier this year.

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

There was no objection.

Mr. HANSEN of Idaho. Mr. Speaker, this, my first session as a Member of Congress representing Idaho's Second Congressional District, has been very busy and interesting. It has passed more legislation than any one session in recent years; however, in many ways, this has been a cause of much concern to me. It appears that the people of the Idaho Second Congressional District would share my doubt as to the quality of much of the legislation passed.

To put this statement into perspective, following is the questionnaire I sent out early in the year, together with the final tabulation converted to percentages of those returned to me; what the Congress has done on the issues; and my position on them. I received over 12,000 replies to the questionnaire, each of which was individually acknowledged and tabulated, thus the results shown herein are completely accurate. The figures do not all add up to 100 percent as the "no opinion" answers were omitted.

The questionnaire follows:

1. In the last 36 years we have had only 6 balanced budgets—a period during which 30 deficits will have increased the size of the public debt from $16.2 to $322.5 billion. The projected deficit for 1966 is the sixth in a row. Do you favor continued deficit spending?

Idahoans said: No, 80.6 percent; yes, 10.1 percent. Due to continued deficit spending, the Congress again raised the public debt—this time to $328 billion. I voted against the increase.

2. In 1966 the Government will make welfare, benefits, and retirement payments of $46 billion. Is this insufficient, about right, or too much?

Idahoans said: Too much, 62.9 percent; about right, 26.4 percent; insufficient, 10.7 percent. This Congress approved many wasteful, extravagant—and in some cases, such as the poverty program, scandalous—social welfare programs which I, in most cases, voted against.

3. Should Federal excise taxes on telephone service, jewelry, luggage, furs, cosmetics, etc., be repealed?

Idahoans said: Yes, 50 percent; no, 39.9 percent. The Congress voted to repeal most of these taxes,. I voted for repeal. I had previously introduced a repeal bill, slightly different from the one that was passed.

4. Should parents be allowed to deduct from their reportable income all or part of the amount they spend in sending their children to college?

Idahoans said: Yes, 70.9 percent; no, 22.5 percent. A number of such bills (which I supported) were introduced, but were not allowed to get out of committee in order that the House might work its will on them.

5. Should the Federal Government provide financial assistance for local secondary and elementary school construction?

Idahoans said: No, 61.3 percent; yes, 31.3 percent. See question No. 7.

6. Should the Federal Government provide financial assistance for local teachers' salaries?

Idahoans said: No, 74.5 percent; yes, 20.4 percent. See question No. 7.

7. Should the Federal Government provide financial assistance for parochial and private schools?

Idahoans said: No, 81.9 percent; yes, 12.7 percent. The Congress did not consider specific legislation comparable to questions Nos. 5 and 6, however, it did pass a stepped-up aid to education bill, payments to be primarily on a poverty basis, and which contained limited aid to private and parochial schools. I voted against the bill.

Mr. Speaker, at this point on the subject of education, it is well to note that I voted for legislation which provides assistance to colleges and universities and to students attending them, and also to authorize loans to assist students to attend postsecondary business, technical, trade, and other vocational schools. In addition, I supported extension and amplification of Public Laws 815 and 874, providing financial assistance to schools in federally impacted areas.

The questionnaire continues:

8. Should a college student who borrows money from the National Defense Student Loan Fund be required to swear (or affirm) "that I bear true faith and allegiance to the United States of America and will support and defend the Constitution * * * against all its enemies, foreign and domestic"?

Idahoans said: Yes, 80.1 percent; no, 14.3 percent. Legislation was introduced in this Congress to abolish the oath, but no action was taken on it.

9. Should the Federal Government institute a compulsory hospitalization plan for all persons age 65 and over to be paid for from the general treasury and by raising the social security tax of the employer and employee who is now working?

Idahoans said: No, 82.1 percent; yes, 11.4 percent. The Congress approved a compulsory plan. I voted against it.

10. Should the Federal Government establish a comprehensive medical, surgical and hospital benefits plan under State administration for all citizens age 65 and over with voluntary, private insurance—and with premiums subsidized according to need?

Idahoans said: Yes, 50.7 percent; no, 38.7 percent. I supported the private insurance carrier plan, but it was not considered except for doctor's and surgeon's fees.

11. Should the present limitation of $1,200 on outside earnings for those receiving social security benefits be increased?

Idahoans said: Yes, 69.7 percent; no, 23.3 percent. I supported such legislation, and introduced a bill to raise the limit from $1,200 to $2,400. The Congress voted to increase the limit to $1,800, including this provision in the medicare package—a part of the administration strategy to gain support for bad legislation by including some good provisions. In voting against the compulsory medicare bill, I regretfully was forced to vote against the increase in outside earnings.

Mr. Speaker, at this point—while dealing with the matter of retirement benefits and related items—I believe it is well to note that I voted against a pay raise for Members of Congress and other high ranking Government officials, but I did vote for a pay raise for regular Government employees, including postal workers. I also voted for an increase in pensions for retired Federal employees and also for liberalization of the Railroad Retirement Act. I firmly believe these pay and pension increases were necessary because of the inflation caused by the fiscal policies of this and the previous administration.

The questionnaire continues:

12. Should a Fair Trade law be enacted by which a manufacturer could set the price below which his goods could not be sold?

Idahoans said: No, 64.7 percent; yes, 22.4 percent. The Congress took no action on "fair trade" or "quality stabilization" bills in this session.

13. The Veterans' Administration has announced plans to close a number of its hospitals and domiciliaries. Should: this be done; a further study be made to see if the closings are justified; have no opinion.

Idahoans said: Further study, 67.7 percent; should be done, 21.9 percent. No legislative action was taken on this, but enough congressional pressure, including mine, was brought to bear on the Veterans' Administration to cause it to drastically modify the closing order.

14. Should the House Committee on Un-American Activities be abolished?

Idahoans said: No, 76.4 percent; yes, 11.5 percent. A move was made to abolish the committee by denying funds for its operation. I voted for the necessary funds.

15. Should laws be enacted requiring the registration of firearms, including hunting weapons?

Idahoans said: No, 68.8 percent; yes, 24.1 percent. No such legislation has come before the House.

16. A proposal has been made to create a national park in a portion of the Sawtooth Mountains. Should this area be made: A wilderness area; a national park; a national recreation area under Forest Service supervision; or should it remain as is under the Forest Service?

Idahoans said: Remain as is, 45.0 percent; wilderness area, 21.4 percent; recreation area under Forest Service supervision, 18.6 percent; national park, 15.0 percent. No House action taken.

17. Should a constitutional amendment be passed which would allow the voters of each State to determine whether or not both houses of its legislature should be apportioned solely on the basis of population?

Idahoans said: Yes, 61.9 percent; no, 26.1 percent. I have introduced two such constitutional amendments, one of them identical to the one proposed by the Idaho State Legislature. No House action taken.

18. Should a constitutional amendment be passed which would allow, on a voluntary basis, prayer and Bible reading in public schools?

Idahoans said: Yes, 74.8 percent; no, 17.8 percent. Here again, I have introduced such a constitutional amendment. Again, such amendments have been bottled up in committee, precluding a vote.

19. Should the "Connally Reservation," reserving to the United States the right to determine which matters are of domestic concern and not subject to the jurisdiction of the World Court, be retained?

Idahoans said: Yes, 69.9 percent; no, 7.3 percent. There has been no serious attempt in this Congress to repeal this provision.

20. Should our immigration laws be changed from the present national origin quota system to a system based on job skills?

Idahoans said: Yes, 40.8 percent; no, 40.4 percent. The Congress enacted such a law. I voted against it when no limitation was sent on immigrants from the Western Hemisphere, but voted for it when such a limitation was imposed.

21. Do you favor expansion, continuation, reduction, or elimination of:

(1) Trade with Communist or Communist dominated countries?

Idahoans said: Elimination, 54.4 percent; reduction, 20.9 percent; continuation, 14.9 percent; expansion, 9.8 percent.

(2) Economic aid to Communist or Communist dominated countries?

Idahoans said: Elimination, 86.5 percent; reduction, 9.8 percent; continuation, 2.8 percent; expansion, 0.9 percent.

(3) Military aid to Communist or Communist dominated countries?

Idahoans said: Elimination, 91.2 percent; reduction, 4.3 percent; continuation, 2.9 percent; expansion, 1.6 percent.

(4) Economic aid to non-Communist countries?

Idahoans said: Continuation, 40.7 percent; reduction, 34.6 percent; elimination, 13.4 percent; expansion, 11.3 percent.

(5) Military aid to non-Communist countries?

Idahoans said: Continuation, 46.6 percent; reduction, 26.8 percent; elimination, 14.2 percent; expansion, 12.4 percent.

Mr. Speaker, in the above, it is apparent that most Idahoans believe that we should continue needed and efficient help to our friendly world neighbors but, under no circumstances, should we aid and abet communism. I voted against the foreign aid bill because provisions to stop aid to Communist countries were rejected.

The questionnaire continues:

22. Should funds for the Arms Control and Disarmament Agency be increased, continued at current levels, reduced, or eliminated?

Idahoans said: Continued at current levels, 38.5 percent; reduced, 26.1 percent; eliminated, 24.1 percent; increased, 11.3 percent. I voted against increasing such funds and then later, when a choice was offered between increasing them or holding them at current levels, I voted to hold.

In 1954 North Vietnam agreed to withdraw its forces to north of the 17th parallel, and not to interfere or intervene in the affairs of South Vietnam.

23. Do you believe North Vietnam has violated this treaty?

Idahoans said: Yes, 79 percent; no, 8.6 percent. This is a matter of personal opinion, not subject to congressional action. However, I believe that Idahoans, in their overwhelming belief that North Vietnam has violated the treaty, are in accord with a vast majority of Americans across the country.

24. Do you favor renegotiating this treaty?

Idahoans said: No, 54.5 percent; yes, 31.7 percent. Here again, I believe that Idahoans are in tune with a majority of Americans in believing that renegotiation of the treaty would only lead to concessions to the Communists. This would be a victory for the Reds and would encourage them to take aggressive action someplace else.

25. Do you favor the administration's policy of retaliatory air strikes and other similar measures in Vietnam?

Idahoans said: Yes, 77.4 percent; no, 13.2 percent. The only congressional vote pertaining to this matter was the vote for a supplemental appropriation of $700 million to support the war effort in Vietnam. I voted for the appropriation.

26. Should wheat and feed grain programs be controlled by means of acreage allotments and marketing quotas?

Idahoans said: No, 63.7 percent; yes, 20 percent. The Congress passed an omnibus farm bill that contained acreage allotments for wheat and feed grains. I voted against it.

27. Do you favor acreage allotments and marketing quotas for potatoes?

Idahoans said: No, 73.7 percent; yes, 10.7 percent. No such legislation was before this Congress. Attempts to place acreage allotments and marketing quotas on potatoes have been defeated in previous Congresses.

28. Do you favor continuation of acreage restrictions (proportionate shares) and basic quotas for sugarbeets?

Idahoans said: No, 66.5 percent; yes, 15.7 percent. The Congress enacted legislation continuing and increasing acreage allotments and basic quotas. This action had the approval of the entire beet industry. Since this was the best we could do at this time, I voted for it. Previously, I had introduced a bill which would have increased these marketing quotas even further. Until such time as sugar legislation is no longer a part of our foreign policy, there will be no chance of eliminating such quotas.

29. In your opinion, what has caused depressed meat prices in the United States—meat imports, complications of the wheat certificate plan, or other?

Idahoans said: Meat imports, 56.8 percent; other, 26.9 percent; wheat certificate plan, 16.3 percent. Last year the Congress established a formula for the amounts of meat imports from various countries, to go into effect when imports reached a certain level. According to the Department of Agriculture, imports have not yet reached the automatic "triggering" level. No legislative adjustment has been made this year.

30. Do you favor continuation of the braceros (Mexican farm labor) program?

Idahoans said: Yes, 54.4 percent; no, 28.2 percent. The Congress allowed the braceros program to terminate last year. Hoping to prevent the period of chaos which has been witnessed in some areas, I introduced legislation to bring it back on a modified basis. But, because of pressure brought to bear by the Labor Department, no congressional action was taken.

INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8210) to amend the International Organizations Immunities Act, which was unanimously reported favorably by the Committee on Ways and Means, with amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I yield to the gentleman from Arkansas [Mr. MILLS], the chairman of the Committee on Ways and Means, for a brief explanation.

Mr. MILLS. Mr. Speaker, as reported to the House by the Committee on Ways and Means, this bill provides that at the discretion of the President the European Space Research Organization—ESRO—may be designated by the President as an international organization for purposes of the International Organizations Immunities Act. Upon such a designation, the organization, to the extent so provided by the President, will be exempt from customs duties on property imported for the activities it engages in, from income taxes, from withholding taxes on wages, and from excise taxes on services and facilities. In addition, the employees of the international organization, other than nationals of the United States, may not be subject to U.S. income tax on the income they receive from ESRO.

For purposes of the International Organizations Immunities Act, an international organization is one in which the United States participates and which has been designated by the President, through an appropriate Executive order, as being entitled to the privileges and immunities in question. The form of the action taken by the President determines the privileges of the type outlined above to which the organization may be entitled. Moreover, if the privileges granted are abused, they may be withdrawn, conditioned, limited, or revoked by the President.

The European Space Research Organization is an organization of 11 Western European countries—Belgium, Denmark, the Federal Republic of Germany, France, Italy, the Netherlands, Norway, Spain, Sweden, Switzerland, and the United Kingdom—which was established in June 1962 to undertake the planning of scientific activities in the peaceful use of outer space, and which is interested in establishing a small satellite telemetry command station near Fairbanks, Alaska. Because the United States is not a member of ESRO, it cannot qualify as an international organization under the International Organizations Immunities Act.

The National Aeronautics and Space Administration has been granted privileges similar to those sought by ESRO in other countries in which it has established tracking stations. The United States, for example, in our Mercury, Gemini, and other space programs, has negotiated a large number of government-to-government agreements, including agreements with certain ESRO member states, which extend to the United States privileges and immunities commensurate with those sought by ESRO.

Favorable reports were received from the Department of State and the National Aeronautics and Space Administration on the pending bill, which was introduced by our colleague, the Honorable GEORGE P. MILLER. The bill amends the International Organizations Immunities Act to permit that act to be extended to the European Space Research Organization in the same manner, and to the same extent, and subject to the same conditions, as they may be extended to a public international organization in which the United States participates pursuant to any treaty or under the authority of any act of Congress authorizing participation or making an appropriation for such participation. The Committee on Ways and Means is unanimous in recommending enactment of this legislation.

Mr. Speaker, this organization is interested in establishing a small telemetry satellite command station near Fairbanks, Alaska. Because the United States is not a member of this particular organization, there is no authority under existing law for the President to issue such an Executive order as is described and permitted under this bill.

As I indicated, the bill itself was introduced by our distinguished colleague, the gentleman from California [Mr. MILLER], chairman of the Science and Astronautics Committee of the House of Representatives, and if there are any questions in detail about it I would suggest that my friend here would be in a position to answer any questions which I have not as yet answered.

Mr. BYRNES of Wisconsin. Mr. Speaker, I would add to the statement of the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], that if the United States in any way were a member of this organization there would be no question as to their entitlement to this immunity. However, this happens to be one organization which we are not financing.

Mr. MILLS. That is right.

Mr. BYRNES of Wisconsin. It seems, and I would feel, that the United States would obtain some benefits from it and I think it should be pointed out also that in other countries we are accorded some of the same privileges and benefits for the tracking stations which are exclusively under U.S. control and ownership. These other countries extend this privilege to us.

Mr. MILLS. What we are talking about here primarily is the right of the President to exclude from our rates of duties the tax that applies on the importation of the things used in the stations from any of these countries to Alaska. While these nationals of the countries are working in Alaska, the President would have authority to exclude from the effects of our income tax laws salaries earned and paid by the organization. That is primarily what is involved.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. It is the opinion of this Member of the House that Congress has gone much too far in this business of exempting Americans who work for international organizations from the payment of income taxes, and so forth.

Mr. MILLS. Will the gentleman yield for a correction?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. We are not talking about exempting any of our own citizens from anything. They are excluded specifically from the authority given the President here. He cannot exclude American citizens who might be employed by this organization from the income tax that they otherwise would pay.

The persons he would exclude would be the Germans, the Britishers, or someone who might come from one of these 11 countries abroad to work in Alaska, and only to the extent that his income is from this organization. If he is on the side, while working up there, in the employment of some citizen of Alaska, that national of any other country would pay an income tax.

Mr. GROSS. This, then, is different from some other international organizations where by subterfuge, using the funds of the organizations, income taxes are paid. The American citizen pays his tax, but he is then reimbursed by the international organization to which the United States provides the big end of support money.

Mr. MILLS. That is not involved here.

Mr. GROSS. I thank the gentleman.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from California.

Mr. MILLER of California. I may say in this case the particular situation involved, and the only one involved, is it will give us authority to back up our own situation. We are asking that these people be given the same courtesy that Australian citizens and citizens of other places extend to us for the scientific groups we send to these places.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I know of no objection to this bill made by any of the people on our committee. This is saving the U.S. taxpayers' money because they are doing research in the same field that we are, and we do get cooperation. I believe this will be a good precedent, and a good pattern for the future.

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

There being no objection, the Clerk read the bill, as follows:

H.R. 8210

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288–288f) is amended by adding a new section 11, to read as follows:

"SEC. 11. The European Space Research Organization shall be deemed to be an international organization for the purposes of this Act."

Amend the title so as to read: "A bill to amend the International Organizations Immunities Act with respect to the European Space Research Organization."

With the following committee amendment:

Strike all after the enacting clause and insert the following:

"That the International Organizations Immunities Act (22 U.S.C., sec. 288–288f) is amended by adding at the end thereof the following new section:

" 'SEC. 11. The provisions of this title may be extended to the European Space Research Organization in the same manner, to the same extent, and subject to the same conditions, as they may be extended to a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation.' "

The committee amendment was agreed to.

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

The title was amended to read: "A bill to amend the International Organizations Immunities Act with respect to the European Space Research Organization."

A motion to reconsider was laid on the table.

DUTIABLE STATUS OF WATCHES, CLOCKS, AND TIMING APPARATUS FROM INSULAR POSSESSIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8436) to amend the tariff schedules of the United States with respect to the dutiable status of watches, clocks, and timing apparatus from insular possessions of the United States, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. MILLS]?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I yield to the gentleman from Arkansas, chairman of the Committee on Ways and Means, for a brief explanation.

Mr. MILLS. Mr. Speaker, the bill, H.R. 8436, deals with a problem that has arisen through the operation of the provisions of the tariff laws that accord duty-free treatment to the products of the U.S. insular possessions outside of customs territory if they do not contain foreign materials to the value of more than 50 percent of their total value. These provisions were enacted in the economic interest of these U.S. possessions and have for their purpose the encouragement of the establishment of light industries in these islands.

However, Mr. Speaker, it has become apparent that these special provisions can be employed as a means primarily of enabling foreign merchandise to avoid U.S. duties.

In 1959 the assembly of watch movements in the Virgin Islands from foreign watch parts was introduced as a very small operation; 4,900 units were produced in that year. But by 1964 production rose to more than 2.4 million units. All of this production entered the United States free of duty even though as I indicated all the watch parts were of foreign production and the only thing that occurred in the Virgin Islands was the assembly of parts in the finished watch movements.

The development of a large watch assembly industry in the Virgin Islands under the umbrella of a special exemption privilege accorded by the U.S. tariff laws for products of U.S. possessions has attracted the growing concern not only of the U.S. watch industry but of foreign exporters of watch movements to the United States as well.

Recently the Virgin Islands Legislature recognizing the need for restricting the watch assembly operations of the islands within the confines of a legitimate operation in the interest of economic development of the islands and preventing these operations from becoming primarily a means of tariff avoidance took remedial action by enacting bill No. 2638 on August 30, 1965.

This legislation will have the effect of establishing quotas for watch movements produced in the Virgin Islands for shipment to the United States and will, in the view of the committee, largely solve the problem with respect to excessive shipments of watch movements to the United States.

The bill deals with Samoa and Guam as well, they being possessions of the United States.

The committee is advised at this time that since the Virgin Islands have closed the door to the expansion of the watch industry in the Virgin Islands for shipment of watches to the United States, that certain firms, foreign and domestic, are now looking upon Guam and Samoa as a possible location for avoidance and use of this loophole in the tariff act.

There is no production or assembly of watches in either Guam or Samoa. The Department of the Interior in discussing the matter with the committee advised us that these matters, that is, the development of a watch industry within Guam or American Samoa could take place, but there is a very high degree of employment within these islands based upon military expenditures.

If such an industry developed within the islands and employees were needed, I have been told from other sources that there would have to be an importation into the islands of people, say, from the Philippines in order to do this job.

The measure cannot be said to be discriminatory of the islands because they do not have any such industry at this time. It would be a travesty if after the Virgin Islands Legislature closed its doors to fail to close the back door to the use of this loophole, and not by citizens of Guam or Samoa, but U.S. owners and foreign firms who go there, not necessarily to help the development of the islands, but to take advantage of a loophole in our own tariff law.

Mr. BYRNES of Wisconsin. Mr. Speaker, I might say that, at first blush, I was concerned with the possibility that in the drafting of the bill it might be discriminatory; in other words, favorable treatment would be afforded to the Virgin Islands as against our action in relation to other areas. However, the fundamental purpose of the bill is to put a stop to expansion of this business of going through a possession in order to get a duty-free status for commodities.

Mr. MILLS. Exactly.

Mr. BYRNES of Wisconsin. It was growing. The Virgin Islands cooperated voluntarily by statute putting a limitation on its expansion and retaining the status quo. The bill would simply keep it at the status quo wherever it might be. On that basis, there would be no discrimination as between areas.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. I thank the gentleman for yielding. I am happy to have the explanation relative to the accusations which have been made that this legislation would be discriminatory against Guam and Samoa. I see now the reason for the action taken by the committee.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. I assure the gentleman from Hawaii, and confirm what my friend from Wisconsin has said, that we did not at all view this measure as being discriminatory in any respect. Frankly, the bill, as it had been initially developed, applied across the board, but because the Virgin Islands has taken the action themselves, we did not think we needed to take action here. We could exclude them from this overall treatment and preserve the status quo there as well as the status quo in Samoa and Guam, under the terms of the bill. I can assure the gentleman that that is what we are

trying to do and not discriminate against anyone.

Mr. BYRNES of Wisconsin. While I do not know what any future Congress might do, should the Virgin Islands change their attitude and, for example, repeal the statute which limits their exports of watches to the United States, we would step in immediately. This might be said as a word of warning to the Virgin Islands. We would step in immediately and put them in the same category as Guam and Samoa.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. MILLS. I should like to join in that thought, which is certainly foremost in my own mind as a member of the committee.

Mr. BYRNES of Wisconsin. I think the reason we did not do that at this time is because of the legislative drafting problem which would be involved in tying our statutes with the statute of the Virgin Islands.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. I wish this legislation went beyond simply maintaining the status quo. I wish that the tariff had been increased, and very sustantially, in an effort to bring back the watch industry of this country. It is my hope that in the next session of Congress the distinguished gentleman from Arkansas [Mr. MILLS], Chairman of the Committee on Ways and Means, will bring us legislation to provide for some real protection for American labor, agriculture, and industry against the flood of foreign imports. We are being taken for a joyride under the Trade Agreements Act, and it would be my hope that in the next session of the Congress the committee will take an early and hard look at the subject, to be followed by legislation that will do something about the imports that are pouring in to compound the economic problems of this Nation.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Has this been approved by Rex Lee, the former Deputy Commissioner of Indian Affairs, who is now the Governor of American Samoa? He has done much to develop Samoa.

Mr. BYRNES of Wisconsin. It has been cleared with the Department of the Interior and the group in charge of looking after the basic welfare of these islands.

Mr. MILLS. The Office of Territories.

Mr. FULTON of Pennsylvania. Does the gentleman not believe that in the future we should look at these things carefully, to be sure we are not binding the watch industry in Samoa and Guam completely, while we are permitting limited imports from the Virgin Islands? That does not make them equal. If we maintain the status quo and shut off two possessions, Samoa and Guam, while permitting others to do this, this is going to affect the watch industry as it is now.

Mr. BYRNES of Wisconsin. We did concern ourselves with this, and we did question witnesses with respect to the economic impact on these islands.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the chairman of the committee.

Mr. MILLS. This is not done with any thought of injuring Samoa, Guam, the Virgin Islands or any other place. For a long time many of us have been concerned not merely about watches but about other articles which can be produced by some foreign firm outside the customs territory of the United States but within a possession of the United States, and shipped from that possession into the United States, such an article being free from any duty. If they tried to do that from the homeland, a duty would be applicable.

This is not the first instance which has been called to our attention, in which someone has moved into the Virgin Islands to use this particular loophole for his advantage.

The people from the Department of the Interior tell us that it is not necessary to the economic development of Samoa and Guam for those islands to have a watch industry. There are other things which can be done within those islands, which are being done within the islands, which are better from the point of view of the economic development there than would be the development of a watch-assembly industry.

The gentleman understands that they do not make watches; they only assemble the watches.

Mr. BYRNES of Wisconsin. Let me say that there is no assembly industry in Guam or Samoa today. If this were to be done there, the information furnished to the committee indicates that the local labor could not do it and it would be necessary to import labor from the Philippines or from some other place—non-U.S. labor, fundamentally—so that the only purpose of going there would be, in a sense, to escape the U.S. duties, rather than for the purpose of employing local nationals of Guam or Samoa. In the Virgin Islands there is a different situation.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. When the time comes that some Samoan, out of the 20,000 population of American Samoa, wants to start a watch industry, will the committee assure me he will then receive the same treatment as the Virgin Islands? And can the same be said for Guam; that they will get a proportional quota for bringing in watch parts and watches?

Mr. MILLS. It is entirely possible, as my friend from Wisconsin has pointed out, that a future Congress might want to change this in many respects. I can assure the gentleman from Pennsylvania it is my belief that every Member of Congress would want to be eminently fair to the people of any possession of the United States. We also have a responsibility to be fair to the citizens of the States of the United States as well. We must balance these matters in terms of what we believe is fairness to everyone.

Mr. FULTON of Pennsylvania. There is, then, within the attention of the Ways and Means Committee of the House, on neither side, the idea of shutting off completely the watch industry either in Samoa or Guam and permitting it to operate on the present basis in the Virgin Islands?

Mr. BYRNES of Wisconsin. We are interested in having some protection for what little watch industry is left in the United States. That is paramount in our minds.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I am sure we are all concerned about the welfare of the Samoans. However, my primary concern is for the "Samoans" in Pittsburgh and in the State of Iowa, and my desire that they be employed.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Referring to the statement made earlier by the gentleman from Wisconsin [Mr. BYRNES] we must remember, however, that Guamians are Americans. I am not objecting to this purely on your representation and the representation of the chairman that Guam would have to import foreign labor in order to start a watch business. Other than that, I would have objected to this bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (a) of general headnote 3 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, p. 11, Aug. 17, 1963; 77A Stat. 11) is amended by striking out "except that all articles" and inserting in lieu thereof "except that all articles (other than articles to which subparagraph (iii) applies)", and by adding at the end thereof the following new subparagraph:

"(iii) An article covered by schedule 7, part 2, subpart E (relating to watches, clocks, and timing apparatus) which—

"(A) contains any foreign material, and

"(B) is imported from an insular possession of the United States which is outside the customs territory of the United States,

shall be dutiable at the rate of duty which is applicable to like articles imported from the foreign country which is the country of origin of the foreign material of chief value contained in such article."

(b) The amendments made by subsection (a) shall apply only with respect to articles entered, or withdrawn from warehouse, for consumption, after the one hundred and eightieth day after the date of the enactment of this Act.

With the following committee amendments:

Page 2, line 5, after the word "possession" insert the following: "(other than the Virgin Islands)".

Page 2, line 9, strike out "imported from" and insert in lieu thereof the following: "the product of".

The committee amendments were agreed to.

The bill 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.

RETIRED PAY OF JUDGES OF TAX COURT

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8445) to amend the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954 to change the method of computing the retired pay of judges of the Tax Court of the United States.

The Clerk read the title of the bill.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I yield to the chairman for a brief explanation of the bill.

Mr. MILLS. Mr. Speaker, the purpose of the pending bill, H.R. 8445, is to eliminate an inequity in the provisions of existing law which prescribe the formula for computing retired pay for judges of the Tax Court of the United States. Under present law the retired pay of a judge of the Tax Court, unlike the retired pay of judges of other Federal courts, is based on the salary payable to him as judge "at the time he ceases to be a judge" rather than on the salary of the office, the normal basis utilized in computing retired pay for judges of the U.S. district courts and of the U.S. Court of Claims.

Under present law a judge of the Tax Court of the United States may retire after 24 years of service and thereafter receive retired pay equal to his salary, or after 18 years of service and receive retired pay based on the ratio that the number of years actually served bears to 24 years. A Tax Court judge must retire after having attained age 70 and having served for 10 years or more, and if he has not served for 18 years, his retirement pay will be one-half of his salary. In all such cases, however, the retired pay is calculated on the basis of the salary payable "at the time he ceases to be a judge."

Judges of the U.S. district courts and the Court of Claims may retire after 15 years of service upon attaining the age of 65 and after 10 years upon attaining the age of 70. Moreover, their retired pay is based on the full amount of the salary of the office, thus extending to them the benefit of increases in the salary of the office which occur after their retirement.

The Committee on Ways and Means is convinced that the method prescribed by existing law for computing the retired pay of judges of the Tax Court, when considered with the stringent statutory limitations imposed on them upon retirement, has been inequitable in operation. All retired Tax Court judges, unless precluded by illness or disability, are subject to recall to active duty for a period of 90 days each year and may be recalled for longer periods with their consent. Any retired judge of the Tax Court who should fail to perform the judicial duties required of him on recall would forfeit entirely his retired pay for the year in which such failure occurs. In addition, in order to insure the availability of retired judges for recall, the retired judges of the Tax Court are prohibited from accepting any other Federal office or employment or from engaging in the practice of law or accounting in the field of Federal taxation. If they do so they would forever lose their rights to retirement pay.

The Committee on Ways and Means is of the opinion that the longer terms of service required of Tax Court judges and the more stringent obligations imposed on them by law to perform judicial service on recall during retirement requires that the method of calculation of their retirement payments be brought more closely in line with that of the judges of the Federal district courts and of the Court of Claims.

H.R. 8445, which I introduced, is identical to H.R. 8446, which was introduced by the ranking minority member on the Committee on Ways and Means, the Honorable JOHN W. BYRNES of Wisconsin, and has been unanimously reported to the House by the committee without amendment. Its enactment is favored by the administration. The bill would eliminate the disparate treatment in existing law referred to above by providing that the retired pay of judges of the Tax Court be based on the salary of the office. This would mean that Tax Court judges would receive the benefit of increases in the salary of the office which occur after their retirement, and would provide for the calculation of their retired pay in a manner similar to that presently provided for judges of the other Federal tribunals.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, this bill (H.R. 8445) is intended to eliminate an inequity in the provisions of existing law which provide for retired pay for judges of the Tax Court of the United States. Under existing law, the retired pay of a Tax Court judge is based on the salary payable to him as judge at the time he ceases to be a judge, rather than on the salary of the office. The formula differs in this respect from the retired pay provisions for judges of the U.S. district courts and the U.S. Court of Claims.

All retired Tax Court judges are subject to recall to active duty by the chief judge for a period of 90 days each year and may be recalled for longer periods with their consent. Any judge recalled for active duty must either make himself available, or forfeit his retired pay for that year. This precludes retired judges from engaging in any other outside activity. Such judges are prohibited from accepting any other Federal office or employment or from engaging in the practice of law or accounting in the field of Federal taxation.

In view of the requirements imposed on the retired judges of the Tax Court, their retirement income should be calculated more nearly in line with that of judges of the Federal district courts and of the Court of Claims. This bill seeks to accomplish this by providing that the retired pay of judges of the Tax Court be based on the salary of the office, rather than on the salary at the time the judge retired. It brings the retirement pay provisions of the Tax Court judges more nearly in conformity with other branches of our Federal judicial system.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1106 (d) of the Internal Revenue Code of 1939 (relating to retired pay of judges of the Tax Court of the United States) and section 7447(d) of the Internal Revenue Code of 1954 (relating to retired pay of judges of the Tax Court of the United States) are amended by striking out in each such section "at a rate which bears the same ratio to the rate of the salary payable to him as judge at the time he ceases to be a judge" and inserting in lieu thereof in each such section "during any period at a rate which bears the same ratio to the rate of the salary payable to a judge during such period"; and by striking out in each such section "the rate of such salary" each place it appears and by inserting in lieu thereof in each such place "the rate of such salary for such period".

SEC. 2. The amendments made by the first section of this Act shall apply with respect to retired pay accruing under section 1106 of the Internal Revenue Code of 1939 or section 7447 of the Internal Revenue Code of 1954 on or after the first day of the first calendar month which begins after the date of enactment of this Act.

The bill 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.

TAX TREATMENT—UNIFORMED SERVICES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10625) to amend the Internal Revenue Code of 1954, with respect to the tax treatment of certain amounts paid to servicemen and survivors, which was reported unanimously by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object,

I yield to the chairman of the committee for a brief explanation of the bill.

Mr. MILLS. Mr. Speaker, as reported to the House by the Committee on Ways and Means, this bill makes a series of amendments to the Internal Revenue Code designed to provide essentially the same tax treatment under the retired serviceman's family protection plan where provision is made for annuities for surviving spouses or certain child beneficiaries as already is provided in the case of the civil service retirement program and other qualified pension plans. Thus where reduced retirement pay is accepted by servicemen—or former servicemen—in order to provide annuities for their survivors, the amount of the reduction will no longer be taxed to the retired servicemen and such reductions which have been included in retired servicemen's retirement income in the past may be offset against otherwise taxable retirement pay in the future. The exclusion of up to $5,000 paid to a survivor of a decedent which is available where an employer makes the payment to a beneficiary on account of the death of an employee also is to be available to survivors of deceased servicemen who retired because of disability and died before attaining normal retirement age. In addition, the estate and gift tax exclusions available under present law for the value of survivor annuities in the case of civil service annuities and those under other qualified pension plans are also to be made available in the case of annuities provided for survivors under the retired serviceman's family protection plan.

As I indicated, both the Treasury Department and the Defense Department favor this legislation, and the Committee on Ways and Means is unanimous in recommending its enactment.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I rise in support of this bill. It was brought to the attention of the committee that, possibly through oversight, the Internal Revenue Code does not extend to the retired serviceman's family protection plan the same tax benefits which are extended to pension plans of private employers. This bill remedies that deficiency. The bill provides that the annuity paid to servicemen and their survivors shall be treated in substantially the same manner, for Federal tax purposes, as employer pension programs. Under the bill the annuity paid to a serviceman's survivor is treated as a continuation of the initial pension, rather than a taxable exchange. The survivor is also granted the $5,000 income tax exclusion similar to the exclusion granted in the case of survivor annuities financed by employers. The bill further provides that an election of a survivorship annuity is not to be considered a taxable transfer for gift tax purposes.

The bill was unanimously approved by the Ways and Means Committee, and favorable reports have been received from both the Treasury Department and the Defense Department. Frankly, I wish that the matter had been called to my attention before now. I am very glad that we were able to bring this bill to the floor of the House before adjournment. I hope that the other body will take appropriate action at the earliest possible date.

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. GUBSER. Mr. Speaker, I am the author of H.R. 10741, an identical bill to that originally introduced by the distinguished chairman of the Ways and Means Committee [Mr. MILLS]. This is a matter in which I have held long-standing interest.

I wish to commend the chairman and all members of the Ways and Means Committee for reporting the pending bill and, by so doing, moving to correct a long-standing discrimination against all members of the uniformed services. For the first time, retirees from the uniformed services who receive pensions will be allowed the tax advantage which goes to civil service employees who elect to accept reduced annuities in order to insure a source of income to surviving members of the pensioner's family.

The evaluation and history of this legislation is a tribute to the dedication and persistence of one man, Lt. Col. Floyd Oles, vice chairman of the Committee on Retirement of the Reserve Officers Association of the United States.

It will be remembered that the Department of Defense submitted legislation on this subject in the 88th Congress and this proposal did not meet certain objectives of the Treasury Department. It was, therefore, not reintroduced as a DOD proposal in the 89th Congress. It was for this reason, after considerable discussion with Colonel Oles, that I introduced H.R. 5929 on March 8 of this year.

On April 22 the Treasury Department urged deferment of consideration of H.R. 5929 pending negotiations between the Treasury Department and the Department of Defense and a study which was underway by the staff of the House Ways and Means Committee.

During all of these negotiations, Colonel Oles earned great credit for the manner in which he followed through on various suggestions. It became apparent that H.R. 5929 could not receive administration support. Accordingly, I introduced H.R. 8718 on June 24 in a further effort to accomplish the objectives of the bill now pending before the House. Though this legislation came closer to satisfying all branches of the executive department, it will fall short. Finally, as a result of continued conferences and study, the administration recommended the introduction of H.R. 10625 and, in accordance with proper procedures, it was introduced by the distinguished chairman of the Ways and Means Committee. Because of my long-standing interest in this subject and the efforts I had expanded, Chairman MILLS was gracious enough to give his approval to my introducing an identical bill.

Mr. Speaker, this legislation, as I have previously stated, corrects a grave inequity in the present law. If a serviceman elects upon retirement to provide a benefit for his wife or other survivor upon his demise he is no longer required to pay income tax on the full amount he would have received except for the reduction. This is a privilege which civil service annuitants enjoy. Furthermore, the bill will provide for a situation where an annuitant has already paid taxes on funds he has yet to receive. Similar relief is granted to the survivor of a serviceman who has over paid.

On previous occasions I have called attention to the gradual erosion of fringe benefits which are supposed to make up for deficiencies in active duty military pay. I have repeatedly shown how the 100-year-old commitment of recomputation rights has now been repudiated. I have also shown how hospitalization rights for retirees have been placed in jeopardy. These things have been morally wrong in my opinion, and they have not been helpful in the maintenance of active duty morale and the retention of qualified career people in the military services. This bill, I am happy to say, is a corrective step in the right direction and I am sure it will be warmly appreciated by the fine men and women, now retired, who have devoted their lives in service to this Nation. I congratulate the Ways and Means Committee for reporting this bill. I urge the House to support it overwhelmingly and pray that the other body will act upon it in a timely manner.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 10625

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403 of the Internal Revenue Code of 1954 (relating to the tax treatment of certain employee annuities) is amended by adding the following new subsection (e) at the end thereof:

"(e) TAXABILITY OF BENEFICIARY UNDER RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN.

"(1) GENERAL RULE.—For taxable years beginning after December 31, 1965, the election under chapter 73 of title 10 to receive a reduced amount of retired or retainer pay shall be treated as the election to receive one or more joint and survivor annuities under an annuity plan which is described in subsection (a). For purposes of the preceding sentence, the joint and survivor annuity shall consist of the reduced amount of retirement pay (as defined in paragraph (3)) and the annuity (or annuities) provided for the survivors. For taxable years beginning before January 1, 1966, a serviceman who has elected, under chapter 73 of title 10 to receive a reduced amount of retired or retainer pay shall be treated as receiving, at the time of the payment of any such amount, the total

amount of retirement pay (as defined in paragraph (2)) for the period with respect to which such payment is made.

"(2) TOTAL AMOUNT OF RETIREMENT PAY.—For purposes of this subsection, the 'total amount of retirement pay' means the total amount of retired or retainer pay with respect to which the reduction described in section 1436 of title 10 is computed.

"(3) REDUCED AMOUNT OF RETIREMENT PAY.—For purposes of this subsection, the 'reduced amount of retirement pay' means the total amount of retirement pay within the meaning of paragraph (2) minus the reduction in such pay computed under section 1436 of title 10."

SEC. 2. Section 72 of the Internal Revenue Code of 1954 (relating to tax treatment of annuities) is amended by redesignating subsection (o) as subsection (p), and by inserting after subsection (n) the following new subsection:

"(o) SPECIAL RULES APPLICABLE TO JOINT AND SUVIVOR ANNUITIES UNDER RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN.—In the case of any joint and survivor annuity contract described in section 403(e)—

"(1) the annuity starting date of such annuity contract is the first day of the first period for which an amount is received as an annuity under the contract, except that if such date is before January 1, 1966, then the annuity starting date is January 1, 1966;

"(2) the amount received as an annuity is determined by the provisions of subsection (d) without regard to whether the requirements of subsection (d)(1)(B) are satisfied; and

"(3) for purposes of subsection (d)(1), the consideration paid for the contract by the employee prior to January 1, 1966, is an amount equal to—

"(A) the total amount of retirement pay (as defined in section 403(e)(2)) minus

"(B) the sum of—

"(i) the reduced amount of retirement pay (as defined in section 403(e)(3)), and

"(ii) the aggregate amount (if any) previously excluded from gross income under subsection (b).

"(4) If an individual deposits amounts described in section 1438 of title 10 for any taxable year beginning after December 31, 1965, an amount equal to the amounts so deposited shall not be included in his gross income for his taxable year in which such deposit is made, but no such amount shall be treated, for purposes of subsection (d)(1), as consideration paid by the employee for the contract."

SEC. 3. Part III of subchapter B of chapter 1 (relating to items specifically excluded from gross income) of the Internal Revenue Code of 1954 is amended by redesignating section 122 as section 123 and by inserting after section 121 the following new section:

"SEC. 122. REFUND OF DEDUCTIONS UNDER RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN.

"If an individual receives a refund described in section 1439 of title 10, there shall be excluded from gross income so much of the refunded amount as would have been excluded from the gross income of such individual if such individual had received such refunded amount during the taxable year to which such refund relates."

SEC. 4. (a) Section 2039(c) of the Internal Revenue Code of 1954 (relating to exclusion from gross estate of annuities under certain trusts and plans) is amended by striking out the period after "section 501(a)" in paragraph (3) and inserting in lieu thereof a semicolon followed by "or", and by adding immediately after subsection (c)(3) the following new paragraph (4):

"(4) a joint and survivor annuity described in section 403(e)."

(b) Section 2039(c) of such Code is further amended by adding immediately after the last sentence thereof the following new sentence: "For purposes of this subsection, the joint and survivor annuity described in paragraph (4) shall be considered to be provided under a plan which at all times was a plan described in section 403(a) under which all payments or contributions were considered to be made by the employer of the decedent."

SEC. 5. Section 1446 of title 10, United States Code, is amended by inserting at the end thereof the following new subsection (c):

"(c) CROSS REFERENCE.—

"For provisions relating to the tax treatment of amounts paid to servicemen and survivors under this chapter, see sections 72(o), 122, and 2039(c) of the Internal Revenue Code of 1954."

SEC. 6. EFFECTIVE DATES.—The amendments made by sections 2 and 3 of this Act shall be effective with respect to taxable years beginning after December 31, 1965. The amendments made by section 4 of this Act shall be effective with respect to decedents dying after December 31, 1965.

With the following committee amendments:

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

"That (a)(1) part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by redesignating section 122 as section 123, and by inserting after section 121 the following new section:

"'SEC. 122. CERTAIN REDUCED UNIFORMED SERVICES RETIREMENT PAY.

"'(a) GENERAL RULE.—In the case of a member or former member of the uniformed services of the United States who has made an election under chapter 73 of title 10 of the United States Code to receive a reduced amount of retired or retainer pay, gross income does not include the amount of any reduction after December 31, 1965, in his retired or retainer pay by reason of such election.

"'(b) SPECIAL RULE.—

"'(1) AMOUNT EXCLUDED FROM GROSS INCOME.—In the case of any individual referred to in subsection (a), all amounts received after December 31, 1965, as retired or retainer pay shall be excluded from gross income until there has been so excluded an amount equal to the consideration for the contract. The preceding sentence shall apply only to the extent that the amounts received would, but for such sentence, be includible in gross income.

"'(2) CONSIDERATION FOR THE CONTRACT.—For purposes of paragraph (1) and section 72(o), the term 'consideration for the contract' means, in respect of any individual, the sum of—

"'(A) the total amount of the reductions before January 1, 1966, in his retired or retainer pay by reason of an election under chapter 73 of title 10 of the United States Code, and

"'(B) any amounts deposited at any time by him pursuant to section 1438 of such title 10.'

"(2) The table of sections for such part III is amended by striking out the item relating to section 122 and inserting in lieu thereof the following:

"'Sec. 122. Certain reduced uniformed services retirement pay.

"'Sec. 123. Cross references to other Acts.'

"(b) Section 72 of such Code (relating to tax treatment of annuities) is amended by redesignating subsection (o) as subsection (p), and by inserting after subsection (n) the following new subsection:

"'(o) ANNUITIES UNDER RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN.—Subsections (b) and (d) shall not apply in the case of amounts received after December 31, 1965, as an annuity under chapter 73 of title 10 of the United States Code, but all such amounts shall be excluded from gross income until there has been so excluded (under section 122(b)(1) of this section, including amounts excluded before January 1, 1966) an amount equal to the consideration for the contract (as defined by section 122(b)(2)), plus any amount treated pursuant to section 101(b)(2)(D) as additional consideration paid by the employee. Thereafter all amounts so received shall be included in gross income.'

"(c) Section 101(b)(2)(D) of such Code (relating to special rules for employees' death benefits) is amended by adding at the end thereof the following new sentence: 'Paragraph (1) shall not apply in the case of an annuity under chapter 73 of title 10 of the United States Code if the individual who made the election under such chapter died after attaining retirement age.'"

"(d) The amendments made by subsections (a) and (b) shall apply with respect to taxable years ending after December 31, 1965. The amendment made by subsection (c) shall apply with respect to individuals making an election under chapter 73 of title 10 of the United States Code who die after December 31, 1965.

"SEC. 2. (a) Section 2039(c) of the Internal Revenue Code of 1954 (relating to exclusion from gross estate of annuities under certain trusts and plans) is amended—

"(1) by striking out 'or' at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting in lieu thereof '; or', and by adding at the end thereof the following new paragraph:

"'(4) chapter 73 of title 10 of the United States Code.';

"(2) by striking out 'or under a contract described in paragraph (3)' in the second sentence and inserting in lieu thereof ', under a contract described in paragraph (3), or under chapter 73 of title 10 of the United States Code'; and

"(3) by inserting at the end thereof the following new sentence: 'For purposes of this subsection, amounts payable under chapter 73 of title 10 of the United States Code are attributable to payments or contributions made by the decedent only to the extent of amounts deposited by him pursuant to section 1438 of such title 10.'

"(b)(1) Section 2517(a) of such Code (relating to gift tax treatment of certain annuities under qualified plans) is amended by striking out 'or' at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting in lieu thereof '; or', and by adding at the end thereof the following new paragraph:

"'(4) chapter 73 of title 10 of the United States Code.'

"(2) The first sentence of section 2517(b) of such Code (relating to transfers attributable to employee contributions is amended by inserting '(other than paragraph (4))' after 'referred to in subsection (a)'.

"(c) The amendments made by subsection (a) shall apply with respect to decedents dying after December 31, 1965. The amendments made by subsection (b) shall apply with respect to calendar years after 1965."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill relating to the tax treatment of certain amounts paid to certain members and former members of the uniformed services and to their survivors."

A motion to reconsider was laid on the table.

ARTICLES ASSEMBLED ABROAD

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11216) relating to the tariff treatment of articles assembled abroad of products of the United States, which was reported unanimously by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I yield to the chairman of the committee for an explanation of the bill.

Mr. MILLS. Mr. Speaker, H.R. 11216 will eliminate an impediment to allowance of duty on U.S. products previously exported and returned to this country as components of articles assembled abroad if the U.S.-produced components have not been advanced in value or improved in condition abroad except by being assembled and except by operations incidental to the assembly process. This impediment, which I will explain later, crept into the pertinent provision of the new tariff schedules without your committee's realization of the effects that it would have.

The impediment consists of a clause which, in practical effect, denies the benefit of the tariff provision in question unless the particular U.S. products contained in the returned assembled article are, prior to their exportation, identified to the U.S. customs authorities as being intended for assembly abroad and returned to the United States as components of particular articles. Your committee's attention was recently called to the fact that this clause in item 807.00 of the new tariff schedules was causing considerable hardship to U.S. exporters and importers and the Bureau of Customs has advised the committee that the clause had created serious administrative difficulties.

The only reason given by the Tariff Commission—which prepared the new tariff schedules under legislative directive—for the clause in question was that it would assist in the identification of the U.S. components. Identification of the components for which claim for allowance in duty under item 807.00 as of U.S. origin is, of course, a sine qua non for receiving the benefits of that tariff provision. However, to require a showing in each case that the U.S. components were previously exported for the purpose of assembly abroad and return to the United States goes much too far and in many instances is utterly impossible. Your committee was given the example of a foreign automobile manufacturer who uses U.S. parts for his cars which are sold throughout the world, including the United States. It is obviously impracticable to segregate the U.S. parts that were intended for incorporation in those of foreign auto manufacturers which may be shipped to the United States. The enforcement of the clause in question in cases such as this could have a serious effect on export opportunities for U.S. producers.

Mr. Speaker, the clause in question is not necessary to assure identification of U.S. components in imported foreign-assembled articles. To be sure, the benefits of item 807.00 are not available unless proper identification is established. The means by which this may be accomplished are varied. In some instances indicia of U.S. origin will appear on the components and mere visual examination will suffice. Your committee believes that the satisfaction of the requirement for identification of U.S. components should be left for the customs authorities to assure by flexible and reasonable practices and regulations. The burden of proof of U.S. origin would, of course, lie with the importer claiming the benefits of item 807.00.

Your committee was unanimous in recommending the enactment of H.R. 11216.

Mr. BYRNES of Wisconsin. It should be added fundamentally what this does is to make easier the exportation of American-made goods——

Mr. MILLS. That is right.

Mr. BYRNES of Wisconsin. For use in connection with the manufacture of products some place abroad. It would increase our exports and increase American trade.

Mr. MILLS. And restore the situation to that which prevailed before the 1963 tariff reclassification.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 11216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the article description of item 807.00 of the Tariff Schedules of the United States is amended by striking out the comma after "exported" in clause (a) and by striking out "for the purpose of such assembly and return to the United States,".

(b) The amendments made by subsection (a) shall apply as if made by the Tariff Schedules Technical Amendments Act of 1965.

The bill 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.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent to further extend my remarks in explanation of the bills just passed and also that other Members may be permitted to extend their remarks in connection with the bills just passed.

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

There was no objection.

SPEAKER TO DECLARE RECESSES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that at any time during the remainder of the day it may be in order for the Speaker to declare recesses, subject to the call of the Chair.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, and I hope I shall not have to object, this recess is for the purpose only of expediting the legislation and for no other purpose?

Mr. BOGGS. If the gentleman will yield, that is exactly correct.

Mr. GROSS. I thank the gentleman. Mr. Speaker, I withdraw my reservation.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, further reserving the right to object, I assume that this has been cleared with the minority leader.

Mr. BOGGS. Mr. Speaker, if the gentleman will yield, oh, yes. The gentleman from Illinois [Mr. ARENDS], the minority whip, was on the floor a moment ago and there he is now. It has been cleared with the minority.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

TO AMEND THE SMALL BUSINESS ACT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2542) to amend the Small Business Act.

The Clerk read the title of the bill.

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

Mr. WIDNALL. Mr. Speaker, reserving the right to object, I yield to the gentleman from Texas for an explanation of this bill.

Mr. PATMAN. Mr. Speaker, this bill was reported by the committee by a vote of 29 to 1, and the 1 "No" vote was not on the merits of this particular proposal. There will be no objection on the part of this one Member. Therefore, Mr. Speaker, this vote in effect represents a unanimous report of the Committee on Banking and Currency.

It is a bill to help disaster victims and for other normal SBA activities.

Mr. Speaker, this bill seeks to alleviate a very dire emergency situation and I hope that there is no objection to it. I believe it is meritorious in every way.

Mr. WIDNALL. Mr. Speaker, I withdraw my reservation.

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

Mr. GROSS. Mr. Speaker, further reserving the right to object, is there a money figure contained in this bill?

Mr. PATMAN. Mr. Speaker, if the gentleman will yield, yes, the figure is $129 million. I am glad the gentleman asked that question. This bill has been pending for some time. It has reached the point in SBA as a result of heavy demands on its resources where they are going to have to stop a lot of the relief to these disaster victims and will have

to stop the disaster loans involved. This is a terrible thing. I believe everyone is for it.

Mr. GROSS. Now, only a day or so ago we passed a bill providing for relief for hurricane victims in certain States, calling for some $70 million.

Let me ask this question: Will the victims of the hurricane continue to have first call upon this fund or is this now to be used for loans to small business elsewhere throughout the country, in view of the appropriation only a day or so ago?

Mr. PATMAN. Mr. Speaker, if the gentleman will yield further, the appropriations, I will state to the gentleman from Iowa, of a few days ago will not be meaningful and will not be effective unless we pass this bill. This is the authorization. It would not be effective. The other bill to which the gentleman from Iowa refers would not be effective unless we pass this bill. This applies not just to Louisiana but all over the Nation, everywhere there is a disaster.

Mr. GROSS. I understand that, but what I am asking now is this: Is the $70 million passed a day or so ago in addition to the $120 million as authorized in this bill?

Mr. PATMAN. Mr. Speaker, if the gentleman will yield further, that was only for grants the other day. This goes much further than that. This is for loans all over the Nation. It is not restricted to Louisiana or any particular State.

Mr. GROSS. I would hope, in view of the fact that the House approved $70 million the other day, apparently directed largely to Louisiana, Florida, and Mississippi, that those who seek small loans elsewhere throughout the country would be given consideration.

Mr. PATMAN. That is correct; that is one of the purposes of this bill, to make it nationwide.

Mr. BOGGS. Mr. Speaker, if the gentleman will yield, that is the purpose of it.

Mr. PATMAN. I assure the gentleman from Iowa of that.

Mr. WIDNALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Speaker, Mr. Davis, the Acting Director of the Small Business Administration, testified before the committee this morning that the disaster victims are the three Southern States, Louisiana, Mississippi, and Florida, would have priority over others in connection with the funds authorized by this bill.

Mr. Speaker, the funds are urgently needed. I regret that they have not been set aside in the past in an emergency fund for this purpose.

Mr. Speaker, we have been promised that hearings will be held during the first part of next year by the chairman for that purpose of considering other bills in connection with the Small Business Administration.

Mr. Speaker, no one is more anxious than I to see that the victims of natural disasters be afforded every possible means of recovery, including small business loans. I know from the experience of my own State of New Jersey, when it was severely hit by hurricanes in the past, that these loans are an invaluable aid. This bill is needed, and it should be affirmed.

There is a lesson to be learned in this present state of affairs, however, that should not pass by unnoticed. We are seeing for the second time in a year the consequences of the Administration's decision, acquiesced in by Congress in 1962, to combine the previously separate disaster loan and regular small business loan funds. Last year, you will recall, the Small Business Administration found itself short of funds when disaster struck in the form of earthquake, floods, tornadoes, and the like. Delays in processing application affected both disaster victims and the ordinary small businessman. Now, as a result of Hurricane Betsy, the SBA is again short of funds, both for disaster victims and regular loan applicants, including many Negro small businessmen who had been led to believe that funds would be available as part of the poverty war.

This could have been avoided the first time. It certainly should not have been allowed to happen a second time. More than 9 months ago, on January 14, 1965, to be exact, I introduced a bill which would have provided an additional $200 million for disaster loans, and would have created two separate funds again. Had these funds been kept separate, the SBA, the small business community, and Congress long ago would have been adequately warned of any possible requirement for new authorizations and appropriations. There would have been no need to short change one program to aid the other area of activity.

In May of this year, I tried again. When Senator PROXMIRE appeared before our Subcommittee on Small Business, considering H.R. 8060 and S. 1796, to provide additional aid to disaster victims, I raised the question of dividing the funds into two parts. The exchange between Senator PROXMIRE, the chairman, the gentleman from Texas [Mr. PATMAN] and myself indicates quite clearly that the appropriate committees of Congress did not receive timely notification of the lack of disaster funds by the SBA, that the then Small Business Administrator, Mr. Foley, had promised the committee the day before the hearing a report on the bill I had introduced the next time small business legislation was considered by the committee, and that the chairman himself indicated an interest in exploring this problem. The exchange from the hearings of May 12, 1965, that I have referred to, reads as follows:

Mr. WIDNALL. Mr. Chairman, it is good to see you here. I would like to bring up something at this time, something that I didn't yesterday, in connection with the SBA disaster loan fund.

We all know that about 3 years ago when additional authorization was sought the House passed a bill which maintained a separate authorization for the three. The Senate in its wisdom put them all together, and what we accomplished was that we came out with the Senate version, which seems to happen lots of times.

I feel as a result, as many others do, that one of the problems we ran into with respect to recent disasters was the fact that the fund had been merged and the disaster loan fund hadn't been kept separate and intact so that funds were available at the time of the emergency.

Now, the Senate, I believe, put in a provision at the time 3 years ago when that action was taken that the SBA should notify the Congress when the stated amount of disaster loan funds had been committed, but apparently no such notice has been given to the House Banking and Currency Committee even though the disaster loan funds on November 30, 1963, exceeded the amount calling for notification of the committee.

This year I introduced a bill to amend the act to authorize additional funds to be available exclusively for disaster loans. This would be a $200 million fund of additional authorization, and actually if we take the nature of the fund it would be exactly the same situation we had 3 years ago when the integrity of it was kept separate from the others. I had hoped that we could really seriously consider that this year and give full weight to whether or not we were in trouble in time because of our action 3 years ago. Was any consideration given to this on the Senate side?

Senator PROXMIRE. Frankly, Congressman WIDNALL, I agree with a great deal that you say. As you know, the funds were merged at the express urging of the Administration. The Small Business Administration wanted them merged. They said it would be more convenient, more sensible, and more logical. We yielded to their view. It was the Administration view rather than the Senate view.

Senator SALTONSTALL secured an amendment requiring that the House and Senate Banking and Currency Committees and Appropriations Committees should be notified as disaster funds are diminished. Frankly, I haven't been on top of this as you have to know whether or not that notification has been given in the Senate. There was no such concern expressed in the hearings on this particular bill in the Senate, but I know that Members of the Senate would be very sympathetic with the views you have expressed and would feel that as a minimum this committee of the House and the corresponding committee in the Senate should be notified under these circumstances, and you might very well make a strong case for the restoration of the integrity of a separate disaster fund, but that, as you know, is not directly related to this particular bill.

Mr. WIDNALL. My thought was that this particular bill could be amended in that regard somewhere between the Senate and the House. Yesterday when we talked about it with Mr. Foley of SBA, he said they were coming back later with some other recommendations, and at that time they would be prepared to report on the bill that I had submitted. In case they don't come back, I would like to have full consideration of it at this time. I came down this morning because I felt that inasmuch as we are going ahead with something that is pertinent to the subject that we could very well give consideration on this side to amending the bill here so we could get that accomplished.

Senator PROXMIRE. I might say, very respectfully, as you know, there is an administration SBA authorization bill pending in both the Senate and House, and this does ask for substantially more funds for both SBIC program and for the regular SBA program. It seems to me that at that point we would have a very logical vehicle for your amendment, if you prefer to put it in as an amendment rather than as a separate bill.

Frankly, my own preference is pretty obvious. I want to get this bill through as fast as possible because the people in Wis-

consin need it urgently and need it right now.

Mr. WIDNALL. I just wanted to point out, Senator——

Senator PROXMIRE. It is a strong case. I would be sympathetic to it in the Senate.

Mr. WIDNALL. I would like to have some hearings on it, so there could be some real thought given to it.

Senator PROXMIRE. Thank you.

The CHAIRMAN. Mr. WIDNALL, I sympathize with your point of view. When this bill comes up from the Administration, if we consider it, as has been suggested here, you will certainly have plenty of time as far as I am concerned. I guarantee you that.

Mr. WIDNALL. I prefer to do it now, but at the same time I will be satisfied as long as it gets a hearing. I think it is a serious suggestion and it has got merit to it. I don't think we have gained anything by merging the funds.

The CHAIRMAN. I am not at all unsympathetic to your view. I want to know more about it. This is an emergency measure. They not only had one cyclone, they had two. They not only had one flood, they had two. It is really an emergency matter and I hope we can't get it out, and I appreciate your views. Mr. TALCOTT?

Mr. Speaker, the committee went on to note in its report on S. 1796, that:

S. 1796 will afford immediate relief to some of the victims of future disasters. This is a stopgap measure and will in no way impede the consideration of other more comprehensive bills relating to disaster relief now pending before the Congress.

Since that time, no new, extensive hearings have been held. No report from the SBA on the advisability of separating the two funds came up to the Committee with today's legislation. To my knowledge, the timely warning to the appropriate committees required under the Saltonstall amendment to the 1962 bill did not occur. We are right back where we started, taking hectic, last minute action to save the SBA from a dilemma that not only should not be dealt with in this fashion, but should not have occurred in the first place. Not that I think the SBA or any other human agency could prevent a natural disaster, but as the SBA Executive Director, Ross D. Davis, pointed out to our committee this morning, the SBA budgeted only $20 million for natural disaster loans for the entire year, and $48 million was committed in the first 3 months alone. Yet nobody moved to act on this until now. Surely commonsense dictates a better setup than we are operating under today.

In January of this year, I repeated the warning I had made on behalf of the minority conferees in 1962 on the bill combining the two funds at Administration insistence. It is worth repeating again today. At that time I said:

We sincerely regret that as this bill comes back from conference a grave error, in our opinion, has been made. The conference substitute leaves the disaster loan authority with the regular small business loan authority. We think this is wrong. No one can tell when natural disaster will again strike to plague our people. The only way the Congress can be sure there will be funds available to assist our people in rehabilitating their homes and businesses when disaster occurs is to maintain the disaster loan program as a separate and distinct authorization—a trust fund if you please—to be available without any question and for the specific purpose for which the authorization was granted. That is just plain good commonsense.

Our chairman this morning indicated that he plans to hold hearings next session on SBA funding in general, and my suggestion for a separate funding as well. I welcome this renewed interest in the suggestion I made last January which, at that time, drew interest and support from a number of Members of Congress. I only hope that nature will be kind to us this fall and winter or we may again face similar circumstances that have twice in the past created unwarranted delay and hardship for disaster victims and the average small businessman alike.

At this point I would also like to include a story in the Washington Post of October 21, 1965, illustrating the unfortunate circumstances now prevailing with respect to small business loans:

DISASTER LOANS DRY UP SBA AID TO NEGROES

(By Leonard Downie, Jr.)

Emergency disaster loans to Louisiana businessmen hit by Hurricane Betsy in September have dried up funds for the Small Business Administration's regular loan programs throughout the Nation.

Hardest hit by the SBA loan drought are the Nation's small businessmen—many of them Negroes—who had applied for loans through the new Small Business Development Centers in 28 U.S. cities.

Applications are no longer being accepted at the centers for regular SBA loans. A backlog of applications for special easy-to-get Economic Opportunity Act loans has built up. And many applicants who have actually received letters approving their loans have not received their money during the past 2 months.

NEEDED, $160 MILLION

Little of the money is expected to be disbursed, and few new loan applications will be considered, SBA officials say, until Congress approves $160 million in supplemental appropriations to foot the bill for Hurricane Betsy and cover the backlog of other applications.

Negro businessmen, meanwhile, are growing restive, as what seemed a promising program to help them enter the economic mainstream has come to a virtual standstill.

They especially had been counting on receiving from the SBA the Economic Opportunity Act loans that require little or no collateral; collateral has been a major stumbling block in their efforts to obtain loans before.

"I know there are some Negro businessmen in Washington who were already budgeting money they expected through the program," James S. Stanback Jr., president of the District of Columbia Chamber of Commerce said. "Now, with no money coming, they do not know what they are going to do."

CENTERED ON NEGROES

The Small Business Development Centers were set up by the Office of Economic Opportunity in 14 cities last July to provide business training and assistance in obtaining SBA loans for needy small businessmen, especially Negroes.

In Washington, only six Negro businessmen had obtained SBA loans in 13 years before last summer. More than half of the 145 loans approved through the local center since then have gone to Negroes.

Nationwide, the number of cities served by the centers quickly doubled, with dozens of requests for them coming from other towns, as the public response exceeded all official expectations.

But now the loan money has suddenly stopped coming. Samuel Harris, director of the Washington center, reported that the SBA stopped accepting applications for regular loans some time ago.

He also estimated that 40 local applications for poverty program loans, budgeted separately by the SBA, are still awaiting SBA approval and that more than a dozen local businessmen who have received letters approving their applications still have not gotten any money.

Berkeley Burrell, president of the National Business League, said the situation is much the same at centers all over the country. Representatives of the league's chapters in cities with Small Business Development Centers "are calling every day to complain about the sudden lack of loan money," he said.

NEW CENTERS CURBED

The SBA also is not allowing new centers to open up in cities asking for them, he added, and Washington's center has two new branches, both staffed and already open for business, that cannot be announced to the public.

Burrell believes that the special effort to help Negro businessmen was never expected to cost as much as it has. "Now that it is adding to the Government's money problems," he said, "I'm afraid they will curtail it sharply or cut it off."

SBA officials insist that Hurricane Betsy is the only reason for the loan embargo. Emergency disaster loans needed in Louisiana, which get top SBA priority, are expected to exceed the $88 million loaned to businessmen in Alaska after the earthquake there in March 1964.

Diversion of large amounts of loan money for the Louisiana emergency has created a backlog of more than 4,000 unfilled loan applications in other parts of the country, one spokesman said.

"As I understand it," another SBA official said, "we are nearly flat broke."

"I realize the anxiety of other people counting on money from us," Randall Tyus, the SBA's special assistant to the administrator for minority group affairs, said. "But we must help these people in the South first."

At one point earlier this month, the entire SBA loan machinery ground to a halt as officials surveyed the application backlog to decide what programs to curtail for now and how much money to request from Congress.

Now the disaster loan program is running smoothly, SBA spokesmen say, and "some money is expected to trickle back down through the poverty loan program, although progress will be slow."

Officials of both the SBA and the Office of Economic Opportunity, which pays for the office expenses and management training programs at the Small Business Development Centers, promise that everything will be back to normal soon.

But Negro business leaders, who believe enough money should have been set aside for the poverty loan program in the first place so that it would not have been affected by the Louisiana emergency, are not so optimistic.

"We need a deeper commitment to the Negro businessman from the administration," Burrell said.

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

There being no objection, the Clerk read the bill as follows:

S. 2542

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(c) of the Small Business Act is amended by striking out "$1,721,000,000" and inserting in lieu thereof "$1,841,000,000".

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

GENERAL LEAVE TO EXTEND REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD and include extraneous matter on the bill just passed.

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

There was no objection.

SHIP MORTGAGE BONDS

Mr. GARMATZ. Mr. Speaker, I call up the conference report on the bill (S. 2118) to amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1185)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2118) to amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken by the House amendment and insert in lieu thereof the following:

"Nothing in this section shall be construed to alter retroactively any rights which were the subject matter of litigation pending on the date of enactment of this Act."

And the House agree to the same.

EDWARD A. GARMATZ,
THOMAS L. ASHLEY,
THOMAS N. DOWNING,
W. S. MAILLIARD,
THOMAS M. PELLY,
Managers on the Part of the House.

WARREN G. MAGNUSON,
E. L. BARTLETT,
WINSTON L. PROUTY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2118) to amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The last sentence of section 4 of the Senate bill provided that "This section shall not apply to any bond, note, or other evidence of indebtedness, mortgage, or assignment if the validity of such bond, note, or other evidence of indebtedness, mortgage, or assignment, or the foreclosure, validity, or preferred status of such mortgage, is in litigation on the date of enactment of this Act.".

The House amendment struck from the Senate bill this sentence.

The proposed conference substitute would strike the last sentence of section 4 of the Senate bill and substitute in lieu thereof the following: "Nothing in this section shall be construed to alter retroactively any rights which were the subject matter of litigation pending on the date of enactment of this Act."

It is the position of the House conferees that this amendment is necessary to make it crystal clear that Congress does not intend to retroactively affect in any way rights in litigation pending on the date of enactment of this act. All conferees agreed that the bill must express the concern of Congress that this legislation not in any way prejudge pending litigation or attempt to influence its ultimate disposition.

The managers on the part of the House believe the proposed conference substitute achieves the objectives of both the Senate and House effectively and equitably.

EDWARD A. GARMATZ,
THOMAS L. ASHLEY,
THOMAS N. DOWNING,
WILLIAM S. MAILLIARD,
THOMAS M. PELLY,
Managers on the Part of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Iowa.

Mr. GROSS. Are all amendments to the bill germane?

Mr. GARMATZ. They are.

Mr. GROSS. I thank the gentleman.

Mr. GARMATZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill meets certain problems created by a decision of the U.S. Court of Appeals for the Fourth Circuit on April 5, 1965, in the case of Chemical Bank New York Trust Co. against the Steamship *Westhampton*. This decision could affect trust indentures and bond financing on American-flag vessels. The *Westhampton* case is still pending in the courts, and there are also pending other cases which we understand will be governed by the decision in the *Westhampton* case. The Senate bill had excluded the pending litigation from the application of the act. The bill passed by the House did not exclude the pending litigation from its application.

In conference it was unanimously decided that in order to be fair to all parties involved in the pending litigation, the legislation should not be applicable to such pending litigation. The House conferees offered an amendment which so provided, and this amendment was accepted by all the conferees.

The conference substitute would exclude from validation under section 4 of the act any bond, note, or other evidence of indebtedness involved in pending litigation, in the event the courts finally determine that such bond, note, or other evidence of indebtedness is invalid under laws existing prior to the passage of this act. Thus it will be clear that the Congress is not interested in substituting its judgment for that of the courts in the matters now pending in litigation.

I urge immediate acceptance of the conference report on S. 2118 as reported by the conference committee.

Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. MAILLIARD].

Mr. MAILLIARD. Mr. Speaker, I thank the gentleman from Maryland for yielding to me.

Mr. Speaker, I must say that the conferees were in a very difficult position in dealing with this legislation because highly technical legal questions are involved on which, as so often happens, good lawyers disagree as to what the situation actually would be under various proposed language in the final section of the bill.

I must, if I understood the statement made by the gentleman from Maryland, even though neither he nor I are lawyers, disagree slightly with his interpretation of the wording that we are now bringing back in the conference report. However, I do not believe this need disturb us too much because this is going to be a question that has to be decided by the courts in those cases which are now in litigation namely, three cases.

The Senate and House both had the same objective, which was not to affect the rights of parties who are presently litigants. But we disagreed as to how this should be done. The Senate language in the opinion of many of us prejudiced the position of certain litigants in court in spite of their declared intention in the Senate report that they did not wish to do so. So we struck out the language. The Senate conferees felt the failure to put something in here about retroactivity and its application would prejudice other litigants who are presently in court. The final language that we have come up with, and I hope any court that reads the proceedings on this bill will understand perfectly clearly that it is the intent of the Congress to leave litigants in precisely the same position they were in before the passage of this bill. I do not know whether this is possible—whether Congress can pass a law and have a judge able to make a decision in a case without taking into consideration the fact that the Congress has passed a law. But certainly that is what we intend.

Mr. Speaker, this is particularly complicated because as a matter of fact the administrative agency of our government that has jurisdiction over these matters thought that the law always was what we are now spelling out in this statute. The committees of the Congress thought this is what the law always was. But the fourth circuit court made it mean something else and we are now trying to correct this without doing injury to the rights of those who may now actually be in court in bankruptcy proceedings against three U.S. vessels.

Mr. GARMATZ. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. DOWNING].

Mr. DOWNING. Mr. Speaker, I fully support the conference report.

The urgent necessity for the legislation embodied in S. 2118 resulted from a decision of the U.S. Court of Appeals for the Fourth Circuit in the case of Chemical Bank New York Trust Co. against the steamship *Westhampton* decided on April 5, 1965. The implications of this

decision threaten the entire replacement program because of its effect upon the validity of bonds and mortgages which are the principal vehicles of financing the new vessels. Throughout the consideration of this legislation before both the House and Senate committees, it has been the expressed desire not to substitute the judgment of Congress for the decision or rulings of the courts with respect to the *Westhampton* case itself and other litigation pending at this time. The Senate passed S. 2118 in a form which in its opinion prevented such interference. The amendment to S. 2118 reported to and passed by the House reflected the judgment of the House committee as to how best to meet this problem and not interfere with the courts. In conference the managers for the House presented substitute language for the last sentence in section 4 of the Senate version of S. 2118. This proposal was accepted by the Senate managers and in the opinion of all of the managers offers the best resolution to this problem and most clearly states the intent of Congress.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF HEARINGS ON CRIME IN THE DISTRICT OF COLUMBIA

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 509 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. CON. RES. 509

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on the District of Columbia, House of Representatives, one thousand additional copies each of the hearings held by that committee in the Eighty-eighth Congress on crime legislation for the District of Columbia; the hearings held jointly by the House District of Columbia Committee and the Senate District of Columbia Committee in the Eighty-eighth Congress on crime in the District of Columbia; and House Report Numbered 176 of the Eighty-ninth Congress, entitled "District of Columbia Crime".

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF THE HEARING ON HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 512 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. CON. RES 512

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on the District of Columbia two thousand additional copies of the hearing held by that committee during the current session on home rule for the District of Columbia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF HEARINGS ON LOWER COLORADO RIVER BASIN PROJECT

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 513 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. CON. RES. 513

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Interior and Insular Affairs, House of Representatives, twenty-five hundred additional copies of the committee hearing entitled "Lower Colorado River Basin Project", Eighty-ninth Congress, first session.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF THE HEARINGS ON H.R. 2580 TO AMEND THE IMMIGRATION AND NATIONALITY ACT

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 519, with a committee amendment and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. CON. RES. 519

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Committee on the Judiciary of the House of Representatives three thousand additional copies of the hearings before Subcommittee Numbered I of the Committee on the Judiciary of the House of Representatives on H.R. 2580, to amend the Immigration and Nationality Act, and for other purposes, dated March 3, 8, 10, 11, 18, and 31; April 6; May 18, 20, 26, and 27; and June 1, 1965.

With a committee amendment, as follows:

Committee amendment: Line 4, strike out "3,000" and insert "6,000".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING AS HOUSE DOCUMENT OF THE STATEMENTS PRESENTED IN HONOR OF HON. CARL VINSON

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 544, with a committee amendment and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 544

Resolved, That the statements made on the floor of the House of Representatives on October 2, 1964, with respect to the Honorable Carl Vinson, together with other pertinent matter, shall be printed as a House document. The copy for such House document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. In lieu of the number of copies of House documents to be printed and their distribution prescribed by section 54 of the Act of January 12, 1895 (44 U.S.C. 131), there shall be printed one hundred copies of the House document referred to in the first section of this resolution which shall be bound in such style as the Joint Committee on Printing shall direct and which shall be distributed under the direction of the Honorable L. Mendel Rivers, Representative from the First Congressional District of the State of South Carolina, to the said Carl Vinson and other interested persons.

With a committee amendment, as follows:

Committee amendment: Page 1, section 2, strike out lines 7 through 9, and insert the following:

"SEC. 2. In addition to the usual number"

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING AS A HOUSE DOCUMENT THE DEDICATION CEREMONIES OF THE CARL VINSON ROOM

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 569 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 569

Resolved, That there be printed as a House document the dedication ceremonies of "The Carl Vinson Room", the hearing room of the Committee on Armed Services in the Rayburn House Office Building.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Iowa.

Mr. GROSS. Where is this room?

Mr. JONES of Missouri. This is the Armed Services Committee hearing room.

Mr. GROSS. The Armed Services Committee hearing room?

Mr. JONES of Missouri. That has been designated as "The Carl Vinson Room."

Mr. GROSS. If the gentleman will yield further, did that room get wet when it rained the other day and water poured in through the side of that new, $125 million Rayburn Building?

Mr. JONES of Missouri. I am sure I could not tell the gentleman.

Mr. GROSS. I have in mind the time a few days ago when they had crews of workmen mopping up the water, and when car service was suspended in the tunnel because of the rain leaks. I am of the opinion that perhaps that building ought to be given back to McCloskey

or the Indians, if the latter had anything to do with it.

I thank the gentleman.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF "WHY VIETNAM" AS A HOUSE DOCUMENT

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 570 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 570

Resolved, That the document entitled "Why Vietnam", containing letters, statements, and addresses by President Lyndon B. Johnson, President John F. Kennedy, President Dwight D. Eisenhower, the Honorable Dean Rusk, Secretary of State, and the Honorable Robert S. McNamara, Secretary of Defense, be printed as a House document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING AS A HOUSE DOCUMENT THE "COMPILATION OF SOCIAL SECURITY LAWS"

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 592 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 592

Resolved, That the compilation of social security laws, prepared by the Social Security Administration for the use of the Committee on Ways and Means, be printed as a House document; and that one thousand additional copies be printed for the use of the Committee on Ways and Means.

With the following committee amendments:

Line 4, strike out "two" and insert "one". Line 5, strike out "of which one thousand shall be". Line 6, following the word "Means" strike out the comma and insert a period, and strike out the remainder of line 6. Strike out lines 7, 8, and 9.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF THE REPORT ON THE PROCEEDINGS OF THE 42D BIENNIAL MEETING OF THE CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF AS A SENATE DOCUMENT

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 53 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

S. CON. RES. 53

Resolved by the Senate (the House of Representatives concurring), That the report of the proceedings of the forty-second biennial meeting of the Convention of American Instructors of the Deaf, held in Flint, Mich., June 21–25, 1965, be printed with illustrations as a Senate document; and that five thousand additional copies be printed and bound for the use of the Joint Committee on Printing.

Mr. JONES of Missouri. Mr. Speaker, I should like to make a statement on this particular resolution.

This resolution seems to be, and might be interpreted as being, contrary to the policy of the committee as evidenced by a bill which was approved by the committee some weeks ago, which would have had the effect of limiting or doing away with the printing of the proceedings of conventions as congressional documents.

In this particular instance there were two factors which caused the committee to approve this resolution. First, was the comity with the Senate, since it is a Senate concurrent resolution. The other is that certain papers which were included in these proceedings the members of the committee felt might be utilized as textbooks in the teaching of the deaf.

I would hope that the passage of this resolution would not be taken as establishing a precedent for printing, at Government expense other convention proceedings. I can assure the House our committee in approving the resolution intended that it should not be considered as establishing a precedent.

I want to say that the resolution which was adopted by the committee and which is on the House Calendar, while it will not be called up during this first session of Congress, will be called up during the second session. I would hope it would receive favorable consideration and cut out a lot of the printing that has been done at Government expense, which in the opinion of the author of that resolution, feels should be borne by the organizations themselves.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON AGRICULTURE TO CONDUCT STUDIES AND INVESTIGATIONS RELATING TO CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. SMITH of Virginia. Mr. Speaker, by authority of the Committee on Rules, I present a resolution (H. Res. 605) authorizing the Committee on Agriculture to conduct studies and investigations relating to certain matters within its jurisdiction, with a committee amendment, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 605

Resolved, That, notwithstanding the provisions of H. Res. 141, Eighty-ninth Congress, the Committee on Agriculture is authorized to send not more than six members of such committee, two majority staff assistants, and one minority staff assistant to such countries as the committee may determine for the purpose of attending the biennial conference of the Food and Agriculture Organization of the United Nations in Rome and of conducting an investigation and study of the operation and administration of Public Law 480, Eighty-third Congress.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Agriculture of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

Page 1, line 2, strike out "141" and insert in lieu thereof "89".

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. Certainly.

Mr. GROSS. Are there any counterpart funds or local currencies left in Italy?

Mr. SMITH of Virginia. I do not keep the books, but I understand we have a bundle of them over there.

Mr. GROSS. With all of the junketeers that are taking off these days; I note about 70 absentees this morning, and I know that some of them are off and running to foreign countries, I just wondered if there is going to be enough funds to take care of all the trips presently underway and those that apparently are going to be taken. There have been meetings all over the place the last few days on who is to go where and how. I will say to my good friend from Virginia I was under the impression that the President has asked everybody to travel in this country this year, and keep the dollars at home in order to do something about the balance-of-payments situation. That situation may have improved a little, but only a little. Under the circumstances it is hard to understand now why Congress is off and running all over the world, in direct contradiction to the President's demand on the people of this country, I will say to my

friend from Virginia. Does the gentleman agree?

Mr. SMITH of Virginia. In reply to my good friend from Iowa, I will say that the Committee on Rules in the resolutions of this kind that they have offered has been very circumspect and very niggardly about granting them. They have confined it very closely to specific subcommittees to attend a specific meeting or for a specific purpose over there or to investigate, as in this case the Committee on Agriculture has jurisdiction over the oversight of Public Law 480. They have been accustomed to going over there by subcommittee from time to time by authority of the Congress. That is the purpose of the resolution. I want to say to the gentleman that I share many of his views as to economy in Government and I am not letting any of these get by that I think are not justified.

Mr. GROSS. Mr. Speaker, I have been hearing criticism in the last few days that the Government is not providing big enough and fast enough jets to get the junketeers over to Ouagadougou, or wherever they are headed. They are also complaining that they have to take smaller planes when they get to certain countries, which planes they say are not comfortable enough.

Mr. SMITH of Virginia. I have some confidence in the committees that are authorized to take these trips. I do not think they are going to abuse the purposes of the resolution. I do not know anything about the transportation. We have authorized the trip. When Congress passes a resolution such as this, we confine them to the use of counterpart funds which are of no use to us any other way.

Mr. GROSS. I know of the gentleman's interest in this matter and I appreciate the restrictions that he and his committee wrote into these junketing resolutions in the last couple of years. He has tried to do something about it, but I am afraid that we have not gone nearly far enough in putting on the brakes as they ought to be applied. I am opposed to the resolution.

Mr. HALL. Mr. Speaker, will the gentleman yield to me for a simple question?

Mr. SMITH of Virginia. I yield to the gentleman from Missouri.

Mr. HALL. As I understand, Mr. Speaker, the only thing that is holding up sine die adjournment tonight is the conference report on the sugar "Daddies" bill through conference action by this and the other body; that is, after we complete our business—the supplemental appropriation conference report—for which we are going to recess shortly until about 4 p.m. Could it be that defeating this resolution will enable us to get the conferees back here more quickly since they are out of town today, so that we could adjourn sine die and cut down the unusual expense of this continuing session?

Mr. SMITH of Virginia. I think some people if they had this authority would be a little more anxious to get on their way and it might be helpful.

Mr. HALL. I strongly recommend the defeat of this resolution under those circumstances.

Mr. SMITH of California. Mr. Speaker, may I simply say that I agree with what the distinguished gentleman from Virginia has said. We are trying to do the best we can and I think this resolution is in order.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

STUDIES AND INVESTIGATIONS BY COMMITTEE ON BANKING AND CURRENCY

Mr. SMITH of Virginia. Mr. Speaker, by authority of the Committee on Rules, I call up the resolution (H. Res. 613) and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 613

Resolved, That for the purpose of the studies and investigations specified in H. Res. 133 approved by the House of Representatives on February 16, 1965, that the Committee on Banking and Currency is authorized to send fourteen of its members and four of its employees, two from the majority staff and two from the minority staff, to be divided into two special subcommittees to investigate matters in connection with international financial operations including the operations of the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Fund, the proposed Asian Development Bank, and central and commercial banking operations. One special subcommittee shall investigate and study the international financial operations including the International Monetary Fund and central and commercial banking operations in European countries, and one special subcommittee shall investigate and study international financial operations of a developmental nature including the operations of the International Development Fund, the International Bank for Reconstruction and Development and the proposed Asian Development Bank in Asiatic countries: *Provided further*, That, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Banking and Currency of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose: *Provided*, That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. SMITH of Virginia. Mr. Speaker, does the gentleman from California [Mr. SMITH] desire to consume any time? If so, I yield to the gentleman 30 minutes.

Mr. SMITH of California. Mr. Speaker, if the gentleman will yield, I desire to speak just very briefly, and I thank the gentleman from Virginia for yielding to me.

May I state, Mr. Speaker, that this is about as good as we can do in the Committee on Rules. This is the third time we have had this resolution for consideration. The first resolution would have permitted the Committee on Banking and Currency to go all over the world. However, this resolution seems to tie the matter down. I believe this is what we are trying to do, without unnecessarily prohibiting the members of the committee from doing what they should do in their travels. So I urge the adoption of the resolution.

Mr. HALL. Mr. Speaker, will the gentleman yield at that point?

Mr. SMITH of Virginia. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished chairman of the Committee on Rules yielding. I understand that this is the third or fourth attempted resolution for this committee. I just wonder if this resolution was perfected in the Rules Committee before the so-called rump session of the minority or majority of the majority of this committee? I wonder if the distinguished chairman of the Rules Committee after hearing—I believe the fashionable word these days is "tirade"—on the floor the other day about the so-called rump session of this Committee on Banking and Currency knows which group is going to be selected to make these important investigations around the world?

Mr. SMITH of Virginia. Let me assure the distinguished gentleman from Missouri that this resolution is not in any way connected with that matter so far as I know and is not connected in any way with any dispute that may have taken place recently or not recently in the Committee on Banking and Currency. That does not in any way, shape or form have any connection with this resolution. It is the customary thing which we have done with reference to the Committee on Banking and Currency in order for it to oversee some of the foreign monetary commitments we are undertaking in the way of the International Monetary Fund and the International Banking Corporation, and so forth.

Mr. HALL. The gentleman does not know whether the acting chairman or the regular chairman, by virtue of seniority, will be one who will designate the Members to make this trip, to go on the separate missions around the world?

Mr. SMITH of Viriginia. The Committee on Rules goes no further than to offer a resolution authorizing a certain trip.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Iowa.

Mr. GROSS. I note that this one doubles the number of junketeers who are to take off around the world. The previous bill called for six. This goes to 14, plus, I suppose, the usual complement of staffers.

The thing that intrigues me about this one is that these people are apparently going out and look into and, following the pattern of the past, will come back here promoting a brand new bank—the Asian Development Bank.

From what I have been able to hear this resolution will probably cost us a few billion dollars to be contributed to the capital structure of that proposed new outfit. We have the Inter-American Bank, the World Bank, and any number of other international financing agencies. I just do not like to see a bunch of junketeers take off with the idea of promoting this new Asiatic Development Bank, on top of all the billions we have poured into aid for Asia up to this point.

I do not suppose there is anything the gentleman from Virginia or the gentleman from Iowa can do about this except to grin and bear it. We can only hope for the best and fear the worst.

I thank the gentleman for yielding.

Mr. SMITH of Virginia. When it comes to organizing an international bank or organization of such proportions as the gentleman mentions, I would like to have somebody look into it before we get into this thing. That is one reason why the committee ought to go over there and look it over.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DELEGATION TO ATTEND THE DEDICATION OF THE AMERICAN RESEARCH HOSPITAL FOR CHILDREN IN KRAKOW, POLAND

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 619.

The Clerk read the House resolution, as follows:

H. RES. 619

Resolved, That the Speaker of the House of Representatives is authorized to appoint twenty Members of the House of Representatives as a delegation to attend the dedication of the American Research Hospital for Children in Krakow, Poland, and to designate the chairman of said delegation.

SEC. 2. The expenses of the delegation, including staff members designated by the chairman to assist said delegation, shall not exceed $15,000 and shall be paid from the contingent fund of the House upon vouchers approved by the chairman.

Expenses of the delegation shall include such special expenses as the chairman may deem appropriate to carry out this resolution.

A member or employee of such delegation (1) shall receive subsistence expenses in an amount not to exceed the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964, (2) shall receive actual transportation expenses, and (3) shall not expend appropriated funds for the purpose of defraying expenses in any country where counterpart funds are available for this purpose.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Messrs. GROSS and HALL objected.

STATEMENT BY FOSTER FURCOLO, FORMER CONGRESSMAN AND FORMER GOVERNOR OF MASSACHUSETTS

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a statement by Foster Furcolo, former Congressman and former Governor of Massachusetts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, former Governor Foster Furcolo of Massachusetts, who was my immediate predecessor in Congress from the Second Massachusetts District, has asked me if I would place in the CONGRESSIONAL RECORD a statement by the former Governor that is self-explanatory. I am glad to extend this courtesy to a former Member of this House. I believe that his statement should be in the CONGRESSIONAL RECORD because the people of the Nation will be interested in hearing his report on a situation that has been widely publicized. And, most important, the people of Massachusetts are entitled to have the entire Nation know that there was no basis for any accusation against the man they had twice elected as their chief executive.

Mr. Speaker, I include the following statement by former Governor Furcolo with my remarks in the body of the RECORD:

STATEMENT OF FOSTER FURCOLO, FORMER CONGRESSMAN AND GOVERNOR OF MASSACHUSETTS

If I were a Member of Congress, I would be interested in the outcome of the case against a former colleague. That is one reason why I am bringing the matter to your attention. In addition, I hope the Congress may be interested because what happened to me could happen to anyone in the United States if people are not sufficiently alerted to the danger to prevent any repetition. I think I may have a suggestion that will be helpful in protecting someone else from what I have experienced.

About a year ago you probably read that I had been indicted. I hope that by now you also know that the courts exonerated me and vindicated me of any wrongdoing of any kind whatsoever. But nevertheless there was a period of time when all that you or anyone else could know was that newspaper headlines had said that I was accused of something. The case is all over now and I have won it—but what was it all about anyway? What was the charge?

THE CASE AGAINST GOVERNOR FURCOLO

To understand the nature of the "charge" against me, it is necessary to explain the procedure that Massachusetts follows in filling appointive positions. In most States the senate or other legislative body passes upon the Governor's appointments; but a few States, including Massachusetts, have an executive council perform that function. The Massachusetts Executive Council has 8 members, each representing a district of about 650,000 voters. Every executive councilor runs for office like any other candidate. They are elected by the people and are responsible solely to the people. They are not appointed or selected by the Governor, they are not responsible to him, and he has no power or authority of any kind over them.

The executive council has a variety of functions, one of which is the question of confirmation of the Governor's appointees. That power of the council was involved in my case.

NO ONE EVER ACCUSED FURCOLO OF RECEIVING A BRIBE

The official charge against me was conspiracy to arrange for campaign contributions to be given to five executive councilors to influence them to vote to confirm the reappointment of the public works commissioner, Anthony DiNatale.

The prosecution never at any time accused me of seeking or accepting any money or anything of value.

They never at any time accused me of paying or giving anyone any money or anything of value.

The charge was that someone in the Furcolo administration arranged for campaign contributions to be given to the five executive councilors and that—since I was Governor—I was somehow responsible. By the same reasoning, if a Federal judicial appointee contributed to the campaign of a U.S. Senator, the President of the United States would somehow be criminally responsible under the prosecution's theory.

ABSURD ACCUSATION

The absurdity of the charge is perhaps best illustrated by understanding that the person whose reappointment was concerned—DiNatale—was already the public works commissioner and would continue to be the public works commissioner even if the entire executive council had voted against him. That is because this was a reappointment as distinguished from an appointment.

When a person who already holds office is reappointed, he continues in office even if there is no executive council confirmation of his reappointment. In Massachusetts such a person is known as a holdover. They are not uncommon. For example, our former public welfare commissioner held office with complete power and authority as a holdover for 6 years—1 year under former Governor Herter, 4 years under me, and 1 year under Governor Volpe. A holdover continues in office until the Governor submits another appointment to replace him. Only the Governor can submit a name—the council does not even get to vote upon a name until the Governor submits it.

Public Works Commissioner DiNatale was already in office; and with or without council confirmation would continue in office with exactly the same powers and responsibility as he always had had. In such circumstances, why would I have even the slightest concern about whether or not the executive council gave its confirmation?

In addition, DiNatale was shortly going to leave public works anyway to become a commissioner of the Massachusetts Turnpike Authority. That is in fact just what he did—in July of 1960, some 4 months after his reappointment as public works commissioner was confirmed.

Well, no matter how absurd the accusation becomes when examined in the lights of the facts—which occurred in 1960, 5 years before the accusation, so no one could have invented them just for a defense—the prosecution had still brought the indictment. Was it merely to gain headlines for the Re-

publican nominees in the election that would be held 3 weeks after the indictment (as a crime commission investigator later admitted) or was it in good faith?

FURCOLO CHALLENGED THE PROSECUTION TO BRING THE CASE TO TRIAL

As soon as I was indicted, I asked for an immediate trial but the prosecution successfully blocked my request. Then I offered to give up various rights any defendant has (to file motions; to have specifications, etc.) if the prosecution would immediately give me my day in court. The prosecution again blocked me.

I had publicly indicted the prosecution for bringing a framed-up charge solely for political headlines, so I challenged the prosecution to have the courage to try me before the election. The prosecution did not dare accept my challenge.

As I stated at the time (and as reported in the press of October 15, 1964, right after the indictment):

"Furcolo held a news conference at which he said he wanted to be tried as soon as possible in order to clear both his name and that of the State he once led. At the press conference, before more than 50 reporters and a forest of microphones and TV cameras, Furcolo said it was his right, and that of the public, to have an early trial. 'I want to clear my name as quickly and as fully as possible,' he said.

"More important, here we are a few weeks before election, when charges are made against a man who has served the Commonwealth as Governor for 4 years. This affects every person in the State, and the Commonwealth has a duty to the person charged to either give him an opportunity to clear himself or prove him guilty as quickly as possible."

Furcolo conceded that, in demanding an early judgment, he could be hurting his own cause. "We have not known about the indictment for enough time to properly prepare our case," he said. "The Commonwealth has been investigating for many months—but even though this is a disadvantage to us, we are demanding an early and quick trial."

Furcolo claimed that "those in charge can have a trial in a week, if they want. If I don't get a trial before election day it will absolutely confirm what I say, that this is politically inspired," he declared. "The State's name is entitled to be cleared, as well as my own."

FURCOLO COMPLETELY EXONERATED AND VINDICATED

It was a year later before I finally met the prosecution in open court. The result was complete exoneration and vindication of me. At the close of the prosecution's case, there had not been even a shred of evidence against me. The judge directed a verdict in my favor, completely clearing me. In other words, even if everything the prosecution presented were true, there was still not even a bit of evidence against me. In fact, from the beginning of the investigation right up to the trial's end, the prosecution at no time had anyone who even said I did anything wrong of any kind. There was a directed verdict that cleared my name and completely exonerated and vindicated me.

The result was not simply that I had won my case or that the prosecution had been unable to prove any wrongdoing on my part—the result was much more conclusive and far reaching than that. The public finally realized that there never had even been anything said against me: I had never really even been accused of anything.

THE NEXT TIME IT MIGHT BE YOU

I have merely given you an outline of what happened to me—expanding the details would fill a book. I am telling it to you to alert you and the Nation to what can happen to any person in any State. It is: "There but for the grace of God go I." This time it happened to me—the next time it might be you or anyone.

Is there anything that can be done to prevent the recurrence of such an injustice? I think there might be. True, such protection might be necessary in only one case in a hundred—but under our system of justice and our way of life we believe the protection should be given even if it be only one case in a million.

FURCOLO PROPOSES A COMMISSION OF LAW SCHOOL DEANS, JUDGES, AND EXPERTS

I have a suggestion for those States that accuse by grand jury indictment (I realize that England and some States in this country have abolished the system of indictment by grand jury). I believe that my proposal will not only strengthen and improve grand jury procedures but will also benefit everyone concerned with what happens in the secrecy of the grand jury.

I propose the creation of a commission of judges, lawyers, and deans of law schools to study the problems and then recommend changes in our laws to more fully protect the individual and also improve law enforcement. One specific recommendation I make for the consideration of such a commission is the inauguration of what I have termed "the monitor system." Under my proposal, an accused or a witness is guaranteed fair treatment by a monitor or legal adviser appointed by the court to be a neutral and impartial observer to supervise proceedings before grand juries. Today the only supervision is by the very prosecution that is seeking to indict the person.

Most experienced attorneys share in the informed legal opinion that the grand jury proceeding is subject to too much control and abuse by a prosecution that might be improperly motivated. (The February 1965 American Bar Association Journal has a well-documented thesis on this point.) A neutral monitor would go a long way toward correcting the situation described by the American Bar Association Journal.

THE MONITOR SYSTEM

The monitor would not serve longer than 6 months or be appointed oftener than once in 5 years. Among other matters, the monitor could:

1. Advise on the legality and admissibility of evidence;

2. Require continuity of evidence and prevent intentional intermixing of different cases to confuse the grand jurors;

3. Prevent threatening of witnesses by the prosecution;

4. Prevent the deception of grand jurors by the withholding of evidence, or by the prosecution misinforming or misleading the grand jurors;

5. Advise the grand jurors whether there is sufficient evidence on which to base an indictment. If the monitor informs the court that, in his opinion, the evidence is insufficient for even an indictment, then the court will pass upon the sufficiency of the evidence before accepting an indictment;

6. Require the grand jurors to vote on one matter before hearing other evidence on other unrelated matters;

7. Inform the court when an indictment should be sealed and impounded for 2 months. This precaution could prevent the timing of "political indictments" just before an election. It could also prevent public indictment of a person during his trial on another charge; and

8. Advise on scores of other matters where the grand jurors now must rely on the prosecution.

WOULD MERELY IMPROVE THE GRAND JURY SYSTEM

The monitor would have no vote or control but would merely be present in an advisory capacity, and also inform the superior court of any irregularities or abuses. The monitor system would not change the basic grand jury system or in any way lessen the powers and authority of the grand jury. The grand jury would still make the decision on what evidence it would or would not hear, and whether it would or would not indict, etc. The only difference would be that the grand jury would also have a neutral and impartial observer present in addition to the prosecuting attorney. Under the monitor system, the court could be sure that it would be informed of any abuses or irregularities by the prosecution. If all we want is fairplay, who can object to this?

Instead of simply complaining about injustices of the past, let us correct the system to prevent future injustices. It is in that spirit that I proposed that the Governor of Massachusetts name a panel of persons skilled in law to consider ways and means of improving the procedures by which those accused of crime are brought to trial.

SAFEGUARDS INDIVIDUAL RIGHTS, HELPS THE PROSECUTION, HELPS THE GRAND JURORS, AND PROTECTS THE COURTS

I believe my suggestion of the monitor system is helpful to everyone concerned with the indictment process:

1. The grand jurors benefit because they not only have the advice of the prosecuting official but also that of the monitor. A prosecutor seeking an indictment may be biased or unduly zealous but the monitor would have no reason to be anything but neutral and impartial.

2. The individual, whether he be merely a witness or an accused, would obviously be better protected if a neutral observer is present. What fairminded person objects to that?

3. The prosecution itself will be protected from the possibility of an indictment later being quashed because the defendant's rights had been violated. Under the U.S. Supreme Court's decision in the celebrated Escobedo case, there is likely to be a flood of cases challenging every indictment on the basis that the accused had no protection during the grand jury proceedings, a "critical" stage. Under our present procedures, the only protection given anyone at that stage is the very prosecuting official who is seeking the indictment—certainly not much protection. But if a neutral monitor is also present, does that not help to close the loopholes opened up by the Escobedo decision? The monitor system would mean that there was at least a neutral person present, not simply the party proceeding against the accused.

WHO SHOULD OBJECT TO THE MONITOR SYSTEM?

In my opinion, the monitor system I have suggested would improve and strengthen the grand jury system. The change I recommend would unquestionably benefit the grand jurors, the accused, the witness, the prosecution, and the courts themselves. What is wrong with such a proposal?

The need for such protection of the judicial system itself is perhaps best indicated by an editorial in the Boston Post-Gazette, the material part of which reads as follows:

"The fact that not a scintilla of proof was presented to the trial jury of any form of wrongdoing by Furcolo makes it impossible to understand why he was indicted * * *. Foster Furcolo should never have been indicted. His case cannot fail to create a loss of confidence in the judicial system in Massachusetts."

Let me close by quoting from two newspapers. While I am grateful for the opinions expressed in them, I would like to prevent the need of any repetition of such articles for anyone else. What happened to me is over and done with and, fortunately, turned out all right. Let us not look to the

past but let us look to the future to prevent such a misfortune happening to any other person.

LAWRENCE SUNDAY SUN

The first article is an editorial in the Lawrence Sunday Sun of October 3, 1965, reading as follows:

"Last week the Sunday Sun wrote an angry editorial about the conspiracy trial against former Gov. Foster Furcolo. During the course of this week, we did more investigating and a great deal more thinking about the whole situation. And we are even more angry now than we were last week. In fact, we feel that the matter is so serious that it merits another complete discussion * * *.

"When it was reported that a grand jury hearing crime commission evidence had indicted Furcolo, we were shocked. At the time the thought occurred to us that perhaps this was the single indictment which justified the crime commission's existence. Corruption has reached a pretty serious level, when even the Governor himself is involved.

"But Furcolo was not actually charged with personal corruption, he was charged with being part of the conspiracy in the bribery.

"The trial itself was shocking. Following the presentation of the State's case, counsel for Furcolo made a motion for a directed verdict—a ruling by the judge that even if the State's entire case were accepted at face value, there was not sufficient evidence to convict him.

"Judge Hudson, the trial judge, accepted this motion, ordered the jury to declare Furcolo not guilty of the charges. Judge Hudson, properly, did not comment on the case. But many persons who were following the case closely did. Nearly all observers reached the same conclusion: there was no shred of evidence tying Furcolo to the bribery incident. The closest the State could come was to present evidence that a demand for campaign funds by members of the executive council was made to a Furcolo aid.

"On the face of the matter, the trial of Furcolo would seem to be an utter disgrace. If the attorney general's office cannot even make out a prima facie case, the prosecution of the case smacks of wanton irresponsibility.

"But was there an explanation? Rumors of an explanation have been circulating around the State. The rumor states that the crime commission presented to the grand jury no evidence against Furcolo, but that the grand jury 'ran away' and brought down the indictment on its own accord. Runaway grand juries are rare, but not unknown—they are a danger when broad and largely uncontrolled power is given to any investigatory body. * * *

"We checked the rumor with Assistant Attorney General Roger Woodworth, who often deals with sensitive questions facing the attorney general. He categorically denied the 'runaway grand jury' theory.

"Why then, we asked, was Furcolo brought to trial? Because the grand jury indicted him, Woodworth answered. Are all indictments brought to trial? We asked. 'Yes, unless they are nol prossed,' he answered. 'Well, when are cases nol prossed?' we asked.

"The nub of the rest of the conversation was that the attorney general only refuses to prosecute when there is reason not to prosecute. We kept trying to get at the reasons. Woodworth only gave us two reasons, but indicated that there were other circumstances. The two reasons given were when a key witness dies or additional evidence indicates that the person is innocent—for example, when another man confesses to the crime.

"We tried another tack. Since the prosecution of Furcolo fell so flat, was the prosecution surprised by developments at the trial—for example, a witness changing his story? Woodworth's answer: 'No.'

"So we tried yet another tack. Was the attorney general's office surprised by the directed verdict? Woodworth answered that the attorney general's office never comments on a judicial decision. This is a good general policy, and we indorse it. But most rules have exceptions. We think that this situation merits an explanation from the attorney general.

"Because as matters now stand it looks to us like the attorney general acted pretty irresponsibly in bringing Furcolo to trial."

THE BOSTON HERALD

The second article is as the situation was capsuled by Editor Emeritus George Minot writing in the Boston Herald (the State's leading Republican newspaper) of "a few more things you don't understand: Why the Commonwealth had the nerve to put former Gov. Foster Furcolo on trial * * * in view of the lack of evidence of any wrongdoing on his part."

WHY NOT TRY THE MONITOR SYSTEM?

My case is over. Everyone agrees it never should have been brought in the first place. How do we prevent a recurrence? I think the inauguration of what I have termed "the monitor system" may be the answer.

Why not try it?

STARTING AT RIGHT TIME

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. WALKER of New Mexico. Mr. Speaker, America is like a young girl who can always be fresh and lovely and beautiful provided she starts now to take care of herself. We have taken so much of our natural beauty for granted. We presumed—and it was almost without thinking—that our streams could always have fresh, pure water, no matter how much refuse was dumped into them. And we presumed that our air would always be fresh and pure, no matter how many or what kind of fumes were blown into the air.

Now it is to the credit of all Americans that something is being done to maintain this country's beauty. We know now that the beginning can be small—that one can pick up one piece of trash, plant one flower or one tree, or just be aware that beauty is a thing which lasts forever, only if we will it to last, and take steps to cherish it, and preserve it.

I was pleased to read a recent editorial in the Albuquerque, N. Mex., Tribune which discussed efforts to do something about water pollution.

This is a timely and all-important subject and I ask permission to insert the editorial in the RECORD.

HOW SOMETHING CAN BE DONE ABOUT WATER POLLUTION

As President Johnson signed the Water Quality Act he said:

"I pledge that we are going to reopen the Potomac for swimming by 1975. And within the next 25 years we are going to repeat this effort in lakes and streams and rivers all across the country."

Congress has indeed given the Nation an effective law to use in cleaning up our streams and lakes. The bill which was worked out by the conference committee is better than both the original Senate and House versions.

It was far preferable, as the final bill did, to upgrade jurisdiction over pollution control to a water pollution control administration in the Department of Health, Education, and Welfare. It had been proposed to place the pollution control task in a mere division of the Public Health Service.

The law deals primarily with interstate waters. The States are given until June 30, 1967, to establish quality standards. But if the Secretary of Health, Education, and Welfare finds they have not done this, or the standards are inadequate, he can act. Not arbitrarily, however. He must call a conference of all interested parties, including municipalities and industries. But even pollution of intrastate waters can feel the hand of Federal enforcement if the pollution affects interstate waters.

The public's thanks for this act "to enhance the quality of water" goes to the authors of the bill, Senator EDMUND MUSKIE, of Maine, and Representative JOHN BLATNIK, of Minnesota, and also to Senator CALEB BOGGS, of Delaware and Representative JOHN BALDWIN, of California, who fought for it.

Said President Johnson:

"There is no excuse for a river flowing red with blood from slaughterhouses. There is no excuse for papermills pouring tons of sulphuric acid into the lakes and streams of the people of this country. There is no excuse for chemical companies and oil refineries using our major rivers as pipelines for toxic wastes. There is no excuse for communities to use other people's rivers as a dump for their raw sewage."

And now something can be done about it.

It's the job of the new Secretary, John W. Gardner, to do it.

DICKEY-LINCOLN SCHOOL PROJECT

Mr. CLARK. 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 Pennsylvania?

There was no objection.

Mr. CLARK. Mr. Speaker, on my way to these Chambers this morning I passed our most attractive National Archives Building and saw the inscription carved in stone, "What Is Past Is Prologue," and it seemed so appropriate for the remarks I wish to make here today.

For many weeks now, on and off, the House has been dealing with the by now famous, or perhaps more accurately infamous, Dickey-Lincoln School project. We have been buried under an avalanche of facts and half-facts and this late in an extended session of the Congress I expect my colleagues have had enough of the whole thing. In my six terms in the Congress I have always considered myself a practical man—practical in economics and in politics and I think it is fair to say that my constituents generally regard me this way.

On the basis of practical politics then I should consider this project a fait accompli and thus retire to the rear of the Chamber and remain silent. But every once in a while an issue comes along that transcends practical politics and involves elements of principle that cannot easily be shunted aside. The handling of the request for authorization of $277 million for this project has been the worst in my memory as a Congressman

and yesterday, as I heard the impassioned pleas of my Massachusetts colleagues, THOMAS P. O'NEILL, Jr., and EDWARD P. BOLAND, for rejection of this horse-and-buggy project, I determined that I must add further to the record for the months that lie ahead.

As Al Smith said, "Let's take a look at the record." The record on the Dickey-Lincoln School project going back to its original introduction before the House Public Works Subcommittee is laced with misstatements, misconceptions, broken House rules, political chicanery and parliamentary maneuvering.

When on yesterday, this House approved the omnibus public works bill with this travesty of a project included, it did so only because it was maneuvered into a parliamentary position of rejecting a multitude of worthy rivers and harbors projects or taking Dickey-Lincoln School. I think I have been in these halls long enough to feel the temper and inclinations of our membership and I remain thoroughly convinced that had I been given the opportunity—an opportunity that was properly mine had our rules been followed—to offer a motion for recommittal of the omnibus bill and deletion of this hydroelectric hydra-headed monstrosity, that it would have been defeated by a larger margin than it was several weeks ago. How was I denied that right? How did we find ourselves in the position of stuffing this unwanted Interior Department brainchild down the throats of New England? Let us look at the record.

This saga of infamy began, really, last July, just about 3 months ago. The Department and Secretary of the Interior proposed this Dickey-Lincoln School project as an alternative to the now-discredited Passamaquoddy tidal development in Maine. It appeared like a siren from the sea—unknown, unheard of, uncertain. I am certain that at its first appearance the terminology "Dickey-Lincoln School" sounded to most of us like the name of a grammar school our cousin Tillie might have attended. But as events began to unfold, it quickly became evident that we were to be asked to build and buy the world's most expensive grammar school. In an amazing display of political sleight-of-hand by the Interior Department, this project appeared, received approval from the administration, bounced to the Senate side of this Chamber and was approved by the Senate, without any public hearings—and all within 72 hours.

Now I can picture myself conceiving of a project for my district that would ultimately cost a third of a billion dollars and ramming it through the House Public Works Committee in 3 days' time. In the first place, while I love my district, I love the taxpayers who live there far more, so even in my wildest yearnings for benefits for that district I would not propose such a travesty on the legislative and appropriations process. But, obviously, my standards are not those of the Interior Department. It should have sent up the warning flags for all of the Members of the House when this project whistled through the Senate like a night train through Paducah Flats. But honest men that we are, we assumed that the parties in interest would, in due course, get their hearing and that then a reasonable legislative judgment would be made by the Members of this House. Little did we realize, at that time, that not only were the opponents of this project outside of the House itself to be jobbed, but that the Members of the House itself were to be jobbed as well.

The night train, having whistled through the Senate, had to slow down a little when it reached the House Public Works Committee. Now questions began to be asked. What does this project really mean? Will it help to lower power costs in the New England area or is it just an Interior gambit to finally crack the New England area with public power? Is the project economically feasible? Is it really a reclamation and flood control project or is it a pure power project? What will happen to the power to be produced?

Those questions and many more were asked. But there were not very many answers forthcoming from the Government agencies involved. It became clearly evident during the House hearings that there were a lot more answers required before the Congress could reasonably proceed with an authorization of such magnitude—an authorization that constituted more than 10 percent of the entire public works bill. During these hearings some members of the committee sat nonplussed, to say the least, at such statements by the Secretary of the Interior as "There are no marketing plans" and "No, we did not consult the electric companies of the area on the need for this power." Ninety-five percent of the power to be produced was to be sold outside the State of Maine and yet no one knew where or how or when this could or would be done.

It was a genuinely incredible performance It seemed to many of us that to even be asked to support this project was an absurdity. Not only was the disposition of the power output in question but then it became evident that the power was going to be more expensive to produce in 1972 than power now being produced in New England by large thermal-electric and nuclear plants due to be completed shortly. It became clearly evident from the hearings that this was a horse-and-buggy project conceived in ignorance and dedicated to the proposition that if you throw enough numbers around, the Congress could be fooled.

From my own personal knowledge, as a result of the hearings, a majority of the public works committee had all but decided to reject the project entirely, when the political sleight-of-hand began again. It squeeked out of committee narrowly, but was never voted on by the subcommittee that had conducted the hearings because there were not enough votes for it there. Instead it was passed to the full committee without recommendation and was adopted there—where there were enough votes. Once again the red warning flag should have gone up to all of us. The usual Senate procedures had been flaunted and now the same thing was starting on the House side.

By now the controversy was really warming up. First an effort was made to send the entire project back to the committee and the temper of the House's attitude was felt when the effort failed on a tie vote—one of the few this session. At this stage of developments it was clear to a majority of the Members that this project was indeed a strange one. It almost seemed that it could not stand the light of diligent examination. Why was the House to proceed so quickly? Wasn't it reasonable to get some answers to the many questions that were floating about? Evidently the House thought so because they supported my amendment to the omnibus bill that would have required a thorough study of this project by the Corps of Engineers. This seemed like a reasonable and objective approach to the problem at hand. And by rollcall vote the House agreed.

Those of us who felt the will of the House having been expressed that the matter was disposed of until next spring found in short order that we were wrong. Once again the maneuvering started and we suddenly had a group of conferees who did not reflect the view of the House. They are all able and honest men but they did not reflect the expressly stated view of the majority of the Members who answered the rollcall.

The next thing we knew the project had been reinserted in the conference report after the meeting with the Senate. Now this, in of itself, is not too unusual. A conference is convened for the purposes of a meeting of the minds. It is unusual, however, that the express wishes of the House, on a rollcall vote be traded away, as Congressman BOLAND pointed out in his remarks yesterday. That, however, was only the beginning of the maneuvering that denied me the right to offer an effective motion for recommittal of this project.

As aptly described by Congressman CRAMER, of Florida, there was a case of the kidnapping of the papers. Under the rules of conference the papers of the conference report should have been returned to the House for action first. This was not done. And perhaps even more significantly was never explained to the Members of the House. Before we knew what had happened the papers went to the Senate and were adopted.

This, of course, left the House then in the position of simply voting the entire bill up or down. There could be no amendments and this is exactly what the proponents of this project had in mind. They clearly indicated that this project could not stand on its own merits. It could not stand the light and heat through examination. It could not even stand to be voted on by the Members of the House.

Now in six terms in the Congress I have won and lost a lot of fights. An effective, working Congressman does not expect to win them all. He is willing to accept defeat when it reflects the views of the majority of the House—that is the democratic tradition. But when a project of this kind is squirmed, cajoled, twisted, and wormed through a labyrinthine of parliamentary maneuvering that denies the Members of this House their

right to be recorded then I will not accept that as the proper conduct of this House.

The next act of this tragedy is already underway. While House Members were being forced into the unfair postion yesterday of having to vote on the entire bill the Senate had started another night train on this project. The supplemental appropriation bill was whistling down the track and carrying a load of $1,800,000 for this project. A load that was placed on the train even before the House had authorized the project.

From the simple standpoint of fair play this appropriation must be removed from this bill. The Members of the House have been run over by one night train. I do not expect they want to get hit by another. All elements of fair play aside such an appropriation is completely unjustified by the facts. This project does not deserve a penny of appropriation until some agency of the Government determines whether it is even feasible.

I said at the outset of these remarks that past is prolog—and this is so in the Dickey-Lincoln School project. Never, in all my years in the House, have I seen such sheer political power applied to a project. I am not a sensitive man but I am a sensible one and I cannot and will not accept any more of this political chicanery on behalf of a project that cannot stand public examination. I am sure that I will be joined by many of the distinguished Members of the New England delegation in continued opposition to this project. We will not content ourselves to accept this action yesterday by doing nothing. We will, we must, insist on complete and thorough examination of this misconceived, malformed, mismanaged project.

A REDWOOD NATIONAL PARK IS URGENTLY NEEDED

Mr. COHELAN. 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 California?

There was no objection.

Mr. COHELAN. Mr. Speaker, I am today introducing legislation to complete one of the items of longest standing on America's roster of unfinished conservation business. This is the establishment of a Redwood National Park on the northern coast of California.

The Secretary of the Interior first called for preservation of a representative forest of these trees—the tallest growing things in the world—in 1879. And legislation has been before Congress to accomplish this goal intermittently since 1911.

But these efforts have been uniformly frustrated. Almost two million acres along California's coast were once forested with magnificent stands of Sequoia sempervirens. Today, probably only 200,000 acres are still in virgin growth, and most of this is in small isolated blocks.

The depletion of this great esthetic resource has occurred mostly because the acreage of redwood land was allowed to pass into private ownership before its value to the Nation was fully recognized. Today only 435 acres of redwood forest land in the Muir Woods National Monument just north of San Francisco is administered by the National Park Service. Some 50,000 acres of virgin stands are protected in California's State parks, but this acreage, unfortunately, is badly scattered. Nowhere is a major block of virgin forest preserved where the entire growing range of the species from sea level to 2,000 feet can be represented.

IDEAL AREA FOR PARK LOCATED

The National Park Service located such an area in 1963. Working with the National Geographic Society, it found the largest remaining concentration of virgin redwood growth to be in northern Humboldt County along what is appropriately known as Redwood Creek. Here just south of Prairie Creek Redwoods State Park it confronted an unbroken panorama of the last large valley of virgin redwoods, and in this valley it discovered the world's tallest trees. On a flat 10 miles upstream from the village of Orick, it found a tree that reached skyward more than 367 feet.

In September of 1964 the National Park Service issued a report in which it framed a number of alternate proposals to designate this superlative area as a Redwood National Park. Though local timber owners have opposed these proposals to purchase their lands, opinion throughout California and the Nation has been overwhelming in its approval of preserving this last remaining area of virgin redwoods as a national park.

THE NEED IS URGENT

While some may believe, Mr. Speaker, that further study is needed to define and detail a proposal for a national park there, I would remind them and the Members of the House that we are dealing in this case with a quickly vanishing resource. The redwoods are not a static commodity which will wait for leisurely consideration by Congress. The lumber companies that own the land are logging it while we are talking about it—and at an ever-quickening rate. Over 1,000 acres of the forest, which the National Park Service proposed only last year to be within the park, have been logged in the last 12 months alone. In the past year, the output of redwood lumber in Humboldt County has jumped 34 percent. The lumber companies apparently feel that one of the ways they can defeat this proposal for a Redwood National Park is to scar the area so badly that it would no longer be desirable. Some experts feel this can be accomplished in 2 to 5 years.

Now that the issue has been raised, it is clear that we are in a race with the loggers for a Redwood National Park, and clearly this will be the last race we shall ever be able to run. For when this last block of virgin forest is logged, there are no others. It is imperative that we wait no longer—that we move now.

THE BILL EXPLAINED

Accordingly, Mr. Speaker, the bill I have introduced today would establish a Redwood National Park of 90,000 acres in the area recommended by the National Park Service. This proposal embraces all of the land recommended by the Park Service in their first proposal, plus the drainages of Bridge Creek, Devils Creek, and Skunk Cabbage Creek, as the Sierra Club, one of the outstanding conservation organizations in our country, has recommended. Almost half of the acreage in the proposed park is forested with virgin redwoods. The balance is cutover land in varying stages of second growth that is needed to protect watersheds—and 12 are completely protected in my proposal—to provide development space, and to connect major areas of virgin forest.

Not only will the area I am proposing as a Redwood National Park include the world's tallest trees, it will also include the best surviving example of redwood forest of the slope type on the surrounding hills. And it will also include the largest hill mass completely forested, from top to bottom, with virgin redwood forest. Thus the entire growing range of the redwoods, from sea level to 2,000 feet, will be protected—providing the surest opportunity for perpetuation of the species in a spacious and complete habitat.

Mr. Speaker, the park also will afford splendid opportunities for diversified recreation. The entire coastline from the mouth of the Klamath River to the mouth of Redwood Creek—18 miles—is included within the boundaries I have drawn. This is spectacular shoreline of high, plunging headlands; long, wide beaches; and tawny bluffs backing the beaches. Roosevelt Elk, too, roam these beaches, as well as the prairies inland. There are also 22 miles of river frontage along Redwood Creek, which is suitable for spring float trips. The valley of Redwood Creek provides a sunny sheltered area back from the beach for camping during foggy seasons.

FINANCING

Under my bill, financing for the park would come from two sources. One would be composed exclusively of Federal money derived from the land and water conservation fund and from appropriations from the Treasury. Another would be composed of money from private sources that the Federal Government would match on a 50–50 basis. It is expected that private foundations would contribute substantially to this second fund.

Other provisions in my bill provide protection to owners of land used for residential and resort purposes within the proposed park. If their use of the land conforms to zoning standards for the park, their land would not be subject to condemnation. A five-man board to advise the Secretary of the Interior on administration of the park would also be established, and it would include local residents.

AID TO LOCAL ECONOMY

Mr. Speaker, I am confident that a Redwood National Park would aid the local economy, not impair it as some critics of the park proposal fear. An economic study done for the National Park Service showed that the economy would be stimulated by a new tourist industry within a very few years and that this stimulus would more than offset any losses from curtailed logging. Continued logging, furthermore, can only erode the tax base by removing the high-value, old-growth timber from the rolls, leaving only the low-value bare land to be taxed for the next 40 years or more. A Redwood National Park would provide a new source of revenue to diversify a declining lumber economy, and it would preserve a vanishing resource for the world to use and enjoy.

Mr. Speaker, I urge the House to take this measure under consideration at the earliest possible opportunity. The trees are going too fast for us to move slowly. The sooner hearings can be held and action scheduled, the better is our chance of rescuing this endangered resource from its last peril. We are presented with a golden opportunity, but it will not be available to us for long.

Under unanimous consent, I include the bill to establish a Redwood National Park, which several of our colleagues are joining me in introducing, at this point in the RECORD:

H.R. 11723

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

SECTION 1. (a) In order to preserve a significant example of coastal redwood (Sequoia sempervirens) forest in association with streams and seashore for purposes of public inspiration, recreation, and scientific study, the Secretary of the Interior (hereafter referred to as "the Secretary") is authorized to establish an area to be known as the Redwood National Park within that portion of Humboldt and Del Norte Counties, California, which is particularly described in subsection (b).

(b) The area referred to in subsection (a) (hereinafter referred to as "the park") is the area enclosed within the following boundary:

Beginning at the point approximately three-quarters of a mile south of the mouth of the Klamath River which is the Williams Triangulation Point (51; sec. 8, T. 13 N., R. 1 E., unsurveyed);

Thence east one-quarter mile;

Thence due south to the summit of Flint Ridge;

Thence south and southeasterly along the hydrologic divide between Richardson Creek and the ocean to a point one-eighth of a mile north of the portion of Highway 101 which runs northeasterly to the town of Klamath;

Thence northeasterly paralleling said highway at a distance set back from the highway of one-eighth of a mile to a point one-eighth of a mile from the Klamath River;

Thence southeasterly across said highway at right angles to a point one-eighth of a mile on the opposite side of the road;

Thence southwesterly paralleling said highway at a distance set back from the highway of one-eighth of a mile to a point where the highway turns southerly;

Thence southerly paralleling said highway to the east at a distance set back from the highway of one-quarter of a mile to the northern boundary of Prairie Creek Redwoods State Park;

Thence along the eastern boundary of Prairie Creek Redwoods State Park to the southwestern corner of section 33, T. 13 N., R. 1 E. (unsurveyed);

Thence south one-eighth of a mile;

Thence east one-quarter of a mile;

Thence south one-eighth of a mile;

Thence east one-half mile;

Thence south one-quarter of a mile to the boundary of Prairie Creek Redwoods State Park;

Thence southerly along the boundary of said park to a point opposite the head of the East Fork of Brown Creek;

Thence southeasterly paralleling on the east the road, which runs along the divide between Prairie Creek and the Klamath River, but set back from the centerline a distance of 100 yards as measured on the ground surface, to a point where the road leaves the crest of the divide near the head of Surpur Creek;

Thence southeasterly paralleling the divide between Surpur Creek and Lost Man Creek, at a distance 100 yards east of the divide as measured on the ground surface, to a point of juncture with Holter Ridge (which divides Tectah Creek and Lost Man Creek);

Thence southwesterly paralleling the crest of Holter Ridge, at a distance 100 yards east of the ridge as measured on the ground surface, to a point of juncture with the Bald Hills Road;

Thence paralleling the Bald Hills Road, at a distance 100 yards east of the centerline of the road, to the spur road leading to Coyote Peak and beyond (sec. 29, T. 9 N., R. 3 E., unsurveyed);

Thence southerly and later westerly paralleling that road, but set back a distance of 100 yards to the east as measured on the ground surface, out Arbor Camp Ridge to Hooker Triangulation Point (3139);

Thence southwesterly to the north (or east) bank of Redwood Creek;

Thence one mile downstream along the mean high-water line of that bank of Redwood Creek;

Thence one and a quarter miles due west;

Thence southwesterly paralleling the hydrological divide between Devils Creek and Panther Creek, at a distance 100 yards southeast of the divide as measured on the ground surface, to the road along the divide between Redwood Creek and Maple Creek;

Thence northwesterly paralleling the road, which runs near the divide between Redwood Creek and Maple Creek, but along a line 100 yards southwest of the centerline of the road, as measured on the ground surface, to a point at the head of Pitcher Creek;

Thence due north to the summit of Peak 2745 (south of Rodgers Peak);

Thence generally northerly, 100 yards west and southwest as measured on the ground surface of the hydroiogical divide between the drainages flowing into Redwood Creek and those flowing directly into the ocean, to Stone Triangulation Point (1070; southwest corner of sec. 8, T. 10 N., R. 1 E., unsurveyed);

Thence generally in a northerly direction paralleling the road, running north to Highway 101 from Stone, but 100 yards generally to the west, as measured on the ground surface, for approximately one mile to a point one-half mile south of Highway 101;

Thence east one mile;

Thence northeast one mile;

Thence due north for approximately one mile to a point of junction with Highway 101 where the Bald Hills Road begins;

Thence two and one-quarter miles due west to a point immediately north of Hufford Triangulation Point (415);

Thence south to the summit of Hufford Triangulation Point;

Thence southwesterly to the summit of Orick Triangulation Point;

Thence south to the north bank of Redwood Creek;

Thence southerly and westerly along the mean high-water line of said creek to its mouth;

Thence northerly along the mean low-tide line of the ocean to a point due west of the point of beginning;

Thence due east to the point of beginning.

SEC. 2. (a) As rapidly as funds become available for the purposes of this Act, the Secretary is authorized to acquire by purchase, gift, condemnation, transfer from any Federal agency, exchange, or otherwise, the land, waters, and other property, and improvements thereon and any interests therein, within the area described in subsection (b) of section 1 of this Act: *Provided*, That no property which has been improved and in use for residential purposes or for commercial resort purposes, for at least two years prior to the enactment of this Act, shall be subject to condemnation if the property continues to be so used and conforms to zoning bylaws established by the county in which the property is situated. Zoning bylaws must conform to standards set by the Secretary for this proviso to apply. Such standards shall be designed: (1) To permit only such minor property improvements as are compatible with the purposes of the park; (2) to promote the purposes of the park by establishing acreage limits, frontage and setback requirements, and procedures for public notice of zoning, variance, and exceptions.

(b) No private property within the area described in subsection (b) of section 1 of this Act which is used for residential or resort purposes shall be acquired by condemnation for one year following the date of the enactment of this Act.

(c) Notwithstanding any other provision of law, any Federal property located within the area described in subsection (b) of section 1 may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of sections of this Act.

(d) In exercising his authority to acquire property in accordance with the provisions of this section, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by the sections of this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(e) When the Secretary determines that lands and water or interests therein have been acquired by the United States in sufficient quantity to provide an administrative unit, he shall declare the establishment of the Redwood National Park by publication of notice in the Federal Register.

(f) The Secretary is also authorized to define and acquire, by purchase, donation, or otherwise, easements on lands within any watersheds tributary to the park for the purpose of regulating land-treatment practices thereon to improve the supply, quality, and reliability of water in the park and to protect the park from flooding, channel erosion, and gravel movement.

(g) Furthermore, the Secretary is authorized to define and acquire, by purchase, donation, or otherwise, scenic easements near or adjacent to the park boundaries and along Highway 101 north from Patricks Point State Park to Prairie Creek Redwoods State Park.

SEC. 3. The administration, protection, and development of the Redwood National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 and the following), entitled "An

Act to establish a National Park Service, and for other purposes," as amended and supplemented, and in accordance with laws of general application relating to the National Park System as defined by the Act of August 8, 1953 (67 Stat. 496; 16 U.S.C. 1c): *Provided*, That no tolls nor entry fees shall be levied by the National Park Service for public use of and access to Highway 101 and other through roadways within the area described in subsection (b) of section 1 of this Act, and nothing herein shall affect the concurrent police jurisdiction of the State of California over such roadways.

SEC. 4. A general advisory board to be known as the "Redwood National Park Advisory Board" is established to advise the Secretary of the Interior on any matters relating to the management of the park, including standards for regulations relating to zoning. The Advisory Board shall be composed of five residents of the State of California, two of whom shall be residents of the counties in which the park is situated. The Governor of the State of California shall appoint these two members of the Board, and the Secretary shall appoint the remainder. The Board shall meet not less than twice yearly upon the call of the member designated as Chairman by the Secretary, or additionally upon request of the Secretary.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, except that no more than $100 million shall be appropriated to pay for the acquisition of land, waters, and improvements thereon and interests therein, and incidental costs relating thereto, by the United States acting alone: *Provided*, That additional sums not to exceed $50 million are authorized to be appropriated as matching funds for the acquisition of land, and interests therein, to the extent of the value of sums or property which non-Federal sources donate to carry out the purposes of this Act.

AMERICAN PROPOSAL IN THE UNITED NATIONS ON ANTI-SEMITISM

Mr. FARBSTEIN. 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 New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I note with regret that the United Nations yesterday disapproved by a vote of 82 to 12, an American proposal to write a specific condemnation of anti-semitism into the U.N. Convention on the Elimination of All Forms of Racial Discrimination.

As you know, Mr. Speaker, I am not one to praise American diplomatic policy indiscriminately. As a Member of Congress, I feel it is my responsibility to maintain a position of detachment in dealing with the administration. My criticism, I feel, must therefore add weight to my praise. I think you will recognize that my commendation of the U.S. position has been carefully evaluated and is deeply held.

The United States took a courageous stand in seeking to condemn anti-semitism. It is fine to speak in general terms of ending racial injustice, but the terrible tragedy of what occurred in Nazi Germany during our lifetime gives a special poignancy to dealing specifically, as the Catholic Church has recently done, with anti-Semitic hatred. The United States sought to condemn this heinous form of discrimination in no uncertain terms. What the United Nations did in response, is not, of course, to be interpreted as acquiescent in the practice of anti-Semitism. Far from it. But I believe, none the less, that the opponents of the United States proposal, whatever their motives, were mistaken in voting the way they did.

I would like to express my appreciation to the countries that joined the United States to vote in favor of the anti-Semitism amendment. They were Australia, Austria, Belgium, Bolivia, Brazil, Canada, Israel, Luxembourg, the Netherlands, the United Kingdom, and Uruguay.

I fail to understand why Greece, our friend and ally, joined with Communist Hungary to spearhead the opposition to the anti-Semitism amendment. We knew last week that the Communist countries would vote against it in order to acquire some cheap political profit in the Arab countries. I am sorry so many friendly countries chose, for reasons best known to them, to abet the leadership that Moscow provided against the humane American position.

Once again, I commend the Johnson administration, the State Department, and Ambassador Goldberg for their enlightened stand, and I hope that the matter will not here die. I look forward to another day when the United Nations will see this question with clearer vision.

HLINKA SILVER AWARD BESTOWED UPON ABBOT KOJIS

Mr. FEIGHAN. 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 Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, the Right Reverend Theodore Kojis, OSB, Abbot of St. Andrew's Benedictine Abbey, in Cleveland, has been named to receive the Hlinka Silver Award for his outstanding work in behalf of the Slovak nation's struggle for religious freedom and self-government. This is a highly prized award. Americans of Slovak descent from Detroit, Chicago, Pittsburgh, and New York will gather in Cleveland on October 23 at a testimonial banquet honoring Abbot Kojis.

This award is named in memory of the great Msgr. Andrew Hlinka, who, at the turn of this century, championed the Slovak cause of freedom and self-government. It was Monsignor Hlinka, who founded the Slovak People's Party and encouraged the Slovaks to strive for national recognition. Slovakia had long been submerged by foreign rule, but the spirit of the nation was preserved by the inspiring work of dedicated men.

Monsignor Hlinka rose to prominence in Europe as a leading advocate of self-government for Slovakia and all the other nations of Central-East Europe. The Wilsonian principle of self-determination provided a powerful stimulant to his work and for the cause of the Slovak people. It was in that spirit that he journeyed to Paris in 1919 with the hope of seeing President Wilson to plead the case of his people.

While Monsignor Hlinka's hopes were not realized, his dedication and determination left an indelible mark on the life of the Slovak nation. The Hlinka Silver Award is a memorial to the Slovak love of freedom and the determination of her people to win full and unfettered recognition as a nation.

Abbot Kojis is a worthy recipient of this prized award. He has devoted a lifetime of work in support of the cause of justice for the Slovak nation. He has been a source of hope and encouragement that the long-delayed freedom and self-government of Slovakia will soon become a reality.

Only five Americans have won this coveted award during the 41 years it has been bestowed upon outstanding leaders. Cleveland is proud of Abbot Kojis and the three other Clevelanders who have won it in past years—Rt. Rev. Msgr. Francis Dubosh, John Sabol, and the late Philip Hrobak.

DISTRICT OF COLUMBIA STADIUM—REDSKIN CONTRACT: A DRAIN ON THE TAXPAYERS

Mr. HARSHA. 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 Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, relative to my duties and responsibilities as a member of the Committee on the District of Columbia, I have for some time been concerned about the serious situation presented by the deficit operation of the District of Columbia Stadium ever since its construction was finished. In the last 2 fiscal years, the stadium has operated at a total cash deficit of more than one and one-quarter million dollars—a cash deficit made up out of the revenues or borrowing of the District of Columbia government. These deficits have been solely in connection with the operation of the stadium and the servicing of the debt without any payments toward retiring that debt.

The District of Columbia's own budgetary difficulties are well known to you and my colleagues in the House and to all thoughtful citizens of this community. The burden which these cash deficits have added to the otherwise desperate situation of the District of Columbia is indeed intolerable. When I first investigated this matter, I was indeed dismayed to learn that during the fall of the year, when so many of our citizens are interested in watching high school, college, and professional football games, the District of Columbia Stadium stands empty on most Fridays, Saturdays, and Sundays. I was interested, however, to learn that some attempt—however belated—is being made to bring in more college games which will increase the stadium's revenues somewhat.

But the fact of the matter, Mr. Speaker, is that the greatest potential

source of revenue for the stadium in the fall months is from professional football. However, ever since it was opened, the stadium has been used for only seven regularly scheduled professional football games plus one exhibition game in each year.

Why is this, Mr. Speaker? It may be difficult to believe, but this situation results from the fact that the District of Columbia Armory Board—a public body which now includes Walter N. Tobriner, president of the District of Columbia Board of Commissioners—entered into a contract with the owners of the Washington Redskins professional team which provided that the Redskins, and the Redskins alone, have the right to play professional football in the District of Columbia Stadium.

When this was called to my attention, I addressed a letter to Mr. Walter N. Tobriner on August 25, 1965. I noted that the present contractual arrangements present an intolerable situation which must be remedied and I asked Mr. Tobriner to advise me as to the steps which the Armory Board intended to take to eliminate the grant of exclusive professional football rights to the Redskins.

Mr. Tobriner's response to me indicated a timid and hesitant reluctance to face the matter. Despite the serious financial burdens facing the Board of Commissioners and the taxpayers, he said that the Armory Board had been advised that the exclusive provisions in the contract were "prima facie valid" and accordingly without the consent of the Redskins the Board was in no position to lease the stadium to another football team without seriously risking a breach of its agreement and substantial damages. His sole suggestion for solving the matter was for representatives of another professional football team to negotiate separately with the Redskins in an effort to have them voluntarily waive this restriction.

Since my letter to Mr. Tobriner, Mr. Speaker, the Solicitor of the Department of Interior has written to the Secretary of the Department of Interior an opinion in which he has stated that this restrictive covenant "violates the Sherman Act and the Federal Trade Commission Act." It thus appears that the Armory Board is, in effect, aiding and abetting a violation of the laws of this country by the Redskins in maintaining this exclusive franchise. In the face of this ruling, I cannot believe that the District of Columbia Armory Board can continue to drag its heels in this matter.

It has been reported in the papers that that Armory Board has now retained special counsel to review the legality of the Redskins' contract. I sincerely hope that this is not merely another attempt by the Board to avoid taking necessary action here. Regardless of the opinion of this private counsel, there is no question that, in the face of the finding by a high Government attorney, the Board should take every step to repudiate this exclusive provision. I have today written Mr. Tobriner another letter, pointing out my hope, which all persons concerned with the District of Columbia government and this matter must share, that the Armory Board will correct this inequitable and illegal situation as soon as possible and eliminate the Redskins' monopoly on professional football in the Nation's Capital.

Mr. Speaker, the District of Columbia Stadium was built in the interests of the taxpayers—not the Washington Redskins. Under the exclusive Redskin covenant, the taxpayers are carrying a much larger share of the burden of paying off the stadium debt than is morally or legally justified. The hapless taxpayers are subsidizing—at tremendous expense—an exclusive franchise for one privately owned, profitmaking enterprise—the Washington Redskins.

Mr. Speaker, at this point in the RECORD I shall include my correspondence with Commissioner Tobriner, a copy of the opinion rendered by the Solicitor of the Department of the Interior relative to the stadium contract, and a brief history of the stadium funding arrangements:

AUGUST 24, 1965.

Hon. WALTER N. TOBRINER,
Commissioner, District of Columbia,
District Building, Room 504,
Washington, D.C.

DEAR MR. COMMISSIONER: I am writing this letter to you in your capacity as a member of the District of Columbia Armory Board which is responsible for operation of the District of Columbia Stadium, to inquire about what steps, if any, the Board intends to take to revise the stadium's present lease with the Washington Redskins. Under this lease, that team has been granted the exclusive right to play professional football in the stadium for a 30-year period.

This inquiry is prompted by serious concern, which is shared by many others, over the drastic financial plight of the stadium. As you know, in fiscal year 1963, the net deficit before depreciation in the operation of the stadium amounted to $601,000. This loss increased in 1964 to $665,000. In both of these years, the District of Columbia government and ultimately its taxpayers have been required to make up these deficits to avoid default on the interest due on the stadium bonds. The matter is likely to become even more serious in the future. Beginning in 1970, the stadium bonds themselves will begin to mature, and unless future operations are more successful, the District of Columbia will be required to appropriate even larger sums to pay off these bonds.

In view of the District of Columbia's own budgetary difficulties, I am sure that you will agree with me that this is an intolerable burden on the District of Columbia government and its taxpayers, diverting sums sorely needed for far more important purposes such as education, welfare, and the provision of additional police in the District. It is clear that every effort should be made to put the stadium on a sound fiscal basis and to eliminate the serious drain on the District government.

In this connection, I believe that the Board should give the highest priority to taking whatever steps are necessary to revise its present lease agreement with the Washington Redskins. As noted, under this lease that team has been vested by the Board with exclusive rights to use the stadium for professional football games over an extended period of 30 years. However, on an annual basis, the Redskins' use of the stadium has been limited to seven regular games and one exhibition game. The stadium has thus remained empty over many weekends during the fall, contributing further to the enormous stadium deficits.

Professional football has grown continually in spectator interest and indeed is now regarded as America's most popular spectator sport. It is plain that, with the elimination of the restrictions imposed by the lease with the Redskins, the stadium could be used by one or more additional professional football teams, which would help immeasurably in solving the serious financial plight confronting the stadium. This would also provide more enjoyment of the stadium by the residents of the District of Columbia and surrounding areas for whom, in the final analysis, this facility was built. This is clearly to be preferred over the present arrangement under which the District of Columbia government and its taxpayers are subsidizing at great expense an exclusive franchise for one privately owned, profitmaking enterprise.

One might view with some skepticism a recently reported reversal of policy on the part of the present Redskin management whereby they will now permit the scheduling of college games—heretofore precluded by their insistence on their contractual rights. At first glance, this change of heart would seem very generous but it might be suggested that this reversal is designed to preclude competition from another professional football franchise in Washington where only one stadium is available and where the awarding of a franchise will undoubtedly hinge on stadium availability.

Most college games are of provincial interest and unless they are of national-interest caliber such as Army-Navy, they cannot hope to generate the impressive gate revenues which professional teams can and do.

I sincerely hope that you agree with me that the present arrangement presents an intolerable situation which must be remedied. I would accordingly appreciate it if you would advise me as to the steps which the Armory Board intends to take to eliminate the grant of exclusive professional football rights to the Redskins.

Very truly yours,

WILLIAM H. HARSHA,
Member of Congress.

GOVERNMENT OF THE DISTRICT OF COLUMBIA, EXECUTIVE OFFICE.
September 20, 1965.

Hon. WILLIAM HARSHA,
House of Representatives,
Washington, D.C.

DEAR MR. HARSHA: With reference to your letter of August 24, 1965, concerning use of the District of Columbia Stadium by professional football, I advise you that the matter of the exclusive rights of the Washington Redskins at the stadium was considered by the Armory Board at its meeting on September 15, 1965. As you may be aware, the Armory Board received a proposal from a local syndicate, represented by one Norman F. Hecht, for use of the stadium by a football team which Mr. Hecht's syndicate expects to operate under a franchise to be obtained from the American Football League.

The Armory Board has been advised that the clause in its lease with the Washington Redskins which grants the Redskins exclusive rights for exhibiting professional football at the stadium is prima facie valid and that, without the consent of the Redskins, it is in no position to lease the stadium to another professional football team without serious risk of breaching its lease agreement with the Redskins and incurring liability for substantial damages.

The Board is, of course, very desirous of improving its financial situation at the stadium and would be most happy to enter into an arrangement which would achieve such a result. Accordingly, the Board advised Mr. Hecht that he should explore the possibilities with the Redskins and offered to meet with them at any time to discuss the matter.

I appreciate your interest in the District of Columbia and in the financial condition of the stadium and hope that an arrangement can be worked out to the satisfaction of all concerned.

Sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

OCTOBER 20, 1965.

Hon. WALTER N. TOBRINER,
President, Board of Commissioners of the District of Columbia, Washington, D.C.

DEAR MR. TOBRINER: You will recall that I wrote you on August 24, 1965, concerning the provisions in the lease which the District of Columbia Armory Board had entered into with the Redskins under which any other professional team is precluded from using the District of Columbia Stadium for a period of 30 years. As I pointed out in that letter, this exclusive provision clearly added an intolerable burden on the District of Columbia and its taxpayers, and every step should be taken to eliminate it. By letter of September 20, 1965 you replied, indicating that the Board would take no action because it had been advised that the lease was "prima facie valid."

Since this letter, as you are aware, the Solicitor of the Department of Interior expressly ruled on October 4, 1965, that this exclusive franchise provision violated the Sherman Act and the Federal Trade Commission Act. It has been further reported in the press that the Armory Board has now retained outside counsel to consider the legality of this provision. Clearly, it can no longer be said that the provision is "prima facie valid." On the contrary, if the Department of Interior position is correct, then the Armory Board is in the indefensible position of aiding and abetting a violation of the Federal laws. All interested persons hope that retention of outside counsel by the Board is not merely an attempt to avoid discharging its obligation to the public. It seems clear to me that, regardless of the private counsel's opinion, the public interest requires that the Board initiate every necessary step to cancel this provision, particularly in view of the ruling of illegality by a high Government attorney.

I would appreciate it if you would keep me advised of the action which the Board takes in this matter.

Sincerely yours,

WILLIAM H. HARSHA,
Representative to Congress.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SOLICITOR,
Washington, D.C.

MEMORANDUM

To: Secretary of the Interior.
From: Solicitor.
Subject: Legality of the restrictive covenant in the Redskins lease on the District of Columbia Stadium.

I. STATEMENT OF FACTS

A. The current status of the District of Columbia Stadium lease

On December 24, 1959, the District of Columbia Armory Board entered into a lease agreement with Pro-Football, Inc. (the Washington Redskins) whereby the Redskins received a lease for the years 1961 through 1990 on the District of Columbia Stadium. The lease provides, at paragraph 2(e), the following:

The lessor shall have the right to lease or otherwise permit the use and occupancy of the stadium during any period exclusive of such specific dates referred to herein for any purpose or purposes (except as provided in subsec. (a) of this par. IX), including (but not limited to) school, college or other amateur or professional baseball, football, and basketball games and, also, for such other use or purpose as the lessor may determine, provided that at no time during the term of this lease agreement shall the stadium be let or rented to any professional football team other than the Washington Redskins.

We have recently been advised that at least one group of local businessmen is interested in obtaining use of the District of Columbia Stadium for an American League football team at times when it is not used by the Redskins. The AFL has presently not issued a franchise for a Washington team.

The District of Columbia Stadium Act of 1957, as amended,[1] authorizing construction of the stadium, directs the Secretary of the Interior to acquire certain property and then "enter into a contract with the [District of Columbia Armory] Board for the construction, maintenance, and operation of the stadium * * *."[2] The term of such a contract is not to exceed 30 years. In addition, after a period of not more than 50 years, during which stadium indebtedness is to be eliminated, "all right, title, and interest in and to the stadium constructed under this act shall vest in the United States."[3] The land is presently owned by the Government as part of its national park system.[4]

It is significant to note that both these provisions arise from the 1958 amendment. Under the act as originally passed the Secretary relinquished all right and interest in the stadium land to the Armory Board when construction was completed, and all interest in the stadium itself eventually reverted to the District of Columbia. In addition, the act was amended to qualify all the powers exercised by the Board by making them subject to the contract with the Secretary. Therefore, in passing the 1958 amendments, Congress specifically intended the Secretary to maintain substantial interest in the stadium.

On December 12, 1958, the Director of the National Park Service, acting pursuant to the act as amended and on behalf of the Secretary, entered into a 30-year contract with the District of Columbia Armory Board for the construction, maintenance, and operation of the stadium.[5] The terms of the contract set forth this basis for the contract requirement in the 1958 amendment:

"Whereas it is the intention of the parties that any acts, policies, or decisions of the Secretary under this contract will be consistent with reasonable protection to the Board against loss of its investment and against substantial increase in costs, hazards, and difficulties of its operations hereunder:"

It is significant for present considerations that the Secretary is authorized to take actions designed to protect the Board financially. This intent to provide financial protection for the Board is reflected in a further 1958 statutory amendment authorizing the Secretary of the Treasury to make periodic loans when necessary to facilitate stadium financing.[6] Since its opening the stadium has been operating at a loss, such loss being borne both by District of Columbia taxpayers and taxpayers of the United States.[7]

Several provisions in the Secretary's contract with the Armory Board recognize his continuing jurisdiction over the stadium. Section 2(b) of the contract permits the Secretary to request use of the stadium, at cost to the Board, for civic, recreational, and charitable purposes when it is not being used for commercial purposes. Section 3 requires the Secretary to provide parking areas, and provide and maintain landscaping and incidental roadways. Section 4(b) requires Secretarial approval of the construction of the stadium and other buildings constructed on the stadium property. Under section 6 the Board is required to furnish an annual financial statement to the Secretary. The Board is to pay $100 consideration annually to the Secretary. Finally, in all insurance required to be carried by the Board, the Secretary is to be named as coinsured.

This contract is still in effect and binding on the parties. By the act of 1957 as amended, Congress has authorized the Secretary to represent the United States in the construction, maintenance, and operation of the stadium. By entering into a contract with the Armory Board, the Secretary did not relinquish the interest or obligations placed upon him by Congress. Therefore, the Secretary has continuing interest, both as contracting party and congressional delegate, in the operation of the stadium and may take such actions to insure its proper development as are not inconsistent with the contract or the authorizing legislation.

B. The availability of stadiums in the District of Columbia area for professional football games

1. District of Columbia Stadium

District of Columbia Stadium is a modern, well equipped facility designed for professional sports events. It has a seating capacity of about 50,000 and an ample parking capacity. It is located near the core of the metropolitan area, easily accessible by private automobile and public buses from all parts of the metropolitan area. It has ample facilities for equipment storage and dressing rooms for home and visiting teams. There is a massive scoreboard to report the progress of other league games. Beer may be and is sold at concessions counters.

2. University of Maryland Stadium, College Park, Md.

University of Maryland Stadium seats 43,000 and has adequate parking facilities. The president of the university has publicly announced that the stadium is not available for professional games. Traffic access is somewhat less desirable than at District of Columbia Stadium. Because the stadium is within the premises of and controlled by a university, there would be restrictions on use of the field for practice by home and visiting teams. Beer could not be sold on the premises. University of Maryland Stadium therefore is neither an available nor a reasonably feasible facility for professional football games.

3. George Washington High School Stadium, Alexandria, Va.

George Washington Stadium seats 14,950 and has parking facilities for a commensurate attendance. At substantial expense stadium capacity could be increased to 25,000, and additional parking space built. There is no present assurance, however, that the city of Alexandria would permit use of the stadium or its expansion. Even if expanded to 25,000 seats, however, the capacity would be inadequate for popular games. The stadium is used by several school teams, thus severely restricting availability for home and visiting team practice schedules. There are no adequate facilities for home and visiting team equipment storage. The stadium is located on a congested stretch of U.S. Highway No. 1 south of the District of Columbia. Severe traffic jams could be expected from sizable crowds. Beer could not be sold on the premises.

George Washington Stadium therefore is not a reasonable alternative site for professional games even if available, and its availability is at present questionable.

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[1] 71 Stat. 619, as amended, 72 Stat. 421 (1958).
[2] Ibid., sec. 3.
[3] Ibid., sec. 7.
[4] H. Rept. 2145, 85th Cong., 2d sess. (1958), p. 7.
[5] Contract No. 14–10–0100–1030.
[6] 72 Stat. 421, sec. (14).
[7] Hearings before Subcommittee of House Committee on Appropriations, 89th Cong., 1st sess., Feb. 13, 1965, p. 735.

C. Local competition for professional game spectators

The Redskins are currently the only professional football team based in the Washington Metropolitan area. The nearest team is the Baltimore Colts. Most of the residents of the District of Columbia area are not spectators or potential spectators for Baltimore games, primarily because of the distance involved. A sample survey of the addresses of the Redskins 40,000 season ticket holders would almost certainly confirm this conclusion. Neither the Redskins nor the Colts solicit, in any significant way, season or individual ticket patronage in the other city by advertisements in local news media. When the Redskins play at Baltimore, the Washington telecast is not blacked out, and Baltimore receives telecasts of their games at District of Columbia. All home games of each team, however, are blacked out in their home areas.

II. THE APPLICABLE LAW

A. The restrictive covenant violates the Sherman Act and the FTC Act

Professional football is in interstate commerce and is subject to the jurisdiction of the Sherman Act. *Radovich* v. *National Football League*, 352 U.S. 445 (1957).

Section 1 of the Sherman Act (15 U.S.C. sec. 1) declares unlawful all contracts, combinations or conspiracies which unreasonably restrain interstate commerce. Section 3 of the Sherman Act (15 U.S.C. sec. 3) contains the same prohibitions, but with respect to commerce within the District of Columbia and the territories.

Prohibited restraints include exclusive dealing contracts which substantially lessen competition. The restrictive covenant in the Redskins lease is such a contract. The landlord has agreed to make the facility available, for professional football purposes, exclusively to the Redskins.

The effect of the covenant is to foreclose all competitors to exhibiting professional games in the Washington market. Exclusive agreements foreclosing much less than all the available facilities have been held to violate the antitrust laws. The controlling case is *FTC* v. *Motion Picture Advertising Service*, 344 U.S. 392 (1944). In that case the Federal Trade Commission challenged contracts whereby distributors of advertising motion pictures contracted with theater owners for the display of these films, and required in such contracts that the theater owners not display advertising films furnished by others. One of the respondents had contracts with 40 percent of the theaters in the area in which it operated. The three other respondents had similar exclusive dealing arrangements with other theaters. All four respondents together accounted for 75 percent of the theaters using advertising films in the United States. The Commission found these agreements to be unfair methods of competition in violation of section 5 of the Federal Trade Commission Act. The Supreme Court upheld the Commission on this basis:

"The number of outlets for the films is quite limited. And due to the exclusive contracts, respondent and the three other major companies have foreclosed to competitors 75 percent of all available outlets for this business throughout the United States. It is, we think, plain from the Commission's findings that a device which has sewed up a market so tightly for the benefit of a few falls within the prohibitions of the Sherman Act and is therefore an "unfair method of competition" within the meaning of sec. 5(a) of the Federal Trade Commission Act."

It should be noted that while in the MPAS case the FTC charged the exclusive agreements were violations of section 5 of the Federal Trade Act, the Supreme Court held that they violated section 5 because they violated the Sherman Act.

Also noteworthy is the fact that the total foreclosure of facilities by four firms was 75 percent, whereas the Redskins have alone foreclosed 100 percent of the available facilities in the market. The Redskins covenant is therefore an a fortiori violation of the Sherman and FTC Acts, and the principle of MPAS.

The leading monopolization case, *United States* v. *Aluminum Co. of America*, 148 F. 2d 416 (C.A. 2, 1945), holds that a firm with dominant or monopoly position in a market monopolizes unlawfully if it acts to maintain or enhance its market position. The particular act involved need not be a predatory one, or one which otherwise would be unlawful. Thus Alcoa, a monopolist found to have monopolized in violation of the Sherman Act, simply expanded its capacity from time to time to meet anticipated increases in the demand for its aluminum products.

The Redskins are, by virtue of being the only professional football team in the District of Columbia metropolitan market, a monopolist. The act of excluding all competitors from the market conclusively demonstrates that it is using its position to maintain its monopoly position, and is therefore prohibited by section 2 of the Sherman Act.

B. The participation of the Armory Board in the lease does not exempt the Redskins action from antitrust coverage

Exemptions to the antitrust laws may be given only by statutory authority, and implied exemptions are disfavored. The rule was cogently stated in *United States* v. *Socony-Vacuum Oil Co.*, 310 U.S. 150, 225–227 (1940), a case where defendants sought to justify price fixing on gasoline by claims that their conduct had been acquiesced in by officers of the Department of the Interior. Justice Douglas rebuffed that argument in these words:

"As to knowledge or acquiescence of officers of the Federal Government little need be said. The fact that Congress through utilization of the precise methods here employed could seek to reach the same objectives sought by respondents does not mean that respondents or any other group may do so without specific congressional authority. Admittedly no approval of the buying programs was obtained under the National Industrial Recovery Act prior to its termination on June 16, 1935 (sec. 2(c)), which would give immunity to respondents from prosecution under the Sherman Act. Though employees of the Government may have known of those programs and winked at them or tacitly approved them, no immunity would have thereby been obtained. For Congress had specified the precise manner and method of securing immunity. None other would suffice. Otherwise national policy on such grave and important issues as this would be determined not by Congress nor by those to whom Congress had delegated authority but by virtual volunteers. The method adopted by Congress for alleviating the penalties of the Sherman Act through approval by designated public representatives would be supplanted by a foreign system." (At pp. 225–227.)

The statutes relating to the Armory Board contain no provisions which expressly or impliedly authorize it to grant Sherman Act immunity.

The Supreme Court has also held, under the so-called lawful act doctrine, that private persons cannot use even a lawfully granted privilege for trade restraining objectives. The most recent statement of the rule was made by Justice White for a unanimous court in *Continental Ore Co.* v. *Union Carbide Corp.*, 370 U.S. 690 (1962). In that case the Canadian subsidiary of one defendant (Electro Met of Canada) had been granted an exclusive purchasing agency for vanadium by the Canadian Government during World War II. The defendant had allegedly used this privilege in a course of conduct designed to force the plaintiff out of business. The Court stated:

"Respondents are afforded no defense from the fact that Electro Met of Canada, in carrying out the bare act of purchasing vanadium from respondents rather than Continental, was acting in a manner permitted by Canadian law. There is nothing to indicate that such law in any way compelled discriminatory purchasing, and it is well settled that acts which are in themselves legal, lose that character when they become constituent elements of an unlawful scheme."

Similarly, the FCC grant of a broadcasting license to NBC was held no defense to a Sherman Act charge that NBC obtained the license as a part of a conspiracy between NBC and RCA to monopolize certain broadcasting markets. *United States* v. *Radio Corp. of America*, 358 U.S. 334 (1959).

These cases illustrate particular applications of the consistently recognized rule that persons dealing with an agent of the Government are charged with notice of the limitation on his authority and that the Government is bound only on the acts of agent which are within his authority. *Farm Security Admin.* v. *Herren*, 165 F. 2d 554, 564, (C.A. 1948), *cert. denied*, 333 U.S. 875 (1948). As the Supreme Court stated in *Federal Crop Ins. Corp.* v. *Merrill*, 332 U.S. 380, 384 (1947): "Whatever the form in which the Government functions, anyone entering into an arrangement with the Government takes the risk of having accurately ascertained that he who purports to act for the Government stays within the bounds of his authority."

Thus, an inherently invalid agreement acquires no cloak of legality merely because it was entered into by a public official or acquiesced in for a long period of time. Where the property or interest of the United States is at stake, the doctrine of estoppel does not operate.[8] If the United States is not bound by the action or inaction of its own employees, a fortiori it is much less accountable for the actions of officials of other governmental units which exceed the law and which prejudice the interests of the United States.

In sum, the participation of the Armory Board in the lease conferred no antitrust immunity on the Redskins and in no way precludes termination of the exclusive provision in the lease.

THE REMEDIES

Section 5 of the FTC Act is enforced by FTC cease and desist orders. A Sherman Act violation is a misdemeanor punishable by a maximum jail term of 1 year and a maximum fine of $50,000. The Attorney General may also bring equity suits to enjoin Sherman Act violations, whether or not criminal proceedings have been instituted.

Early in the history of the Sherman Act the Supreme Court ruled that courts would not enforce an agreement which violated the act. *E. Bement & Sons* v. *National Harrow Co.*, 186 U.S. 70, 88 (1902). Thus the restrictive covenant in the District of Columbia lease would not be enforceable in the courts. It should be noted, however, that this does not give the Armory Board the option to disregard its other obligations under the lease. The courts look with great disfavor on attempts to evade lawful agreements which are severable from unlawful ones. The courts will go no further than "the point where the judgment of the court would itself be enforcing the precise conduct made unlawful by the act * * *" *Kelly* v. *Kosuga*, 358 U.S. 516, 521 (1959).

Moreover, since the Redskins may claim the covenant was the sine qua non of this signing the lease, they, and not the Armory Board, would have the option not to continue under its other terms.

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[8] *United States* v. *California*, 332 U.S. 19, 39–40 (1947); *Utah Power & Light Co.* v. *United States*, 243, U.S. 389, 408–409 (1917).

CONCLUSIONS

1. The restrictive covenant is a contract in unreasonable restraint of trade in violation 5 of the Federal Trade Commission Act.

2. The restrictive covenant is an act of monopolization in violation of section 2 of the Sherman Act.

3. The restrictive covenant is an unfair method of competition in violation of section 5 of the Federal Trade Commission Act.

4. The restrictive covenant is unenforceable, and not binding upon the Armory Board.

5. Adherence to the covenant by the Armory Board by refusal to consider other lease offers which would not impinge on the Redskins' use of the stadium could cause considerable losses to the Treasury over a period of nearly 30 years.

6. Adherence to the covenant will allow the use of a public facility to perpetuate a private monopoly.

I should add that at a conference on October 1, 1965, members of my staff showed the above memorandum to Donald F. Turner, Assistant Attorney General in charge of the Antitrust Division, Department of Justice. Mr. Turner stated that he had no objection to the conclusions set forth in the memorandum.

FRANK J. BARRY, *Solicitor.*

DISTRICT OF COLUMBIA STADIUM FUND

1. The original debt is $19,800,000. Negotiable bonds were issued in this amount as the "4.2-percent stadium bonds of 1970–79" to cover the following estimated costs:

Preliminary engineering and economic surveys	$27,500.00
Construction of the stadium:	
Basic contract cost	14,247,187.50
Other estimated costs	1,319,812.50
Construction contingencies	600,000.00
Total	16,167,000.00
Miscellaneous equipment and furnishings	101,500.00
Engineering and administration costs	570,000.00
Operation and maintenance costs for 1 year after construction	485,000.00
Bond interest payable prior to 1 year after construction	2,292,000.00
Other items and contingencies	157,000.00
Total	19,800,000.00

2. No amounts have been paid on the balance. In addition, to date, no funds have been available for deposit in the sinking fund for redemption of the outstanding bonds.

3. The following table indicates the interest payments to bondholders:

Source of funding	Payment	Date paid	Amount
Stadium fund	1	Dec. 1, 1960	$415,800
Do	2	June 1, 1961	415,800
Do	3	Dec. 1, 1961	415,800
District of Columbia borrowing	4	June 1, 1962	415,800
Stadium fund	5	Dec. 1, 1962	415,800
District of Columbia borrowing	6	June 1, 1963	415,800
District of Columbia borrowing ($240,000); stadium fund ($175,800)	7	Dec. 1, 1963	415,800
District of Columbia borrowing	8	June 1, 1964	415,800
Do	9	Dec. 1, 1964	415,800
Do	10	June 1, 1965	415,800

4. The following schedule indicates the funds which the District of Columbia Commissioners have been required to borrow from the U.S. Treasury:

Loans from Treasury

Date	Rate of interest	Amount
June 1, 1962	3	$415,800
May 31, 1963	3¼	415,800
Dec. 1, 1963	3⅝	240,000
May 28, 1964	3⅝	415,800
Dec. 1, 1964	3⅞	415,800
June 1, 1965	4	415,800
Borrowed to date		2,319,000

Repayment to Treasury

Date	Principal	Interest	Total
Dec. 31, 1963	$415,800	$19,736	$435,536
Do	415,800	7,630	423,430
Aug. 13, 1964	240,000	5,111	245,111
Do	415,800	1,501	417,301
Repaid to date	1,487,400	33,978	1,521,378

5. Funds to repay these loans are included in the 1966 estimates as follows: [1]

Date of repayment	July 1, 1965
Principal	$831,600
Estimated interest	10,900
Total	842,500

[1] These loans were repaid on July 1, 1965 as follows:

Principal	$831,600
Interest	10,769
Total	842,369

DEDICATION OF COLUMBUS STATUE IN STATE CAPITOL

Mr. FINO. 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 New York?

There was no objection.

Mr. FINO. Mr. Speaker, on Columbus Day, October 12, 1965, Gov. Nelson Rockefeller unveiled a white marble bust of Christopher Columbus in the State capitol in Albany, N.Y.

This was a particularly historic occasion because it represents the first time that any State legislature authorized a bust of Columbus to be placed in its State capitol.

I insert in the CONGRESSIONAL RECORD at this time the dedication remarks of Governor Rockefeller, and of Senator Joseph Marine and Assemblyman Anthony Gioffre, the cosponsors of the bill which provided for the purchase and placement of the bust in the State capitol:

EXCERPTS OF REMARKS BY GOV. NELSON A. ROCKEFELLER, PREPARED FOR DELIVERY AT DEDICATION OF BUST OF CHRISTOPHER COLUMBUS, STATE STREET LOBBY, STATE CAPITOL, ALBANY, N.Y., OCTOBER 12, 1965

In this place which has known much history, it is highly appropriate that we should today unveil this magnificent tribute to Christopher Columbus by the people of the State of New York.

I congratulate the sculptor, Ferrucci Vezzoni, on the masterpiece he has created, and I extend the thanks of 18 million New Yorkers.

It is appropriate indeed that the distinguished representatives of both Italy and Spain should join in this ceremony as their countries joined centuries ago in giving Columbus to the world and making his voyage possible.

This ceremony results from legislation introduced by State Senator Joseph A. Marine and Assemblyman Anthony B. Gioffre, and guided through the Assembly by Speaker Anthony Travia.

It is fitting that our secretary of state, John P. Lomenzo, should be in charge of this ceremony.

It is appropriate, also, that this representation of the great explorer should face in the direction of the south mall, for it looks upon a scene on which the people of New York State are making a voyage of discovery of their own.

I refer to the discovery that government buildings can also be graceful and inspiring;

That there need be no conflict between the beautiful and the utilitarian in government architecture;

That there is nothing in the laws of nature or the nature of man to require that a State which is big and vital and productive must also be guilty of the mundane, the graceless, the ugly.

Like Columbus, who explored a new world in the geographical sense, we plan here to explore a new world of beauty and refreshment of the human soul.

I therefore unveil this remembrance of a great past event in a spirit of dedication to a great future, a future in which we build upon a great heritage to enrich the cultural and spiritual lives of all.

SPEECH DELIVERED BY ASSEMBLYMAN ANTHONY B. GIOFFRE

I was happy to have been invited to Albany today to participate in the unveiling ceremonies of the bust of Christopher Columbus.

Senator Marine and I were cosponsors of the bill which provided for the purchase and placement of the bust in the State capitol. This bill was introduced at the request of John F. Nave, State legislative chairman of the Order Sons of Italy in America. I am particularly gratified to see that he together with Salvatore H. Migliaccio, grand venerable of the Grand Lodge of the State of New York, together with many other members of the Order are present at these ceremonies.

It is particularly gratifying to note that recognition has been finally given in our State capitol to the memory of a great man, Christopher Columbus, the discoverer of this great country of ours. Hundreds of thousands of our residents, consisting of adults and children visit our State capitol annually and will now for the first time be able to view a bust of Columbus in the entrance to the capitol.

Columbus Day is now a State holiday in most of our States, including the State of New York. Although efforts have been made to make it a national holiday, Congress has failed to do so. It is my intention to introduce a resolution during the 1966 legislative session memorializing Congress to make Columbus Day a national holiday.

Let us hope that within the very near future recognition will be given by Congress making Columbus Day a national holiday.

REMARKS OF SENATOR JOSEPH E. MARINE

His Excellency, Governor Rockefeller, Hon. John P. Lomenzo (secretary of state), Assemblyman Anthony B. Gioffre, Gen. Cortlandt V. R. Schuyler, Commissioner of General Services Salvatore Migliaccio, grand venerable, State of New York, Order Sons of Italy in America, John Nave, legislative chairman, Grand Council Columbian Association (Lt. Mario Biaggi), representatives and members of organizations who have come

here from all over the State to witness the unveiling of the bust of Christopher Columbus and pay homage to a great man.

In making possible this appropriate exercise of respect, the legislature and our Governor recognize that no more significant event is commemorated by Americans than the discovery of this land of ours, and the very beginning of American history.

Actually, Columbus was publicly honored in this country for the first time back at the start of the American Revolution, when one of our earliest warships was named after him.

This first monument to his memory was erected in 1792, in Baltimore, on the 300th anniversary of his departure from Palos, Spain. Today, in hundreds of cities, towns, and villages throughout the land, we find evidence in one form or another of the deep and abiding respect a grateful nation has for the vision, determination, and courage of the great navigator. It is only fitting and proper that here in Albany, the capital of the Empire State of New York, there be placed a memorial to Christopher Columbus.

The idea of Albany as the site came from the Grand Lodge of the State of New York, Order Sons of Italy, through its Grand Venerable Salvatore Migliaccio and submitted by its energetic legislative chairman, John Nave, actively supported by the Grand Council of Columbian Associations in Civil Service under the leadership of Lt. Mario Biaggi, president, and Italo-American organizations throughout the State.

Like Columbus in doggedness and determination, Mr. Nave would not be denied in this lofty objective. Both as a member of the order and as a legislator, I was honored and privileged in being asked, along with my colleague Assemblyman Gioffre, to shepherd the proposal through the legislature.

Unlike Columbus, once we got it out of the senate committee on finance and the assembly ways and means committee, we had clear and smooth sailing by a unanimous vote in both houses and onto the shoreline of Governor Rockefeller's office where it received a gracious welcome and a firm signature into law.

Every schoolchild can give an acceptable version of the courageous vision that Christopher Columbus finally translated into fact on October 12, 1492, when a sailor aboard the caravel *Nina* announced the appearance of what turned out to be the New World.

To me, as to many others, this bust which is soon to be unveiled will be symbolic of the determination and courage which Christopher Columbus possessed; of his refusal to be deflected from his high purpose; of his conviction that man could sail aroun.. the world and not off its edge into empty space; of his tenacity against great odds and in the face of scorn, ridicule, and frustration.

The bust will symbolize the old glories and the new grandeurs. We whose roots branch out from Italian soil are justly proud of our heritage, and of becoming flourishing transplants in this America that Christopher Columbus discovered. The greatness of America is a tribute to those immigrants from Italy—and from all other foreign countries—who had the courage, strength, and vision to face the dangers and hardships of adapting themselves to new and strange surroundings, and making the most of their opportunities; from the earliest days of settlement on up through the pioneering and fighting years of American history to the challenge of the present.

The bust symbolizes the growth of the little Italian acorn into a mighty American oak. In New York State alone there are over 3 million Americans of Italian origin, descendents of and present-day participants in the fabric of our Nation's glorious history, ready to penetrate new darkness, to brave new courses on uncharted seas, all for the love of our country and fellow man.

Let us rededicate ourselves to honor Christopher Columbus in deed as well as in ceremony.

Thank you.

DIAL DU 6–5550 FOR THE DEMISE OF THE AMERICAN MERCHANT MARINE

Mr. MAILLIARD. 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 California?

There was no objection.

Mr. MAILLIARD. Mr. Speaker, I am sure that all of us are familiar with the film, "Dial M for Murder." Well, the Maritime Administrator, Mr. Nicholas Johnson, has come up with his own version of that production: "Dial DU 6–5550 for the Demise of the American Merchant Marine." Yesterday, one only had to dial DU 6–5550 to hear the dulcet tones of the Maritime Administrator on a recording extolling the virtues of the controversial Interagency Maritime Task Force report. In this recording, the Maritime Administrator took particular pains to point out that the only dissenting member of the task force was the Secretary of Labor. According to an article appearing in today's issue of the New York Times by Mr. George Horne, the Secretary of Labor protested and, about noon, the Maritime Administrator made a new recording leaving out the reference to the dissent of the Secretary of Labor. But, more importantly, what the Maritime Administrator meticulously failed to mention in the recording was the action of the Maritime Advisory Committee on the task force report. This committee, appointed by the President, is composed of knowledgeable members of both industry and labor. Upon receiving the task force report, the Maritime Advisory Committee unanimously voted not to accept the report. And among those so voting, I understand, were American owners of foreign-flag ships. Certainly there could be no more damning condemnation of the task force report.

The singular success of the task force report, if there be any, was to unite an otherwise divided industry. For this result, I must in all honesty congratulate the Maritime Administrator.

Now, I understand that the Maritime Administration has disclaimed that this recording was made for public dissemination. Rather, the agency disclaimer states that it was solely for use by agency employees. I do not pass judgment on this. But, it does seem to be inconceivable that a person of the reputed intelligence of the Maritime Administrator could be so naive as to think that the recording would not come to the attention of the public. Therefore, I can only conclude that this was an attempt by the Maritime Administrator to sell a controversial program largely authored by himself. Coming as this does on the eve of adjournment, I am particularly disturbed since it implies that the Maritime Administrator contemplates taking advantage of the adjournment. The time is long overdue when the fate of our merchant marine should be taken from the public forum and placed before appropriate congressional committees. The American merchant marine is too vital an asset of this Nation to be used as a ploy by the unexperienced and the uninformed.

If there be any question in anyone's mind concerning the ineptness of our Maritime Administration, I recommend that they read an article which appeared in the Baltimore Sun on October 18, 1965, entitled, "Around the Waterfront: Foreign Ships Seem Winners." This same article appears in the CONGRESSIONAL RECORD of October 19, 1965, having been inserted by the Honorable EDWARD A. GARMATZ, Democrat, of Maryland. Written by Helen Delich Bentley, maritime editor for the Sun, and probably one of the most knowledgeable writers in the maritime field, the article is concerned with the favored treatment being accorded foreign-flag ships to the detriment of the American merchant marine. It is a provocative article. It is worthy of being read by all who are interested in the well-being of the American merchant marine and its ability to respond to the demands of our commerce and our defense.

True, Vietnam has not reached the magnitude of the Korean conflict. Yet, to meet our commitments there we have been required to augment modern merchant vessels furnished by subsidized American-flag operators with older ships broken out from our national defense reserve fleet and foreign-flag ships. In several instances, these foreign-flag ships have refused to transport cargoes bound for Vietnam. This in itself should have been a sufficient indictment of our misplaced reliance on foreign-flag ships, attesting to the need for a strong American merchant marine. But, adding insult to injury, we now have the Maritime Administration granting permission to American-flag subsidized operators to charter foreign-flag ships for service on subsidized commercial trade routes. American-flag operators have been forced into this position because of the number of their ships committed to Vietnam movements and the nonavailability of American-flag tonnage to replace these ships. To me this is appalling. I can only conclude that our merchant marine has been allowed to degenerate to such an extent that not only must we look to foreign-flag ships to carry some of our defense cargoes in a limited war such as Vietnam, but that we must also rely upon foreign-flag ships to carry a portion of that commercial trade moving on subsidized trade routes.

If additional American-flag ships are required, then why does not the Maritime Administration break out additional ships from our national defense reserve fleet? Could it be that our reserve fleet has been allowed to degenerate so that there are insufficient ships left in the fleet suitable for employment in Vietnam movements? In an article appearing in the Journal of Commerce of October 13, 1965, the Honorable HERBERT C.

BONNER, Democrat, of North Carolina, chairman of the Merchant Marine and Fisheries Committee, has expressed his understanding that "we have less than 150 useful ships in our reserve fleet." The Honorable EDWARD A. GARMATZ, Democrat, of Maryland, ranking majority member of the Merchant Marine and Fisheries Committee, has expressed a similar concern. My own concern over this matter was expressed in my statement in the CONGRESSIONAL RECORD of August 19, 1965, entitled "Vietnam—A Lesson in Sea Power." Certainly there must be some ships left in the reserve fleet that are equal at least in caliber to the 22-year-old American-built liberty ships which the Maritime Administration recently permitted an American subsidized operator to charter for service on its commercial trade route.

Also, if, as the article by Helen Delich Bentley states, the time-charter rates on foreign ships has risen 250 percent since last December, why should the United States be singled out for such unwarranted prices? It would seem more reasonable to me to spend such money to reactivate idle American-flag tonnage, than continue to pick up the tab for foreign-flag operators. But, this does not appear to be of any great concern to those charged by law with the promotion of the American Merchant Marine. Foreign-flag operators need not even concern themselves with the additional cost involved in refusal to carry Vietnam-bound cargoes which have been loaded. As Mrs. Bentley points out in her article:

> When the Mexican vessel *El Mejicano* began the rejections of Vietnam cargo, after having a full load aboard in Long Beach, Calif., the U.S. Military Sea Transportation Service gave it a cargo to Okinawa. The loss of money for double loading and discharging, the time lost to get the supplies to the men on the war front made no difference.

And now we have the Maritime Administration exerting its efforts to keep foreign-flag operators happy.

The use of foreign-flag ships, however, is only symptomatic of the real problem—the complete and utter lack of constructive and knowledgeable Federal leadership. Not quite as charitable as I, Helen Delich Bentley has labeled it "irony, stupidity, or sabotage." I must say that the current performance of the Maritime Administrator with his telephone recording certainly lends support to Helen Bentley's version.

For months now I have been expressing my alarm over the dangerous drift of our merchant marine policy, riddled as it is with inconsistencies and vacillation. The latest move to permit American-flag subsidized operators to charter foreign-flag ships is but one example of this. The Secretary of Commerce, for example, has been urging private industry for months to reduce expenditures abroad to correct our unfavorable balance of payments. Then, along comes the Maritime Administrator, who is supposed to be under the direction of the Secretary of Commerce, granting permission to charter foreign-flag ships and promoting the concept of building our ships abroad. Also, in league with this movement to build abroad, we have the Department of Defense building ships in Great Britain. I can only explain this blatant inconsistency by the adage, "Do as I say, not as I do."

Now ostensibly the purpose of allowing American ship operators to charter foreign-flag ships is to enable them to maintain and protect their commercial trade while their ships are committed to Vietnam. For the life of me, I cannot see how this goal is to be attained by chartering 22-year-old Liberty ships. Furthermore, upon reading the letter of September 17, 1965, which the Maritime Administrator sent to the subsidized operators concerning foreign-ship charters, I cannot see how an operator could charter an American-flag ship. On its face, the letter tells the operator that he can charter an American-flag ship but without subsidy, and then that he must agree to include profits in subsidized accounting but not losses. Perhaps the Government does have to be protected in some fashion in these transactions. But I can only read these guidelines as saying, "Heads you lose, tails I win."

Similar inconsistencies arise in the area of commercial cargo promotion. I understand that through internal reorganization an Office of Maritime Promotion will be established in the Maritime Administration. Composed of some 70 personnel taken from existing divisions and offices within the agency, the function of this new office will be to promote commercial cargoes for American-flag ships. Now the concept does appear to have merit. But why all the sudden concern for commercial cargo promotion at a time when we do not even have sufficient American-flag ships to carry Government proprietary cargoes, or defense cargoes to Vietnam, or that portion of commercial cargoes carried by American ships? Certainly the effort would have been more profitably expended in prosecuting our vessel replacement program. This program is already behind schedule by some 90 ships. These are 90 new and modern ships that we should have had available today for Vietnam. We also would have had an additional 90 ships traded in under this replacement program. If this had been done, then today we would not be finding it necessary to look to foreign-flag ships to carry our cargoes. This is why I say we need constructive Federal leadership. This is why I also say that the chartering of foreign ships, appalling as it may be, is only symptomatic of the real program—a need for Federal leadership. Chartering of foreign-flag ships is tantamount to an admission of the ineptness and abysmal failure of the Maritime Administration to promote the American merchant marine.

One need no longer wonder what prompted me to introduce my bill, H.R. 11355, on September 30, 1965, to establish an independent Federal Maritime Administration. What we are now harvesting are the seeds of indecision and vacillation planted with the enactment of reorganization plan No. 7 of 1961.

The American merchant marine does need a voice. It needs a knowledgeable voice of mature men dedicated to the promotion of the American merchant marine. We do not have that voice now. We shall never have that voice until we establish an independent Federal Maritime Administration.

While I may have taken the present Maritime Administrator to task, personalities do not enter into my bill to create an independent agency. To the contrary, the central issue is a maritime policy which will be vigorously prosecuted. We have a maritime policy set forth in the Merchant Marine Act of 1936, but it is not being carried out. Rather, today, we have nothing but masterly inactivity from a subordinate agency which is incapable to responding to the Congress. And it is the Congress which is ultimately responsible for the fate of the American merchant marine. As Mr. William W. Jordan, president of the Marine Firemen's Union, recently noted in his column, "The President's View of Things," and I quote:

> I don't know whether an agency such as is proposed by Congressman MAILLIARD would help this Nation to once again become a leading maritime power, but I do damn well know that under present Maritime Administration policies the United States will never again be a leading maritime power. I, for one, am willing to take a look at any proposal. Too many of us are "fiddling as Rome burns."

STAFF REPORT ESTABLISHING ILLEGALITY OF RUMP SESSION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and 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 Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, there have been varying news reports about Tuesday's rump session conducted by a minority of the Banking and Currency Committee. The facts, of course, are quite plain.

I am placing in the RECORD a report prepared by members of the Banking and Currency Committee staff who observed the rump session. This report fully sets out the facts of this illegal meeting. This report establishes: First, that the regular third Tuesday meeting, under which the group claimed to be operating, had been duly canceled by me; second, that no quorum was present on any votes taken in the rump session; and, third, that the chairman, a number of other members of the committee, and the staff were not informed about the plans to hold the session.

I want to reemphasize that no bank merger bill has been reported this session from the Banking and Currency Committee. Any documents purporting to be reports of the Banking and Currency Committee on S. 1698 or any other bank merger bill are false. The committee has made no such report.

When a bank merger bill is reported out of the Banking and Currency Committee, it will be done in a proper manner according to the rules of the House. A bill will be reported only in a duly con-

stituted meeting with a quorum of the committee actually present.

I insert the staff report at this point:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
Washington, D.C., October 20, 1965.

To: Chairman PATMAN.
From: Paul Nelson.

As directed by you I am setting forth several facts concerning the gathering of various members of the Banking and Currency Committee in the committee's hearing room on the morning of October 19, 1965, as I and several of the staff observed them.

First, you will recall that on Monday, October 18, I informed you of the fact that Tuesday, October 19, was the regularly constituted meeting day of the Banking and Currency Committee. In reply you informed me that the committee would not meet that day and as such directed a memorandum to me so stating. The full text of your memorandum to me follows:

"MEMORANDUM

"OCTOBER 18, 1965.

"To: Paul Nelson, Clerk.
"From: WRIGHT PATMAN, Chairman.

"Rule I of the rules of procedure of the Committee on Banking and Currency for the 89th Congress states that the committee shall meet at 10 a.m. on the first and third Tuesdays of each month unless canceled by the chairman.

"The Banking and Currency Committee will not meet on October 19, 1965, which is the third Tuesday in the month.

"Since it is customary only when a committee meeting is scheduled to notify the members, it will not be necessary for you to notify the members that the meeting has been canceled."

What follows is a rendition of the observations made by several members of the staff regarding the occurrence in the committee's quarters on the morning of October 19:

1. Mrs. Deem observed while sitting at her desk in the outer office that Congressman OTTINGER's administrative assistant, Mr. Paul A. Schusberg, came in and asked for Congressman OTTINGER. Mr. Schusberg told Mrs. Deem that he was waiting for Mr. OTTINGER, and that the Congressman was coming to the committee room prior to going to his office.

Several moments later Mr. MOORHEAD entered the committee's anteroom and stated to Mrs. Deem that he wanted to get something out of his desk in the committee hearing room. Mrs. Deem went with Mr. MOORHEAD and asked if he wanted the lights turned on since it was quite dark in the committee room. Mr. MOORHEAD replied that he thought he could find what he needed without turning the lights on. At that point Mrs. Deem retired from the committee room.

Mrs. Deem observed, after the passage of another 5 or 6 minutes, that there was a great deal of shuffling and noise emanating from the hearing room. She then started back into the committee room to determine what had occurred, and at that point Mr. ANNUNZIO came through the door from the committee room indicating that it was dark in the hearing room. Mr. ANNUNZIO asked if he could have the lights turned on because there were a "lot of members in there." Mrs. Deem then proceeded to turn on the lights.

2. Several members of the staff notified me that commencing at 10 o'clock various members of the committee were milling outside the doors of the committee room in the corridor and subsequently Mrs. Deem and others informed me that various members had entered the hearing room and taken their chairs.

I then called you and you indicated that I was to inform the members of the committee that you were unavoidably detained for an emergency matter and that no meeting could be considered until the chairman arrived to consider it; that the meeting for the 19th had already been canceled which was authorized under committee rules. I dictated a memorandum to this effect to carry into the hearing room, and prior to entering the hearing room met Mr. ANNUNZIO. I informed Mr. ANNUNZIO of your whereabouts and also presented him with a copy of the memorandum of October 18 from the chairman canceling the meeting. It is my understanding that Mr. ANNUNZIO took this memorandum into the committee room and presented it to Mr. ASHLEY who was occupying the chair at the time.

3. At approximately 10:15 a.m. several members of the staff were sitting in the hearing room and noted that Mr. REUSS had at that time entered the committee room and as senior majority member present assumed the chair. Mr. ANNUNZIO was recognized at this point by the Chair and asked the chairman to rule whether or not the meeting was legally constituted. Mr. REUSS stated that as the ranking member present he would first determine whether or not a valid meeting was in progress, pursuant to the committee rules and the rules of the House. Mr. REUSS questioned several members concerning the reason for the meeting and the circumstances under which it was called, including proper notice to all the members. Mr. REUSS also referred to the telephone message received from Chairman WRIGHT PATMAN as well as the memorandum dated October 18, 1965, as noted above, that the committee meeting for Tuesday, October 19, had been canceled. Mr. REUSS presiding then ruled that the gathering did not constitute a valid meeting of the committee under the rules of the committee and of the House, ordered the group disbanded, and withdrew from the committee room along with Mr. ANNUNZIO.

4. It was noted by 5 members of the committee staff that at approximately 10:56 a.m. there were 15 members of the Banking and Currency Committee within the committee room. These members were: Messrs. MOORHEAD (who was in the chairman's chair), ASHLEY, STEPHENS, GRABOWSKI, GETTYS, OTTINGER, CABELL, WIDNALL, FINO, Mrs. DWYER, Messrs. HALPERN, DEL CLAWSON, JOHNSON, STANTON, and MIZE.

5. The committee staff also noted that at approximately 11:12 a.m. 15 members of the committee were present as follows: Messrs. MOORHEAD (in the chairman's chair), ASHLEY, STEPHENS, GRABOWSKI, GETTYS, OTTINGER, CABELL, WIDNALL, FINO, Mrs. DWYER, Messrs. HALPERN, DEL CLAWSON, JOHNSON, STANTON, and MIZE.

At 11:15 a.m., Mr. HALPERN left the room. At 11:15 a.m. Mr. MOORHEAD (from the chairman's chair) moved under the "procedures previously adopted" the question regarding the Ottinger amendment. The amendment, according to Mr. MOORHEAD, carried by voice vote. At approximately 11:16 a.m. Mr. MOORHEAD moved the question on the Ashley substitute as amended by the Ottinger amendment. According to Mr. MOORHEAD it carried unanimously by voice vote. The vote was announced at approximately 11:19 a.m.

Mr. STEPHENS asked that the record show that committee staff members Nelson, Morse, Prins, and the microphone operator (G. McMurray) were present. At no time were the staff members able to count more than 16 members in the committee room at any one time. The staff was informed by Mr. MULTER, Mrs. SULLIVAN, Messrs. REUSS, GONZALEZ, MINISH, and TODD that none of them was informed in advance of the purported meeting. It is likely that several other members also received no notice.

During the course of the proceedings, the staff noted that, on every vote taken, proxies executed by absent members were voted. Under rules of the committee, proxies cannot be counted as part of a quorum.

6. At approximately 11:40 it was noted by members of the committee staff that Chairman PATMAN entered the room and assumed his seat. The chairman ruled that the gathering did not constitute a duly called and assembled meeting of the committee, that there was no record of the gathering, that it was strictly informal, but invited the members to freely discuss any matter they wished. Mr. TODD made the point of order that a quorum was not present. The chairman responded that there was not a valid committee meeting in the first place.

7. It should also be reported that the Ward & Paul reporter who appeared at this gathering informed committee staff (as was subsequently verified by Mr. Ward, of Ward & Paul) that Ward & Paul's office had been called the previous day to have a reporter present in Mr. MOORHEAD's office to transcribe a "technical hearing" and that Mr. MOORHEAD would pay for the services. The reporter informed committee staff that he arrived at Mr. MOORHEAD's office at 9:30 and Mr. MOORHEAD took him to the committee hearing room whence he began by direction of Mr. MOORHEAD to transcribe the minutes of the gathering.

FREEDOM OF INFORMATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. RUMSFELD] is recognized for 20 minutes.

Mr. RUMSFELD. Mr. Speaker, a freedom of information bill (S. 1160) has passed the Senate. Yet here in the House, the bill, H.R. 5012, introduced months ago, is still rattling around in committee. The only conceivable reason for the lack of progress of this measure is the well-known and well-publicized White House opposition.

As the 1st session of the 89th Congress draws to a close amid generous press and television reports of the legislative accomplishments of this session, it is significant to note that despite the unusually heavy legislative output, the House has failed once again to come to grips with the question of the public's right to know. Regardless of what else may have been accomplished this year, this is a serious defeat for the people of this Nation and for our system of government which depends so fundamentally on an informed electorate.

The obvious need for adequate information in a democratic society needs no emphasis, for without the knowledge necessary to cast an intelligent vote, the value of the vote itself is diminished. And without the fullest possible access to Government information, it is impossible to gain the knowledge necessary to discharge the responsibilities of citizenship.

With these words, the chairman of the House Government Operations Subcommittee on Government Information and Foreign Operations, the gentleman from California [Mr. Moss], stressed the people's "right to know," as he opened hearings on bills to create a Federal public records law. As a minority member of this subcommittee and as a sponsor of the bill, I have been deeply interested in this legislation. My remarks will detail the unfortunate lack of progress of this important bill.

The Freedom of Information Subcommittee began hearings on November 7, 1955, and since then has documented case

after case of unauthorized withholding of information by Government agencies and Federal officials—from the press, the public, and Congress. The subcommittee's investigations have resulted in thousands of pages of printed hearings and reports and have proved, in the words of its chairman, "the unfortunate fact that governmental secrecy tends to grow as Government itself grows." The subcommittee's work has demonstrated again and again that the fight for freedom of information is a continuing one.

The official policy of the executive to withhold information at its discretion is no innovation in our Government. Before our Federal Government was 1 year old, the executive branch had denied a congressional request for information. The executive has steadfastly asserted this as its prerogative for 175 years or more. But Congress has never forced the issue.

During this decade, the subcommittee has been working to help assure an informed public. Its vigilance has helped maintain for the Congress and for the public a degree of availability of information that is so necessary for intelligent decisions by the electorate and its representatives.

Realizing that continued documentation of individual cases of unwarranted secrecy will never determine the basic issue involved, the subcommittee moved into the legislative field. On February 17, 1965, and subsequently, some 19 Members of the House and 22 Members of the Senate have introduced proposals for a public records law. Sponsors include:

S. 1160, by Mr. LONG of Missouri. Cosponsors: Mr. ANDERSON, Mr. BARTLETT, Mr. BAYH, Mr. BOGGS, Mr. BURDICK, Mr. CASE, Mr. DIRKSEN, Mr. ERVIN, Mr. FONG, Mr. HART, Mr. METCALF, Mr. MORSE, Mr. MOSS, Mr. NELSON, Mrs. NEUBERGER, Mr. PROXMIRE, Mr. RIBICOFF, Mr. SMATHERS, Mr. SYMINGTON, Mr. TYDINGS, and Mr. YARBOROUGH.

H.R. 5012, to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records, by Mr. Moss; H.R. 5013, by Mr. FASCELL; H.R. 5014, by Mr. MACDONALD; H.R. 5015, by Mr. GRIFFIN; H.R. 5016, by Mr. REID of New York; H.R. 5017 by Mr. RUMSFELD; H.R. 5018, by Mr. EDMONSON; H.R. 5019, by Mr. ASHLEY; H.R. 5020, by Mr. MCCARTHY; H.R. 5021, by Mrs. REID of Illinois; H.R. 5237, by Mr. GIBBONS; H.R. 5406, by Mr. LEGGETT; H.R. 5520, by Mr. SCHEUER; H.R. 5583, by Mr. PATTEN; H.R. 6172, by Mr. MOSHER; H.R. 6739, by Mr. EDWARDS of Alabama; H.R. 7010, by Mr. WIDNALL; H.R. 7161, by Mr. ERLENBORN; H.R. 11321, by Mrs. DWYER.

The purpose of the proposed public records law is to require every agency of the Federal Government to "make all its records promptly available to any person," and to provide for court action to guarantee the right of access, with the exception of certain specified categories of sensitive Government information which would be exempted from the disclosure requirement.

The bills are similar to S. 1666 which passed the Senate in the 88th Congress but was not acted upon in the House. In February 1965 when the House bills were introduced, and I am one of the original cosponsors, it was pointed out that the 10 years of study by the House subcommittee have shown that Federal agencies have exercised broad powers to withhold information, and that what was needed was a clear delineation of sensitive Government information which must be held confidential and an enforceable right of public access to the rest of the facts of Government.

Hearings on these bills were held by our House Government Information Subcommittee this year—March 30, 31, April 1, 2, and 5, 1965. Almost without exception, non-Government witnesses who testified were in support of the bill, and witnesses who testified on behalf of the executive branch were in opposition to the bill. At the conclusion of my remarks is a listing of witnesses, both public and private, and their positions with respect to this legislation.

In mid-May, subcommittee members were sent a revised committee print prepared by the staff in anticipation of a meeting of the subcommittee and asking for comments on the print.

On May 24, 1965, a subcommittee meeting was called and met and adjourned in the absence of a quorum. On June 1, 1965, a brief subcommittee meeting was held at which time the committee print of the redrafted bill dated May 20, 1965, was discussed. The redrafted committee print represented, in my opinion, a complete revision of the earlier bill, and an almost total concession to the executive branch, by codifying congressional support for Executive secrecy under the concept of Executive privilege. Because of the scope of the revision, the meeting ended without any agreement having been reached. A third subcommittee meeting, scheduled for June 3, 1965, was canceled.

Mr. Speaker, the redrafted bill was a bad bill. Press reports indicate that it has gone through a variety of drafts with the Justice Department coordinating the executive branch work with the committee staff. When one recalls the testimony of the Justice Department before the subcommittee, it is not difficult to figure out why it was a bad bill. Asking representatives of the Justice Department to assist in the drafting of a freedom of information bill is like asking the wolf to guard the sheep.

Their redrafted committee print would write into law a provision whereby any information, regardless of its nature, could be withheld from the public "by direction of the President."

Further, there was no provision to protect against circumvention by delay. Legal remedy would not be available until a determination to withhold was specified. Yet, there was no requirement that such a determination be made by the bureaucrat who withholds information and no time limit was specified. Numerous examples of the looseness of the language could be cited, but suffice it to say that the redrafted bill would do more harm than good.

Since June 1, 1965, some 4½ months ago, when the committee print was briefly discussed, a pall of silence spread over the information activities of the subcommittee—and it is noticeable by contrast with the publicity that accompanied the introduction of the bills and the opening of the hearings. Fortunately, that staff-prepared committee print has now died a quiet death.

But, from the record of these hearings, one thing is clear: The executive branch, as might have been expected, is opposed to the bill. I will not take the time of the House to recount the Government testimony. The hearings are available. Suffice it to say that the Government witnesses were almost united in their opposition to the bill.

Surely, the House has not been paralyzed by this opposition. If there is such a thing as "executive privilege" in this regard, it is only inherent in the proper exercise of the President's constitutional duties and is probably limited to instances where the safety of the Nation is involved.

H.R. 5012 as originally introduced as well as the recently passed Senate bill gives full recognition to this possibility when it exempts from availability to the public matters that are "specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy" and other pertinent exemptions.

From the hearings it appears that the fact of the matter is that the executive agencies do not intend to settle for anything short of unlimited discretion if they can help it.

The Federal agencies have protested the inadequacies of the exemptions and apparently would like to broaden the protected categories of information and records to the point where effectiveness of the legislation would be completely vitiated. At the best, the legislation they favor would be a farce by merely preserving the status quo. At worst, it would further circumscribe the public's right to know and put into law the broadest possible concept of executive privilege.

The original H.R. 5012 is a good bill. The recently passed Senate bill is basically a good bill. By present policy, the burden of getting information from an agency that wishes to withhold it has been on the public and the press when information sought is withheld. H.R. 5012 and the Senate passed bill shifts the burden to the agency; for under this bill, the Government can at least be forced to make public it reasons for withholding information on those occasions when it chooses to do so. The basic shortcoming of the Senate bill appears to be that it applies only to administrative procedures, unlike the House bill which amends the general statutes.

The substitution of a "positive" emphasis for a "negative" one and court enforcement of the right to know should tend to provide a more healthy climate for freedom of information.

The need for a well-informed public, the protection of certain Government information, and the right of individual privacy are all involved. The original bill, possibly with some modifications,

seems a reasonable compromise of the conflicting views involved.

The principle of freedom of information is not to be taken lightly. Recommendations by the Hoover Commission Task Force on Government Reorganization generated the introduction in Congress of freedom of information legislation in the early 1950's.

As Senator LONG of Missouri, a sponsor of this legislation, has said:

I think it no part of the duty of a public servant to protect the people from the truth. * * * The Government may not always be able to tell the whole truth, but it should tell nothing but the truth. * * * While the handful of leaders who must determine the Nation's course and their advisers are men of good faith and ability, the critical questions of war and peace cannot be left to the experts, free of scrutiny by citizens and Congress. The citizen cannot abdicate his responsibility. And I would add that the Government likewise cannot shirk its responsibility to keep the citizenry informed.

Interestingly, Pope John XXIII, in the encylical Pacem in Terris, said:

Peace can only come * * * from observance of the "universal, unvoidable, and inalienable" natural law rights which include: The right to freedom in searching for the truth and in expressing and communicating one's opinions. * * * The right to be informed truthfully about public events.

Mr. Speaker, earlier this month the Nation celebrated National Newspaper Week. This week, honoring the Nation's press, should remind us all that the very foundation of our democratic system is the people's right to know. I believe strongly that the public's business must be conducted in public if our system is to prevail.

Appropriately, and to their credit, the Senate, on October 13, 1965, passed unanimously a bill clarifying and protecting the right of the public to information. The other body has done its work well in this regard, as it did in the last Congress. Only House action remains. The Government Operations Committee has a job to do for the American people. Hopefully, it will act promptly and wisely. House Report No. 2084 of the Government Operations Committee, 86th Congress, 2d session, set forth the following comment on this problem which I hope indicates the attitude of our committee today:

Secrecy, the first refuge of incompetents, must be at a bare minimum in a democratic society, for a fully informed public is the basis of self-government. Those elected or appointed to positions of executive authority must recognize that government in a democracy cannot be wiser than the people.

Mr. Speaker, the press reports are pessimistic on the prospects for this legislation, attributing the poor prospects to the strong administration opposition. I, for one, am still hopeful—for how could an administration which claims to be interested in encouraging the participation of all citizens in Government stand in opposition to this legislation? Why should President Johnson have asked the Congress to pass the Voting Rights Act of 1965, for example, if his administration is intent on denying the public access to the information it needs to draw informed conclusions? Why should the administration have any objection to the goal of assuring the people's right to know about the conduct of Government? Why should the President, on the one hand, speak frequently of his interest in people and on the other hand deny those people their constitutional right to information on the conduct of Government?

Mr. Speaker, I have no way to know what is in the minds of the President or his associates in the executive branch. I have no way to determine what is behind the administration's strong vocal opposition to this legislation. Further, I have no way, at this point, to know whether or not the House, unlike the Senate, will buckle under to White House pressure on this matter. My remarks today are intended simply to inform the House and the American people of the fact that while the 1st session of the 89th Congress has passed a great deal of legislation, it has failed to assure freedom of information. I hope and trust that the committee will do its work, report out a good bill, and give the House a chance to work its will.

[From the Hollister Publications, Oct. 7, 1965]

BULWARK OF FREEDOM

In guaranteeing freedom of the American press, the first amendment to the U.S. Constitution established a vital, powerful bulwark to guard, protect, and defend the greater freedom of the individual.

From their earliest beginnings, America's newspapers have fought off attempts to deprive them of their freedom to gather, report, and interpret the news honestly and objectively. They have had their John Peter Zengers and Elijah Lovejoys, fighters and martyrs to the cause of press freedom. And despite Government attempts to manage the news, America's thousands of daily and weekly newspapers have stubbornly maintained their integrity. At the same time, they have fought off attacks on the press by leftist and rightist groups which would like only their views reported.

And thanks in part to competition from radio and television, the American press has steadily increased its services to the reading public, so that your newspaper today is one of your best bargains.

Thomas Jefferson eloquently stated the case for a free press:

"The basis of our Government being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a Government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter."

It is fitting, therefore, for America's millions to salute their free press with the observance of National Newspaper Week, which starts Sunday. If freedom of the press ever were eroded, all other freedoms soon would be lost.

Mr. Speaker, following is a list of noncongressional individuals and the organizations they represent who testified or submitted statements for or against H.R. 5012 before the House Subcommittee on Government Information:

STATEMENTS (APPEARANCES) IN SUPPORT

Joseph Costa, National Press Photographers Association.

Lawrence Speiser, director, Washington office, American Civil Liberties Union.

Robert M. Benjamin (offered amendments), representing American Bar Association, accompanied by Chisman Hanes.

John H. Colburn, editor and publisher, Wichita (Kans.) Eagle and Beacon; representing the American Newspaper Publishers Association.

Richard D. Smyser, chairman, Freedom of Information Committee of the Associated Press Managing Editors Association.

Creed Black, managing editor, Chicago Daily News, and chairman, American Society of Newspaper Editors' Freedom of Information Committee; accompanied by William P. Rogers, counsel; and Eugene Patterson, editor, Atlanta Constitution, committee member.

Dale W. Hardin, manager, Transportation and Communication Department, Chamber of Commerce of the United States, accompanied by Verne R. Sullivan, assistant manager, Transportation and Communication Department.

Julius Frandsen, chairman, Sigma Delta Chi's Committee for Advancement of Freedom of Information, accompanied by Clark R. Mollenhoff, vice chairman.

Walter B. Potter, publisher, Culpeper Star-Exponent, representing the National Editorial Association.

John A. McCart, operations director, Government Employees Council, AFL–CIO.

STATEMENTS (APPEARANCES) IN OPPOSITION

Norbert A. Schlei, Assistant Attorney General, Office of Legal Counsel, Department of Justice; accompanied by Webster P. Maxon, Director, Office of Administrative Procedure, Department of Justice.

H. T. Herrick, General Counsel, Federal Mediation and Conciliation Service; accompanied by Gilbert Selden, Assistant Director, Office of Mediation Activities.

Fred Burton Smith, Acting General Counsel, Treasury Department; accompanied by Mrs. Charlotte T. Lloyd, Chief, Legal Opinion Section, Treasury Department.

STATEMENTS AND LETTERS FROM ORGANIZATIONS AND INDIVIDUALS IN SUPPORT

John F. Griner (primary objectives desirable; exceptions), president, American Federation of Government Employees.

Ralph F. Fuchs (suggests amendment), Indiana University School of Law.

Carl L. Shipley, attorney, Shipley, Akerman & Pickett, Washington, D.C.

G. B. Burnham, president, Burnham Chemical Co.

Andrew J. Biemiller (supports principle of—but recommends changes), director, Department of Legislation, American Federation of Labor and Congress of Industrial Organizations.

Magazine Publishers Association.

Vincent T. Wasilewski, president, National Association of Broadcasters.

Green Bay Press-Gazette, Green Bay, Wis.

Allied Daily Newspapers of Washington.

Meriden Record Co., Meriden, Conn.

Hidalgo Publishing Co., Inc., Edinberg, Tex., James V. Mathis, editor and publisher.

Kermit Overby (suggested inclusion in the committee report of language to protect REA borrowers); director, Legislation and Research Department, Rural Electric Cooperative Association, Washington, D.C.

American Trial Lawyers Association, Aviation Law Section, New York (support—with reservations).

Maritime Administrative Bar Association.

Railway Labor Executive's Association (no objections).

Statements and letters from organizations and individuals in opposition: None.

COMMENTS FROM DEPARTMENTS AND AGENCIES IN SUPPORT

Legislative branch

General Accounting Office: In general agreement—suggests changes.

Independent agencies

Civil Service Commission: No objection.

Federal Power Commission: No specific objections or reservations to the provisions of this bill with two exceptions.

Federal Trade Commission.

COMMENTS FROM DEPARTMENTS AND AGENCIES IN OPPOSITION

Executive Office of the President

Bureau of the Budget: Does not adequately protect the public interest.

Executive departments

Department of Agriculture.
Department of Commerce (Patent Office, Maritime, Bureau of Public Roads, Assistant Secretary for Administration).
Department of Defense.
Department of Health, Education, and Welfare.
Department of the Interior.
Department of Labor.
Post Office Department.
Department of State.
Department of the Treasury.

Independent agencies

Atomic Energy Commission.
Civil Aeronautics Board.
Federal Aviation Agency.
Federal Communications Commission (agrees with underlying purpose of bills).
Federal Home Loan Bank Board.
Federal Maritime Commission.
Federal Reserve Board.
General Services Administration.
Housing and Home Finance Agency.
Interstate Commerce Commission.
National Aeronautics and Space Administration.
National Labor Relations Board.
Securities and Exchange Commission.
Selective Service System.
Veterans' Administration.

S. 1160

An Act to amend section 3 of the Administrative Procedure Act, chapter 324, of the Act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3, chapter 324, of the Act of June 11, 1946 (60 Stat. 238), is amended to read as follows:

"SEC. 3. Every agency shall make available to the public the following information:

"(a) PUBLICATION IN THE FEDERAL REGISTER.—Every agency shall separately state and currently publish in the Federal Register for the guidance of the public (A) descriptions of its central and field organization and the established places at which, the officers from whom, and the methods whereby, the public may secure information, make submittals or requests, or obtain decisions; (B) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available; (C) rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations; (D) substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency; and (E) every amendment, revision, or repeal of the foregoing. Except to the extent that a person has actual and timely notice of the terms thereof, no person shall in any manner be required to resort to, or be adversely affected by any matter required to be published in the Federal Register and not so published. For purposes of this subsection, matter which is reasonably available to the class of persons affected thereby shall be deemed published in the Federal Register when incorporated by reference therein with the approval of the Director of the Federal Register.

"(b) AGENCY OPINIONS AND ORDERS.—Every agency shall, in accordance with published rules, make available for public inspection and copying (A) all final opinions (including concurring and dissenting opinions) and all orders made in the adjudication of cases, (B) those statements of policy and interpretations which have been adopted by the agency and are not published in the Federal Register, and (C) administrative staff manuals and instructions to staff that affect any member of the public, unless such materials are promptly published and copies offered for sale. To the extent required to prevent a clearly unwarranted invasion of personal privacy, an agency may delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction: *Provided,* That in every case the justification for the deletion must be fully explained in writing. Every agency also shall maintain and make available for public inspection and copying a current index providing identifying information for the public as to any matter which is issued, adopted, or promulgated after the effective date of this Act and which is required by this subsection to be made available or published. No final order, opinion, statement of policy, interpretation, or staff manual or instruction that affects any member of the public may be relied upon, used or cited as precedent by an agency against any private party unless it has been indexed and either made available or published as provided by this subsection or unless that private party shall have actual and timely notice of the terms thereof.

"(c) AGENCY RECORDS.—Except with respect to the records made available pursuant to subsections (a) and (b), every agency shall, upon request for identifiable records made in accordance with published rules stating the time, place, fees to the extent authorized by statute and procedure to be followed, make such records promptly available to any person. Upon complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated shall have jurisdiction to enjoin the agency from the withholding of agency records and to order the production of any agency records improperly withheld from the complainant. In such cases the court shall determine the matter de novo and the burden shall be upon the agency to sustain its actions. In the event of noncompliance with the court's order, the district court may punish the responsible officers for contempt. Except as to those causes which the court deems of greater importance, proceedings before the district court as authorized by this subsection shall take precedence on the docket over all other causes and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way.

"(d) AGENCY PROCEEDINGS.—Every agency having more than one member shall keep a record of the final votes of each member in every agency proceeding and such record shall be available for public inspection.

"(e) EXEMPTIONS.—The provisions of this section shall not be applicable to matters that are (1) specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy; (2) related solely to the internal personnel rules and practices of any agency; (3) specifically exempted from disclosure by statute; (4) trade secrets and commercial or financial information obtained from any person and privileged or confidential; (5) inter-agency or intra-agency memorandums or letters which would not be available by law to a private party in litigation with the agency; (6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; (7) investigatory files compiled for law enforcement purposes except to the extent available by law to a private party; (8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions; and (9) geological and geophysical information and data (including maps) concerning wells.

"(f) LIMITATION OF EXEMPTIONS.—Nothing in this section authorizes withholding of information or limiting the availability of records to the public except as specifically stated in this section, nor shall this section be authority to withhold information from Congress.

"(g) PRIVATE PARTY.—As used in this section, 'private party' means any party other than an agency.

"(h) EFFECTIVE DATE.—This amendment shall become effective one year following the date of the enactment of this Act."

CONTROL OF PORNOGRAPHIC MATERIAL THROUGH A CONSTITUTIONAL AMENDMENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, today I introduced House Joint Resolution 781, which proposes that the U.S. Constitution be amended to permit Congress to regulate and control the distribution of pornographic material.

Alarmed citizens all over the country have been writing their Congressmen, protesting the dissemination of obscene material, especially to young people. I have received such letters and many appeals for action from my constituents, and, being greatly concerned by the insidious effect of such material, especially on young people, I have concluded that drastic measures are needed to combat this billion-dollar traffic in printed filth.

While many people know of the problem and have taken the time to write to their Congressmen about it, many others are not aware of the magnitude of the pornography racket in the United States. Since World War II it has been estimated that dealing in smut is a $500 million a year business. The Post Office is said to receive some 70,000 complaints a year about obscenity in the mails. A study made in 1958 indicates that the traffic in mail order pornography is doubling every 5 years, and that approximately 1 million children a year are, even now, receiving pornographic filth in the family mailbox.

I feel that this is a particularly reprehensible racket because it is directed, in large part, to the impressionable teenager who, curious to learn more of life and sex, is easy prey to the professional purveyors of obscene material. It is also distressing because, not content to wait for the teenager to go to a store to buy this material, the purveyors of obscenity actually seek out the teenager and send such materials to his home.

Little or no pretense is made that the material has any literary or artistic value. A frequent theme is to glamorize brutality and horror. The people who are in this disreputable business are in it for one thing, and one thing only, that is to make money. They are indifferent

to the fact that the young people who read their material may be adversely affected by it.

Most of the proposals which have been made in Congress in the past to remedy this situation have taken the form of amending and strengthening existing laws which are designed to prevent the carrying of such material in the mails or to prevent it from entering the country from abroad. While I feel that such measures are worthy of consideration, I am convinced that the situation has become sufficiently alarming to warrant more drastic measures. I have, therefore, proposed amending the Constitution of the United States to give the power to regulate distribution of pornographic materials and to provide penalties for unauthorized distribution notwithstanding any other provision of law.

This is a practical response to the call for help from the alarmed parents, the concerned citizens, the civic and religious groups, who have urged Congress to legislate in this area. I hope that my proposal will evoke discussion and interest in Congress and among the public so that in the not too distant future, some effective weapon may be placed in the hands of law enforcement authorities to curb the abuses which obviously exist today, abuses which will continue to increase in alarming proportions in the future if forceful action is not taken.

SPECIAL ORDER VACATED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Mississippi [Mr. WILLIAMS] is recognized for 15 minutes.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that the special order granted me this afternoon be vacated and put over until tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

INVESTIGATION OF VIETNAM PROTESTERS NEEDED

The SPEAKER pro tempore (Mr. BOGGS). Under previous order of the House, the gentleman from Louisiana [Mr. WAGGONNER] is recognized for 30 minutes.

Mr. WAGGONNER. Mr. Speaker, as a preface to a brief explanation of a bill which I am introducing today, I would like to reiterate a statement I made here on the floor of the House on April 14 of this year, when this body was considering House Resolution 310 which authorized the expenditure of funds for the additional expenses of the Committee on Un-American Activities. These funds were, as you will remember, to finance that committee's investigation of the Ku Klux Klan.

At that time, I made the following statement:

> Let there be no question in anyone's mind where I stand on the subject of un-Americanism. I am opposed to it in any form it takes. I think Chairman WILLIS will bear me out when I say that I have stood beside his committee every time it has been criticized by the extremists of the leftwing. I have supported every appropriation request and I intend to keep on supporting the House Committee on Un-American Activities as long as they do their job because I am opposed to un-Americanism in any form.

Later, I made this statement:

> I know nothing of their (the Klan's) activities in Louisiana or any other State and I have no idea what an investigation will unearth, but if un-Americanism is suspected, then it is my position that an investigation should be undertaken. But, it should not stop with an investigation of the Klan. There are a number of organizations that should be put under this same spotlight.

I then went on to point out the obvious un-Americanism of the American Nazi Party and the Black Muslims.

In conclusion, I made this point and it is the point I wish to make again today:

> Let it (an investigation) be a starting point but by no means, the finishing point. Before we are through let us see what is under the rocks of all these other groups as well.

This was the conclusion of my statement.

I believe the time has now come to undertake that continuing search under the rocks.

The newspapers have been filled in the past week or so with stories concerning the anti-Vietnam demonstrations which have been gaining momentum here in this country and abroad in the past weeks. These demonstrations have taken the form of attempts to arrest military commanders, burning of draft cards, picketing of draft boards, and similar publicity stunts.

The principal force behind these acts is, apparently, a group calling itself the "Students for a Democratic Society."

I am mystified as to where they got that title since they are, principally, beatniks and unbathed delinquents rather than students; they certainly have no belief in democracy and they are a rabble instead of a society.

I would like to make it perfectly clear that it is not my belief nor is it my position that anyone disagreeing with our policy in Vietnam is either a Communist or a Communist dupe. Certainly there are many who question our presence in Vietnam and the wisdom of past and present moves. But these are loyal Americans who hold an honest difference of opinion to which they are entitled.

Let it be clear that I am talking about these particular demonstrations of the past week, this particular organization and the others associated with it.

I was encouraged to read the President's denunciation of these anti-American activities and also to know that the Federal Bureau of Investigation is interested in the Communist involvement that undoubtedly exists.

I note, too, that, earlier this week, the Senate Internal Security Subcommittee declared that these demonstrations have, and I quote, "clearly passed into the hands of Communist and extremist elements."

That committee took the same position I mentioned earlier, that the great majority of persons who differ with our policy in Vietnam are loyal Americans. But the group I am talking about has failed to prevent, limit, or control the Communist domination that now exists in this movement.

Unfortunately, these young men and women have been encouraged by self-appointed intellectuals both in and out of Government, who, from their lofty ivory towers have for months now assailed the President, the Congress, and the Department of Defense for our strong stand against the proliferation of communism in Asia and elsewhere.

When responsible Federal officials, for instance, rise to impeach this Nation, to speak from offices of major importance against the military policy of our Government, when professors who are admitted Marxists are kept on the payroll of colleges, when civil rights leaders dare the unqualified gall of advising our Ambassador to the United Nations, is there any wonder that young men and women follow in their misguided steps?

These self-proud pacifists are the same leaders, and these bearded beatniks are the same followers who have dominated the race riots, demonstrations, lawlessness, and strife that have ripped this Nation apart for a number of years. The roll call of one group would find the same members present as would a roll call of the other. Though there are some who are able, in this instance, to see the Red hand in these anti-Vietnam demonstrations, they were never able and they are still not able to see the same influence and the same leadership infiltrated and controls now the civil rights attack upon the Nation.

Perhaps then, this will provide them the evidence and give them an opportunity to reexamine their thoughts as to who are the promoters, who are the organizers, and who has benefited from the past and present civil rights strife.

In the sure conviction that they are one and the same, the Communists, I am today introducing a bill to authorize the Committee on Un-American Activities to conduct an investigation and study of the organization known as Students for a Democratic Society and the extent and character of its involvement in the current demonstrations relating to official U.S. policy in Vietnam.

It is my hope that those Members who supported House Resolution 310, as I did, will now demonstrate that they have an equal concern over the activity of this anti-American group and its followers.

THE GENOCIDE CONVENTION—SHAME OF AMERICAN INACTION

The SPEAKER pro tempore. Upon previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, we are confident that this first session of the 89th Congress will be known for its legislative accomplishments. We have acted upon a great many substantive issues which for many years have undergone sustained debate.

And yet in this year 1965, it remains a source of particular disappointment and irony that the Congress has consistently failed to officially reopen consideration of the Genocide Convention.

Last February I introduced a House resolution urging U.S. ratification of the Genocide Convention, and have repeatedly urged it passed as a means of rallying official opinion behind this important document. The Convention still rests before the Senate Foreign Relations Committee which, since its first and only consideration in 1950, has subsequently denied further hearing.

It is incomprehensible to me that this treaty has stirred so many misgivings, and that because of unfounded fear the Senate has not given its advice and consent. More than 65 nations have approved the Convention, including the Soviet Union. We are supposedly a civilized state, with a constitutional and inherent respect for human rights, and yet we have failed to take this one step to generalize certain protections which are recognized in our own national statutes.

Briefly, parties to the Genocide Convention pledge to prevent and punish the crime of genocide, which is defined as an act committed with the intent to destroy wholly or partially a national, ethnic, racial, or religious group. This may take the form of killing members of a group, causing them physical or mental harm, inflicting conditions calculated to bring about destruction of a group, and so forth. Accused persons are to be prosecuted in the state where the offense is committed, and parties to the treaty must enact legislative implementing machinery if necessary.

The motivation for this document was, of course, the Nazi outrage against 6 million Jews and 2 million Polish citizens perpetrated before and during World War II during the Hitler regime. And historically we can look back upon numerous acts of genocide directed at minority groups. It was the nightmare of these occurrences which prompted the drafting of the Genocide Convention, which men saw as a means of preventing such inhuman crime against future generations.

The United Nations General Assembly unanimously approved the Convention on December 9, 1948. The United States was one of the original signatories of the treaty, which came into force on January 12, 1951. In May of 1950, a subcommittee of the Senate Foreign Relations Committee reported the document favorably, with four "understandings." These were subsequently redrafted by the whole committee which thereafter took no conclusive action.

Thus for 15 years the United States has failed to accede to the provisions of this most important covenant.

Discussion regarding the provisions of the pact has bogged down in a hopeless academic quagmire which obscures the essentials. I do not deny that the text raises pertinent questions as regards the effect on our Federal-State relationship, personal rights, the power of Congress, and sovereignty. But these legal considerations are not insurmountable, and they should not be made a subterfuge for inaction. The protective intent of the convention is far too important to permit a wholesale retreat from principle.

Under the treaty, we would certainly undertake concrete responsibilities and obligations such as the other nations have agreed to accept. The full import of the convention is, of course, intimately allied with our own legal and constitutional framework, guaranteeing the individual rights and freedoms which are inviolate. It is unquestionable that the protections conferred by the convention are for the most part guaranteed by our domestic law. Hence the complexities and contradictions which opponents profess to discern are not substantive and should not be considered as real obstacles.

It is equally true that our failure to act positively on this matter has injured, or at least blurred, the impression of human justice and moral underpinning which we insist upon claiming before the docket of world public opinion. It is not wholly convincing to argue that others have a responsibility to consider human and moral prerogatives when the United States will not undertake international treaty obligations consistent with this imperative. The official reticence to reopen meaningful debate on this subject is truly appalling, and reflects adversely on the foreign policy goals we have set for ourselves.

It was a particular pleasure and inspiration for us to welcome the Pope to the United Nations during this General Assembly session. He pleaded to the statesmen of the world to devote their energies toward the construction of a stable peace and conditions of human justice. And in this search nothing is more important than the achievement of common agreements between nations, agreements which seek to prevent the cruelties of the past that have scarred human history. The Genocide Convention forms a part of this essential task.

This covenant is one of the great items of unfinished business in the foreign policy arena, a matter of overriding concern to mankind.

The United States can no longer afford indecision on an issue of such grave consequence. We are all agreed that group persecution of racial and religious minorities is an outrage of such terrible dimension that constructive steps must be taken to prevent and punish it as an international crime. This is the purpose of the Genocide Convention, and our official hypocrisy and apparent indifference is an affront to human dignity.

It should be a matter of priority for the Senate. Here in the House we can act on numerous resolutions, identical in purpose, and thereby help to generate the effective public opinion which the issue demands. It is imperative that the legislature press vigorously for affirmative action when we reconvene next January.

HOMER HOOVER SPEAKS ON LIONISM

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, there as many thousands of men throughout this country who quietly and effectively promote the general welfare through the work of service clubs. They are usually unheralded in their work and yet their accomplishments are noteworthy and they should receive the commendation of their fellow man.

One of these gentlemen is a good friend of mine, Homer Hoover of Wooster, Ohio. He has served during the past year as International Director of the Lions Clubs. I myself am a member of the Johnstown Lions Club and have always been proud of this association although I must freely admit that my contribution has been small indeed by comparison with the service club giants such as Homer Hoover. Mr. Hoover retired earlier this year as manager of the Sears, Roebuck & Co. retail store at Wooster after more than 20 years of service. He is a community leader in his own right in addition to his service club activities and is the chairman of the 1965 United Community Fund for Wayne County.

Homer Hoover has traveled throughout the length and breadth of this land spreading the gospel of Lionism. He has traveled to many foreign countries in this capacity and is a living example of the fine precepts of this organization. He truly epitomizes the service club tradition of service to fellow man and has brought great honor to his home club and to our fine organization.

He recently spoke at a Lions Convention in Puerto Rico and delivered a fine address. Mr. Speaker, in the thought that other Members of this body would like to receive the benefit of his words of wisdom, I am including with these remarks this address. It is a meaningful statement of what Lionism means to one of our Nation's outstanding Lions and, as the saying goes, tells what "makes them tick." I commend it to everyone who sometimes gets a bit cynical and feels that this generation is floundering and losing track of basic values. Lionism, like many other fine civic organizations, quietly and effectively stresses these basic values of service to fellow man in thousands of cities and villages throughout this Nation in a manner which makes it a important part of community life. How much better off we would be if these values were emphasized day after day throughout the world by other men of good will such as Lion Homer Hoover.

REMARKS OF MR. HOOVER

Since time began men have grouped themselves together for mutual understanding, encouragement, and benefit. They have formed societies for the betterment of the world, for cleaner living, higher thinking, and worthwhile accomplishment.

We in Lionism are closely knit together by intimate bonds of club life. Lions Clubs is a group of men banded together in the spirit of community service, doing things as a team which could not be done as an individual.

We seek and find comfort and consolation in the wholesale society of our fellow men. We become stronger and finer and better, by having other men as our

friends. As a result of this our knowledge of the world increases, and we become more broadminded, more human, and more like the manner of men that God intended we should become.

The Bible tells us "None of us liveth to himself alone." Lions International is an association of Lions Clubs joined in a common program under a universal emblem with the united purpose of exerting worldwide influence for good which no single club could possibly attain. This is the overall picture of Lionism with strengthened effectiveness and accomplishment through cooperation. It is an inverted pyramid. The base is the individual Lion expanding upward into clubs, districts, countries, and areas, until at the top is a broad plateau of promise to the needy, the handicapped, and the stricken peoples of the world.

The age in which we are living is no doubt the frothiest in history. Standards seem lowered and ideals lost; and never in the history of the world has there been such a need for organizations like Lions. Never has there been such a need for men—big men, good men, and men of unselfish idealism.

We are distracted, not because we are helpless, but because we have forgotten the rules men live by. We think of our rights and not of our obligations to each other. We must get back to voluntary cooperation which is the mainspring of life.

Our Lionism, forming as it does one big society over the world, upholds every noble and redeeming ideal of humanity. It makes all communities better by its presence. It makes each individual better for having belonged. It brings out the best in human nature, the give-and-take, the openheartedness and comradeship of Lions, and leaves no place in our lives for selfishness, cheapness, or narrowmindness.

Our members are welded together in an unbreakable union. You have been invited by one of our Lions to join our Lions Club because they wish you to share the rewards of Lionism in this community.

The one thing I like about Lionism is that when we come into this room we forget selfishness. Personal resolve becomes one of human sympathy, combined with the spirit of brotherhood. We renew moral courage in a combination with faith, and we take a bulldog grip on fundamentals, and resolve to be better men.

All members pull together, with a common objective, with a spirit of friendship, strengthened by a common desire to live up to the Golden Rule and we all place civic and social progress on a high plane.

You are joining the largest service organization in the world. We have well over 750,000 active members in 17,000 clubs in 130 countries or areas of the free world.

Too often we are prone to stress the size of our organization to which we belong. We take pride in being a member of the biggest and the best. In this case Lions International. Yet, I would like to tell you as forcibly as I can that despite its size and its worldwide station, membership in Lions International is purely a personal thing.

Every organization in the world is cursed with one common problem. Even though it is a problem common to all, it is far from simple, and in fact is quite complex and is masked by a variety of names and by every means known to man. Lionism suffers from this problem, though not to the extreme degree that is common to many, it is serious enough to cause continuing concern. In a word, that problem is "inertia." Webster explains it perfectly: "Indisposition to exertion or action."

The signs are simple. There is the problem; the solution; and the action needed to attain the solution. The first two parts are comparatively easy. The problem is easy to define and intelligent discussion usually develops the best methods needed to resolve the problem. However, it is the action, the doing, the translating of words into deeds, that bogs down the solution.

Think a minute. Have you ever given much thought as to how your Lions Club is run? You attend State meetings; you revel in the fun and fellowship, sponsored by the clubs. We all enjoy the benefits of these many activities, but how many of us are willing to contribute our time or talents to insure the success of these programs. This is when inertia sets in.

Your meetings and all other activities connected with your Lions Club don't happen, they are planned. They run smoothly and efficiently on silent wheels oiled by the sweat and effort, the time and talents of the few who are dedicated to the many. Whether the problem is to run a meeting, plan a membership campaign or sell tickets for one of our events, the only solution is hard work and cooperation from as many members as possible.

But before this problem is solved, those responsible for directing these activities must first solve the problem of overcoming the inertia of the many who are content with agreeing that the problem must be met but who are willing only to give lipservice to its solution. Every activity of Lions has to have direction, and direction means work and dedication.

While we have a goodly number of highly dedicated workers in our Lions Clubs, there are still too few doing too much for too many. This is not to say that those who are doing the work are complaining or don't like it; not at all.

All of those responsible for the smooth operation of your Lions Club looks on it as a labor of love, but they could operate more efficiently, and we would derive more benefits, if there were more workers to share the load. We like the benefits but we hate to exert the effort it takes to overcome our inertia and translate it into action. Let's try it anyhow, what do you say? You will find each member kind, generous, and decent to everyone else.

You may have thought of Lionism as just a luncheon club, or just another organization. This great organization's slogan is "We are the eyes of the blind," also, "We serve."

A few years ago Lions International held a motto contest. Hundreds of excellent suggestions were received from Lions all over the world. Many were clever. Many were impressive. But out of the large number received, the judges selected a simple two-word motto. They chose "We serve" and it became the official motto of Lions International. The motto was nothing fancy. But it is strong in its modesty and simplicity, applicable to all forms of Lions service, easily translatable and understood in any language and universal in its meaning.

We serve—we care not what you need, your trouble, your distress. We care not your race, your nationality, your beliefs. You may be as near to us a next door neighbor, or as far as the other side of the world.

We serve—not for headlines, but for heartlines. Not for personal benefit, but for personal warmth of a sharing hand. Not to stand above you, but to stand with you until your distress is no longer yours or ours.

"We serve"—beautiful words, defining the work done by a host of good men, unselfishly eager to help others in their own cities, their own countries across the world.

I strongly recommend that all clubs use the motto, "We serve." We can work under this simple, sincere motto, "We serve," knowing that out of the sum of our efforts will come better days.

To be a real Lion implies service. Too few in any organization take responsibility. Perform all duties delegated to you. Come right in and be a real Lion. You will get out of it only as much as you put in.

A man is a Lion when he can look over the rivers, the hills, and the far horizon with a profound sense of his own littleness in the vast scheme of things and yet have faith, hope, and courage.

When he knows that down in his heart every man is as noble and as vile, as divine, as diabolic, and as lonely as himself and seeks to know, to forgive, and to love his fellow man.

When he knows how to sympathize with men in their sorrows, yes, even in their sins, knowing that each man fights a hard fight against many odds.

When he has learned how to make friends and to keep them, and above all, learned how to be friends with himself.

When he loves flowers, can hunt the birds without a gun, and feels the thrill of an old forgotten joy when he hears the laugh of a little child.

When he can be happy and high minded amid the meaner drudgeries of life.

When star-crowned trees and the glint of sunlight on flowing waters subdue him like the thought of one much loved and long dead.

When no voice of distress reaches his ears in vain and no hand seeks aid without response.

When he finds good in every faith that helps any man to lay hold of higher things and to see majestic meanings in life whatever the name of that faith may be.

When he can look into the wayside puddle and see something besides mud and into the face of the most forlorn mortal and see something beyond sin.

When he knows how to pray, how to love, how to hope.

When he has kept faith with himself and his fellow men and with God.

When in his hand is a sword for evil, in his heart a bit of song, glad to live, but not afraid to die.

In such a man, whether he be rich or poor, scholarly or unlearned, famous or obscure, Lionism has wrought her sweet ministry.

The longer we dwell on our misfortunes the greater they become.

The satisfaction you receive from your membership will in the final analysis be purely personal. You will benefit from your membership only to the extent of personal satisfaction you enjoy as part of our fellowship. The rewards you get out of your membership will be a satisfaction to yourself, when you have helped someone less fortunate than yourself.

The rewards you get in Lionism, you can't hang in your trophy room or dangle from your watch chain, but you will wear them in your heart and the world will see them in the glow of your whole being and the pride of your walk because you have done purely personal, wonderful worldwide things.

We sang a popular song a few years ago, "Everything Is Going My Way." We may say everything is lovely.

I have a fine family, a good business. I have many pleasures and some luxuries. These are things not to be laughed at. These are things to be truly thankful for.

Did you ever take into consideration, while things may "be going my way" today, that tomorrow they may be going in the opposite direction? Life is like that. Things were "going our way" in America until the Japs hit us at Pearl Harbor. We never had been attacked before, and in just a few short hours we lost most of our Pacific Fleet. This Nation woke up, and history will record that Japan defeated Germany at Pearl Harbor.

Beauty is all around us. It has always been here. We move so fast in our scramble for business and money, the landscape is blurred. If we take time to look around, it is here just the same.

To many, the road is rough, because they make it so. To many life has become difficult.

It is our great objective that Lionism helps men to better vision and to see beauty in the world. Be proud of belonging to the greatest organization of service-minded men on the earth—"the Lions." Work with your fellow Lions in every group project or activity that will benefit your fellow men in any way. Give your time, your resources, your efforts, to the satisfying work of Lionism.

Things in the world would be vastly better if we would each of us inject just a little more kindness in our daily lives. If we would forget our rights and think more of our obligation to each, this world would be a much better place to live in.

Most of us are born with an instinct for beauty and perfection; however, we are too busy to remember it. Lions should devote their efforts to helping those who are less fortunate than themselves. With that bright emblem the Lions pin on your lapel, you will never walk alone.

"Art thou lonely, O my brother
Share thy little with another
Stretch a hand to one unfriended
And thy loneliness is ended."

I promise that, in sharing a little, in stretching a hand, you will find true rewards in a Lions membership and they will be purely personal.

A poet once put it far better than I could:

"DOING FOR OTHERS

"Doing things for others can be a lot of fun
I guarantee it's one sure way to put blues on the run.

"For when we think of someone else, we overlook ourselves
Thereby placing worries on the highest shelves.

"A tender word or kindly act does much to pave life's road,
Helping those who struggle to bear their heavy loads.

"The surest way to happiness is doing what we can
To follow God's example and help our fellow man.

"Some folks do not agree with this, but in my heart I know.
By doing things for others my joys are sure to grow."

Goodby and God bless you all.

RECESS

The SPEAKER pro tempore. Under the previous unanimous-consent agreement, the Chair declares a recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 21 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 3 o'clock and 50 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 11539. An act to provide assistance to the States of Florida, Louisiana, and Mississippi for the reconstruction of areas damaged by the recent hurricane.

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate Nos. 27 and 55 to the bill (H.R. 8370), "An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes."

And agrees to the conference report.

COMMITTEE ON EDUCATION AND LABOR

Mr. POWELL. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor have until midnight to file a conference report on the bill H.R. 8310.

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

There was no objection.

SUPPLEMENTAL APPROPRIATION BILL, 1966

Mr. MAHON submitted the following conference report and statement on the bill (H.R. 11588) making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 1198)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11588) "making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 7, 12, 15, 20, 21, 22, 49, 50, 52, 61, 71, 72, 73, 74, 75, 76, and 77.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 8, 9, 10, 11, 19, 23, 25, 27, 28, 32, 35, 37, 40, 41, 42, 43, 44, 45, 46, 47, 54, 57, 58, 59, 64, 65, 67, 68, 69, 79, 86, 87, and 88; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$20,000,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,500,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$200,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,162,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,000,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,185,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,222,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$500,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$219,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 14, 18, 29, 30, 31, 33, 34, 36, 38, 39, 48, 53, 55, 56, 60, 62, 63, 66, 70, 78, 80, 81, 82, 83, 84, 85, and 89.

GEORGE MAHON,
JAMIE L. WHITTEN (with reservations),
JOHN J. ROONEY (except as to amendment No. 7),
JOHN E. FOGARTY,
JOE L. EVINS,
FRANK T. BOW,
CHARLES R. JONAS (with reservations),
MELVIN R. LAIRD,
Managers on the Part of the House.

JOHN O. PASTORE,
SPESSARD L. HOLLAND,
CARL HAYDEN,
ALLEN J. ELLENDER,
LISTER HILL,
JOHN L. MCCLELLAN,
A. WILLIS ROBERTSON,
WARREN G. MAGNUSON,
JOHN STENNIS,
ROBERT C. BYRD,
MIKE MONRONEY,
MILTON R. YOUNG,
LEVERETT SALTONSTALL,
KARL E. MUNDT,
MARGARET CHASE SMITH,
THOMAS H. KUCHEL,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11588), making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I

Department of Agriculture

Amendment No. 1: Appropriates $200,000 for "Office of Information" as proposed by the Senate.

Amendment No. 2: Appropriates $20,000,000 for "Rural water and waste disposal grants" instead of $30,000,000 as proposed by the Senate. The conferees call on the Secretary to establish firm guide lines, standards, rules and regulations to assure fair and proper administration of this program and to provide maximum protection to the Department and the public interest in the use of the funds provided.

Amendment No. 3: Appropriates $4,500,000 for "Salaries and expenses, Farmers Home

Administration" instead of $3,000,000 as proposed by the House and $5,000,000 as proposed by the Senate.

CHAPTER IV

Independent offices

Amendment No. 4: Appropriates $125,000 for "Civil Aeronautics Board" as proposed by the Senate.

Amendment No. 5: Appropriates $2,200,000 for "Civil Service Commission" as proposed by the House instead of $2,630,000 as proposed by the Senate.

Amendment No. 6: Appropriates $200,000 for "Salaries and expenses, automatic data processing coordination" instead of $450,000 as proposed by the Senate.

Amendment No. 7: Deletes proposal of the Senate to provide $12,000,000 contract authorization for rent supplement contracts and appropriate $360,000 for liquidation of such contracts during the current fiscal year. Funds for rent supplements are denied at this time without prejudice. Congress has only recently authorized legislation for this program and the new Department should have more time to develop sound plans and criteria which can be reviewed when funds are sought early next year. These should contemplate that Federal assistance will be used only to implement workable programs developed by communities, or in the absence of this, official plans of community development. Funds used in this way will assist communities for orderly development, consistent with underlying purposes of all housing assistance by the Government.

Amendment No. 8: Appropriates $50,000,000 for the "Housing for the elderly fund" as proposed by the Senate instead of $35,000,000 as proposed by the House.

Amendment No. 9: Authorize $125,000 for administrative expense for Housing for the elderly as proposed by the Senate instead of $25,000 as proposed by the House.

Amendments Nos. 10 and 11: Appropriate $675,570,000 for the "Urban Renewal Administration" for fiscal year 1966 as proposed by the Senate instead of $675,520,000 as proposed by the House; and authorize $570,000 for administrative expenses as proposed by the Senate instead of $520,000 as proposed by the House.

Amendment No. 12: Restores language proposed by the House and stricken by the Senate to limit rehabilitation grants to $1,500,000 and code enforcement grants to $75,000,000 in each of the fiscal years 1966 and 1967.

Amendment No. 13: Appropriates $8,162,000 for "Urban planning grants" instead of $6,325,000 as proposed by the House and $10,000,000 as proposed by the Senate.

Amendment No. 14: Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $26,975,000 for "Open space land grants" as proposed by the House instead of $36,000,000 as proposed by the Senate and inserts language making such funds available until expended as proposed by the Senate.

Amendment No. 15: Deletes language proposed by the Senate to increase administrative expenses for rehabilitation loans by $190,000.

Amendment No. 16: Appropriates $12,000,000 for "Grants for neighborhood facilities" instead of $9,000,000 as proposed by the House and $15,000,000 as proposed by the Senate.

Amendment No. 17: Appropriates $2,185,000 for "Office of the Administrator, salaries and expenses" instead of $1,971,500 as proposed by the House and $2,500,000 as proposed by the Senate. Funds are not included for the airport study proposed by the Senate.

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $1,000,000 to conduct studies with respect to methods of helping to provide financial assistance to victims of natural disasters instead of $1,600,000 as proposed by the Senate.

Amendment No. 19: Appropriates $450,000 for the "Federal Housing Administration" for administrative expenses related to a rent supplement program as proposed by the Senate instead of $170,000 as proposed by the House.

Amendment No. 20: Authorizes $1,000,000 for nonadministrative expenses of the Federal Housing Administration as proposed by the House instead of $1,200,000 as proposed by the Senate.

Amendment No. 21: Deletes proposal of the Senate to appropriate $185,000 for the "Interstate Commerce Commission".

CHAPTER V

Department of the Interior

Amendment No. 22: Deletes $4,500 for "Construction and maintenance, Bureau of Land Management" proposed by the Senate.

Amendment No. 23: Appropriates $638,000 for "Construction, Bureau of Indian Affairs" as proposed by the Senate.

Amendment No. 24: Appropriates $11,222,000 for "Construction, Bureau of Sport Fisheries and Wildlife" instead of $10,500,000 as proposed by the House and $11,347,000 as proposed by the Senate. The increase over the House amount includes an additional $155,000 to meet the full cost of damage at the fish genetics research facility, Beulah, Wyo.; $500,000 for repair of flood damage to wildlife refuges caused by Hurricane Betsy in September 1965; and $67,000 to construct and equip a headquarters for the North Central Reservoir investigation group, Pierre, S. Dak.

Amendment No. 25: Appropriates $1,400,000 for "Solid waste disposal, Bureau of Mines" as proposed by the Senate.

Amendment No. 26: Appropriates $500,000 for "Salaries and expenses, Office of Water Resources Research" instead of $1,000,000 as proposed by the Senate.

Amendment No. 27: Appropriates $75,000 for "Forest research, Forest Protection and Utilization" as proposed by the Senate.

Amendment No. 28: Appropriates $146,000 for "Construction of Indian Health Facilities, Public Health Service" as proposed by the Senate.

CHAPTER VI

Department of Labor

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds $444,000 for "Office of the Secretary, Federal contract compliance program".

Department of Health, Education, and Welfare

Amendment No. 30: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which would have the effect of inserting $160,000,000 for "Higher educational activities" instead of $173,200,000 proposed by the Senate. The reduction of $13,200,000 is the amount included in the Senate amendment for the National teacher corps.

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts $2,935,000 for "Salaries and expenses, Office of Education".

Amendment No. 32: Inserts heading.

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts $8,310,000 for "Grants to States, Vocational Rehabilitation Administration".

Amendment No. 34: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts $1,000,000 for "Research and training, Vocational Rehabilitation Administration".

Amendment No. 35: Appropriates $560,000 for "Grants for correctional rehabilitation study, Vocational Rehabilitation Administration" as proposed by the Senate.

Amendment No. 36: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts $390,000 for "Salaries and expenses, Vocational Rehabilitation Administration".

Amendment No. 37: Strikes appropriation of $12,000,000 for "Community health practice and research" and language as proposed by the House.

Amendments Nos. 38 and 39: Reported in technical disagreement. The managers on the part of the House will offer motions to recede and concur in the Senate amendments which insert an appropriation of $24,000,000 for "Community health practice and research" and language as proposed by the Senate.

Amendment No. 40: Inserts an appropriation of $625,000 for "Air pollution" as proposed by the Senate.

Amendment No. 41: Inserts an appropriation of $4,000,000 for "Environmental engineering and sanitation" as proposed by the Senate.

Amendment No. 42: Inserts an appropriation of $628,000 for "Water supply and water pollution control" as proposed by the Senate.

Amendment No. 43: Appropriates $50,000,000 for "Grants for waste treatment works construction" as proposed by the Senate.

Amendment No. 44: Inserts an appropriation of $125,000 for "Foreign quarantine activities" as proposed by the Senate.

Amendments Nos. 45 and 46: Insert appropriation of $20,200,000 for the "National Institute of Mental Health" as proposed by the Senate instead of $19,700,000 as proposed by the House and earmark $500,000 to carry out the provisions of section 231 of the Social Security Amendments of 1956 as proposed by the Senate.

National Cancer Institute

The Senate report on the bill contained language on pages 32 and 33 concerning approval of contracts for the cancer program. The Secretary of the Department of Health, Education, and Welfare has indicated that to follow the instructions included in the report might create serious problems for the Institute. The Secretary has stated:

"Review and approval of each individual contract by the Advisory Council to the National Cancer Institute introduces such a fundamental change in policy that I would be extremely reluctant to see it introduced without a thorough study. I assure you that I will initiate such a study immediately and will report back to the congressional Appropriations Committee early next year."

The conferees have agreed to hold this matter in abeyance with the distinct understanding that the Secretary "will initiate such a study immediately" and that the two Committees on Appropriations will receive the final report of the study not later than the end of next February.

Amendment No. 47: Inserts an appropriation of $25,000,000 for "Regional medical programs" as proposed by the Senate.

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts an appropriation of $120,000 for "Assistance for repatriated United States nationals".

Amendments Nos. 49 and 50: Appropriate $25,000,000 for "Grants for maternal and child welfare" as proposed by the House instead of $10,000,000 as proposed by the Senate; and earmark $15,000,000 for special project grants for comprehensive health care and services for school age and preschool age children as proposed by the House. In connection with the latter program the conferees direct the Department and the Welfare Administration to organize its operations and frame its

policies to ensure that there will be complete coordination of this program with health services for children provided under programs administered by the Office of Economic Opportunity. The conferees intend that there be no duplication in the administration of these programs. The appropriate subcommittees of the House and Senate Appropriations Committees will carefully review the experience of both programs to determine that full coordination has been accomplished.

Amendment No. 51: Appropriates $219,000 for "Salaries and expenses, Office of the Secretary" instead of $163,000 as proposed by the House and $275,000 as proposed by the Senate.

Amendment No. 52: Appropriates $1,500,000,000 for "Economic Opportunity Program" as proposed by the House instead of $1,510,000,000 as proposed by the Senate.

Amendment No. 53: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will have the effect of making not more than $10,000,000 available for carrying out the purposes of section 205 (d) of title II, of the Economic Opportunity Act at the discretion of the Director instead of providing not less than $10,000,000 to carry out said section.

Amendment No. 54: Provides that contracts entered into under the Economic Opportunity Program may not be for in excess of twenty-four months as proposed by the Senate instead of one year as proposed by the House.

Amendments Nos. 55 and 56: Reported in technical disagreement. The managers on the part of the House will offer motions to recede and concur in the Senate amendments which contain restrictive language applying to the Economic Opportunity Program.

CHAPTER VII

Legislative branch

Amendments Nos. 57, 58, and 59: Appropriate $32,750 for various Senate items as proposed by the Senate.

Amendment No. 60: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur to provide a total amount of $425,000 for "Contingent expenses of the Senate".

Architect of the Capitol

Amendment No. 61: Restores language of the House providing the appropriation of $300,000 for plans in connection with the extension of the West Central Front of the Capitol. The conferees reiterate the statement carried in the House report on this item which reads as follows: "* * * there is no authority to proceed with construction contracts, or even detailed plans and specifications until the Commission approves the plan, a further estimate of cost is available, and the Congress appropriates the money for the work in a future bill."

Amendment No. 62: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in order to provide $405,000 for "Senate Office Buildings".

Amendment No. 63: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in order to adjust certain salary rates relating to the "Senate Office Building".

CHAPTER VIII

Public works

Department of Defense—Civil Functions

Amendment No. 64: Inserts heading.

Amendment No. 65: Appropriates $30,000 for "General investigations" as proposed by the Senate for a study of the Red River Basin, Tennessee.

Amendment No. 66: Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $900,000 for "Construction, general" instead of $1,950,000 as proposed by the Senate. The amount provided includes $800,000 for initiating planning on the Dickey-Lincoln School project, Saint John River, Maine, and $100,000 for initiating planning on the Rowlesburg Reservoir, West Virginia.

Department of the Interior

Amendment No. 67: Appropriates $500,000 for "Construction and rehabilitation, Bureau of Reclamation" for advance acquisition of rights-of-way on the Auburn-Folsom South Unit of the Central Valley reclamation project, California, as proposed by the Senate.

CHAPTER IX

Department of State

Amendments Nos. 68 and 69: Appropriate $500,000 for "Salaries and expenses" as proposed by the Senate.

Amendment No. 70: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $500,000 for the "Facilities for International Pacific Halibut Commission".

Department of Commerce

Amendment No. 71: Appropriates $50,000 for "Salaries and expenses, general administration" as proposed by the House instead of $100,000 as proposed by the Senate.

Amendment No. 72: Deletes funds for "Salaries and expenses, Office of Business Economics" as proposed by the House instead of appropriating $165,000 as proposed by the Senate.

Amendment No. 73: Appropriates $203,200,000 for "Development facilities grants, Economic Development Administration" as proposed by the House instead of $254,500,000 as proposed by the Senate, and provides not to exceed $3,200,000 for administrative expenses as proposed by the House.

Amendments Nos. 74 and 75: Appropriate $18,125,000 for "Technical and community assistance, Economic Development Administration" as proposed by the House instead of $19,325,000 as proposed by the Senate, and provides not to exceed $5,100,000 for administrative expenses as proposed by the House.

Amendment No. 76: Restores language of the House appropriating $105,000,000 for "Economic development, Economic Development Administration" and deletes language proposed by the Senate.

Amendment No. 77: Appropriates $18,250,000 for "High-speed ground transportation research and development" as proposed by the House instead of $20,000,000 as proposed by the Senate. If the balance of the funds authorized for fiscal year 1966 are required prior to June 30, 1966, a supplemental estimate will be considered.

Amendment No. 78: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $125,000 for "HemisFair 1968 Exposition".

Amendment No. 79: Inserts heading as proposed by the Senate.

Amendment No. 80: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $10,000,000 for "Control of outdoor advertising and junkyards".

Amendment No. 81: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $60,000,000 for "Landscaping and scenic enhancement".

Amendment No. 82: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $750,000 for "Administrative expenses, highway beautification".

Amendment No. 83: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $290,000 for "Highway safety".

Related agencies

Amendment No. 84: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $84,000,000 additional for the "Revolving fund" Small Business Administration.

Amendment No. 85: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment appropriating not to exceed $35,000,000 for "Southeast hurricane disaster".

CHAPTER XI

Claims and judgments

Amendments Nos. 86, 87, and 88: Appropriate $26,508,212 to pay for certain claims as proposed by the Senate instead of $6,130,470 as proposed by the House.

CHAPTER XII

General provisions

Amendment No. 89: Reported in technical disagreement.

The managers on the part of the House will offer a motion to recede and concur in order to validate obligations which may be made between the expiration date of the continuing resolution and the date of enactment of this Act.

GEO. MAHON,
JAMIE L. WHITTEN (with reservation),
JOHN J. ROONEY (except as to amendment No. 7),
JOHN E. FOGARTY,
JOE L. EVINS,
FRANK T. BOW,
CHARLES R. JONAS (with reservations),
MELVIN R. LAIRD,
Manager on the Part of the House.

Mr. MAHON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 11588) making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

Mr. MAHON. Mr. Speaker, I hope that the House will indulge me a very few moments for a general statement, to be followed by a few specific references to the bill and report pending before us.

Mr. Speaker, we have come to the last appropriation bill of the session. I have heard our able Speaker on more than one occasion speak pridefully of the prerogatives of the House of Representatives. And, as I look back through the years, and even now, in my mind's eye I can see the late beloved Sam Rayburn standing here in the well and speaking of his pride in the prerogatives of the House of Representatives.

Mr. Speaker, I believe now is a good time to reaffirm the pride which each one of us has in the power and the prerogatives and in the dignity of the House of Representatives. We may not always legislate aright, but we do legislate, and our American system has stood the test of the years.

Mr. Speaker, it is unerringly accurate to say that all legislation on complex

subjects is a result of compromise. Movements toward progress in legislating would come to a screeching halt without this genius for compromise which has characterized the American Congress since the days of George Washington. Some flexibility is required, and certainly flexibility was required in the handling of this last bill of the session which had 89 separate amendments of the other body and was so highly controversial in some respects.

Mr. Speaker, no member of the conferees—and I could probably safely also say the Congress—is satisfied with everything contained in the bill now pending before us. Certainly I, myself, am definitely opposed to some sections of the conference report, but action had to be taken, and we took it. We are prepared to discuss with you the actions which were taken.

Mr. Speaker, we have had a great year this session. The President has provided magnificent leadership. No President in history has had such a remarkable batting average with his legislative program.

Mr. Speaker, much has been said about arm twisting. I do not discount the persuasiveness of the President and I would add that any President who believes in his program should fight for it. The President and his aids have been brilliant in the combat—I should not say "combat," because it has been really done in the atmosphere of discussion, good will, and in a spirit of give and take.

But, Mr. Speaker, let none be deceived. Members of the Congress at this session, as in previous sessions, have had their eyes constantly upon the folk back home. If I be not badly mistaken, and I think I am not, they have sought to vote in accordance with the wishes of the folk back home. That is the explanation of the tremendous accomplishments of this Congress, working under the able leadership and in consonance with the wishes, insofar as we knew—as each of us as an individual Member saw it—with the folk back home.

TOTAL APPROPRIATIONS OF THE SESSION

Now, Mr. Speaker, at this session we have appropriated a lot of money. With this bill now pending before us, in the sum of about $4,741,000,000, we raise the total appropriations for this year, for this session, to $107,037,000,000, to which must be added, for a complete picture, the so-called permanent appropriations of roughly $12,270,000,000—making a grand total of about $119,307,000,000, a colossal sum. I should add that the principal item of permanent appropriation is for interest on the public debt—it is over $11 billion of the total.

Mr. Speaker, those who say that this is not enough will not be able to convince the American people nor the Members of this Congress.

We have cut the appropriation budget requests by about $2,410,000,000 during this session.

THE PENDING SUPPLEMENTAL BILL

Now, Mr. Speaker, with respect to the conference report and bill pending before us it provides, as I said, for the appropriation of about $4.7 billion. This is about $229 million below the request made by the Executive; it is about $125 million below the figure adopted in the other body; and it is about $527 million above what the bill was when it was before the House. We asked the Director of the Budget to cut off some of these estimates which were scheduled to come to the House and to send them directly to the other body. The other body considered some $607 million of budget estimates which the House did not consider.

With respect to the content of the bill, most of us are familiar with it because it has not been too long ago that we passed this bill, and we are generally familiar with the estimates that went to the Senate. This conference bill eliminates the rent supplement item put in by the other body, but language is contained in the statement of the managers stating that this is done without prejudice to the program. However, the program had been launched under such an ill omen it became necessary to call a halt, because the administrator of the agency had indicated the announcement and the promulgation of rules and regulations which were abhorrent to many Members of the Congress, many of whom were strong supporters of the rent supplement program.

It is true when he observed that he was running against the wishes of the Congress he came to Capitol Hill with a series of letters saying, in effect, "I am sorry, we will change this," and he then offered a different type of proposition than had previously been offered, but, Mr. Speaker, a man convinced against his will is somewhat of the same opinion still, and we felt it was wise to take a little time to digest this program and let the agency come up with regulations and let us see with our own eyes what the regulations will be before we take action. If there is anything wrong or illogical with that approach I fail to see it. This is not a repudiation by this body, it is not a veto of the program. It is an action in good, commonsense under the circumstances.

There has been some discussion about a small item in the bill of $300,000 to look into the possibility of protecting the west front of the Capitol. We put this money back in the bill, but there can be no contract let for any remodeling of the Capitol west front. The money is as the House proposed it, namely, for preliminary plans and estimates of costs. The Capitol is shored up on the western front.

For the higher education bill, we were confronted with a budget request of $274 million. The other body inserted $173.2 million of this request. We provide $160 million for higher education in this conference report.

We provide $25 million for the heart, cancer, and stroke program.

For economic development—the old ARA, accelerated public works, and Applachia aid programs—we provide a total of $332,475,000, of which $203 million is for development grants.

For the highway beautification program, which passed the House not long ago under most strenuous circumstances, we were confronted with a budget request of $92 million. The other body put in about $71 million and this amount was agreed to in conference.

The Small Business Administration has been provided with a total, overall, of $195 million. This was necessary by reason of Hurricane Betsy and other disasters.

One of the controversial items in the bill, which I voted against, and which the House previously repudiated by a small margin, was the so-called Dickey-Lincoln project, a power project in Maine. We undertook to maintain the House position in opposition to this amendment by the other body, but we had to come to an agreement. We realized we had to give and take, and compromise, if a meeting of the minds were to be achieved. So we put that in this bill. We agreed to $800,000 for initial planning which does not mean, in my judgment, an irrevocable commitment to the project.

Mr. Speaker, I believe that covers the main features of the pending report.

Mr. Speaker, under leave granted, I include a summary of the figures on the bill:

Comparative statement of conference action compared with budget estimates, House bill and Senate bill

Department or activity	Budget estimate	Recommended in House bill	Recommended in Senate bill	Conference action	Conference action compared with—		
					Budget estimate	House bill	Senate bill
Ch. I. Agriculture	$125,271,000	$105,140,000	$137,340,000	$126,840,000	+$1,569,000	+$21,700,000	−$10,500,000
Ch. II. District of Columbia	(3,067,886)	(2,067,886)	(2,067,886)	(2,067,886)	(−1,000,000)		
Ch. III. Foreign operations	12,600,000	12,600,000	12,600,000	12,600,000			
Ch. IV. Independent offices	1,773,014,000	1,738,372,500	1,776,081,000	1,760,078,000	−12,936,000	+21,705,500	−16,003,000
Ch. V. Interior	71,765,000	56,094,000	60,204,500	59,575,000	−12,190,000	+3,481,000	−629,500
Ch. VI. Labor, and Health, Education, and Welfare	2,185,960,000	1,797,826,000	2,072,775,000	2,064,519,000	−121,441,000	+266,693,000	−8,256,000
Ch. VII. Legislative	3,927,640	4,485,640	4,848,390	5,148,390	+1,220,750	+662,750	+300,000
Ch. VIII. Public works	845,000	310,000	2,790,000	1,740,000	+895,000	+1,430,000	−1,050,000
Ch. IX. State, Justice, Commerce, and Judiciary	708,530,000	458,171,000	738,801,000	649,336,000	−59,200,000	+191,165,000	−89,465,000
Ch. X. Treasury, Post Office	77,777,000	35,300,000	35,300,000	35,300,000	−42,477,000		
Ch. XI. Claims and judgment	11,508,212	6,130,470	26,508,212	26,508,212	+15,000,000	+20,377,742	
Total	[1] 4,971,203,852	4,214,429,610	4,867,248,102	4,741,644,602	−229,559,250	+527,214,992	−125,603,500

[1] Includes $607,083,742 not considered by the House.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I am glad to yield to my friend, the gentleman from New York.

Mr. STRATTON. Mr. Speaker, the gentleman from Texas, the chairman of the Committee on Appropriations, has indicated that an appropriation of $300,000 had been included in the bill, as he expressed it, to explore the shoring up and rehabilitation of the west front of the Capitol. As the gentleman knows, I have been strongly opposed to the proposal that we extend the west front of the Capitol. Unfortunately, I was not able to offer an amendment when this bill came up the other day in the House. I was pleased, however, to see that the Senate supported my position and deleted the funds. My question is—Does this $300,000 that has been included for a study include the possibility of studying the shoring up of the west front without making any extension of it and without actually covering up the historic original walls and without adding restaurant space and additional office space and really distorting the present balance of the Capitol, an action which has been so strongly opposed by the American Institute of Architects.

Mr. MAHON. The $300,000 would be used to study the problem—and it is a problem. We must preserve this monument. It is not only a monument but it is a working place, as we have found out during this long session of the Congress. The $300,000 includes funds that might be used in considering the possibility of a design to meet the requirements. But it does not authorize any contract for any sort of construction, and it leaves it for us to handle this issue as it comes along.

I realize there are architects—who do not work in the Capitol—who have views that we should hardly do anything to the Capitol at all. But we have people who do know something about it and it is up to them to figure out a way and it is up to us, and those employed by the Congress, to figure out a way to preserve the Capitol and increase its utilitarian aspects.

We could talk endlessly about it. I appreciate the gentleman's position. I know what many others have said. I know what certain architects have said. I know what the Architect of the Capitol said. When the east front was enlarged, some architects said we should have enlarged the west front rather than the east front.

Mr. STRATTON. The only point I am trying to get assurance on was whether the decision of the conference committee represents some change from the original position of the House.

Mr. MAHON. It does not. It is identical to the original position of the House.

Mr. STRATTON. I am sorry to hear that because of course the original position of the House was that this $300,000 was appropriated to explore the recommendation of the engineering firm which had considered the possibility of saving the west front of the Capitol without covering it up and had rejected that possibility and had recommended instead an extension project similar to the one already completed on the east front. I understand that the conference agreement does not involve any actual construction, but it does jeopardize still further any efforts at preservation of the historic beauty of the original Capitol.

Whether we ought to cover up the last historic portion of this building and destroy the present architectural balance of the Capitol should certainly be a question that ought to be considered the right of the Congress to make. It ought not to be left merely to the engineers of some engineering firm to decide. It is a question we should decide. I was hopeful that perhaps the gentleman from Texas could indicate in the legislative history here that that subject could at least be explored with these funds and not leave it an entirely closed question so that the only thing we will be spending this money for is how best to extend and cover up this sole remaining portion of the historic original Capitol Building.

Mr. MAHON. The Speaker of the House and other members of our Building Commission of course will give consideration to this whole problem. This is just one step in trying to determine how best to handle this problem. I cannot predict at this time what the Building Commission will recommend or what future Congresses will decide to do with reference to this very difficult subject.

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

Mr. MAHON. I yield to the gentleman from Ohio.

Mr. BOW. I should like to point out to the gentleman from New York that there is a provision in the report of the conferees that I think the gentleman may be interested in. The conference report states:

> There is no authority to proceed with a construction contract or even detailed plans and specifications until the commission approves the plan and further estimates of cost are available and the Congress appropriates money in the regular appropriation bill.

With that language in the conference statement, there is no question that nothing can now be done except to make the study and preliminary plans to which the gentleman has referred.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. According to the figures that I have before me, the supplemental appropriation bill shows an increase for State, Justice, Commerce, and the Judiciary of $191 million, plus, over the House figure. Could someone state briefly why this increase, which appears to be the most substantial for any agency, department, or combination of agencies or departments of the Government?

Mr. MAHON. When this chapter was before the Committee on Appropriations, some very sharp reductions were made by the subcommittee headed by the gentleman from New York [Mr. ROONEY]. Substantial additional budget estimates falling under this heading went to the other body.

I yield to the gentleman from New York [Mr. ROONEY] such time as he may require.

Mr. ROONEY of New York. Mr. Speaker, in reply to the very pertinent inquiry of the distinguished gentleman from Iowa, I should first like to point out that every dollar of the money saved at the time of passage of this supplemental bill by the House was recommended by the State, Justice, Commerce, and Judiciary Subcommittee has been preserved in the conference between the House and Senate. The reason for the increase in the figures mentioned by the gentleman is that additional substantial budget estimates for necessary and proper items which were not before the House and the subcommittee at the time of the consideration and passage of this bill, were subsequently presented to the other body.

For example, in relation to the Department of State, an item of a half million dollars for salaries and expenses was inserted in this bill by the other body. This item is in connection with implementation of the new immigration legislation passed by both Houses of the Congress and signed by the President on Liberty Island and is necessary in order to carry out the provisions of that act.

There is also an item for the Department of State, International Commissions for office facilities for the International Pacific Halibut Commission at the University of Washington in the northwest area also amounting to a half million dollars. That item, likewise, was not before the House, and is now included in the pending conference report.

Another item included in the bill relates to the HemisFair 1968 Exposition, $125,000, to plan for the extent of participation by the United States in HemisFair 1968, which has already been authorized by law.

Among the other items there were also an item for the control of outdoor advertising and junkyards, Bureau of Public Roads, in the amount of $10 million, and one for landscaping and scenic enhancement, Bureau of Public Roads, $60 million.

I should also like to point out that there was an item for the southeast hurricane disaster, to wit, Hurricane Betsy, which was inserted by the other body, in the amount of $70 million, and which the conferees agreed should be cut in half to $35 million pending some further details, and a formal request for funds of the House Appropriations Committee in the next session of this Congress.

So with all these and other items added to the bill by the other body, we find that it results in the figures shown on the sheet to which the distinguished gentleman from Iowa has referred.

I should like to point with pride to the right-hand column of this sheet, which compares the conference action presently pending with the Senate version of the bill. The gentleman from Iowa will see that the State, Justice, Commerce, and Judiciary Subcommittee did pretty well by the taxpayers of the United States. In looking at his copy, I think the gentleman would fully agree with that statement.

Mr. GROSS. Yes, I see it is $89 million below the figure proposed by the

other body. I would have to say that up to that point it represents a saving.

Mr. ROONEY of New York. The gentleman I am sure will remember that when this bill was considered in the House on Thursday of last week, it was not necessary for the gentleman from New York, the present speaker, or the distinguished gentleman from Ohio [Mr. Bow], the ranking minority member to explain the subcommittee action. The House took exactly the action that was proposed by this subcommittee. At that time the subcommittee considered funds to the extent of only 10 percent of the total amount of the bill, but cut 50 percent of the total savings in the $4.2 billion as it passed this body.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROONEY of New York. Yes; I yield to the gentleman from Iowa.

Mr. GROSS. Am I correctly informed that no money went into this supplemental appropriation bill to bail out the defunct United Nations?

Mr. ROONEY of New York. There are no funds included in this bill or requested for contributions to the international organization, United Nations.

Mr. GROSS. I thank the gentleman.

Mr. CURTIS. Mr. Speaker, will the gentleman from Texas yield?

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the September 1965 rate of expenditures from the Federal administrative budget reached $9.5 billion. This is the highest level of monthly spending in the Nation's history except for June 1964, which was high because of spending pressure at the end of the fiscal year. This September's spending is the highest level for any September in our history.

If the average level of expenditure for the first 3 months of this year continues, the Johnson administration will spend at a level of $102 billion for fiscal 1966. This would be the largest annual expenditure in the Nation's history. It would necessitate a rise in the debt ceiling.

The Johnson administration's original administrative budget estimate for fiscal 1966 was $99.7 billion, which should result in an average authorized monthly expenditure rate for fiscal 1966 of $8.3 billion. The Federal administrative budget is the statement of estimated expenditures for Federal Government programs, excluding Federal trust funds and other special items.

Judging from the level of expenditures for the first 2 months of the present fiscal year, $7.2 for July and $9 for August, the administration would have spent at a level of $97.2 for the entire fiscal year. This figure would have been well below the administration's estimated figure of $99.7 for the present fiscal year. Previously I have noted these figures in public statements and calculated this possible rate of expenditure for fiscal 1966. I have also taken account of the fact that President Johnson spent only $96.5 in fiscal year 1965, a figure below the estimated and authorized expenditure for that year of $97.9 billion.

This gap between authorized Federal expenditures and actual Federal expenditures had led me to state that the real President Johnson was hiding his true nature. While requesting continuingly larger sums of money from Congress, he had imposed tight expenditure restraint. President Johnson is now taking off his mask. At the present average level of expenditure, he will spend well above the $100 billion mark in fiscal 1966, the largest sum in the Nation's history including adjusted figures for the World War II years. And President Johnson will undoubtedly be required to come back to Congress for new legislation allowing a rise in the debt ceiling.

The truly extraordinary nature of this spending figure is shown by another measurement. For each of the fiscal years 1962, 1963, 1964, and 1965, the gap between the highest and lowest monthly expenditure figure was respectively $1.8 billion, $1.8 billion, $2 billion, and $1.8 billion. But the gap between highest and lowest expenditures for fiscal 1966 is already $2.2 billion.

Clearly the Johnson administration's annual expenditure level will rise. At the present rate it will rise above $100 billion for fiscal 1966, requiring a rise in Federal debt and perhaps increasing inflation pressures. From January to July 1965 the consumer price index rose from 108.9 to 110.2, a rise of 1.3 percent. The 1.3-percent rise for the first 6 months of 1965 was about equal to the 12-month rise from 1963 to 1964, of 1.4 percent.

Following is a chart following the receipts and expenditures of the Federal administrative budget on a monthly basis from fiscal 1962 up to and including the first quarter of fiscal 1966.

Administrative budget

[In millions of dollars]

	Receipts	Expenditures
FISCAL YEAR 1962		
1961—July	2,982	[1] 6,322
August	6,367	7,631
September	8,945	6,771
October	3,141	7,796
November	6,424	7,485
December	7,967	7,160
1962—January	5,357	7,395
February	6,729	6,858
March	9,104	7,749
April	5,754	7,289
May	7,024	7,229
June	11,615	[2] 8,102
Total, fiscal year 1962		[3] 87,787
FISCAL YEAR 1963		
1962—July	3,566	7,252
August	7,089	[2] 8,541
September	10,053	7,827
October	3,030	8,524
November	7,027	8,070
December	8,360	7,572
1963—January	5,533	8,013
February	7,305	[1] 6,763
March	9,663	7,806
April	5,735	7,590
May	6,953	7,470
June	12,061	7,715
Total, fiscal year 1963		[4] 92,642

Administrative budget—Continued

[In millions of dollars]

	Receipts	Expenditures
FISCAL YEAR 1964		
1963—July	3,547	7,865
August	7,290	8,305
September	10,095	7,815
October	3,400	8,776
November	7,131	7,784
December	8,803	8,289
January	5,853	8,492
February	8,047	7,521
March	10,148	7,871
April	6,609	7,930
May	6,136	[1] 7,511
June	12,401	[2] 9,527
Total, fiscal year 1964		[5] 97,684
FISCAL YEAR 1965		
1964—July	3,487	7,410
August	6,653	8,083
September	10,072	8,450
October	3,398	8,329
November	7,037	[1] 7,051
December	8,856	[2] 8,770
1965—January	5,642	7,676
February	7,518	7,146
March	11,188	8,139
April	8,549	8,268
May	7,268	8,116
June	13,377	9,081
Total, fiscal year 1965		[6] 96,519
FISCAL YEAR 1966 [7]		
1965—July	3,807	7,240
August	7,350	8,990
September	10,999	9,452
October		
November		
December		
1966—January		
Total, fiscal year 1966 (estimate)		[8] 99,687

[1] Low.
[2] High.
[3] Expenditures fluctuated within range of $1,780,000,000.
[4] Expenditures fluctuated within range of $1,781,000,000.
[5] Expenditures fluctuated within range of $2,016,000,000.
[6] $97,900,000,000 original preliminary estimate. Expenditures fluctuated within range of $1,719,000,000.
[7] Cumulative totals 1st 3 months fiscal year 1965, $23,900,000,000; 1st 3 months fiscal year 1966, $25,700,000,000.
[8] For 1966 fiscal year monthly expenditure should average $8,307,000,000. Actual 1966 1st quarter monthly expenditure average is $8,561,000,000.

Source: Statistics taken from the Treasury Bulletin.

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I will not speak long on this bill. I spoke when the supplemental appropriation bill was before the House.

I raised the question of the amount of money being placed in the supplemental appropriation bill. I believe it is most unfortunate that we have before us a bill which is going to cost the taxpayers $4,741 million.

I do want to compliment the chairman of the committee and the conferees for the valiant effort which was made to preserve the House position on these various items which were before the conference. I believe an excellent job was done. I believe the House position has been preserved.

The Senate had before it some items in the budget which we did not have.

All in all, I believe the conferees have brought back a bill as near to the House position as they possibly could. As the chairman has said, there are matters here which none of us like. Nevertheless, I believe the conference was a good one and I hope the conference report will be adopted.

Mr. Speaker, this conference report provides large sums for urban renewal. I am concerned in the relationship to the expenditures of these funds to actual needs and the proper protection of private interests.

The Urban Renewal Administration should not consider these liberal appropriations as an invitation to proceed roughshod or ruthlessly against private owners and operators of property not of necessity needed for their purposes.

I have had brought to my attention the fact that in one area consideration is being given to condemn and take valuable income property that, after the taking, shall be used in its present state for the same purposes to which it is put by the present owner. I cannot conceive this to be the purpose or intent of the law.

If a private enterprise, taxpaying venture is to be continued in its present state after being taken by the Urban Renewal Administration, what possible excuse can there be for its inclusion in projects paid for by the American taxpayer?

Mr. Speaker, I have been advised by the Urban Renewal Administration that this is not their objective. However, after this liberal appropriation has been enacted and Congress has adjourned, I would consider it an affront to me, and to the Congress if excuses were found to circumvent the will of this House.

I bring this to the attention of the House, Mr. Speaker, so that all interested parties may know that a careful and vigilant examination will be made of all expenditures of the Urban Renewal Administration and I would suggest that in any case where such property is to be taken that the Congress be advised before there is any final action.

Mr. MAHON. Mr. Speaker, I yield for a question to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Speaker, I wonder if the gentleman from Ohio [Mr. Bow] will respond to this question. I appreciate his comments in connection with the reconstruction of the west front. The gentleman read from the conference committee report to the effect that after the survey had been made the plan would be approved by the Commission, as I understand it, and funds would have to be appropriated by the Congress.

Is it the understanding of the gentleman from Ohio that the only way in which the House itself could pass on whether it approved or disapproved a particular proposal for preserving the west front would be either to reject or to approve the requested funds? The approval of a plan itself would be in the hands of a commission rather than the Congress?

Mr. BOW. It is a little difficult for me to answer the gentleman's question. I would have to refer him to someone who knows more about what has been authorized. Many things are authorized in the Congress, and it is difficult to keep up with all the authorizations.

The point I was making to the gentleman is that the House will have an opportunity, before any of the things the gentleman is talking about could take place, to consider the matter. It will be necessary that there be an appropriation to do this. There is no construction contract here, and not even detailed plans. So before anything could happen it would have to come back to the House for action.

I believe the gentleman would be protected at that time.

The gentleman asked whether the commission could go forward or whether there was an authorization for them to do so.

I am sorry, I must say to the gentleman, that I do not believe I am competent to answer that question.

Mr. STRATTON. I thank the gentleman.

Mr. MAHON. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. BOLAND] a member of the Committee on Appropriations.

Mr. BOLAND. Mr. Speaker, I just want the RECORD to show that amendment No. 66, which appropriates some $900,000 for two projects, one of them being the Dickey-Lincoln School project, has had a very interesting journey during this session of Congress. I would like to point out to the Members of this House that in the authorization bill that was passed yesterday, the omnibus rivers and harbors bill, there were 144 projects all over this Nation. In the regular appropriation bill which came from the Subcommittee on Public Works of the Committee on Appropriations, on which I serve, the Senate put in 23 of these unauthorized projects. Our committee agreed to 20 of them with the restrictive language that the appropriation would not be effective until the bill was authorized. So the authorization occurred yesterday.

Now let me say this: Of the 23 projects that the Senate said were top priority projects, the Dickey-Lincoln School project was not included. As a result 124 projects, in which I presume 200 Members or better here are interested, will have to wait until next year for their money. Mr. Speaker, it seems to me we have given carte blanche to this particular project, and I do not think we should have done it. I can understand the position of the House conferees here. It is late in the day and we are in the waning days of this session. All of us I think want to go home and so do I. However, I do not think we ought to handle this kind of a project in this way.

I will say what I said yesterday, that is, in the 11 years I have served on this Subcommittee on Public Works of the Committee on Appropriations I have supported these projects all over the Nation. The record will show that my record is probably as good a record as anyone has in this House on these particular projects. The record will show also that no project, no project of this magnitude, has ever been approved in a supplemental bill unless there was great urgency for it. Where is the urgency here? This is not a flood control project. We have been approving flood control projects in supplementals for years, not pure power projects. However, a project like this, where there is no real urgency for it, is one that we ought not to approve today. I know the facts of life. I have no illusions about it. I do not criticize the House conferees at all. I think they have done a good job.

I have said before and I repeat now that I object to this project at this time because it has not been given sufficient study. It should not have been carried in this supplemental appropriation bill.

Mr. MAHON. Mr. Speaker, the gentleman from Massachusetts [Mr. BOLAND] has worked faithfully and ably through the years on the Public Works Subcommittee on Appropriations. This is a big project. I would have much preferred that it go over for consideration next year. It will go over to next year for the construction money. This action today is not an irrevocable commitment, as I see it. We were confronted with a united wall of support among the Senate conferees who were led by Senator MARGARET CHASE SMITH, of Maine. She was supported very tenaciously by others. It became necessary to come to an agreement, and this is what has developed.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to my friend from North Carolina, another valuable member of the committee.

Mr. JONAS. Mr. Speaker, I concur in what has been said. I do not serve on the Subcommittee on Public Works, and therefore I knew very little about this project except what I learned in listening to the debate that has occurred on it several times in this Chamber. The parliamentary situation is, however—and I ask the distinguished gentleman from Texas [Mr. MAHON], to correct me if I am wrong—that this item is in technical disagreement and it will have to be approved by this body this afternoon. So those who are firm in their opposition to this will have an opportunity, if they care to do so, to ask for a separate vote on this item. Is that not correct?

Mr. MAHON. Yes, when we reach this amendment in the bill.

Mr. JONAS. When we reach amendment No. 66.

Mr. MAHON. In view of the fact that the project has been included, as a package, a compromise, between the two bodies, and in view of the fact that only $800,000 is provided for initial planning of the project, it seems to me the better part of wisdom to approve the action taken by the conferees and permit this bill to move through this body and the other body and on to the President.

Mr. JONAS. Mr. Speaker, will the gentleman yield further?

Mr. MAHON. I am glad to yield.

Mr. JONAS. That is the reason why, even though I should be opposed to this item, I do not feel in good conscience that I could repudiate the action of the Congress in which I have participated; and I only made the observation that an opportunity will be presented when we reach amendment No. 66 for anyone who cares to do so, to take the required action.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentlewoman.

Mrs. KELLY. Mr. Speaker, I thank the gentleman for yielding. I resent the remarks of the gentleman from Massachusetts who remarked that tears of a female Member of the other body had bearing on including the Dickey-Lincoln project. I assure him that I voted previously to exclude the project but I did not succumb to emotional speeches of his of yesterday to delete the project.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. I have worked with the gentleman from Massachusetts who has served on the Public Works Appropriations Committee, on two separate hitches. I have great confidence in his ability, his sincerity and his integrity and yet I can understand his reluctance to bring this issue before the House at this stage of the proceedings in view of the fact that he is a conferee and that he does feel that overall the House has come out very well with respect to this bill. I do feel strongly that here is one of the chestnuts in this area that those of us who have worked in it over the years appreciate. I do feel that the House should at least express itself in connection with this and, as I understand it, there will be an opportunity for that to be done when amendment No. 66 is offered after the conference report has been approved; is that correct?

Mr. MAHON. The gentleman is correct.

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

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, along with some of the Members of the House, I think the conferees as a whole have done a businesslike and a very good job. However, with particular respect to amendment No. 66, which we are presently discussing, and with respect to the item of $800,000 that is provided, I believe we must be frank and say that this entering wedge will provide the means to go ahead with the project next year. That is exactly what we will be faced with here from now before the Appropriations Committee. I hope that the Membership is not so naive as to believe that it is not now on its way to the beginning of the $800,000 appropriation.

Mr. MAHON. Mr. Speaker, I think we should agree that these funds are only for planning for the project. I realize this is the way projects begin. The gentleman from Illinois knows, as do the rest of us, that the Congress can work its own will if it does not wish to pursue the project further.

Mr. ARENDS. Mr. Speaker, as the gentleman from Wisconsin said a few moments ago we will get the opportunity to vote on this matter and to express our own opinion.

Mr. MAHON. Mr. Speaker, I now yield to the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Speaker, I just want to ask the gentleman from Texas [Mr. MAHON] if the action taken by the conferees on this bill means that we have killed the rent supplements?

Mr. EVINS of Tennessee. Mr. Speaker, will the gentleman yield to me?

Mr. MAHON. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Speaker, if I may answer the question of the gentleman from Pennsylvania, I would say to the distinguished gentleman that the action of the conferees did not kill the rent supplement program. As a matter of fact we approved $450,000 for the use of the Federal Housing Administrator for expenses looking toward implementing the rent subsidy program at a later date. We also approved another item of $2,185,000 for the office of the Administrator including over $300,000 specifically tied to making studies and market surveys in connection with the rent supplement program. They should come up with some sound projects and programs and develop some good applications to implement the program.

So, Mr. Speaker, we did not kill the program. We only stood by the position of the House of Representatives, since the House had voted three times recently against funding the program at this time.

Mr. BARRETT. Mr. Speaker, if the gentleman from Texas will yield further, I assume that what the gentleman from Tennessee is saying now is if in the event the agency comes up with a workable program in the new session of Congress, the money will be very quickly allocated for the rent supplements?

Mr. EVINS of Tennessee. If the Members of the House and the gentleman from Pennsylvania will read the report, there is language in the report which says:

> Funds for rent supplements are denied at this time without prejudice.

The report goes on to say:

> Congress has only recently authorized legislation for this program and the new Department should have more time to develop sound plans and criteria which can be reviewed when funds are sought early next year. These should contemplate that Federal assistance will be used only to implement workable programs developed by communities, or in the absence of this, official plans of community development. Funds used in this way will assist communities for orderly development, consistent with underlying purposes of all housing assistance by the Government.

Let me say that funds for the rent supplement contracts are deferred at this time, without prejudice. When they come back they should have better plans and good applications for us to consider.

I think the House has gone as far as we can at this time in view of the recent House actions rejecting the rent supplement program at this time. We can, and will consider the matter again, early next year.

Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Speaker, I must express my disappointment over the failure of the conference report to include even a modest fund to launch President Johnson's rent subsidy program. The Senate restored $12 million and I had hoped that the conferees could accept at least part of that sum.

Mr. Speaker, I cannot recall a subject which has been surrounded by more misunderstanding and misinterpretation. Some of it, of course, has been deliberately created by the opponents of any Federal aid for housing low-income families. But unfortunately some of it has also existed among members who believe in such aid and who for example have been long-time supporters of the low rent public housing program.

The rent supplement program has one simple objective—to enable private capital and private enterprise, supplemented by a Federal rent supplement payment, to provide decent housing for poor families who otherwise will be forced to continue to live in slums. Let me stress that again Mr. Speaker. The only persons eligible for the program will be those whose incomes fall below the limit of eligibility for public housing. In addition, these people in need of housing help must be either elderly or handicapped, displaced by governmental action, now living in slum housing, or victims of a natural disaster. How anyone can oppose a modest rent subsidy to help house these unfortunate low-income people is beyond my comprehension.

The opponents have used the question of assets as a red herring to try and defeat the program. Mr. Speaker, the administration has made it crystal clear that the program will be restricted entirely to low-income families and to families with very limited assets. These people do not own stocks or bonds. Most of them do not even have any savings, so I urge those who have been misled by exaggerated and distorted arguments about excessive assets to put their fears at rest on this score.

Mr. Speaker, for more than a generation Congress has been struggling to find ways to provide decent shelter for the poor. Our great low-rent public housing program has done yeoman work but because of its many restrictions and local conservative opposition only 600,000 units have been built since the program was first authorized in 1937. The imaginative new rent supplement program is a new approach to housing the poor in addition to our low-rent public housing program.

The great new feature of the rent supplement program is that it is essentially a private enterprise program. It will enable our homebuilders, our mortgage bankers, our financial institutions, our nonprofit church groups, our labor unions, and our elderly housing sponsors to throw their resources and energy into a new program to provide decent housing for our families of modest income.

Mr. Speaker, we cannot delay this vitally needed program much longer. I can only hope that in the next few months our colleagues will improve their understanding of the program so that we can see a sizable appropriation for

rent supplements in the 2d session of the 89th Congress.

Mr. FOUNTAIN. Mr. Speaker, I note that the Senate committee report on this supplemental appropriation bill contains the statement that it is the committee's intent that review and approval of research contracts used in the NIH cancer program are to be reviewed through the appropriate study sections and advisory councils in the same manner as research grants.

I have examined the law in this connection and I do not find support for this interpretation. Public Law 89–115, which provides the authority for the expenditure of funds for NIH research contracts, contains no such requirement and, in fact, makes no mention of advisory councils. Rather, the authority to approve contracts is vested in the Secretary of Health, Education, and Welfare.

I take no position on whether or not advisory council review and approval would be desirable in connection with research activities supported by contract for the accomplishment of specific research objectives of the Public Health Service—the purpose for which the contract authority is intended. This is a matter which should be examined on its merits. However, I wish to point out that the law at present does not appear to make provision for advisory council participation in contract decisions.

Mr. RYAN. Mr. Speaker, I protest again the failure to fund the rent supplement program. The other body voted $12 million after the House struck out funds on October 14. Now the conferees have eliminated the appropriation. This action is in callous disregard of the ill-housed of the Nation. There are 1.5 million people in New York City residing in substandard housing. In New York City each year there are 100,000 applications for public housing.

We must have a massive low-rent housing program. The Housing Act of 1965 did not begin to meet the need. It limited new public housing construction to 35,000 units per year, a drop in the bucket compared to the need. At the same time the new rent subsidy program as finally drafted applied to families with incomes at the eligibility level for public housing. It offered hope to those trapped in the slums. Now the hopes are dashed by the refusal of the conferees to appropriate even a token amount to get the program underway.

Last summer the rent supplement program was approved as part of the Housing Act of 1965. It was intended to go into effect in this fiscal year. It is deplorable that the conferees are preventing ever the minimal start represented by the $12 million appropriation adopted by the other body.

This Great Society legislation is meaningless without funds. I urge the administration to follow through on this legislation to see that it is implemented for the benefit of millions of Americans living in destitution.

A TRIBUTE TO THE HON. JOHN W. MCCORMACK, SPEAKER OF THE HOUSE OF REPRESENTATIVES

Mr. FOGARTY. Mr. Speaker, in the waning hours of this memorable session of Congress, in which so much worthwhile legislation has been enacted into law, we would do well, I believe, to pay our respects to our Speaker: The Honorable JOHN W. MCCORMACK, of Massachusetts' Ninth District.

For in everything we have accomplished over the past few months, there is a trace of the Speaker's handiwork. Indeed, the Speaker can take much credit for all that has occurred in the 89th Congress, to date, and for the spirit of liberal reform emanating from the great mass of our recent legislation.

Everyone familiar with the grand, illustrious career of Speaker MCCORMACK, must recognize that here is a man born and reared among the finest of American traditions, to which he has remained the dedicated servant, to this very day. Everyone familiar with the record of the man also must recognize the fact that in standing stanchly for reform, in so many vital areas, over so long a period of public service, he has exerted as much moral influence on Congress as any man in Washington today.

Exceptional in many ways, he has managed to combine the intellectual and the spiritual with a compelling dedication to public service that has earned for him the affection of thousands, and the respect of all. And as a representative of the people, he has never forgotten the problems of the people.

The childhood of JOHN W. MCCORMACK was one of abject poverty. When a boy of 13 and in the eighth grade, he was required to leave school, following the death of his father, to help support his mother and his two younger brothers. He shined shoes, sold newspapers, and salvaged coal from the railroad yard. Sometimes there was not enough money in the family to pay the rent of less than $2 a week. Food came often from a "pauper basket" containing mostly fish and potatoes.

Not everyone experiencing poverty in childhood reacts in the same way. Many are embittered. And in their bitterness, some turn to crime. Others, avoiding criminal conduct and achieving success in a lawful manner, nonetheless reject their background, completely, turning against the class from which they came. Not so, however, in the case of JOHN W. MCCORMACK, who responded to the challenge of poverty in the manner of someone to whom challenge was nothing more than the steppingstone to victory. Upon achieving the goals he had established for himself he thereupon set to work in the attempt to ease the burdens of the poor, through political action. And in so doing he has accomplished much.

JOHN MCCORMACK escaped from the status of shoeshine boy and news hawker by way of a job as office boy in a law firm, paying $4 a week. In the evenings and in his spare time, with his employer's encouragement, the boy read law. And in 1913, at the age of 21, he passed the Massachusetts bar examination.

With this behind him, JOHN MCCORMACK became, in short time, a successful trial lawyer, building up a practice that ran to $25,000 to $30,000 a year. From there it was but a single step to politics and JOHN MCCORMACK took the step, as a man of the people, determined to serve the people.

In 1917 JOHN MCCORMACK was elected to the Massachusetts Constitutional Convention, from which he resigned, in 1918, to enter the Army. Following the war he was elected, in 1920, to the Massachusetts House of Representatives. In 1923 he was elevated to the State senate, and in 1927 became senate floor leader for the Democratic majority. In 1929 he was elected to the U.S. House of Representatives from the Massachusetts 12th District, to fill a vacancy. He has been in Congress ever since.

History and the House of Representatives are unlikely soon to accord to another the respect, prestige and influence JOHN MCCORMACK has gained, since assuming the powers of the speakership. This may in part be due, however, to the fact that by the time JOHN MCCORMACK became Speaker he already had acquired a name and reputation of considerable renown.

JOHN MCCORMACK first attracted national attention in April 1934, when he became chairman of a Special Committee Investigating un-American activities, in which capacity he first displayed to the country his strong, unwavering antipathy for the goals and the policies of international communism. Devoted to the cause of democracy and the free enterprise system, he could not abide the rantings of the Communists. It was therefore with great fervency that he had worked, throughout the depression years, to solve American economic problems along lines in keeping with American traditions.

Under the circumstances, JOHN MCCORMACK was among the first to embrace a great many Roosevelt New Deal measures designed to stabilize the economy in the interest of the little people—the small consumer and the small businessman. He voted for the social security law, then regarded as highly controversial; the so-called pump-priming bill of 1938, the tax-the-wealth plan of 1935, the wage-hour law, the Wagner Housing Act, and the regulation of stock exchanges. In every instance he threw his weight to the side of reform, secure in the knowledge that by standing still nothing could be achieved.

For his work in behalf of reform in committee, on the floor of Congress, and in the several election campaigns, wherein the wisdom of his proposals and the charm and power of his personality earned for him a large army of admirers—JOHN MCCORMACK was soon to rise to a position of great political consequence. In 1938 he was named chairman of the Democratic caucus, and in 1940, when the late Sam Rayburn, of Texas, became Speaker, JOHN MCCORMACK was the choice of President Roosevelt to succeed Rayburn as majority floor leader. He was elected to that post, which he held for 22 years, excepting only those brief moments when the opposition party controlled the House of Representatives, at which time he became minority leader.

As leader of the majority, JOHN MCCORMACK revealed himself a master politician, and a man who never seemed to

get tired from overwork. In 1941, aside from helping to drive through the lend-lease bill, he also was required to arrange a compromise between prolabor Democrats and antilabor Democrats over the question of pending antistrike legislation. Largely through his efforts, extremists on both sides were controlled and a compromise solution was reached without serious political repercussion.

In the matter of supporting the American cause, in World War II, no political leader exceeded the efforts of JOHN MCCORMACK. Nor was anyone more facile in the matter of beating down partisan and erroneous attacks of political nature, against the national leadership.

And as the war drew to a close and the prospect of postwar problems appeared, JOHN MCCORMACK spoke out, in the knowledge that economic distress for the world and for the country would fall hardest on the people already hardest pressed—the poor. As he saw it, an important element in the postwar world was the need to so adjust, regulate, and channel our system of private enterprise that mass insecurity would be minimized to the greatest extent possible. He also saw the need for international peacemaking machinery of the kind embodied in the makeup of the United Nations.

As a member of the army that marched with Franklin D. Roosevelt, from the brink of national disaster to the heights of national recovery and the victory in World War II, JOHN MCCORMACK became well acquainted with Roosevelt, whom he proclaimed, "the preserver of democracy." He has declared his conviction that Roosevelt will be ranked in history alongside George Washington and Abraham Lincoln. And in his knowledge of Roosevelt he draws upon a long span of personal experience.

The same can be said, for that matter, with respect to JOHN MCCORMACK and several other Presidents, including Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, and Lyndon B. Johnson. Although he served under Herbert Hoover as well, JOHN MCCORMACK was at that time a very young Congressman and in no position to do much more than say hello to the Commander in Chief. Starting with Roosevelt, however, he acquired sufficient prestige and importance to become the close acquaintance of every President. Truly, his record as a Congressman and majority leader rendered him the logical successor to the great Sam Rayburn as Speaker of the House. For during the same years that Mr. Rayburn was speaker longer than anyone else in history, JOHN MCCORMACK was setting a similar record as House majority leader. And as he excelled as majority leader, so he now excels as Speaker. And from the moment he assumed the speakership, JOHN MCCORMACK has behaved like a veteran.

The Speaker necessarily fills a triple role. He presides over and heads the House. He leads his party in the House and is a key legislative and political advisor to the President. And, like all other House Members, he must run for election biennially to represent a congressional district.

As Speaker, JOHN MCCORMACK has not acted in the manner of a "czar," but has, instead, endeavored to establish a broad base leadership, or something in the nature of a team operation. That is not to say that he has relinquished authority and responsibility. It is merely that he is not quick to impose his will to end factional disputes or discipline those Democrats in the House who stray from the Democratic Party reservation. Instead, he is inclined to tactfulness, patience, and what might be called the long way around, to influence colleagues and win votes.

Speaker MCCORMACK nevertheless has demonstrated that he intends to keep and use the prime powers and prerogatives of his office. He has not stood in the way of either the Democratic steering committee or the Democratic study group. But neither has he permitted these or any other elements to determine his mode of management of the House and the policymaking work of the Speaker and his leadership team, comprised of himself, the majority leader, and the party whip. This "team," incidentally, is the creation of Speaker MCCORMACK, and its value is immense, as we have seen over the past session. The team is responsible for sounding out House sentiment on specific bills and issues, and of determining in advance the way that individual Members will vote, prior to launching a drive in behalf of one bill or another. The results of this policy are evident in the abundance of bills passed without difficulty since Speaker MCCORMACK assumed his post.

Moreover, in considering the qualities of the Speaker, we must recognize that as a Representative, alone, he has immense responsibilities. His district includes 16 of the 22 wards in Boston. It has a population of almost 400,000, and a voting total in the vicinity of 50,000. From early morning until 6 o'clock or thereafter in the evening, including Saturdays, Speaker MCCORMACK is at the Capitol dividing his time and activities between his east front office suite and the Speaker's rooms near the entrance to the House Chamber.

A sad note, so far as the Speakership is concerned, is the fact that JOHN MCCORMACK as Speaker cannot—or at least usually does not—engage in debate on the House floor; and that is, indeed, a tragedy, for of all the Members of the House none can be said to excede the Speaker in the area of argumentive style. His irony, his wit, his sharp tongue, and quickness of mind, render him one of the most interesting and colorful debaters in the history of the House, and the absence of his arguments in these times is altogether regrettable.

The honors bestowed upon Speaker MCCORMACK reveal, in part, the extent to which he is revered by his fellow man. In keeping with his distinguished legal background, he has received honorary law degrees from Boston University, Holy Cross, Boston College, Villanova, Tufts, Providence College, Stonehill College, Georgetown University, Catholic University, Suffolk University, and Staley College. He also holds the Peace Medal of the Third Order of St. Francis. He is a member of the Order of Malta, first class; Knight Commander, Order of St. Gregory the Great, with star. Interested in the welfare of all mankind, the Speaker has been honored not only by his countrymen by also by many millons of people across the sea. He holds today the title of commander, Legion of Honor, Republic of the Philippines; commander, Order of Duarte Sanches Y Mella, Dominican Republic; grand officer, Order of Merito Della Republica, Italy; Titular De La Cruz De Aloy Alfaro, Panama; grand commander of the Royal Order of the Phoenix, with star, Greece.

In addition to these honors, the Speaker is a member of the Knights of Columbus and holder of the Bellarmine Medal, Bellarmine College, Louisville, Ky., 1957, and the Cardinal Gibbons Medal, Catholic University of America, Washington, D.C., 1963. And for his work in behalf of civil rights for all Americans he only recently was honored with a citation presented by the National Association of Colored Women's Clubs.

Indeed, the record of Speaker MCCORMACK is one of outstanding performance and outstanding recognition. On all problems he has responded with the alacrity of a man who is the willing servant of public duty, and always with that same resourcefulness which never seems to fail him.

He is a great American and has turned in a magnificent record in the Congress of the United States.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the conference report.

The question was taken and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and sixty-one Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 251, nays 84, not voting 97, as follows:

[Roll No. 380]

YEAS—251

Adair	Brooks	Daniels
Adams	Brown, Calif.	Davis, Ga.
Addabbo	Broyhill, Va.	Dawson
Anderson, Ill.	Burke	de la Garza
Anderson, Tenn.	Burton, Calif.	Delaney
	Byrne, Pa.	Dent
Annunzio	Cahill	Denton
Arends	Cameron	Dole
Ashley	Carter	Donohue
Ayres	Casey	Dow
Baldwin	Chelf	Downing
Bandstra	Clancy	Dulski
Barrett	Cleveland	Duncan, Oreg.
Bates	Clevenger	Dwyer
Beckworth	Cohelan	Dyal
Belcher	Conte	Edmondson
Bingham	Conyers	Edwards, Calif.
Boggs	Corbett	Ellsworth
Boland	Corman	Evans, Colo.
Bow	Curtin	Everett
Brademas	Daddario	Evins, Tenn.

Farbstein	Krebs	Resnick
Farnsley	Latta	Reuss
Fascell	Leggett	Rhodes, Pa.
Flood	Lipscomb	Rivers, Alaska
Flynt	Long, Md.	Rodino
Foley	Love	Rogers, Colo.
Ford, William D.	McCulloch	Ronan
	McDade	Roncalio
Fraser	McDowell	Rooney, N.Y.
Friedel	McEwen	Rooney, Pa.
Fulton, Pa.	McFall	Rosenthal
Gallagher	McGrath	Rostenkowski
Garmatz	Macdonald	Roush
Giaimo	Machen	Roybal
Gibbons	Mackie	Ryan
Gilbert	Mahon	St Germain
Gilligan	Mailliard	St. Onge
Gonzalez	Marsh	Scheuer
Grabowski	Mathias	Schneebeli
Gray	Matsunaga	Schweiker
Green, Oreg.	May	Scott
Green, Pa.	Meeds	Secrest
Greigg	Miller	Senner
Grider	Minish	Shipley
Griffiths	Mink	Shriver
Gubser	Minshall	Sickles
Hagan, Ga.	Moeller	Slack
Hagen, Calif.	Monagan	Smith, Iowa
Halleck	Moore	Smith, N.Y.
Halpern	Moorhead	Springer
Hamilton	Morris	Stafford
Hanna	Morrison	Stalbaum
Hansen, Iowa	Morse	Stanton
Hardy	Moss	Steed
Harris	Murphy, Ill.	Stephens
Harsha	Murphy, N.Y.	Stratton
Hathaway	Natcher	Stubblefield
Hechler	Nedzi	Sullivan
Helstoski	Nix	Sweeney
Hicks	O'Brien	Teague, Tex.
Holland	O'Hara, Ill.	Trimble
Horton	O'Hara, Mich.	Tupper
Howard	Olsen, Mont.	Tuten
Huot	O'Neill, Mass.	Udall
Ichord	Ottinger	Ullman
Irwin	Patman	Van Deerlin
Jacobs	Patten	Vivian
Jarman	Pelly	Walker, N. Mex.
Jennings	Pepper	Watkins
Joelson	Perkins	Watts
Johnson, Calif.	Philbin	Weltner
Johnson, Okla.	Pickle	Whalley
Johnson, Pa.	Pike	White, Idaho
Jones, Ala.	Pirnie	White, Tex.
Jones, Mo.	Poage	Whitten
Karsten	Powell	Wilson, Bob
Karth	Price	Wilson, Charles H.
Kastenmeier	Pucinski	
Kee	Purcell	Wolff
Keith	Race	Wydler
Kelly	Randall	Yates
King, Calif.	Redlin	Zablocki
King, N.Y.	Reid, Ill.	
Kluczynski	Reid, N.Y.	

NAYS—84

Abernethy	Findley	Morton
Ashbrook	Fisher	Nelsen
Ashmore	Fountain	Passman
Battin	Gathings	Poff
Bennett	Gettys	Quillen
Betts	Goodell	Rhodes, Ariz.
Brock	Griffin	Rivers, S.C.
Broomfield	Gross	Rogers, Fla.
Broyhill, N.C.	Grover	Rogers, Tex.
Burleson	Gurney	Rumsfeld
Burton, Utah	Haley	Satterfield
Byrnes, Wis.	Hall	Saylor
Cederberg	Hansen, Idaho	Selden
Chamberlain	Harvey, Ind.	Sikes
Clawson, Del	Harvey, Mich.	Skubitz
Collier	Henderson	Smith, Calif.
Colmer	Herlong	Smith, Va.
Cramer	Hutchinson	Taylor
Cunningham	Jonas	Teague, Calif.
Curtis	Kornegay	Thomson, Wis.
Dague	Kunkel	Todd
Davis, Wis.	Langen	Tuck
Derwinski	Lennon	Utt
Devine	Long, La.	Waggonner
Dickinson	McClory	Walker, Miss.
Dowdy	McMillan	Whitener
Duncan, Tenn.	Mills	Williams
Erlenborn	Mize	Younger

NOT VOTING—97

Abbitt	Aspinall	Bray
Albert	Baring	Buchanan
Andrews, George W.	Bell	Cabell
	Berry	Callan
Andrews, Glenn	Blatnik	Callaway
	Bolling	Carey
Andrews, N. Dak.	Bolton	Celler
	Bonner	Clark
Clausen, Don H.	Hosmer	Pool
	Hull	Quie
Conable	Hungate	Reifel
Cooley	Keogh	Reinecke
Craley	King, Utah	Roberts
Culver	Kirwan	Robison
Diggs	Laird	Roudebush
Dingell	Landrum	Schisler
Dorn	Lindsay	Schmidhauser
Edwards, Ala.	McCarthy	Sisk
Edwards, La.	McVicker	Staggers
Fallon	MacGregor	Talcott
Farnum	Mackay	Tenzer
Feighan	Madden	Thomas
Fino	Martin, Ala.	Thompson, N.J.
Fogarty	Martin, Mass.	Thompson, Tex.
Ford, Gerald R.	Martin, Nebr.	Toll
Frelinghuysen	Matthews	Tunney
Fulton, Tenn.	Michel	Vanik
Fuqua	Morgan	Vigorito
Hanley	Mosher	Watson
Hansen, Wash.	Multer	Widnall
Hawkins	Murray	Willis
Hays	O'Konski	Wright
Hébert	Olson, Minn.	Wyatt
Holifield	O'Neal, Ga.	Young

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Fuqua against.
Mr. Kirwan for, with Mr. Dorn against.
Mr. Laird for, with Mr. Bray against.
Mr. Albert for, with Mr. O'Neal of Georgia against.
Mr. Hébert for, with Mr. MacGregor against.
Mr. Gerald R. Ford for, with Mr. Murray against.
Mr. Fogarty for, with Mr. Roudebush against.
Mr. Widnall for, with Mr. Matthews against.
Mr. Martin of Nebraska for, with Mr. Watson against.
Mr. Robison for, with Mr. Berry against.
Mr. Frelinghuysen for, with Mr. Talcott against.
Mr. Conable for, with Mr. Martin of Alabama against.
Mr. Staggers for, with Mr. Sikes against.
Mr. Fino for, with Mr. Glenn Andrews against.
Mr. Martin of Massachusetts for, with Mr. Quie against.
Mr. Lindsay for, with Mr. Edwards of Alabama against.
Mr. Don H. Clausen for, with Mr. Michel against.
Mr. Andrews of North Dakota for, with Mr. Buchanan against.

Until further notice:

Mr. Holifield with Mr. Hosmer.
Mr. Schmidhauser with Mr. George W. Andrews.
Mr. King of Utah with Mr. Wyatt.
Mr. Celler with Mr. Mosher.
Mr. McVicker with Mr. Willis.
Mr. Madden with Mr. O'Konski.
Mr. Tunney with Mr. Reinecke.
Mr. Vanik with Mr. Staggers.
Mr. Tenzer with Mr. Craley.
Mr. Sisk with Mr. Bell.
Mr. Cooley with Mr. Callaway.
Mr. Bonner with Mrs. Bolton.
Mr. Hull with Mr. Cabell.
Mr. Hungate with Mr. Callan.
Mr. Aspinall with Mr. Clark.
Mr. Abbitt with Mr. Edwards of Louisiana.
Mr. Hays with Mr. Farnum.
Mr. Morgan with Mr. Mackay.
Mr. Wright with Mr. Schisler.
Mr. Vigorito with Mr. Pool.
Mr. Fallon with Mr. Hanley.
Mr. Blatnik with Mr. Hawkins.
Mr. Landrum with Mr. Baring.
Mr. Feighan with Mr. McCarthy.
Mr. Young with Mr. Fulton of Tennessee.
Mr. Thompson of New Jersey with Mr. Toll.
Mr. Multer with Mr. Diggs.
Mrs. Hansen of Washington with Mr. Roberts.
Mr. Thomas with Mr. Carey.
Mr. Dingell with Mr. Culver.
Mr. Thompson of Texas with Mr. Olson of Minnesota.

Messrs. ROGERS of Texas, COLLIER, BYRNES of Wisconsin, and MIZE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 14: Page 9, line 3, strike out "$26,975,000" and insert "$36,000,000, to remain available until expended."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 14 and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert: "$26,975,000, to remain available until expended."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 18: Page 10, line 14, insert:

"Natural Disaster Study

"For necessary expenses to enable the Administrator to conduct studies with respect to methods of helping to provide financial assistance to victims of natural disasters, as authorized by law, $1,600,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 408, 89th Congress, or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 18 and concur therein with an amendment, as follows: In lieu of the sum of "$1,600,000" named in said amendment, insert "$1,000,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 29: Page 17, line 15, insert:

"DEPARTMENT OF LABOR

"Office of the Secretary

"Federal Contract Compliance Program

"For expenses necessary to carry out the functions of the Department of Labor under Executive Order 11246 of September 24, 1965, including service as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), $444,000."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 29 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 30: Page 19, insert:

"Higher Educational Activities

"For grants, contracts, payments, and advances under titles I, III, IV (except payments under parts C and D), V and VI of the Higher Education Act of 1965, and for grants under part C of title I of the Economic Opportunity Act of 1964, as amended, $173,200,000, of which $10,000,000 shall be for grants and contracts for college and university extension education under title I of the Higher Education Act of 1965, $5,000,000 shall be for the purposes of title III, $60,000,000 shall be for programs under part A of title IV of that Act, $10,000,000 shall be for loan insurance programs under part B of title IV of that Act of which $2,500,000 for the student loan insurance fund and interest payments shall remain available until expended and $7,500,000 for advances shall remain available until June 30, 1968, $15,000,000 shall be for the purposes of title VI of the Act, and $40,000,000 shall be for grants for college work-study programs under part C of title I of the Economic Opportunity Act of 1964: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 9567, Eighty-ninth Congress, or similar legislation: *Provided*, That in administering the appropriation included in the Departments of Labor, and Health, Education, and Welfare Supplemental Appropriations Act, 1966, related to elementary and secondary educational activities, the amount authorized to be appropriated by title II of the authorizing Act shall be deemed to include amending provisions contained in section 6 of H.R. 9022, Eighty-ninth Congress."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 30 and concur therein with an amendment, as follows: In lieu of the sum "$173,200,000" named in said amendment, insert "$160,000,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 31: Page 20, line 7, insert:

"Salaries and Expenses

"For an additional amount for 'Salaries and expenses,' $2,935,000, of which not to exceed $100,000 shall be for the National Advisory Committee on Education of the Deaf, and not to exceed $100,000 shall be for the National Conference on Education of the Deaf: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 9567, Eighty-ninth Congress, or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 31 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 33: Page 20, line 16, insert the following:

"Grants to States

"For an additional amount for 'Grants to States', including grants to public and other nonprofit agencies, institutions and organizations, $8,310,000, of which $500,000 is for grants to States for vocational rehabilitation services under section 2 of said Act; $5,000,000, which shall remain available for the periods specified in section 1(3) of said Act, is for grants for planning for the development of comprehensive vocational rehabilitation programs, and for grants for planning, preparing for, and initiating special programs to expand vocational rehabilitation services, as authorized by section 4(a)(2) of said Act; $1,500,000, which shall remain available for the period specified in section 14(i) of said Act, is for grants with respect to workshops and rehabilitation facilities as authorized by section 14 of said Act; and $1,310,000 is for grants to workshops for improvement projects under section 15(b) of said Act: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 8310, Eighty-ninth Congress, or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 33 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 34: Page 21, line 10, insert:

"RESEARCH AND TRAINING

"For an additional amount for 'Research and training', $1,000,000: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 8310, Eighty-ninth Congress, or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 36: Page 21, line 21, insert:

"Salaries and Expenses

"For an additional amount for 'Salaries and expenses', $390,000, together with not to exceed $115,000 to be transferred from the Federal Disability Insurance Trust Fund and the Federal Old-Age and Survivors Insurance Trust Fund, as provided in section 222(d)(5) of the Social Security Act, as amended: *Provided*, That the amount appropriated by this paragraph shall be effective only upon enactment into law of H.R. 8310, Eighty-ninth Congress or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 38: Page 23, line 3, insert "For an additional amount for "Community health practice and research', $24,000,000, of which $3,000,000 shall be for carrying out section 310 of the Public Health Service Act, $9,000,000 for carrying out section 314(c) of the Act with respect to home health service programs, $1,000,000 for carrying out section 314(c) of the Act with respect to grants to schools of public health, and $11,000,000 for carrying out parts C, E, and F of title VII of the Act and of which $200,000 shall be available for scholarship grants to eligible schools for award to first-year students in the current academic year only; together with $2,100,000 to be transferred, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein and to be expended for functions delegated to the Surgeon General by the Secretary under title XVIII of the Social Security Act: *Provided*, That the sums appropriated for carrying out parts C, E, and F of title VII of the Public Health Service Act shall be available only upon enactment of H.R. 3141, Eighty-ninth Congress, or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 38 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 39: Page 23, line 23, insert "Grants and payments for the next succeeding fiscal year: For making, after March 31 of the current fiscal year, grants and payments under part F of title VII of the Public Health Service Act for the next succeeding fiscal year such sums as may be necessary, and the obligations incurred and expenditures made hereunder shall be charged to the appropriation for that purpose for such fiscal year."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 48: Page 27, line 10, insert:

"Assistance for Repatriated United States Nationals

"For an additional amount for 'Assistance for repatriated United States nationals', $120,000, of which $40,000 shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), only to the extent necessary to provide for requirements not anticipated in the budget estimates."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 48 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 53: Page 29, line 16, insert "not less than $10,000,000 to carry out the purposes of section 205(d) of title II, and"

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 53 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert "not more than $10,000,000 to carry out the purposes of section 205(d) of title II, in the discretion of the Director, and"

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 55: Page 30, line 18, insert

"Provided further, That no part of the funds appropriated in this paragraph shall be available for any grant until the Director has determined that the grantee is qualified to administer the funds and programs involved in the proposed grant."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 55 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 56: Page 30, line 23, insert: *"Provided further,* That all grant agreements shall provide that the General Accounting Office shall have access to the records of the grantee which bear exclusively upon the Federal grant."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 56 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 60: Page 31, line 12, insert:

"CONTINGENT EXPENSES OF THE SENATE

"Miscellaneous items

"For an additional amount for 'Miscellaneous items', $225,000.

"For an additional amount for 'Miscellaneous items', fiscal year 1965, $200,000, to be derived by transfer from the appropriation 'Salaries, officers and employees, Senate', fiscal year 1965."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 60 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 62: Page 33, line 17, insert:

"Senate Office Buildings

"For an additional amount for 'Senate Office Buildings' $405,000, to remain available until expended."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 62 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 63: Page 34, line 1, insert:

"The paragraph contained in the Legislative Branch Appropriation Act, 1960 (73 Stat. 407) which read 'Hereafter, the Architect of the Capitol is authorized, without regard to the Classification Act of 1949, as amended, to fix the compensation of one position under the appropriation "Senate Office Buildings" at a basic rate of $7,020 per annum' is hereby amended by striking out the amount $7,020 and inserting in lieu thereof the amount $7,700."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 63 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 66: On page 35, line 12, insert:

"Construction, general

"For an additional amount for 'Construction, general', $1,950,000; *Provided,* That this appropriation shall be available only upon enactment of S. 2300, Eighty-ninth Congress, or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 66 and concur therein with an amendment, as follows:

"In lieu of the sum named in said amendment, insert: '$900,000'."

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. Mr. Speaker, I appreciate the chairman of the Appropriations Committee and the chairman of the House conferees yielding to me so that I might explain to the House the basis upon which I believe this motion should be rejected.

There are two very good reasons for it. One of them is that this is a very questionable project upon its merits; the other is the manner in which this project and this matter comes to us at this time. Many times we have gone to conference on the regular public works appropriation bills and have hammered out agreements on the basis of give and take, which has occurred with respect to the public works appropriation bill so recently approved here in this House.

It always seemed to me unfair, and this is the position which I took when I found myself as chairman of the conferees on the public works appropriation bill a number of years ago, so I am taking a position completely consistent with that position. This project recently authorized comes in a supplemental appropriation bill that has come in through the backdoor. It represents an unfairness to every Member of this body because it comes by reason of an afterthought appropriation over in the other body. That is exactly what has occurred with reference to this.

I am not going to belabor that point. You have heard much about this Dickey-Lincoln proposition, so you do not care to hear more about it during this session. But this is the crux of this matter and it is on that basis I hope the motion will be voted down in order that I might submit for your consideration a motion that the House insist on its disagreement to the amendment No. 66.

Mr. MAHON. Mr. Speaker, this project has been discussed before, even as recently as yesterday. Frequently in the past, public works appropriation bills have contained funds for recently approved projects. This is not breaking precedent in that regard. In the recently approved appropriation bill for public works there were some recently authorized projects. It is true that this is a rather large project. It is very controversial and I have opposed the project myself in the past, as the gentleman knows, and others have opposed it. But this is a part of an effort to come to an agreement on a very controversial bill, and under these circumstances certainly those of us on the conference committee must insist on the action taken by the conferees.

Mr. ROONEY of New York. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. ROONEY of New York. Mr. Speaker, I merely wish to point out that amendment No. 66 not only applies to the project being discussed but also applies to a project in the State of West Virginia.

Mr. MAHON. The gentleman is correct. There is an additional project in this amendment.

Mr. TUPPER. Mr. Speaker, it appears that a great many Members have recently become experts upon the power needs of the State of Maine, and hydroelectric power development in general.

I am not a suspicious man by nature, but I would hazard a guess that the screams of the special interest groups

over authorization of the Dickey project have been unusually loud and their tears copious.

The $800,000 appropriation contained in the supplemental appropriations conference report will provide for planning by the U.S. Army Corps of Engineers so that this preliminary work can commence prior to the next fiscal year. The money will be used for soil and foundation exploration, aerial and ground surveys, hydrology and power studies, and site development.

I would say to my fellow Republicans that our party has always subscribed to the philosophy that the Federal Government should intervene only when it is demonstrated that the private sector is unable to do the job as well.

In the case of the Dickey project, let me say that the private power companies have not been either able or willing to give our State power at a price our citizens or our industries can afford. They have not been either able or willing to reduce rates meaningfully so that our State could compete for its fair share of the Nation's prosperity.

And, gentlemen, I speak for every major Republican officeholder in my State when I make this statement.

I say to my Republican colleagues, "Help the State of Maine, and do not further diminish the influence of our party in the Pine Tree State."

We in Maine do hope that more of our friends in other New England States will commence to help us obtain our goals. They are fair and just.

In 1820 Maine separated from the Commonwealth of Massachusetts and one of the reasons was that the mother State persisted in looking at our people as "country cousins." I implore them not to again seek to relegate Maine to a status something less than they enjoy.

To all Members of the House I urge an affirmative vote for acceptance of the supplemental appropriations conference report for 1966.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the motion offered by the gentleman from Texas [Mr. MAHON].

The question was taken; and on a division (demanded by Mr. DAVIS of Wisconsin), there were—ayes 105, noes, 95.

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 166, nays 162, answered "present" 1, not voting 104, as follows:

[Roll No. 381]

YEAS—166

Adams	Clevenger	Fascell
Addabbo	Cohelan	Flynt
Anderson, Tenn.	Conyers	Foley
	Corman	Ford, William D.
Annunzio	Daniels	
Ashley	Davis, Ga.	Fraser
Bandstra	Dawson	Friedel
Barrett	de la Garza	Gallagher
Beckworth	Delaney	Garmatz
Bennett	Dow	Gathings
Bingham	Duncan, Oreg.	Gibbons
Boggs	Dyal	Gilbert
Brademas	Edmondson	Gilligan
Brooks	Edwards, Calif.	Gonzalez
Brown, Calif.	Evans, Colo.	Green, Oreg.
Burton, Calif.	Everett	Green, Pa.
Byrne, Pa.	Evins, Tenn.	Greigg
Cameron	Farbstein	Grider
Carter	Farnsley	Hagan, Ga.
Hagen, Calif.	Matsunaga	Rostenkowski
Halpern	Meeds	Roush
Hamilton	Miller	Roybal
Hanna	Mills	Ryan
Hansen, Iowa	Minish	St Germain
Harris	Mink	Scheuer
Hathaway	Morrison	Senner
Hechler	Moss	Sickles
Helstoski	Murphy, Ill.	Slack
Hicks	Murphy, N.Y.	Smith, Iowa
Holland	Murray	Stafford
Howard	Nix	Stalbaum
Huot	O'Hara, Ill.	Stephens
Jacobs	O'Hara, Mich.	Stratton
Joelson	Olsen, Mont.	Sullivan
Johnson, Calif.	Passman	Sweeney
Johnson, Okla.	Patman	Teague, Tex.
Jones, Ala.	Patten	Todd
Jones, Mo.	Pepper	Trimble
Karsten	Pickle	Tupper
Karth	Poage	Tuten
Kastenmeier	Pool	Udall
Kelly	Powell	Ullman
King, Calif.	Price	Van Deerlin
Kluczynski	Pucinski	Waggonner
Krebs	Purcell	Walker, N. Mex.
Leggett	Race	Weltner
Long, La.	Redlin	White, Idaho
Long, Md.	Resnick	White, Tex.
Love	Reuss	Whitten
McDowell	Rivers, Alaska	Willis
McFall	Rodino	Wilson, Charles H.
McGrath	Rogers, Colo.	
Macdonald	Rogers, Fla.	Wolff
Machen	Ronan	Yates
Mackie	Roncalio	Zablocki
Madden	Rooney, N.Y.	
Mahon	Rosenthal	

NAYS—162

Abernethy	Fisher	Moore
Adair	Flood	Moorhead
Anderson, Ill.	Fountain	Morris
Arends	Fulton, Pa.	Morse
Ashbrook	Gettys	Morton
Ashmore	Giaimo	Natcher
Ayres	Goodell	Nedzi
Baldwin	Grabowski	Nelsen
Bates	Gray	O'Brien
Battin	Griffin	O'Neill, Mass.
Belcher	Griffiths	Pelly
Betts	Gross	Perkins
Boland	Grover	Philbin
Bow	Gubser	Pike
Brock	Gurney	Pirnie
Broomfield	Haley	Poff
Broyhill, N.C.	Hall	Quillen
Broyhill, Va.	Halleck	Randall
Buchanan	Hansen, Idaho	Reid, Ill.
Burke	Hardy	Reinecke
Burleson	Harsha	Rhodes, Ariz.
Burton, Utah	Harvey, Ind.	Rogers, Tex.
Byrnes, Wis.	Harvey, Mich.	Rumsfeld
Cahill	Henderson	Satterfield
Casey	Herlong	St. Onge
Cederberg	Horton	Saylor
Chamberlain	Hutchinson	Schneebeli
Clancy	Ichord	Schweiker
Clawson, Del	Irwin	Secrest
Cleveland	Jarman	Selden
Collier	Jennings	Shriver
Colmer	Johnson, Pa.	Skubitz
Conte	Jonas	Smith, Calif.
Corbett	Keith	Smith, N.Y.
Cramer	King, N.Y.	Smith, Va.
Cunningham	Kornegay	Springer
Curtin	Kunkel	Stanton
Curtis	Langen	Steed
Daddario	Latta	Stubblefield
Dague	Lennon	Taylor
Davis, Wis.	Lipscomb	Teague, Calif.
Denton	McClory	Thomson, Wis.
Derwinski	McCulloch	Tuck
Devine	McDade	Utt
Dickinson	McEwen	Walker, Miss.
Dole	McMillan	Watkins
Donohue	Mailliard	Watts
Dowdy	Marsh	Whalley
Downing	Mathias	Whitener
Dulski	May	Williams
Duncan, Tenn.	Minshall	Wilson, Bob
Dwyer	Mize	Wyatt
Erlenborn	Moeller	Wydler
Findley	Monagan	Younger

ANSWERED "PRESENT"—1

Vivian

NOT VOTING—104

Abbitt	Andrews, N. Dak.	Blatnik
Albert		Bolling
Andrews, George W.	Aspinall	Bolton
	Baring	Bonner
Andrews, Glenn	Bell	Bray
	Berry	Cabell
Callan	Hawkins	Quie
Callaway	Hays	Reid, N.Y.
Carey	Hébert	Reifel
Celler	Holifield	Rhodes, Pa.
Chelf	Hosmer	Rivers, S.C.
Clark	Hull	Roberts
Clausen, Don H.	Hungate	Robison
	Kee	Rooney, Pa.
Conable	Keogh	Roudebush
Cooley	King, Utah	Schisler
Craley	Kirwan	Schmidhauser
Culver	Laird	Scott
Dent	Landrum	Shipley
Diggs	Lindsay	Sikes
Dingell	McCarthy	Sisk
Dorn	McVicker	Staggers
Edwards, Ala.	MacGregor	Talcott
Edwards, La.	Mackay	Tenzer
Ellsworth	Martin, Ala.	Thomas
Fallon	Martin, Mass.	Thompson, N.J.
Farnum	Martin, Nebr.	Thompson, Tex.
Feighan	Matthews	Toll
Fino	Michel	Tunney
Fogarty	Morgan	Vanik
Ford, Gerald R.	Mosher	Vigorito
Frelinghuysen	Multer	Watson
Fulton, Tenn.	O'Konski	Widnall
Fuqua	Olson, Minn.	Wright
Hanley	O'Neal, Ga.	Young
Hansen, Wash.	Ottinger	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mrs. Hansen for, with Mr. Vivian against.
Mr. Kirwan for, with Mr. Chelf against.
Mr. Hébert for, with Mr. Bray against.
Mr. Fogarty for, with Mr. Sikes against.
Mr. Lindsay for, with Mr. Hosmer against.
Mr. Reid of New York for, with Mr. Andrews of North Dakota against.
Mr. Martin of Massachusetts for, with Mr. Berry against.
Mr. Multer for, with Mr. Widnall against.
Mr. Morgan for, with Mr. Watson against.
Mr. Fallon for, with Mr. Roudebush against.
Mr. Carey for, with Mr. Martin of Nebraska against.
Mr. Aspinall for, with Mr. MacGregor against.
Mr. Holifield for, with Mr. Laird against.
Mr. Keogh for, with Mr. Gerald R. Ford against.
Mr. Staggers for, with Mr. Talcott against.
Mr. Tenzer for, with Mr. Michel against.
Mr. Thompson of New Jersey for, with Mr. Fino against.
Mr. Toll for, with Mr. Don H. Clausen against.
Mr. Tunney for, with Mr. Conable against.
Mr. Albert for, with Mr. Quie against.
Mr. Blatnik for, with Mr. Dorn against.
Mr. Celler for, with Mr. Bell against.
Mr. Dent for, with Mr. Ellsworth against.
Mr. Mackay for, with Mr. Robison against.
Mr. Hungate for, with Mr. Edwards of Alabama against.
Mr. Vanik for, with Mr. Glenn Andrews against.
Mr. Culver for, with Mr. Martin of Alabama against.
Mr. Farnum for, with Mr. Frelinghuysen against.
Mr. Hanley for, with Mr. Roberts against.
Mr. Fulton of Tennessee for, with Mrs. Bolton against.
Mr. Edwards of Louisiana for, with Mr. Mosher against.
Mr. Cabell for, with Mr. Scott against.
Mr. Schisler for, with Mr. Bonner against.
Mr. Hawkins for, with Mr. Clark against.

For this day:

Mr. Abbitt with Mr. Baring.
Mr. Cooley with Mr. Callaway.
Mr. Feighan with Mr. Fuqua.
Mr. Rivers of South Carolina with Mr. O'Neal of Georgia.
Mr. Diggs with Mr. Vigorito.
Mr. McCarthy with Mr. Rhodes of Pennsylvania.
Mr. Landrum with Mr. Kee.
Mr. Matthews with Mr. Ottinger.

Mr. Wright with Mr. Olson of Minnesota.
Mr. Young with Mr. Sisk.
Mr. Thompson of Texas with Mr. McVicker.
Mr. Hays with Mr. Shipley.
Mr. Craley with Mr. George W. Andrews.
Mr. Hull with Mr. Rooney of Pennsylvania.
Mr. Callan with Mr. Schmidhauser.

Mr. HOLLAND changed his vote from "nay" to "yea."

Mr. VIVIAN. Mr. Speaker, I have a live pair with the gentlewoman from Washington [Mrs. HANSEN]. If she were present she would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 70: Page 36, line 19, insert:

"INTERNATIONAL COMMISSIONS

"Facilities for International Pacific Halibut Commission

"For provision of office and other facilities necessary for carrying out the Northern Pacific Halibut Act, as amended, $500,000, to remain available until expended."

Mr. MAHON. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 70 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 78: Page 41, line 9, insert:

"HEMISFAIR 1968 EXPOSITION

"For expenses necessary for planning the extent of participation by the United States in HemisFair 1968, as authorized by law, $125,000: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 9247, Eighty-ninth Congress, or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 78 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 80: Page 41, line 16, insert:

"CONTROL OF OUTDOOR ADVERTISING AND JUNKYARDS

"For control of outdoor advertising and junkyards, as authorized by the Highway Beautification Act of 1965, including payments to the States, $10,000,000: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2084, Eighty-ninth Congress, or similar legislation.

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 80 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 81: Page 42, line 5, insert:

"LANDSCAPING AND SCENIC ENHANCEMENT

"For carrying out the provisions of title 23, United States Code, section 319, as amended by the Highway Beautification Act of 1965, $60,000,000: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2084, Eighty-ninth Congress, or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 81 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 82: Page 42, line 12, insert:

"ADMINISTRATIVE EXPENSES, HIGHWAY BEAUTIFICATION

"For necessary administrative expenses for carrying out the provisions of the Highway Beautification Act of 1965, $750,000: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2084, Eighty-ninth Congress, or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 82 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 83: Page 42, line 19, insert:

"HIGHWAY SAFETY

"For necessary expenses for carrying out the provisions of title 23, United States Code, section 135, $290,000: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2084, Eighty-ninth Congress, or similar legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 83 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 84. Page 43, line 15, insert:

"REVOLVING FUND

"For additional capital for the revolving fund authorized by the Small Business Act of 1953, as amended, to be available without fiscal year limitation, $84,000,000: *Provided*, That this paragraph shall be effective only upon enactment into law of authorizing legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 84 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 85. Page 43, line 21, insert:

"SOUTHEAST HURRICANE DISASTER

"For expenses necessary to enable the President to carry out the provisions of the Southeast Hurricane Disaster Relief Act of 1965, such amount as may be necessary but not to exceed $70,000,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon the enactment into law of authorizing legislation."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 85 and concur therein with an amendment, as follows:

"In lieu of the sum named in said amendment insert: '$35,000,000.' "

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 89. Page 46, line 6, insert:

"SEC. 1202. The appropriations, authorizations, and authority with respect thereto in this Act shall be available from July 1, 1965, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between June 30, 1965, and the date of enactment of this Act in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms hereof, and the terms of Public Law 89-58, Eighty-ninth Congress, as amended."

Mr. MAHON. Mr. Speaker, I offer a motion.

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 89 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members who spoke on the conference report and on the various and sundry motions may be permitted to revise and extend their remarks, and that all Members may have 5 legislative days in which to extend their remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RESIGNATION FROM COMMITTEE ON VETERANS' AFFAIRS

The SPEAKER. The Chair lays before the House the following resignation from a committee:

OCTOBER 21, 1965.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I herewith tender my resignation from the Committee on Veterans' Affairs.

Very sincerely yours,
CHARLES H. WILSON.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION OF CHARLES H. WILSON TO BE A MEMBER OF THE STANDING COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. KING of California. Mr. Speaker, I offer a privileged resolution (H. Res. 620) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That CHARLES H. WILSON, of California, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Post Office and Civil Service.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INCREASES IN RATES OF DISABILITY COMPENSATION

Mr. TEAGUE of Texas submitted the following conference report and statement on the bill (H.R. 168) to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 1201)

The committee of conference on the disagreeing votes of the two Houses on the bill (H.R. 168) to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6 and 11.

That the Senate recede from its disagreement to the amendments of the House to the amendments of the Senate numbered 5, 7, 9, 10, and 12, and agree to the same.

Amendment numbered 8: That the Senate recede from its disagreement to the amendment of the House to the Senate amendment numbered 8, and agree to the same with an amendment, as follows: In lieu of the action proposed by Senate amendment numbered 8, as amended by the House, strike out line 1 on page 9 of the House engrossed bill and all that follows down through line 12 on page 11, and insert in lieu thereof the following:

"SEC. 6. (a) Chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"'§ 4116. Defense of certain malpractice and negligence suits

"'(a) The remedy by suit against the United States as provided by section 1346(b) of title 28 for damages for personal injury, including death, allegedly arising from malpractice or negligence of a physician, dentist, nurse, pharmacist, or paramedical (for example, medical and dental technicians, nursing assistants, and therapists) or other supporting personnel in furnishing medical care or treatment while in the exercise of his duties in or for the Department of Medicine and Surgery shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against such physician, dentist, nurse, pharmacist, or paramedical or other supporting personnel (or his estate) whose act or omission gave rise to such claim.

"'(b) The Attorney General shall defend any civil action or proceeding brought in any court against any person referred to in subsection (a) of this section (or his estate) for any such damage or injury. Any such person against whom such civil action or proceeding is brought shall deliver within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon him or an attested true copy thereof to his immediate superior or to whomever was designated by the Administrator to receive such papers and such person shall promptly furnish copies of the pleading and process therein to the United States attorney for the district embracing the place wherein the proceeding is brought, to the Attorney General, and to the Administrator.

"'(c) Upon a certification by the Attorney General that the defendant was acting in the scope of his employment in or for the Department of Medicine and Surgery at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States of the district and division embracing the place wherein it is pending and the proceeding deemed a tort action brought against the United States under the provisions of title 28 and all references thereto. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merit that the case so removed is one in which a remedy by suit within the meaning of subsection (a) of this section is not available against the United States, the case shall be remanded to the State court.

"'(d) The Attorney General may compromise or settle any claim asserted in such civil action or proceeding in the manner provided in section 2677 of title 28, and with the same effect.'

"(b) The analysis of chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following:

"'4116. Defense of certain malpractice and negligence suits.'

"(c) The amendments made by this section shall take effect on the first day of the first calendar month which begins more than one hundred and eighty days after the date of enactment of this Act, but, in the case of an act or omission which occurred before such effective date, such amendments shall apply only if no suit or civil action has been commenced before such effective date with respect to such act or omission."

And the House agree to the same.

OLIN E. TEAGUE,
W. J. BRYAN DORN,
JAMES A. HALEY,
E. ROSS ADAIR,
WILLIAM H. AYRES,
Managers on the Part of the House.

HARRY F. BYRD,
RUSSELL B. LONG,
GEORGE SMATHERS,
JOHN WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H.R. 168) to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The amendment of the Senate numbered 8 struck from the House bill all of section 8 which would have provided for defense by the United States of certain malpractice and negligence suits against physicians, dentists, and nurses in the Department of Medicine and Surgery of the Veterans' Administration for their acts or omissions while in the exercise of their duties. The House amendment to the amendment of the Senate numbered 8 would have restored that section with a change in the section number.

Under the conference agreement the section has been restored to the bill as section 6 and additional personnel carrying out duties in and for the Department of Medicine and Surgery are brought within the group made eligible to have the United States defend malpractice and negligence suits arising out of their acts or omissions occurring while in the exercise of their duties.

The Senate receded from its amendments numbered 6 and 11 and receded from its disagreement to the amendments of the House to the amendments of the Senate numbered 5, 7, 9, 10, and 12.

On October 19, 1965, the House concurred in amendments of the Senate numbered 1, 2, 3, 4, and 13.

OLIN E. TEAGUE,
W. J. BRYAN DORN,
JAMES A. HALEY,
E. ROSS ADAIR,
WILLIAM H. AYRES,
Managers on the Part of the House.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 168) to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes.

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

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

Mr. TEAGUE of Texas. Mr. Speaker, this bill passed the House with a vote of 348 to nothing. There was little disagreement between the two Houses. The conference report was unanimous.

Unless there are questions by Members, I intend to yield to the gentleman from Indiana and then move the previous question.

Mr. ADAIR. Mr. Speaker, I should like to ask the gentleman from Texas to give us a brief explanation to refresh the recollection of Members upon this bill.

Mr. TEAGUE of Texas. Mr. Speaker, this bill would provide a 10-percent increase to all service connected veterans. The cost of the bill would be approximately $178 million. That is by far the most important part of the bill.

I am happy to report to the House that this is a unanimous report and that in essence the position of the House has been fully supported, and the action which the House took on Tuesday is practically identical with the conference report recommended for your approval today.

The major items in dispute; namely, the question of a windfall to certain veterans or widows who are receiving pension in connection with social security; the extension of the Veterans' Preference Act to an additional category; the inclusion of the specific language of 125,000 hospital beds and 4,000 additional nursing home-care beds in the Veterans' Administration medical system; provision for malpractice insurance for certain professional personnel in the Veterans' Administration medical system; were all resolved favorably, and I am happy to recommend the adoption of this report.

The American Legion has supported the action of the conferee. I have received the following telegram from the National Commander of the American Legion:

WASHINGTON, D.C.

Congressman OLIN E. TEAGUE,
House Office Building,
Washington, D.C.:

The American Legion is pleased to learn that conference committee will meet today on H.R. 168. Prompt action by this committee is a constructive and responsible effort to provide relief for the nearly 2 million service disabled veterans of this Nation. Our main concern is that nothing delay the increase in compensation to these needy veterans. Beyond that the Legion strongly supports the provision to make statutory the authorization of 125,000 VA hospital beds. With respect to the language providing relief for certain individuals on the pension rolls we recognize the difficult problem faced by the Congress. The chairman of the House Veterans' Affairs Committee has given assurance that the entire matter of pension income limitations will be reviewed next session. We hope that at that time action will be taken to provide a lasting remedy not only for pensioners adversely affected by increases in social security payments but also for all persons adversely affected by increases in other retirement type income.

L. ELDON JAMES,
National Commander, the American Legion.

Mr. Speaker, I have received the following telegram from the legislative director of the DAV:

WASHINGTON, D.C.
October 20, 1965.

Congressman OLIN TEAGUE,
House Office Building,
Washington, D.C.:

In view of your appointment as a conferee to consider H.R. 168 we wish to advise that the Disabled American Veterans takes strong exception to the Curtis pension amendment. The pension amendment is patently unfair since it gives no consideration to those veterans whose income is derived from sources other than social security. This is so despite the fact that these veterans may have the same degree of disability, the same income level, and be in the same age bracket as those veterans whom the amendment seeks to benefit. It totally ignores any veteran who may be eligible for the pension rolls in 1966 or any subsequent year. We do not believe increased compensation benefits which will be accorded to nearly 2 million service-connected wartime disabled veterans should be imperiled by the adoption of an unrelated pension amendment. The Disabled American Veterans urge you to let stand the language pertaining to the 125,000 hospital bed ceiling, since it would serve to make statutory and establish once and for all the intent of Congress, and in a long-standing controversy with the Bureau of the Budget and the VA on this issue. Respectfully urge you agree to a reasonable solution which will permit the passage of H.R. 168 during this session of Congress.

CHARLES L. HUBER,
National Director of Legislation,
Disabled American Veterans.

Mr. Speaker, there has been the mistaken belief that some veterans are losing VA pensions because of the social security rate increase. All cases will receive more in 1966 than they received in 1964.

VA pension increase of 1964 and Social Security Amendments of 1965:

Ten percent retirement income exclusion for pension was designed to compensate for 7 percent social security increase.

Bills originally contemplated simultaneous passage and effect.

Pension law passed earlier effective January 1, 1965. Social security delayed to July 30, 1965.

Pension is monthly benefit based on annual income.

Comparing 1964 with 1965:

First. Everyone gets more pension.

Second. Everyone gets more social security.

Third. A few—1½ percent—get an additional windfall.

Fourth. And everyone continues to get more pension and social security in 1966 than they got in 1964.

The attached typical cases shows that the veterans get a higher VA pension in 1966 and also gets higher social security payments.

A TYPICAL CASE—VETERAN ALONE—SOLE COUNTABLE INCOME IS SOCIAL SECURITY

1964

Social security: $648 per year; VA pension, $840 per year; annual combined, $1,488 per year.

1965

Social security: $696 per year; VA pension, $1,125[1] per year; annual comined, $1,821 per year.

1966

Social security: $696 per year; VA pension, $900 per year; annual combined, $1,596 per year.

NOTE: He gets more social security, $48 per year; he gets more VA pension, $60 per year; his total income is increased by $108 per year over 1964.

CONFERENCE COMMITTEE COMPARATIVE PRINT

(Showing changes proposed to be made by amendments of the Senate numbered 5 through 12 (inclusive) to H.R. 168. Matter proposed to be omitted by Senate amendments 5 through 12 is enclosed in [black brackets]; matter proposed to be inserted is shown in *italic type*. For convenience of reference, the number of the Senate amendment is shown in boldface type adjacent to the amendment made by it. The changes made by Senate amendments numbered 1, 2, 3, 4, and 13 are shown in roman type to reflect the concurrence of the House in these amendments on October 19, 1965.)

H.R. 168

An act to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 314 of title 38, United States Code, is amended—

(1) by striking out "$20" in subsection (a) and inserting in lieu thereof "$21";

(2) by striking out "$38" in subsection (b) and inserting in lieu thereof "$40";

(3) by striking out "$58" in subsection (c) and inserting in lieu thereof "$60";

(4) by striking out "$77" in subsection (d) and inserting in lieu thereof "$82";

(5) by striking out "$107" in subsection (e) and inserting in lieu thereof "$113";

(6) by striking out "$128" in subsection (f) and inserting in lieu thereof "$136";

(7) by striking out "$149" in subsection (g) and inserting in lieu thereof "$161";

(8) by striking out "$170" in subsection (h) and inserting in lieu thereof "$186";

(9) by striking out "$191" in subsection (i) and inserting in lieu thereof "$209";

(10) by striking out "$250" in subsection (j) and inserting in lieu thereof "$300";

(11) by striking out "$525" in subsections (k) and (o) and inserting in lieu thereof "$600";

(12) by striking out "$340" in subsection (l) and inserting in lieu thereof "$400";

(13) by striking out "$390" in subsection (m) and inserting in lieu thereof "$450";

(14) by striking out "$440" in subsection (n) and inserting in lieu thereof "$525";

(15) by striking out "$200" in subsection (r) and inserting in lieu thereof "$250"; and

(16) by striking out "$290" in subsection (s) and inserting in lieu thereof "$350".

(b) The Administrator of Veterans' Affairs may adjust administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 2. (a) Section 315(1) of title 38, United States Code, is amended—

(1) by striking out "$23" in subparagraph (A) and inserting in lieu thereof "$25";

(2) by striking out "$39" in subparagraph (B) and inserting in lieu thereof "$43";

(3) by striking out "$50" in subparagraph (C) and inserting in lieu thereof "$55";

(4) by striking out "$62" and "$12" in subparagraph (D) and inserting in lieu thereof "$68" and "$13", respectively;

(5) by striking out "$15" in subparagraph (E) and inserting in lieu thereof "$17";

(6) by striking out "$27" in subparagraph (F) and inserting in lieu thereof "$30";

(7) by striking out "$39" and "$12" in subparagraph (G) and inserting in lieu thereof "$43" and "$13", respectively; and

(8) by striking out "$19" in subparagraph (H) and inserting in lieu thereof "$21".

(b) Such section 315(1) is further amended by (1) striking out "and" at the end of subparagraph (G), (2) striking out the period at the end of subparagraph (H) and inserting in lieu thereof "; and", and (3) adding at the end thereof the following:

"(I) notwithstanding the other provisions of this subsection, the monthly amount payable on account of each child who has attained the age of eighteen years and who is pursuing a course of instruction at an approved educational institution shall be $40 for a totally disabled veteran and proportionate amounts for partially disabled vet-

[1] 9-month windfall in 1965, $225 (application of 10 percent exclusion in Public Law 88–664 preceding Social Security Amendments produced the temporary eligibility for windfall rate).

erans in accordance with paragraph (2) of this subsection."

(c)(1) Section 101(4)(C) of title 38, United States Code, is amended by striking out "twenty-one years" and inserting in lieu thereof "twenty-three years".

(2) Section 414(c) of title 38, United States Code, is amended by striking out "twenty-one" and inserting in lieu thereof "twenty-three".

SEC. 3. (a) Section 360 of title 38, United States Code, is amended (1) by inserting immediately before the words "the Administrator" the following: "or (3) has suffered total deafness in one ear as a result of service-connected disability and has suffered total deafness in the other ear as the result of non-service-connected disability not the result of his own willful misconduct," and (2) by inserting immediately after the words "kidney involvement" the following: "or such total deafness in both ears".

(b) Such section 360 is further amended by adding the following at the end of the catchline: "or bilateral deafness".

(c) The analysis of chapter 11 of such title 38 regarding section 360 is amended by inserting immediately before the period at the end thereof: "or bilateral deafness".

(d) Section 314(o) of title 38, United States Code, is amended by deleting the words "has suffered total deafness" and substituting in lieu thereof the words "if the veteran has suffered bilateral deafness (and the hearing impairment in either one or both ears is service connected) rated at 60 per centum or more disabling and the veteran has also suffered service-connected total blindness with 5/200 visual acuity or less,".

(e) Section 314(p) of title 38, United States Code, is amended by deleting "$525; and" and substituting therefor the following: "$600. In the event the veteran has suffered service-connected blindness with 5/200 visual actuity or less and (1) has also suffered bilateral deafness (and the hearing impairment in either one or both ears is service connected) rated at no less than 40 per centum disabling, the Administrator shall allow the next higher rate, or (2) has also suffered service-connected total deafness in one ear, the Administrator shall allow the next intermediate rate, but in no event in excess of $600;".

SEC. 4. Section 560(b) of title 38, United States Code, is amended by striking out ", who has attained the age of forty years,".

(5) [SEC. 6. Section 106 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

["(e) Each person who has incurred a disability as a result of an injury or disease described in subsection (b) shall be entitled to the same rights, privileges, and benefits under the Act of June 27, 1944 (58 Stat. 387–391), as a person described in section 2(1) of such Act."]

(6) [SEC. 7.] SEC. 5. Subsection (c) of section 230 of title 38, United States Code, is amended to read as follows:

"(c) The Administrator shall establish and maintain an office in Europe at such location as he deems appropriate. The head of such office shall be responsible for the performance of such duties as may be prescribed by the Administrator in the administration and operation of veterans' programs in that area (7) [and shall, during his tenure in such position, be accorded by the Secretary of State the diplomatic designation of Attaché]."

(8) [SEC. 8. (a) Chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following:

"§ 4116. Defense of certain malpractice and negligence suits

["(a) The remedy by suit against the United States as provided by section 1346(b) of title 28 for damages for personal injury, including death, allegedly arising from malpractice or negligence of a physician, dentist, or nurse in furnishing medical care or treatment while in the exercise of his duties in the Department of Medicine and Surgery, shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against such physician, dentist, or nurse (or his estate) whose act or omission gave rise to such claim.

["(b) The Attorney General shall defend any civil action or proceeding brought in any court against any physician, dentist, or nurse (or his estate) of the Department of Medicine and Surgery for any such damage or injury. The physician, dentist, or nurse against whom such civil action or proceeding is brought shall deliver within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon him or an attested true copy thereof to his immediate superior or to whomever was designated by the Administrator to receive such papers and such person shall promptly furnish copies of the pleading and process therein to the United States attorney for the district embracing the place wherein the proceeding is brought to the Attorney General, and to the Administrator.

["(c) Upon a certification by the Attorney General that the defendant physician, dentist, or nurse was acting in the scope of his employment in the Department of Medicine and Surgery at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States for the district and division embracing the place wherein it is pending and the proceeding deemed a tort action brought against the United States under the provisions of title 28 and all references thereto. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merits that the case so removed is one in which a remedy by suit within the meaning of subsection (a) of this section is not available against the United States, the case shall be remanded to the State court.

["(d) The Attorney General may compromise or settle any claim asserted in such civil action or proceeding in the manner provided in section 2677 of title 28, and with the same effect."

[(b) The analysis of such chapter 73 is amended by adding at the end thereof the following:

"4116. Defense of certain malpractice and negligence suits."

[(c) Section 4116 of title 38, United States Code, as added by subsection (a) of this section shall take effect on the first day of the calendar month which first occurs more than one hundred and eighty days after the date of enactment of this Act, and shall apply only to an act or omission occurring before such date with respect to which no suit or civil action has been commenced.]

(9) [SEC. 9. (a) Subsection (c) of section 5033 of title 38, United States Code, is hereby repealed.]

Sec. 6. (a) Subsection (c) of section 5033 and paragraph (3) of section 5035(b) of title 38, United States Code, are hereby repealed; and paragraphs (4) and (5) of section 5035 (b) of such title are hereby redesignated as paragraphs (3) and (4), respectively.

(b) Section 5034(1) of such title is amended by striking out "one-half bed" and inserting in lieu thereof "one and one-half beds".

(10) [SEC. 10. (a) Section 5001(a) of title 38, United States Code, is amended by redesignating paragraph (2) thereof as paragraph (3) and by inserting immediately after paragraph (1) thereof the following:

["(2) The Administrator, subject to the approval of the President, is authorized to establish and operate not less than one hundred and twenty-five thousand hospital beds in facilities over which the Administrator has direct and exclusive jurisdiction for the care and treatment of eligible veterans who are tuberculosis, neuropsychiatric, medical, and surgical cases."

[(b) Paragraph (3) of such section (as redesignated by subsection (a) of this section) is amended by adding at the end thereof the following new sentence: "The nursing beds authorized by this paragraph shall be in addition to the hospital beds provided for in paragraph (2) of this subsection."]

(11) *Sec. 7. Section 503 of title 38, United States Code, is amended by inserting "(a)" after "503", and by adding at the end thereof the following:*

"(b) Notwithstanding the provisions of subsection (a) of this section, in the case of any individual—

"(1) who, for the month in which the Social Security Amendments of 1965 was enacted, was entitled to a monthly insurance benefit under section 202 or 223 of the Social Security Act, and

"(2) who, for such month, was entitled to pension under the provisions of this chapter, or under the first sentence of section 9(b) of the Veterans' Pension Act of 1959,

there shall not be counted, in determining the annual income of such individual, any increase in benefits under such sections of the Social Security Act which resulted from the enactment of the Social Security Amendments of 1965."

(12) [SEC. 11] *Sec. 8.* The amendments made by the first section and sections 2, 3, and 4 of this Act shall take effect on the first day of the second calendar month following the date of enactment of this Act.

Mr. TEAGUE of Texas. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 641. A joint resolution authorizing Father Flanagan's Boys' Home to erect a memorial in the District of Columbia or its environs.

The message also announced that the Secretary request the House of Representatives return to the Senate the bill (S. 619), entitled "An act for the relief of Nora Isabella Samuelli," together with all accompanying papers.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2118) entitled "An act to amend sections 9 and

37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9047) entitled "An act to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10305) entitled "An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately one hundred and twenty-four million, two hundred thousand pounds of nickel from the national stockpile."

The message also announced that the Senate had passed concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 67. A concurrent resolution to authorize certain corrections in the enrollment of S. 919.

S. Con. Res. 65. A concurrent resolution to authorize the printing as a Senate document 10,000 copies of a study, entitled "The Anti-Vietnam Agitation and the Teach-In Movement," prepared for the use of the Subcommittee on Internal Security of the Senate Committee on the Judiciary.

PENNSYLVANIA AVENUE HAS A DEEP AND ABIDING CONNECTION WITH THE LIFE OF PRESIDENT JOHN F. KENNEDY

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, we all recognize the deep and abiding relationship which Pennsylvania Avenue has with the life and times of President John F. Kennedy. It is a connection without parallel in this Nation. It was along Pennsylvania Avenue that he travelled to the Capitol of the United States to deliver his universally acclaimed inaugural address, and it was along this avenue that he returned to the White House after he had delivered it.

This avenue was the scene of some of his greatest triumphs. Along this famous avenue he travelled with heads of foreign states, and on other ceremonial and state occasions. It was along this avenue that his body was borne on a caisson to rest in state at the Capitol. This avenue witnessed his years of lightning, and the day of drums.

No other place, except the White House, knew him so well during his all too brief years as President. The long and intimate relationship of this ceremonial avenue of the Nation with President Kennedy has hallowed it, and given it a meaning and an importance and a connection with him which is forever denied other avenues and other areas and places in the Nation's Capital.

Thus it comes with a real sense of shock and of sorrow to learn that plans utterly unknown to most citizens of our country are far advanced to deny to Pennsylvania Avenue which knew him so well a continuing connection with the life of President Kennedy. Under these little known plans, in which the people of our Nation were not consulted, a site which has no symbolic connection whatever with the life of President Kennedy may well be the location of the great Presidential Memorial the Congress has authorized to be erected to honor him in the Nation's Capital.

This site, on the Potomac River, is surrounded by high-rise luxury apartments costing up to $125,000 each, and by a highway maze developed after the site was chosen by the Congress in 1958, several years before the election of President Kennedy, and several more years before the fateful time of his assassination. It is a site that is lacking in any true monumentality, and there was no thought given at the time of its selection to the possibility that it would one day be selected as the site of a memorial to President Kennedy.

In fact, it is well known that at one time President Kennedy was seriously considering the possibility of dropping the National Cultural Center project entirely, due to the deficiencies of the present site and to other factors.

What is also true is that the change from the concept of the National Cultural Center to a Presidential Memorial to honor President Kennedy was accomplished without any basic and fundamental change in the architect's plans for the National Cultural Center. Heretofore, in the long history of presidential memorials, nationwide contests were held and a great national effort, with an enormous expenditure of time, effort, and money, was made to fit the memorial to the President being honored. This was not done in this case. No basic or fundamental change was made by the trustees, or the architect, to relate this memorial meaningfully to President Kennedy as had always been done in the case of earlier Presidents. It was, indeed, widely reported in the press at the time that the National Cultural Center was a badly faltering project until the happy thought struck some of the present trustees that the National Cultural Center could be made successful without a single basic change, or even an additional day's work by the architect, by simply naming it in honor of President Kennedy.

The failure of the Center's trustees to demonstrate any responsiveness to the new and vital national role it was to play as a presidential memorial is difficult to understand. Certainly, if the effort were to be made by the trustees to make it a distinctive memorial to President Kennedy—and to relocate it on Pennsylvania Avenue, which has a vital and identifiable relationship to President Kennedy, would be such an effort—they would have the overwhelming support of the American people, and it would be readily accessible to several million more citizens each year, for it would be close to a subway station, and other changes could be made which would make it more of a Presidential Memorial, and less of a publicly supported facility similar to the Lincoln Center for the Performing Arts in New York City, for the privileged and well-to-do.

What is difficult to understand is why the good and dedicated people in charge of this project are so utterly unresponsive to the real meaning of a Presidential Memorial which has a significant connection with the life of President Kennedy, and to the unique possibility they have of relating this memorial meaningfully to him. They are missing an opportunity to do so, and are not supported in their course by most of our citizens. Why should President Kennedy be denied a fitting memorial which, in at least some significant regard, beyond the use of his name to bail out a faltering cultural project, was related to him and an avenue which he traveled in life and which has an intimate connection with him.

Some of the oldest and closest friends of President Kennedy, President Eisenhower, and President Johnson, including Associate Justices of the Supreme Court, have said that the present site could well be reexamined at this time to the benefit of all of the citizens of our country. A recent petition published in the Washington, D.C., Post, listed such distinguished Democrats as Mrs. Dean Acheson, Hon. and Mrs. Thurman Arnold, Mrs. Alfred Friendly, Mrs. W. John Kennedy, Mrs. Phyllis Nitze, Mr. and Mrs. Jack Coopersmith, Joseph L. Rauh, Jr., and Mrs. Cyrus Vance, as calling for a 60-day moratorium on work toward the construction of the Center to enable a review committee, appointed for the purpose, to hear, study, and make recommendations concerning all questions relating to the location of the John F. Kennedy Center for the Performing Arts. The pleas of such distinguished citizens have been ignored and dismissed by the present members of the Executive Committee of the Board of Trustees of the Kennedy Arts Center. Surely, President Johnson, safely back from the hospital, where the fervent prayers of all of our citizens supported him, can now heed the petition offered by these leading citizens, many of whom are his close personal friends. Why should he not respond to their plea? The failure to relate the Kennedy Arts Center, not superficially, but deeply with and to the life of President Kennedy, as was suggested during his lifetime by members of the President's Advisory Committee on Pennsylvania Avenue, shows a lack of imagination, a narrowness of vision, and a failure to be responsive to the life of President Kennedy which will be deplored through the long future years by the millions of our citizens who loved him, elected him President, and those additional millions of our citizens who, together, sorrowed at his untimely passing.

Where there is a will there is a way, and many of the roadblocks and impediments to the relocation of the Kennedy

Arts Center on such a commanding site on Pennsylvania Avenue, near the White House, as the combined site of the old District Building and the Coast Guard building would disappear like the morning dew if the trustees indicated their interest and willingness to consider a Pennsylvania Avenue site for the center. President Kennedy was deeply interested in the rejuvenation of Pennsylvania Avenue, is is President Johnson, and not even the stoutest proponents of the Kennedy Arts Center have attempted to deny that it would make a major contribution to bringing to Pennsylvania Avenue, as President Kennedy did during his brief years as President, the life and spirit which he sought in his rejuvenation of Pennsylvania Avenue.

The leading proponents of the present Potomac River site have themselves been for years divided on the question as to the best location for this performing arts center. Here is how one of the able and distinguished advocates of this cultural project, our colleague the gentleman from New Jersey [Mr. THOMPSON], a close friend of President Kennedy, characterized the present riverside site during President Kennedy's own lifetime:

Pennsylvania Avenue is another L'Enfant plan gone amok. Intended as the city's principal ceremonial route, it is most noted now for its junky commercial structures and its eye-shattering vista from the magnificence of Capitol Hill at one end to absolutely nothing at the other end. Might I say again, it was not intended so.

Currently, a specially appointed committee is studying how to bring the grand avenue up to its potential. The committee's initial deliberations sound ominously as if the thoroughfare may end up as yet another "garden city" creation of useless open spaces interspersed with massive, monopurpose buildings.

Pennsylvania Avenue would greatly benefit from the entertainment facilities, which instead are being boxed into one huge, marketable economy package known as the National Cultural Center.

The center will contain a concert hall, a theater, and an opera house, each of which by itself could breathe life and verve into downtown Washington.

Instead, housed under one incredibly large roof, these facilities are being banished to an unused park site just north of the Lincoln Memorial.

If the center was meant as a monument, its location would not be out of keeping. But as a building to be used, it is isolated from all the related services of the central city. Any getting to and from the center is going to burden Washingtonians with many hours of driving confusion, once the highway fanatics have finished surrounding the center with a new inner loop highway. I have a mental picture of the center rising like a huge meat ball in the middle of a plate, with miles of spaghetti artistically wrapped around it.

An equally dedicated, knowledgable, and sincere colleague, the gentleman from Connecticut [Mr. GIAIMO] had this to say on the same subject a little over a year ago, on March 17, 1964—CONGRESSIONAL RECORD, volume 110, part 4, page 5487:

Mr. GIAIMO. Mr. Chairman, I have long supported efforts to construct theater, opera, and concert hall facilities in Washington. Since the concept for the National Cultural Center has been transformed into a "living" memorial to the late President Kennedy, my enthusiasm for this project has become even greater. It is a real shame that in our Nation's Capital space for the performing arts is severely limited and wholly inadequate. The construction of the Kennedy Center is, therefore, not only a fitting tribute to a President who fully understood the value of the arts in our society, but also a benefit to our Nation and to the generations that will come to the Center and know and enjoy the arts as President Kennedy knew and enjoyed them.

It is because I believe so deeply in the promise of the Center and its role as a memorial that I look with dismay upon an apparent lack of imaginative planning regarding the Center, its site, and its mission.

Regarding the latter, I seriously question a policy that precludes the housing of resident performing organizations at the Center. The National Symphony, whose members come from all corners of our land, is sorely in need of a first-rate concert hall and yet I am given to understand that the symphony will not be in residence at the Center. All major observers of the American theater predict that its future lies in the development of permanent resident companies providing a measure of employment security to the actor and a varied repertoire for the public. And yet I am informed that the theater is being planned with a view to housing only touring and visiting companies; that proper rehearsal rooms, adequate storage space and necessary workshops will not be provided to meet the needs of a resident or repertory theater organization. Regardless of the alleged value of current plans for the use of the Center, I question the wisdom of impeding for all time the future development of a resident theater at the Center by constructing such limited facilities. I have the same apprehension regarding planning that relies heavily on traveling groups of the dance and the opera at the Center while rising costs continue to discourage extensive touring.

Of even greater concern to me, however, is the location of the Center. I am not satisfied that criticisms regarding its position amidst a maze of highways, its remoteness from downtown transportation, parking, and dining services, and its own inadequate yet extremely expensive parking facilities have been answered. I do not believe that sufficient study has been made of alternative and possibly superior sites by the National Capital Planning Commission or by the Fine Arts Commission or by those who control the Center's activities. The Chairman of the Fine Arts Commission has expressed disapproval of the present site, and the National Capital Planning Commission has never to my knowledge voted on the suitability of the location.

To my mind, the Center belongs in downtown Washington where it can be served by existing transportation and restaurant facilities. It belongs downtown where commercial parking facilities are available and where additional parking space that may be constructed will be used by the public in the daytime as well as at night. It belongs downtown so that the city will gain from the added life it will generate in the evening hours, an activity that is lacking now when, at the end of the business day, the heart of the city becomes dark and forbidding. The Center belongs downtown because its audiences will bring business to the Washington businessman and, in turn, revenue for government. Last, but most important, it belongs downtown because, as a memorial to our late President, it should be easily reached by all who come to this Capital City, and it should not be relegated to a remote corner.

One year ago, President Kennedy gave his heartiest endorsement to a report drawn by his ad hoc Committee on Federal Office Space. This report called for the revitalization of Pennsylvania Avenue as a lively, friendly, and inviting, as well as dignified and impressive avenue. The report warned against lining the avenue with a solid phalanx of public and private office buildings which close down completely at night and on weekends, leaving the Capital more isolated than ever.

The Kennedy Center—located on Pennsylvania Avenue—will help realize that plan which had the full support of the late President. It will bring life as well as dignity to the avenue. What more fitting place for a tribute to President Kennedy than on the avenue that saw his greatest triumph as he rode from the Capitol on Inauguration Day? What more fitting place for such a memorial than on the Avenue of Presidents?

In supporting this appropriation, I strongly urge that the National Capital Planning Commission, the Fine Arts Commission and the trustees of the Center explore new sites on Pennsylvania Avenue and I intend to follow this very closely.

Though it is by no means the only possible site, I recommend that particular consideration be given to the present location of the District Building and the Coast Guard Building. The District has outgrown its present building and has already planned to relocate in the near future. The Coast Guard Building is old and becoming very inadequate. The relocation of both these activities is inevitable. If this were done, the Kennedy Center could be located on a plot that is entirely owned by the Federal Government and no dislocation of private business would be necessary. I am asking the District government and the Coast Guard to provide me with their plans for the future use of these facilities. If it proves feasible, I shall do all that I can to see the Kennedy Center located on this site.

It is not too late to build this memorial with vision, with planning. I fail to see the cause for haste while serious questions still remain. We owe it to ourselves and to the future that memorials built to last the ages will be built with utmost study and care. Sadly, I do not believe this is happening in this matter and I hope that my colleagues will join me in insisting that it does.

Here, also, is the exact text of the statement made by William Walton, a close and intimate friend of President and Mrs. John F. Kennedy, before the House Appropriations Subcommittee on the Department of the Interior and related agencies, on February 24, as chairman of the present Commission of Fine Arts many of the members of which were appointed by President Kennedy:

I know if my Commission were asked for an opinion, we would wish that the Cultural Center were in a different site, but they would like to see it built. The way it is always presented to us is that if you upset the applecart there will be no Cultural Center. So many citizens of this city remain quiet for fear of preventing the building of this Cultural Center.

Recently I polled nearly 35,000 consumers of cultural entertainment of the Washington-Maryland-Virginia area. These were the audiences of the most outstanding of this area's cultural organizations, the American Light Opera Company, the National Symphony Orchestra Association, the Opera Society of Washington, the Washington Ballet, and the Washington Civic Opera Association, the officers of which took no position on the site question at all. With the public statements of such distinguished close

personal friends and associates of President Kennedy as I have referred to above to guide them, plus their own innate commonsense, more than 5,000 of the 35,000 polled replied; and more than 70 percent of these 5,000 voters voted for prompt hearings at which qualified experts can help Congress reexamine the side for the Kennedy Arts Center. Less than 30 percent of those voting voted that hearings are not necessary; the Center should be built at the river site. Many distinguished citizens voted, among them Louis H. Bean, the dean of pollsters, whose Bean Poll has been given the highest accolades by pollsters and leading Americans of all walks of life.

The rapid and heavy response in my own poll is considered by experts to be extraordinary, since the respondents had to read a long statement of pros and cons, furnish their own postage and sign their names and addresses, and many Federal workers, as is well known, are unwilling to sign their names in connection with controversial issues related to the Government. In addition to card responses, there were many letters from thoughtful citizens, expressing their rightful indignation and frustration with the undemocratic way in which the trustees of the Kennedy Arts Center have totally refused to pay any attention to those who wish to reexamine the site problem even including the distinguished Democratic signers of the petition which I have mentioned. In a letter to President Johnson on October 5, I said, in reporting on the poll, that:

I should be very pleased to make these cards available for your inspection, so that you can be satisfied as to every detail. That so many people voted is the very best evidence of the importance of this issue in the minds of the citizens of this area whom the Kennedy Center will serve.

In a surprising sequel to my offer, which has deeply disturbed the officers of the organizations participating in my poll, I received, under date of October 11, a letter from the Special Assistant on the Arts at the White House endorsing the following statement which he proceeded to circulate widely:

It may well prove that these organizations have done themselves the greatest disservice of all. Section 501(c)(3) denies tax-exempt status to organizations which substantially attempt to influence legislation. And loss of tax exemption seriously endangers the sources of charitable contributions. In additions, the National Symphony, the Washington School of Ballet, and the Washington Civic Opera received from the District of Columbia Recreation Board over $49,000 of public funds appropriated by the Congress and a similar amount is provided in this year's budget. It is hardly appropriate for these funds to be used to support opposition to the Kennedy Center site when that site has been endorsed by the Board of Commissioners of the District of Columbia as well as the Recreation Board.

Many drawbacks to the present site have been cited, the lack of accessibility to pedestrians, its location in the flight pattern of increasingly noisy planes, including jets, the failure to provide a subway station, the maze of highways. A new and significant objection has been raised by Louis C. McCabe, Ph. D., president of Resources Research, whose firm recently completed a study for the Joint Subcommittee on Washington Metropolitan Problems which is headed by Senator ALAN BIBLE. Mr. McCabe's letter is included at this point in my remarks, for it is remarkably clear and self-explanatory and does not need any elucidation by me:

RESOURCES RESEARCH, INC.,
Falls Church, Va., October 20, 1965.

Hon. WILLIAM B. WIDNALL,
Representative, State of New Jersey, House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR MR. WIDNALL: As a resident of Maryland, living in the Washington metropolitan area, I must commend you for calling for a reexamination of the site for the Kennedy Center for the Performing Arts. Herewith I enclose a card which you have provided but I wish to comment further on my belief that it would be a serious mistake to locate the Center in Foggy Bottom as conditions in that area now exist.

Perhaps many others who have suggested the relocation have it mind the reason which I wish to point out, but feel that the statement for their opposition would be indelicate to bring up. You, no doubt, are aware of the sewer outfall into the Potomac at the end of G Street near the proposed site. In the summer months, the odor from this sewer outfall is sometimes almost overpowering. Resources Research, some 3 years ago, undertook a sampling program of the extent and levels of pollution of the Potomac from Great Falls to below the entrance of the Anacostia River. Our study was done for Senator BIBLE's Joint Subcommittee on Washington Metropolitan Problems by Dr. Gilbert V. Levin of our staff.

Some 200 million gallons daily of raw sewage flows into the Potomac at the foot of G Street as a result of the combined sewage system of the District. This system of combined sewers is responsible for the sewage discharge into Rock Creek which subsequently enters into the Potomac near the proposed site. The sewer gases escaping into the air from these effluents are responsible for the blackening of the gold equestrian statues which the Italian people gave to the United States. The statue upstream from Memorial Bridge is exposed to such a fumigation from the sewer outfall that the U.S. Park Service maintenance people are unable to keep it polished even for the most important visitors to the United States.

It might be possible to scrub the ventilation air going into the building at an excessive cost but visitors to the Center in time of low water on the Potomac would experience a very objectionable odor outside of the buildings.

In time, we hope, of course, that the storm sewers and the sanitary sewers can be separated but this will cost perhaps $200 million to accomplish. I know that the President is extremely interested in cleaning up the Potomac but this will take place many years after the Kennedy Center is built.

Please call on me or my associates if we can be of further help in this important community problem.

Sincerely yours,
LOUIS C. MCCABE, Ph. D.,
President.

Enclosure.

I include a memorandum which I received from Roger L. Stevens, White House Special Assistant on the Arts, under date of August 20, 1965, stating he would be "glad to present all—my—points to the Trustees—of the Kennedy Center for the Performing Arts—at their next meeting." I assume this offer still stands, and that he will present this statement to the trustees. I also include a number of other items for the information of the trustees.

THE WHITE HOUSE,
Washington, August 20, 1965.

MEMORANDUM FOR THE HONORABLE WILLIAM B. WIDNALL

Concerning your memorandum which I received on August 16 about the Kennedy Center for the Performing Arts. I will be glad to present all your points to the trustees at their next meeting.

I would like to call your attention to the fact that the board of trustees consists of a very prominent group of Americans who have given both time and money to the Center. They are a group that is outstanding in the fields of business, Government, and the performing arts. I am sure they will give the points raised every consideration.

ROGER L. STEVENS,
Special Assistant on the Arts.

[From the Washington Post, Oct. 15, 1965]

A PETITION RELATING TO THE LOCATION OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Whereas the location of the John F. Kennedy Center for the Performing Arts is of utmost importance to the future of the city and to its inhabitants and visitors, and

Whereas questions have been raised about the suitability of the river site as proposed,

We, whose names appear below, urge a 60-day moratorium on work toward the construction of the Center to enable a review committee appointed for the purpose, to hear, study, and make recommendations concerning all questions relating to the location of the Center.

Alice S. Acheson, Mr. and Mrs. John Archbold, Hon. and Mrs. Thurman Arnold, Mr. and Mrs. Charles Arrott, Mrs. Wayne Barnett, Mr. and Mrs. J. Henry Berne, Mr. and Mrs. Samuel Biddle, Miss Cornelia M. Bowie, E. Fulton Brylawski, Mrs. John A. C. Bucknell, Mr. and Mrs. Frederick Bunting, B. Bernei Burgunder, Mrs. Poe Burling, Mr. and Mrs. Calvert Carey, Mr. and Mrs. Albert B. Carter, Jr., Aldus H. Chapin, David Sanders Clark, Mr. and Mrs. Jack Coopersmith, Dorothy F. Cowen.

Rose F. Cox, Andre deLimur, Miss Barbara Donald, James A. Donohoe, Jr., Richard Dudman, Mr. and Mrs. Clive L. DuVal II, Mr. and Mrs. Robert Eicholz, Dr. and Mrs. Julian Eisenstein, Col. and Mrs. Robert F. Evans, Mrs. Herbert Fales, Carl Feiss, Mr. and Mrs. Edward Finkenstaedt, Mrs. William Thompson Finley, Jr., Jean Friendly, Mrs. Gerhard A. Gesell, Mrs. John Timberlake Gibson.

Rev. and Mrs. C. Leslie Glenn, Charles C. Glover III, Mr. and Mrs. Philip Gore, Lucia T. Greenway, Randall H. Hagner, Jr., Mrs. Gilbert Hahn, Jr., Mrs. Forbes Hall, Mr. and Mrs. Edward F. Hamm, Jr., Henry H. Hecht, Jr., Mr. and Mrs. Barklie Henry, Mr. and Mrs. H. Struve Hensel, Mr. and Mrs. Francis Hill, Mr. and Mrs. Frederick Hill, Gretchen Hood, Marshall Hornblower, Miss Virginia Livingston Hunt, John R. Immer.

Mr. and Mrs. Macgill James, Mr. and Mrs. Andrew Keck, Mrs. W. John Kenney, Mrs. Sherman Kent, Katharine McCook Knox, Alice Graeme Korff, Arthur Lambert, Jr., Mrs. Casanove Lee, Mrs. Newbold LeGendre, Mr. and Mrs. H. Gates Lloyd, Arthur T. Lyon, Mrs. Atherton Macondray, Mr. and Mrs. Noel Macy, Arthur K. Mason, Katherine Ward McGuire, Perkins McGuire, Mrs. Howard Ripley McPeck, Constance Mellen, Rt. Rev. Paul Moore, Jr.

Mr. and Mrs. Edward P. Morgan, Mr. and Mrs. Leroy Morgan, Phyllis Nitze, Mr. and Mrs. James Newmeyer, Jr., Robert Brewer Norris, Garrison Norton, Mrs. Norman S. Paul, Arthur Phelan, Jr., Laughlin Phillips, Rear Adm. Neill Phillips, Joseph L. Rauh, Jr., Gen. and Mrs. William Ritchie, Mr. and Mrs. Norborne Robinson, Mr. and Mrs. Godfrey,

A. Rockefeller, Corina Rogers, Mr. and Mrs. Kermit Roosevelt, Mr. and Mrs. David Rust, Hon. and Mrs. Edward W. C. Russell.

John H. Safer, Maureen S. Shanley, Richard Sinclair, Mr. and Mrs. Francis Spalding, Mrs. Philip M. Stern, Mr. and Mrs. John Stillman, Mark Sullivan, Jr., Mr. and Mrs. Carlton Swift, Jr., Lloyd Symington, Mr. and Mrs. Cuthbert R. Train, Russell E. Train, Mrs. Cyrus Vance, Mr. and Mrs. DeForest Van Slyck, Hon. and Mrs. Henry Villard, Hon. and Mrs. Henry, Villard, Phillip H. Watts, Mrs. Eric Wentworth, Mrs. Frank West, Tom Wicker.

Letters of support for this petition should be sent to Post Office Box 1807, Washington, D.C., 20013.

U.S. SENATE,
Washington, D.C., September 15, 1965.

Mr. ROGER L. STEVENS,
Special Assistant on the Arts,
The White House,
Washington, D.C.

DEAR MR. STEVENS: Last week I introduced S.J. Res. 109 which would require the National Capital Planning Commission to make a detailed study and to hold public hearings on the best possible site for the John F. Kennedy Center for the Performing Arts.

Enclosed you will find a copy of that Resolution plus the remarks I made on the floor at the time I introduced it.

As you can see, I have suggested no particular alternative site for the center. My only interest in this matter is to secure the best possible location for a cultural center that will be an integral part of the Nation's Capital for many years to come. I am sure that you and your fellow members of the Board of Trustees also share this desire.

I would appreciate it very much if at the next meeting of the Board of Trustees you would place on the agenda a review of this matter by your organization. Perhaps a representative group of citizens from the Nation's Capital could also present their views at this same meeting.

Thanking you for your consideration of this matter, I am, with best wishes,

Cordially yours,

KARL E. MUNDT,
U.S. Senator.

DIOCESE OF WASHINGTON, MOUNT SAINT ALBAN,
Washington, D.C., September 14, 1965.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN: I was very much interested in your bill, H.R. 10558, and completely agree with you as to the urgency of making the John F. Kennedy Center available to all citizens of Washington and, particularly, to those who could not reach the Center by car or who could not pay the kind of prices necessary to make it self-supporting. Many of the people of our diocese are in that position. In view of the Government's increasing concern for the culturally deprived and, particularly, because of President Kennedy's own concern, it seems incredible that a cultural center would be of such a nature as to be unavailable to the culturally deprived.

Good luck to you in your efforts with this bill.

Sincerely,
The Right Reverend PAUL MOORE, Jr.

DIOCESE OF WASHINGTON, MOUNT SAINT ALBAN,
Washington, D.C., October 13, 1965.

Mrs. FRANK G. WISNER,
John F. Kennedy Center,
1701 Pennsylvania Avenue NW.,
Washington, D.C.

DEAR MRS. WISNER: I am sorry that my letter to Congressman WIDNALL has been of concern to you. I realize that you asked me to serve on a committee relative to the Center. I could not serve because of the pressure of other duties. I don't quite understand what Archbishop Hannan meant about my agreeing to serve on the committee. He must have misunderstood me. I did say that I was concerned, and I understood at the time that he was to keep me posted. I was unaware, when this committee business was going on, of the implications of the site, since I was very new in Washington. However, I do not feel that, because I had been asked to serve on a committee, there was any reason I should not write a letter to Congressman WIDNALL.

My letter caused much more stir than I thought it would. I write many letters expressing opinions when I have them, and I think this one has caused more reaction than all the rest put together. My only concern when I wrote the letter was that the location of the site and the financial aspects of the programing be such that it would be available to all the people of Washington, and not just to those who could afford expensive tickets and who happened to own an automobile or could afford a taxi. If the present location is available to mass transportation, and if the financial arrangements are such that the Center's activities are within reach of all the people of Washington, then I would be happy.

I would be perfectly glad to meet with you or the ladies you mentioned in your letter, but I do not feel that anything would be gained by it, since I have nothing further to say than the contents of this letter, nor do I intend to become any more deeply involved in this particular issue.

Faithfully yours,
The Right Reverend PAUL MOORE, Jr.

THE AMERICAN INSTITUTE OF ARCHITECTS,
Washington, D.C., October 12, 1965.

STATEMENT OF THE AMERICAN INSTITUTE OF ARCHITECTS ON THE LOCATION OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The American Institute of Architects has received information that serious consideration is being given to the possibility of relocating the John F. Kennedy Center for the Performing Arts. The Pennsylvania Avenue plan suggests possible sites which were not available when the project was first conceived.

While the institute recognizes that plans for the Center are already well advanced, it questions whether the present location is adequate to receive properly a building of the size and importance of the contemplated Center, and it believes that another location might provide a more appropriate site for this great memorial to the late President Kennedy.

The institute therefore strongly urges that studies be made by the architect of the Center, the Pennsylvania Avenue Council and the National Capital Planning Commission, to investigate the possibility of placing the Center on the proposed National Square or in some other location where it might better serve its purpose as a memorial to John F. Kennedy and as a center for the performing arts, and where this important building might make a greater contribution to the life and appearance of the city of Washington.

[From the Evening Star, Sept. 1, 1965]

ARCHITECTS AND KENNEDY CENTER

SIR: Your August 25 editorial, "Closed Issue," concerning the site of the Kennedy Center is inaccurate and misleading.

The proposal for a study of other sites came not from "a smattering of local architects" but from the American Institute of Architects, which acted entirely independently of Congressman WIDNALL. The AIA includes nearly 18,000 members representing about 90 percent of the architectural firms in the country. The same position has been taken at various times by the American Society of Landscape Architects, the Architectural League of New York, the Committee of 100 on the Federal City, the Washington Building Congress, the Washington Planning and Housing Association, the Federation of Citizen's Associations, and many distinguished writers on architecture and city planning. This position unquestionably represents the opinion of most informed experts in the field of architecture and planning.

The AIA reopened the question of the cultural center site because it recognized that this will be one of the most important buildings in Washington. This being so, the center must be placed in an appropriate setting where it can be easily reached and where it will make the greatest contribution to the life of the Nation and the city.

Since the present site fails to meet these requirements in many ways, it is obviously good sense, good economics, and good planning to find a location that is suitable. To admit at this late date that a mistake has been made is embarrassing, and some time and money will be lost in correcting the original error. This is a low price indeed to pay for the benefits that would result from making a change.

DAVID NORTON YERKES,
Director, Middle Atlantic Region, American Institute of Architects.

[From the New York Times, Aug. 22, 1965]

FROM A CANDY BOX, A TARDY AND UNPLEASANT SURPRISE

(By Ada Louise Huxtable)

Official Washington has just found, to its surprise, that there is a great deal of discontent among architects, city planners and cultural leaders with the site of the $46.4 million Kennedy Center for the Performing Arts. Somebody inquired—in this case, the assistant to the chairman of the temporary Pennsylvania Avenue Commission, charged with the rebuilding of the Capital's ceremonial boulevard.

Now, finally, 60 days before construction contracts are to be let for the national cultural center, an investigation was made by the commission, and the extent of the criticism uncovered was "appalling."

If somebody had asked, some time ago, it would have been clear that there has been a good deal less than professional enthusiasm for the site, a traffic island on the edge of the Potomac, and the design, a glorified candy box by Edward Durell Stone.

PRIMARY OBJECTIONS

Ever since the Potomac site was chosen in 1958, and an even bigger candy box proposed that had to be cut down to the present large economy bonbon size when funds proved hard to raise, critics have pointed out the inconvenience of the location, its inhospitality to pedestrians, its dependence on the automobile for transportation, and its isolation by encircling throughways.

With the initiation of the Pennsylvania Avenue plan in 1962, the question was raised immediately as to whether a Pennsylvania Avenue site might not be more valid and logical in terms of total Washington planning and downtown rehabilitation.

But although far from built, the center proved to be unmovable. One of the Pennsylvania Avenue Commission's architect members, Minoru Yamasaki, resigned in protest when the possibility of locating the cultural center on the avenue faded and an unbroken line of Government buildings with an FBI fortress at its center took over. He based his action on the fact that President Kennedy's directive on the avenue had been

to seek liveliness and variety and specifically to avoid a solid phalanx of overbearing official structures.

The arguments, then and now, for the relocation of the center were cogent. They stressed the factor of centrality rather than isolation, the need for new vitality downtown, particularly at night, the desirability of bringing people back to the heart of the city, and the regeneration of that heart by the impetus to further building and development that a cultural center would bring.

Those arguments have been reinforced recently by the fact that urban renewal has been made available to Washington for the first time under the housing bill just passed, and by the reality of the long-discussed Washington subway which has now entered the practical planning stage.

The argument against relocating Washington's cultural center at this late date is, unfortunately, equally strong. It is a question of money, and in the American scale of values nothing is stronger than that. The $46.4 million cost has been raised, $15.5 million by public subscription, $15.5 million by congressional appropriation, and a $15.4 million repayable loan.

TOTAL QUESTION

To move the building now would not mean just picking up the candy box and dropping it on Pennsylvania Avenue. It is a question of total redesign for an appropriate solution for a completely different kind of site.

This means scrapping old plans and incurring large additional design costs. Site acquisition and land clearance expenses would be largely underwritten by Federal urban renewal.

Obviously, redesign will not be undertaken happily by any architect who is pleased with a solution that he has brought to the point of construction, and who is then asked to start all over. Mr. Stone has done this once, when the size of the original project was drastically reduced.

Just as obviously, Congress will howl at the idea of adding new design costs to existing budgets and appropriations. The real question is whether such an expenditure would be justified by the value of the results.

This could be determined by careful professional analysis. How much would redesign costs be? How would relocation affect the economic revitalization of downtown Washington, one of the city's serious problems? How would these effects balance against the extra costs? Would the long-term central city benefits be far-reaching enough to justify the expenditure? Does all this outweigh the simpler procedure of going ahead with present plans, on the present site, which has little to recommend it beyond a fine water view?

As it stands now, the Kennedy Center is a par-for-the-course example of what might be called the typical derrière garde design of cultural centers being produced like good old American hotcakes in good old American cities.

Promoted by public spirited nonprofessionals with a warm, if not very expert interest in the arts buttressed by economic and social power and immense good will, these centers have developed a curious identity never envisioned by their well-meaning sponsors. They are monuments to middlebrow culture.

STIFLING

With few exceptions they wrap up popular performance in a comfortable cocoon of prettily pretentious building ranging on the conventional scale from dull to pompous. They smother, rather than promote anything that is new, creative, exciting, or experimental. They are static rehashes of old esthetic formulas rather than proving grounds for new ideas and contributions, and in architecture, recent American contributions have been notable.

These amateur, bourgeois efforts compound many errors. Site selection is one, as in Washington. Professionals worry about the impact of a major building project on the total city and its processes of growth, change and decay. They are concerned with the urban interaction of the social, economic, esthetic, and functional aspects of such an undertaking. The potential renewal effects of dispersal of the arts are weighed against one-stop concentration. Amateurs do not think beyond the status value of a monument to culture.

In terms of architecture and planning these centers generally leave the top level of the country's creative talent untouched, settling for something safe and prestigious. Attempts at progressive solutions are reduced to the acceptably familiar. The results, almost uniformly, are dazzlingly mediocre.

SCHMALTZ VERSUS ELEGANCE

A small, but telling bit of evidence: Denmark is contributing furnishings to the Kennedy Center by one of her leading designers, Poul Kjaerholm. This raises some intriguing speculation on how Mr. Kjaerholm's uncompromisingly sophisticated elegant, original and distinctly contemporary furnishings will fit into the determinedly updated schmaltz of Mr. Stone's plushy red and gold interiors as currently planned. There would be no question if the building were a parallel innovation, equally in tune with our times. The standards would match. The best that can be expected is another compromise, by Mr. Kjaerholm, or a revealing contrast that could be fetchingly unintentional high camp.

The boom in cultural centers is bringing the arts to a mass public on a scale never before possible. This is fine. Nobody argues the point. But the real point is that the same job could be done just as well by considerably better buildings and plans. In artistic terms, this design failure is the ultimate cultural irony.

[From the New York Times, Jan. 7, 1964]

THE KENNEDY MEMORIAL

As its first order of business today the House is scheduled to vote on a bill to provide some $30 million in public funds to establish a national cultural center as a memorial to President Kennedy.

Like so many other indiscriminate tributes, this proposal has been rushed through the Senate—and now the House—out of a sense of grief, irrespective of its meaning or its appropriateness. While John F. Kennedy was a highly cultured and civilized man, his interest in the arts was only one of many pursuits. Congress would do well to pause to consider whether this is the best way to honor his memory. We doubt that it is and at least we think more time should pass before an irrevocable decision is made.

Representative WILLIAM B. WIDNALL, of New Jersey, raised some extremely pertinent questions on this subject in the daily CONGRESSIONAL RECORD published last Friday, which Members of the House would do well to read before voting on the proposed memorial today. There is no need for the haste which is now being shown—haste that makes one wonder whether Mr. WIDNALL is not right in asking if this particular memorial concept may not be a mere face-saver "for an otherwise faltering project" unable to raise the required funds through public subscription.

The National Cultural Center should stand on its own merits. The proposal to finance it now in important part through public money is a complete reversal of the original plan, which was that the Federal Government would provide only the site. Furthermore, as Mr. WIDNALL points out, the Government is in effect pledging itself to provide annual operating funds to keep the project solvent—because obviously a Presidential memorial cannot be allowed to go bankrupt. In addition, the provision for a loan of $15.4 million for construction of parking facilities is, as Mr. WIDNALL says, tantamount to putting "a first mortgage on a Presidential memorial for the first time in our history.

These are valid objections, and Mr. WIDNALL raises many others. Together they strongly suggest that the Congress, which has yet to provide a memorial to Franklin D. Roosevelt, is being too hasty in deciding on the national memorial for John F. Kennedy. There is no need for haste or waste, which are so inconsistent with the President's character, particularly with his sense of fitness and his intellectual deliberation.

[From the Washington Post, Dec. 22, 1962]

PLAN AFOOT TO SHIFT CULTURE CENTER SITE—GROUP ENVISIONS 3 SECTIONS ALONG PENNSYLVANIA AVENUE

(By Willard Clopton)

A plan to locate the proposed National Cultural Center downtown instead of in Foggy Bottom is being quietly pushed by members of a White House advisory group.

Their idea is to break up the Center into its three component parts—opera house, concert hall, and dramatic theater—and spot them at strategic locations along Pennsylvania Avenue NW.

The group, a working subcommittee of the President's Advisory Committee on Pennsylvania Avenue, discussed the proposal at a closed meeting last week.

The Committee was set up last summer to develop plans for making Pennsylvania Avenue the showcase thoroughfare envisioned by Pierre L'Enfant more than 150 years ago.

SINGLE BUILDING PLANNED

As presently designed by famed architect, Edward Durell Stone, the Cultural Center would occupy a single building located on a 15-acre site along the Potomac River just north of the Theodore Roosevelt Bridge. A nationwide drive to collect $30 million to build the structure began last month.

At its meeting December 13, the advisory subcommittee reportedly considered these criticisms of the Center's present site and design plans:

The site is so far from the center of Washington that it could do little to enrich the city's cultural night life.

The location is not served by major public transportation facilities, whereas Pennsylvania Avenue is along the route of the city's proposed subway system.

Housing all performing arts stages in a single building might result in a structure so large as to be out of proportion to the rest of the city.

OPPOSE FINAL DECISION

Both the full committee and the subcommittee are headed by Nathanial A. Owings, San Francisco architect. Others at last week's meeting were William Walton, Washington artist; Frederick Guthein, president of the Washington Center for Metropolitan Studies; Paul Thiry, chief architect of the Seattle World's Fair. Ralph Walker, a member of the Fine Arts Commission, and Polly Shackleton, Democratic National Committeewoman for the District.

The proposed shift brought expressions of dismay yesterday from Jarold Kieffer, secretary-coordinator of the Center.

Any change in plans now, he said, would undermine the fund-raising campaign. "We can't expect people to give when they don't know what kind of building there would be or where it would be."

He also said a change of location would need to be approved by Congress and that the process could take as long as 2 years.

HAS NOT HEARD CRITICISM

"I haven't yet heard any criticism of the present design that can't be answered, he said. "President Kennedy likes it. Ike liked it. The Fine Arts Commission likes it."

"Any change now could be fatal. What we are really talking about is whether to kill the project."

Downtown Progress, Inc., a businessmen's group seeking ways of revitalizing the central city, is taking no stand on the issue.

"The present site for the Center was picked before our organization was created, Knox Banner, director of Downtown Progress, said yesterday, "So our position is that this matter of a site is a decision to be made by the people who are raising the funds and who are responsible for building the Center."

FEDERATION OF CITIZENS ASSOCIATIONS OF THE DISTRICT OF COLUMBIA,

October 21, 1965.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: As one of the 144 signers of the petition to President Johnson and his Special Assistant on the Arts, Mr. Roger L. Stevens—who doubles in brass as Chairman of the Board of Trustees of the John F. Kennedy Center of the Performing Arts, I have received a memo dated October 15, 1965, from Mr. Stevens replying to some questions which we raised. Mr. Stevens has made a reply but he has not been able to answer the points we raised.

On behalf of the performing arts groups of the District of Columbia and of the members of our Federation (representing 40 citizen organizations and over 20,000 members) I am enclosing an analysis of this memorandum as I believe that there are many points involved here to which Congress should give its attention before committing such a memorial ot posterity.

Sincerely yours,

JOHN R. IMMER,
President.

REPLY TO MEMORANDUM LETTER OF OCTOBER 15, 1965

The JFKCPA is not a performing arts center. It consists only of certain halls and auditoriums where events can be held. There are no other facilities for the performing arts of the District of Columbia or of the rest of Nation. There are no facilities for the National Symphony, the Washington Ballet, or any other performing arts group. There are no practice rooms, rehearsal halls, working rooms, shops for stage scenery, storage for stage sets not on the stage, meeting rooms for performing arts groups, committee rooms, office space, audition rooms, or any of the many of other facilities needed in a performing arts center.

The concert hall is too small to be used by the National Symphony (2,700 seats compared to 3,500 in the Constitution Hall). I predict that they will never use it and I point out that there has been no commitment to do so. The fact that there is no storage space for extra stage sets forces one to the conclusion that the entire project has been designed primarily and exclusively for the presentation of New York road shows. No repertory theater can use it.

The project as now designed does not satisfy the requirements of the enabling legislation. Where can it present and develop programs for children and youth and the elderly? There are no rooms for these purposes. How can it provide facilities for other civic activities if there are no committee or general meeting rooms? I question whether the Center as now designed is a proper or suitable memorial to the late President. He had a concern for the average man. Is it a proper honor to him if his memorial can be reached only by those in limousines or those who can pay $1.75 for a parking fee in addition to $10 for a ticket? I am surprised that his family would stand by and see such mockery made of the ideals John F. Kennedy expressed while he was President.

There has been a great deal of misrepresentation in connection with this project. The basic figures will not stand up. The work of reputable consulting firms has been distorted in order to provide an acceptable answer. One of the leading parking experts in the country developed figures on parking—but used the criteria given them by the Center trustees—figures which are false and untenable. Only those traffic surveys favorable or acceptable to the project have been revealed. How long would it take to empty the garage of 1,600 cars after a performance? Would it take 3 or 4 hours? The assignments to the traffic studies cited have been carefully defined and no recommendations affecting the site selection have been permitted.

There has been a lot of misrepresentation regarding savings of four structures under one roof. My own alma mater, the University of Illinois, now has under construction a true cultural center, consisting of four auditoriums equal to the size proposed here, each in a separate building rising out of a large elevated platform. It has in addition more parking, plenty of classrooms, workshops, conference rooms and storage areas to serve the teaching needs of a great university. The total cost of this project is $15 million including the foundation and the parking garage. One could construct every building of the finest marble and still be below the projected cost of the present Center design. A congressional committee should compare these projects before proceding on this project.

SITE DEVELOPMENT

Mr. Stone's concept of large white building in a parklike setting is a truly magnificent one. The only trouble is that there is no parklike setting. Mr. Stevens omits many facts and thereby misleads Congress and the critics. He does not tell you that the approaches to E Street rise 30 feet above the level of the plaza on the east side of the structure; or that at one point an approach road (on the southeast corner) is less than 12 feet from the plaza and 8 feet higher. To the north there is the Watergate Town rising to an impressive height and bulk. Across the freeway to the east looms the Columbia Plaza. To the south there are only the approaches to the Roosevelt Bridge. To the west the 7-acre bulk of the Center overpowers and destroys the rustic effect of the 2-acre Roosevelt Island. The parklike setting is a mockery and the trustees of the Center realize this all too well.

Reference is made to the Watergate complex to the north and the confidence that its height can be kept to that of the Kennedy Center. Even this permits a 13-story building that can be built within 175 feet of the north side of the Kennedy Center Building. This will be the most congested area in Washington when it is completed.

TRAFFIC PATTERN

The traffic pattern is an unbelievable nightmare. There is no direct access to the Center from the inner loop which had been designed to carry the greater part of the traffic in the area. Only New Hampshire Avenue is available to provide direct access to the Center. The park roadway is not wide enough to accommodate large streams of traffic. In times of flood or high water all exits will be closed and the Center cannot be used at all. The only access from the south to the garage must across over the exit road from the east loading plaza which will create the worst kind of traffic hazard.

The integrated system of pedestrian walks and approaches is a mockery. Ladies attending concerts in the District of Columbia at night do not walk four or five blocks on isolated integrated walkways. It isn't safe. This is an isolated part of the city. It is a "traffic island" surrounded by freeways which can be approached only by automobile or bus.

RAPID TRANSIT

On this point Mr. Stevens plays very loosely with the truth. Mr. Stevens has been given no reason to believe that a subway station will ever be built any closer to the Center than the present proposed station at 23d and H Streets. This whole section presentec by Mr. Stevens is highly misleading. It would cost over $6 million to provide a station for the Center. Why does Mr. Stevens not tell the Congress about this figure? Such a subway, incidentally, would have to be blasted out of almost solid rock.

ACOUSTICS (AIR TRAFFIC)

Although Mr. Stevens lists the eminent experts he has called in he very carefully does not provide any assurance that the noise level of jets flying directly overhead can be overcome. There is a very good reason for this lack of assurance on Mr. Stevens' part.

DOWNTOWN AREA

Mr. Stevens has been advised of several suitable sites on Pennsylvania Avenue. He makes no reference to that land to the north of the Archives Building which the Pennsylvania Avenue plan indicates as being suitable for a cutural center. Again it is misleading to refer to 18 acres of parklike setting (unless one includes all the surrounding highways). It is my understanding that Mr. Stevens is not speaking truthfully when he says that the officials of the Pennsylvania Avenue plan have no present plans to include a cultural center. It is plainly marked on the official release of the plan and no disclaimer has been made by those officials.

His reference to the Metropolitan Washington Board of Trade may be understandable when it is recalled that Mr. Ralph Becker, general counsel and principal paid employee of the Center, is a director of the board of trade and head of the Culture Center Committee of that organization.

LATENESS OF HOUR

The statement referring to the "over $3 million for the construction work done to date" cannot be correct as no construction work has been done. If the building were moved to the Pennsylvania Avenue area with a saving of $15 million for a garage, $1 million for sound conditioning, $6 million for a subway station and the $5 million spent for additional site—then this would more than offset any loss caused by moving the Center downtown.

REVIEW

There has never been objective consideration of other sites, or at least not in the last 2 years. I attended the hearing held by the National Capital Planning Commission which preceded the approval of the present site and the preliminary drawings and plan. I can tell you that every organization appearing before that subcommittee testified against the site and the plan. Yet two days later the plan was approved. No performing arts group in the District of Columbia has approved the final design for this Center and I predict that none of them will. This is not a performing arts Center and it is not a suitable memorial to our late President.

JOHN R. IMMER,
President, Federation of Citizens Associations of the District of Columbia.

FEDERATION OF CITIZENS ASSOCIATIONS OF THE DISTRICT OF COLUMBIA,

October 5, 1965.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: Enclosed is a copy of a letter I have just received from Senator ROBERT F. KENNEDY. I had written to him enclosing a copy of a letter to the editors of the Washington Evening Star and the Washington Post. Both papers published these letters, copies of which are enclosed.

I feel that this letter from Senator KENNEDY is highly significant, and it indicates that the complete responsibility for the site of the John F. Kennedy Center for the Performing Arts rests with the President. The Trustees of the Center are so deeply committed to the present site, despite its overwhelming disadvantages, and who are completely unwilling to consider the views of the people of the District of Columbia without whose patronage the Center will be a white elephant. As they did not select the original site and since the Kennedy Center Act does not authorize them to select a site they have no authority over the site issue. The responsibility belongs clearly to the President and to the Congress.

In the interest then of the entire future of the performing arts in the Nation's Capital, I request you to transmit this letter to the President along with the latest result of the poll you are taking of the views of the citizens of the metropolitan area who must be relied upon to support this great arts center and presidential memorial.

Assuring you of the complete support of the federation in this matter, I am,

Sincerely yours,

JOHN R. IMMER,
President.

U.S. SENATE,
COMMITTEE ON LABOR AND PUBLIC WELFARE,
September 27, 1965.

Mr. JOHN R. IMMER,
President, Federation of Citizens Associations of the District of Columbia, Washington, D.C.

DEAR MR. IMMER: I just wanted you to know how much I appreciated your writing and expressing your reasons for opposing the present site for the John F. Kennedy Center for the Performing Arts. I certainly respect your opinion but feel that it is out of my hands and that it is not appropriate for me to be involved at this time.

I have, however, brought your views to the attention of Mr. Roger Stevens. My thanks and best wishes.

Sincerely,

ROBERT F. KENNEDY.

[From the Evening Star, Sept. 28, 1965]

LETTERS TO THE EDITOR: ACCESSIBLE CENTER SITE

SIR: Bishop Paul Moore, Jr., is to be commended for pointing out the strange lack of concern for the poor and culturally deprived of Washington in the present plan for the John F. Kennedy Center for the Performing Arts. He has endorsed in no uncertain terms the bill, H.R. 10558, offered by Representative WILLIAM B. WIDNALL, Republican, of New Jersey, to relocate the Center on or near Pennsylvania Avenue. Related measures have been introduced by Senator KARL E. MUNDT, Representative THOMAS B. CURTIS, and Representative CHARLES MCC. MATHIAS, JR.

Bishop Moore points out (1) on the present river site the Center will not be available to low-income, culturally deprived families who do not have cars and who cannot afford to pay the prices to make the Center self-supporting; and (2) in views of President Kennedy's own concern for the culturally deprived it seems incredible that the Kennedy Center would be of such nature as to exclude this group.

Tickets for admission to the Lincoln Center in New York City are now up to $9 per person. Tickets for the Kennedy Center, built for the most part with tax funds, will cost at least as much. (Compare this with the $3.60 top at Constitution Hall for the concerts of the National Symphony Orchestra and its thousands of low-priced tickets.)

Representative WIDNALL and his colleagues want the Center to be readily accessible to all, not just those who can afford taxis, parking fees and limousines.

The Kennedy family must be as shocked as is Bishop Moore and other civic leaders in the Nation's Capital over the lack of any real concern for the culturally deprived in present plans for the Kennedy Center. The American Institute of Architects is right in its objections to the present site and Congress should hold immediate hearings so that this presidential memorial will be of benefit to those who cannot afford $10 tickets.

JOHN R. IMMER,
President, Federation of Citizens Associations.

FEDERATION OF CITIZENS' ASSOCIATIONS OF THE DISTRICT OF COLUMBIA,

October 11, 1965.

Hon. WILLIAM B. WIDNALL,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: The White House Arts Adviser, Mr. Roger L. Stevens, has appeared before your committee on behalf of a supplemental request for $17 million for the National Arts and Humanities Act.

The John F. Kennedy Center or the Performing Arts, of which he is the chairman, is costing the taxpayers at least $27 million more than it should and still does not satisfy the requirements of the authorizing legislation. (An equivalent arts center for the University of Illinois is costing $15 million.) The excess costs of the Kennedy Center not originally authorized is detailed as follows:

Garage	$15,400,000
Subway station for Center	6,000,000
Soundproofing from jets	1,000,000
Additional site	5,000,000
	27,000,000

It is to be expected that the same or equivalent amount of unplanned expenses will be duplicated in his administration of the National Arts and Humanities Act. We urge that you go over his budget requests most carefully.

Sincerely yours,

JOHN R. IMMER,
President.

THE FEDERATION OF CITIZENS ASSOCIATIONS OF THE DISTRICT OF COLUMBIA.

RECOMMENDED MOTION BY THE CITY PLANNING AND ZONING COMMITTEE, OCTOBER 7, 1965

Whereas the project to construct the J.F.K. Center for the Performing Arts is at the point of initiating construction on a site located on the banks of the Potomac River in the so-called Watergate area;

Whereas many citizens of the District of Columbia who desire to support a cultural center project have grave doubts as to the wisdom of major aspects of the present plan for the Center including its location for the following reasons:

1. Access to the Center by those attending performances in the three (or possibly four) halls will be unsatisfactory with regard to parking, traffic flow, or location relative to the planned rapid transit system.

2. Estimated operating costs indicate that a subsidy will probably be necessary.

3. Local art groups such as the National Symphony, the Washington Opera Society, etc., may not be able to use the Center.

4. The location of the Center along the landing and takeoff path of aircraft from Washington National Airport may cause objectionable noise, particularly within a few years when jet aircraft will undoubtedly be operating from the airport; and

Whereas many changes have taken place since this location was originally agreed on including a major reduction in acreage for the Center, the approval of a plan for construction of a rapid transit system for the District of Columbia and the Washington metropolitan area and the establishment of the National Historical Site along Pennsylvania Avenue; and

Whereas the federation has previously taken the position that the Center should be located in another area than on the Potomac such as on Pennsylvania Avenue:

Now, therefore, the FCAWDC in regular meeting October 14, 1965, does hereby express its view that the grave doubts as to the wisdom of the present plans and particularly the location of the JFKCPA should be resolved before the project moves into the construction phase and for this purpose expresses its strong support for Senate Joint Resolution 109 sponsored by Senator MUNDT and similar measures sponsored by other Members of Congress requiring that immediate hearings be held taking into account all of the factors which have changed since the present plan on the Watergate site was approved for the purpose of determining if the project should proceed as presently planned or should be revised, and that copies of this resolution be sent to the trustees of the JFKCPA, the District of Columbia Commissioners, NCPC, NCTA, FAC, and the appropriate committees of the House and Senate.

Approved by the federation October 14, 1965.

G. W. BRADY,
Chairman, City Planning and Zoning Committee.

MABEL E. MORRIS,
Mrs. Edward B. Morris,
Secretary.

NINTH ANNIVERSARY OF HUNGARIAN REVOLUTION

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DERWINSKI. Mr. Speaker, Saturday is the ninth anniversary of the Hungarian revolution and freedom fight. This great uprising marked by national heroism was doomed to failure when Soviet troops were permitted to crush the revolt. Therefore, on this ninth anniversary the Hungarian people remain in bondage. It is gratifying to note that Hungarian organizations across this country and throughout the free world are effectively working together toward the day when freedom can be restored to their homeland and a legitimate government once again created by the people of Hungary.

Mr. Speaker, the Iron Curtain remains as full evidence of the colonial practices of the Soviet Union. Hungary and the

other non-Russian peoples of Eastern Europe are held in colonial bondage by the Communist rulers in Moscow.

As we come to the close of a long congressional session, it would be most fitting for us to rededicate ourselves to the development of a foreign policy unlike the present one of coexistence; rather, a foreign policy based on the necessary redevelopment of freedom in Eastern Europe and wherever communism maintains dictatorial control.

KINGSPORT, TENN., AMERICAN LEGION POST RAPS PEACE PLEAS BY STUDENTS

Mr. BROYHILL of North Carolina. 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. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. QUILLEN. Mr. Speaker, Hammond Post No. 3 of the American Legion, which is located in Kingsport, Tenn., and of which I am proudly a member, is one of the Nation's outstanding Legion posts. At their meeting on Monday evening of this week, the post passed a resolution in regard to the recent nationwide demonstrations against the U.S. Vietnam policy. This resolution, in which I wholeheartedly concur, condemns and decries the un-American activity of irresponsible demonstrations against the united efforts of our Nation in Vietnam and against our Selective Service System in its conscription of able-bodied young Americans for the defense of freedom and the defeat of the worldwide Communist conspiracy.

For the information of my colleagues and the readers of the RECORD, I insert at this point in the RECORD the copy of this resolution which appeared in the Kingsport Times on October 19, 1965.

LEGION RAPS PEACE PLEAS BY STUDENTS

Hammond Post No. 3 of the American Legion Monday night sharply criticized the recent nationwide demonstrations against U.S. Vietnam policy by college students.

Copies of the resolution, which praises the soldiers now fighting in Vietnam and deplores the actions of several groups of college students about the country, are scheduled to be sent to the 241 American Legion posts in Tennessee and to other State veterans' organizations.

The resolution reads:

"Whereas many thousands of dedicated young Americans in the Armed Forces of the United States are presently engaged in a life-and-death struggle against the forces of communism in Vietnam, daily risking their lives in the fight against the envelopment of the world by Godless communism; and

"Whereas at the same time, many thousands of young Americans are actively demonstrating against this concerted action in Vietnam and also are protesting against the draft, thereby serving to thwart and undermine the united efforts of our Nation and to subvert our younger citizens and to weaken their devotion to the principles of Americanism; and

"Whereas the American Legion would not be surprised or shocked at any actions of the beatniks or long-haired hoodlums who seemingly feel no allegiance to any principles or any obligation to the free Nation which gives them unlimited opportunity and freedom of speech; but the American Legion is greatly upset and disturbed at seeing so many young college students participating in and leading such un-American demonstrations while their contemporaries are fighting and dying in Vietnam: Now, be it

"Resolved by Hammond Post No. 3, the American Legion at Kingsport, in regular meeting assembled on this 18th day of October 1965, That this post, while reaffirming its belief in the freedom of speech, vehemently and emphatically condemns and decries the un-American activity of irresponsible demonstrations against the united efforts of our Nation in Vietnam and against our Selective Service System in its conscription of able-bodied young Americans for the defense of freedom and the defeat of the worldwide Communist conspiracy; be it further

"Resolved, That copies of this resolution be forwarded to the local news media, the department adjutant, and every American Legion post and veterans' organization in the State of Tennessee."

CONGRESSMAN FINDLEY'S BEGINNING IN POLITICS

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RUMSFELD. Mr. Speaker, the efforts of my colleague from Illinois, Congressman PAUL FINDLEY, to forge a more meaningful Atlantic Union are well known to the Nation. Not so well known, however, is the story of Congressman FINDLEY's beginning in politics, as well as the beginning of his deep interest in the effectiveness of the North Atlantic Treaty Organization.

The following article from the Freedom & Union newsletter details Congressman FINDLEY'S early exposure to the importance of an Atlantic Union:

TWO THOUSAND DOLLARS IN PRIZES OFFERED STUDENTS FOR ATLANTIC UNION EDITORIALS

A NATO-wide contest for the best editorial by a college student on "Youth Needs Atlantic Federation Now," is announced by Federal Union, Inc., the nonprofit educational membership association which publishes Freedom & Union. The winners will receive the Paul Findley Prize, named in honor of the rising young Illinois Congressman, who now represents counties which Lincoln once represented in the House.

Behind the name of the prize hangs a story of special interest to student journalists now. Representative FINDLEY began his career in journalism and politics by entering, when 19, a contest sponsored by Federal Union for the best editorial written by an American college student on the subject, "Youth Needs Union Now." The prize he won was 1 day in Washington, D.C., as the personal guest of Clarence K. Streit, author of "Union Now." That day was December 26, 1941.

After lunch with his host in the National Press Club, young FINDLEY hastened to the Capitol—for it happened that Winston Churchill was addressing that day a joint session of Congress in the House. Worming his way through the crowd, he reached a gallery door of the House, where he got a fleeting peek at the Prime Minister, but that was all.

Subsequent events suggest that this led the disappointed youth to decide to assure himself a seat in the future by getting elected to Congress. And he was elected by his home district just 19 years later, in 1960.

The study of "Union Now" and world affairs which FINDLEY made is reflected in his prize-winning editorial, which we print in full on the next page. The degree to which it stands up now, a quarter century later, shows him to have been a gifted student with rare grasp of a vast subject.

CONTEST RULES AND PRIZES

Now, some facts for those interested in entering the present contest:

1. The Atlantic awards will be: First prize, $189 (the first Federal Union began in 1789); second prize, $87 (the first Federal Constitution was drafted in 1787); third prize, $54 (the first proposal of interstate democratic union was made by Benjamin Franklin in 1754).

These national prizes may also be given in each NATO nation, with at least four entries: First, $67 (in remembrance of the second Federal Union, that of Canada in 1867); and second, $48 (in remembrance of the first move toward a federal constitution in the Old World, that of Switzerland in 1848). Additional Atlantic and national prizes, as for honorable mention, may be also given; if so, they will be announced in our January issue. The prize money now totals $2,055.

2. All editorials must be received by the student editorial contest committee, Federal Union, Inc. 2700 Ontario Road, Washington, D.C., at the latest by next March 4—the birthday of the world's first Federal Union in 1789, and the day when PAUL FINDLEY'S 1941 editorial was printed. Entries must be in English, or accompanied by English or French translation. There must be seven copies of the original or translation. Those from the United States and Canada must be in the form of clippings of the editorial as published in a college or other newspaper. From all other NATO nations, editorials may be—since there are fewer college newspapers in them—submitted only in typewritten form, although proof of publication in any printed paper will be counted by the judges as a favorable point. No editorial shall be more than 1,000 words long.

3. All winners of any prizes or honorable mention, Atlantic or national, will receive a free subscription to Freedom & Union for 1 year, and a personal letter of appreciation from Congressman FINDLEY.

4. All those entering this contest will receive free on request from Federal Union, Inc., a packet of information about Atlantic Federal Union, at least one copy of Freedom & Union, and—while the limited supply lasts—a personally inscribed and autographed copy of the $1 paperback edition of Clarence Streit's latest book, "Freedom's Frontier—Atlantic Union Now," for only 25 cents from Americans and Canadians, and free to all other competitors.

5. The names of a distinguished panel of judges for this contest, both Atlanticwide and National, and any changes in these rules, will be announced in our January issue at the latest, and will be sent by January 31, 1966, to all those entering.

6. The prizes will be made public at the Federal Union convocation to be held in April in Springfield, Ill.

FINDLEY'S INSPIRING CAREER

Competitors for this Paul Findley prize may be inspired by details of the career of the 1941 winner. That contest aroused in young FINDLEY a deep interest in the principles of government—particularly the U.S. Federal Constitution and its history, and the possibilities which the extension of Federal Union between democratic nations now offer for peace and greater liberty. This interest

grew during his service in the Pacific in World War II. When he returned to civilian life, Federal Union, Inc., was preparing to launch Freedom & Union. This appealed to him both as a federalist and a budding journalist. He applied for a job and was employed by Editor Streit as assistant editor—his title on the masthead of volume I, No. 1 of this magazine which appeared in October 1946.

After a year, there came to him an opportunity to be editor of a weekly newspaper, the Pike County Republican, in Pittsfield, Ill., near his hometown. He seized it, became its publisher, prospered and got a second weekly in the region. Thus he laid the foundations for his bid for Congress in 1960.

A conservative Republican on domestic issues, he came out for Atlantic Federal Union in the 1962 election, and increased his majority to around 10,000. In 1963 he accepted election to the board of Federal Union, the first Member of either House to identify himself thus with Atlantic Union in 20 years. He then led in persuading his party to set up the task force now known as the GOP House Committee on NATO. His party named him chairman of it in 1965, after he had made in 1963–64 a number of forthright Atlantic Federalist speeches in the House and in his district * * * and been reelected by a 20,000 majority, although President Johnson carried his district by 32,000.

In June the House Republicans selected him to head the factfinding mission to NATO, they sent to Paris, and later named him a member of the congressional delegation to the NATO Parliamentarians Conference this month in New York. At this writing, he is about to introduce a strong resolution for Atlantic Federal Union, as its chief Republican sponsor in the House.

[From the Illinois College Rambler, Mar. 4, 1941]

YOUTH NEEDS UNION NOW—THIS WINNING STUDENT EDITORIAL LED REPRESENTATIVE FINDLEY TO CONGRESS

Through the failure of a past generation of leaders to realize the need for a strong Federal union of democratic nations, the youth of the United States faces a dark and uninviting future—one of sacrifice and hardship. Out of this failure has arisen another, and even more chaotic war world.

Today's youth will bear the brunt of the war's cost: First by bearing the arms and by giving their lives; later, by facing a more regimented society and perhaps limited liberty and opportunity; and, as if this were not enough, ultimately, by paying the monetary costs of the war by retiring the ever-mounting national indebtedness.

Faced with these prospects, youth feels justified in asking that their sacrifices be not made in vain: that their efforts in checking the forces of lawlessness and aggression may constitute a positive contribution to a world order which will maintain the principles of justice and tolerance.

The United States has all but officially joined the other English-speaking democracies in an all-out drive to check Hitler. To argue the merits of our action in adopting this policy is trite. Lengthy controversy may arise over the extent and administration of aid to Britain, but our entry into the war is no longer an issue; it is an accomplished fact.

Through a succession of measures beginning with the alteration of the Neutrality Act in 1938, Congress has in substance declared the military interests of this Nation to be inseparable from those of the British Empire. President Roosevelt has advised Winston Churchill that the United States "hangs breathless on thy fate." Today, though not officially at war with Germany, our country is readjusting its entire national life to a war basis, and our unlimited aid to Britain may be expected to continue in every necessary form until it is no longer required.

The issue confronting the Nation today, then, is not "How much aid should we give Britain?" or, "Can we keep out of war?" The issue is "Will we, who are engaged in this death struggle with Hitler, form now a basis for future peace?"

The isolationists cry that the United States is retracing her steps of 1917–18—a costly sacrifice of arms, men, and living standard in return for 20 years in which to prepare for another war. They warn that the Allies in 1919 not only failed to correct the conditions which had produced the war but laid the foundations for the present struggle.

The isolationists forget, however, that peace efforts following the armistice in 1918 proved a failure largely because a group of U.S. Senators blocked our participation in the League of Nations, the only means through which the Allies could correct the conditions which had caused the conflict. Furthermore, they forget that the League, strengthened by U.S. membership, could have effectively assured world order and prevented the present world conflict.

Instead of continuing an unconstructive, negative attack on issues that have long since been decided, the isolationists should center their attention on preventing future wars. They should take precautions against a recurrence of the tragedy of the past two decades; they should seek a basis for removing forever the causes of warfare. An allied victory in the war might permanently remove Hitler as a menace to the world, but if the democracies should contribute nothing more to world peace than another humiliated Germany and another impotent League of Nations, a new crop of even more menacing dictators would be inevitable.

Once more the United States has chosen the road to war; but this time youth asks Congress to join the other democracies in choosing also a road to peace. The United States and the British Empire are making a tremendous investment in this war against Hitler. For our country the economic and social consequences will be incalculable; and the prospect of dead, wounded, and mortgaged youths is unappealing.

To make this investment in human life and property return the best possible dividends, youth pleads for world government as the foundation for future world security. Youth asks the United States to join the other English-speaking democracies in forming a federal union now.

Union now—that the productive and military resources of the democracies may be utilized at their maximum efficiency; that the British Empire and the United States, already committed to a common policy, may most effectively coordinate their war programs.

Union now—that the tremendous human and monetary investment the democracies are making in the war may return the greatest possible dividends; that the sacrifices of today's youth be not in vain.

Union now—that the democracies may have the strength of unity which will be necessary to stop and destroy the German military machine; that the democracies, when they arise from this struggle, may also be united in rebuilding a divided, war-torn and embittered world into one of peace and cooperation.

Sincere and able men warn against the foreign entanglements and loss of national sovereignty which entering a Federal union would involve. They regard such a union as a costly experiment which might threaten our way of life.

However, the monetary costs and insignificant sacrifices which the union would require are dwarfed by a year's national defense budget; and our way of life is far more likely to survive under a union of democratic nations than if our Government is forced to drain the national wealth and pigeonhole our civil liberties in order to participate in an endless cycle of European wars; and finally, our sovereignty would not be lost under a Federal union but would be placed on a more expansive and more secure foundation. Rather than revoking our present rights under our State and National citizenship in favor of what Columnist Johnson terms "a form of madness," we would be adding a third citizenship, through which we could gird ourselves with a virtually unassailable military front; provide, through a huge free trade area, the foundation for a lasting prosperity; and form the nucleus of a just and democratic world government.

The United States is joining the allied democracies on a long road of suffering and sacrifice; but if our country prepares for it now, by joining a Federal union, the end of that road may be the realization of the ancient prophet Micah's dream of peace, when the nations "shall beat their swords into plowshares, and their spears into pruninghooks; nation shall not lift up sword against nation, neither shall they learn war any more. But they shall sit every man under his vine and under his fig tree, and none shall make them afraid."

In the words of Abraham Lincoln, "Let us strive on * * * to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

—PAUL FINDLEY.

INCREASED ECONOMY IN TRAVEL OUTLAY

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MCDADE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MCDADE. Mr. Speaker, yesterday it was my privilege to bring to the attention to the Members of this House the splendid concern of Mr. Frank Memmott with the problem of economy in our Government at a time when all possible economy is vital.

Today, Mr. Speaker, I am happy to present to the House the report of Mr. Memmott on the actual implementation of his directives. I requested a copy of this report from Mr. Memmott, which I will here insert in the RECORD:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, D.C., September 27, 1965.

MEMORANDUM

To: Under Secretary.
Through: Assistant Secretary—Mineral Resources.
From: Director.
Subject: Increased Economy in Travel Outlay.

We have read with interest your memorandum of September 17, 1965, and the memorandum from the Bureau of the Budget concerning reduction of Government travel costs. Although you did not ask for a specific response at this time, we feel that you should know of the progress the Bureau of Mines has made in this area of cost reduction.

Economy in travel costs is not a new or unfamiliar subject within the Bureau. Contrary to the general trend within the Department toward increased annual outlays, and despite expanded Bureau program activities, we have succeeded during the past several

years in establishing a downward trend in travel costs. For example, our travel budget in fiscal year 1964 totaled $1,165,800, whereas the total cost was $1,032,290, or 89 percent. An even greater saving was achieved in fiscal year 1965 when total travel costs were reduced to $943,215, or 77 percent of the $1,215,000 travel budget.

These reductions were not easily achieved. They resulted from a constant surveillance of travel costs throughout the year by this office. Periodic reports were one of the ways we used to determine how effectively different levels of management supported our travel policy (see enclosed tabulations). Requests for participation in professional and scientific meetings were systematically screened and, with very few exceptions, only those employees who were scheduled to present papers or were otherwise active program participants were granted approval. We have, to the greatest extent possible, made full use of appropriately located Bureau field officials to attend intrabureau and departmental conferences and meetings as a means of reducing travel costs. Close control of general, area, and trip travel authorizations has also been effective in limiting travel only to the essential.

Although the first quarter of fiscal year 1966 review of travel costs has not yet been completed, we are confident that our record of thriftiness will continue to be evident. You may be assured that our fiscal year 1966 travel costs will not exceed the 1965 level, and with the continued hearty cooperation of Bureau personnel that has made possible our achievements thus far, we are hopeful of arriving at total costs below that figure.

We would like to point out that our efforts to reduce travel to accommodate only our most essential needs has caused pressure on this office by our own personnel who have protested that other agencies of the Department and the Government have had a less stringent travel policy. Despite these complaints, we have stood firm in our attitude toward travel. To relieve us of the consternation from such disparity in travel regulations in the future, we hope that other agencies will adopt a strong travel policy similar to ours.

FRANK C. MEMMOTT,
Acting Director.

Enclosures.

Fiscal year 1964

	Total	
	Budget	Cost
Administration:		
Director's office	$8,000	$4,351
Program coordination	4,000	1,914
Mineral reports	3,600	1,664
Assistant Director, administration	50,050	33,280
Eastern administrative office	11,000	10,703
Western administrative office	16,750	13,782
Subtotal	93,400	65,694
Mineral Resource Development:		
Assistant Director	85,100	58,966
Area I	30,500	24,998
Area II	9,500	5,643
Area III	12,000	10,103
Area IV	15,300	13,405
Area V	33,100	28,476
Area VI	12,300	11,128
Area VII	33,100	28,790
Area VIII	37,000	36,290
Marine Minerals Technology Center	3,800	3,576
Subtotal	271,700	221,375
Minerals Research:		
Assistant Director	4,500	3,911
Director of Coal Research	80,250	75,734
Petroleum Research	86,750	78,387
Metallurgy Research	99,500	78,118
Mining	131,500	120,341
Subtotal	402,500	356,491
Health and Safety:		
Assistant Director	$24,300	$23,135
District A	49,300	49,170
District B	40,900	40,811
District C	27,500	27,442
District D	51,300	51,178
District E	91,100	91,057
Safety Education and Training Group	9,500	9,431
Health and Safety Research and Testing Center	43,000	42,830
Subtotal	336,900	335,054
Assistant Director, helium	4,800	4,800
Amarillo	56,500	48,876
Subtotal	61,300	53,676
Grand total	1,165,800	1,032,290
Administration	93,400	65,694
Mineral Resource development	271,700	221,375
Mineral Research	402,500	356,491
Health and Safety	336,900	335,054
Helium	61,300	53,676
Total	1,165,800	1,032,290
Percent	89	

Fiscal year 1964—Continued

Fiscal year 1965

	Total	
	Budget	Cost
Administration:		
Director's Office	$7,000	$6,188
Program Coordination	4,000	1,673
Mineral Reports	4,000	1,802
Assistant Director, Administration	46,610	29,273
Eastern Administrative Office	14,500	12,096
Western Administrative Office	17,600	11,541
Subtotal	93,710	62,573
Mineral Resource Development:		
Assistant Director	88,500	55,622
Area I	34,300	18,145
Area II	8,000	5,311
Area III	12,800	6,919
Area IV	25,600	24,201
Area V	30,290	20,303
Area VI	12,300	9,667
Area VII	17,000	12,974
Area VIII	46,300	27,081
Marine Mineral Technology Center	4,000	3,564
Subtotal	279,090	183,787
Minerals Research:		
Assistant Director	6,000	5,130
Director of Coal Research	70,000	64,529
Petroleum Research	78,000	64,081
Metallurgy Research	102,500	83,348
Mining	133,000	108,437
Subtotal	389,500	325,525
Health and Safety:		
Assistant Director	35,000	20,084
District A	50,000	40,247
District B	41,000	38,802
District C	28,000	24,357
District D	53,000	52,752
District E	105,800	82,564
Safety Education and Training Group	10,000	9,594
Health and Safety Research and Testing Center	44,000	40,175
Subtotal	366,800	308,575
Assistant Director, Helium	9,500	7,300
Amarillo	75,500	55,455
Reserve	900	
Subtotal	85,900	62,755
Grand total	1,215,000	943,215
Administration	93,710	62,573
Mineral resource development	279,090	183,787
Mineral research	389,500	325,525
Health and safety	366,800	308,575
Helium	85,900	62,755
Total	1,215,000	943,215
Percent	77	

Mr. Speaker, as all of my colleagues may see, there has been a fine effort to save money all the way down the line. The effort has been to cut spending, not to spend all the money appropriated for each of the programs listed.

This is precisely the attitude we hope to find in all of the branches of the Federal Government. It is my hope that other heads of departments in the Government will follow the excellent example of Mr. Memmott. It is well worthy of emulation.

MARYWOOD COLLEGE 50TH ANNIVERSARY

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MCDADE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MCDADE. Mr. Speaker, there is a saying to the effect that, if you educate a man, you have educated a man; but, if you educate a woman, you have educated a family.

For 50 years, Mr. Speaker, Marywood College in Scranton, Pa., has been sending forth a host of educated women. From her halls have come scientists, teachers, economists, librarians—women in all the learned professions of America. From her halls also have come the mothers of yesterday, of today, and tomorrow.

Marywood College is a pioneer and the child of pioneers. It was the first Catholic women's college in the Commonwealth of Pennsylvania.

Sixty-five years ago, in 1900, a group of courageous nuns—sisters—Servants of the Immaculate Heart of Mary, purchased a tract of 50 acres of woodland overlooking the city of Scranton, and drew up plans for the erection of a new mother house and a seminary for girls. It was called Mount St. Mary's and was completed in 1902.

But, with the completion of the girls seminary, Mother M. Cyril and Bishop Michael J. Hoban saw a new need, that of a college for the young women of the area. Sisters were selected and sent for advanced study at 10 different colleges and universities, to prepare for the opening of the college.

In 1915, just 50 years ago, under Mother M. Germaine, Marywood College opened her doors. It grew and prospered under the leadership of Sister Immaculata, cofounder and first dean, who held that office from 1915 to 1943.

Sister M. Cuthbert, who had assisted Sister M. Immaculata, assumed the office of dean in 1943. In 1943 also, the first president, separate from the superior of the community, was chosen in the person of Sister M. Sylvia. She was succeeded by Sister M. Eugenia, who was in turn succeeded by the present president of Marywood, Sister M. St. Mary.

The power to grant three degrees—bachelor of arts, bachelor of music, and

bachelor of science in home economics—was assured by the first charter. Very soon the college was empowered to grant the master of arts, 1922; bachelor of science in education, 1922; bachelor of science in library science, 1946; bachelor of science in medical technology, 1952; and master of science in education, library science, and psychology, 1954.

The college is further empowered to enable students to qualify as guidance counselors, 1938; school librarians, 1929; vocational home economics teachers, 1936; teachers of the mentally retarded, 1948; psychological examiners, and public school psychologist, 1942; and for the certificate in theology for sisters, 1953.

Marywood became the first institution of higher learning in the Commonwealth of Pennsylvania to offer a college credit course via television in "The History of Drama." Her esthetics course, part of a splendid course in drama, won outstanding praise from Theater Arts magazine as early as 1952.

Marywood has produced a constant flow of highly talented musicians. The college was host to the All Pennsylvania College Orchestra, with Maestro Alfredo Antonini conducting, and Miss Carolyn Dooley of Marywood as piano soloist. Marywood has also looked to the young, and was one of the first two colleges in the country to champion the new contemporary approach to music for the grade and high school child, by conducting specialized summer workshops in music education in cooperation with the American Institute of Music Education.

Marywood is one of the pioneers in the study of audio-visual aids in education. One of the finest psychoeducational clinics in northeast United States is located on her campus, working with children who need help in bringing their intellectual capacities to full fruition.

All in all, Mr. Speaker, Marywood College is a school that any Congressman would boast to have within his district.

This year Marywood is 50 years young. She has grown from the small hardy beginning in 1915 to a magnificent college, the largest Catholic women's college in America.

Last week, with a mass celebrating her 50th anniversary, and with a eucharistic luncheon held at the Waldorf-Astoria in New York City, Marywood alumnae celebrated the birthday of their alma mater. Under Miss Elizabeth Horan, the Marywood alumnae are now the international alumnae, with daughters of Marywood all over the world.

I am sure that all of my colleagues here in the Congress, Mr. Speaker, will join me in saluting Marywood College in this, her 50th anniversary year. In an age which demands education, learning, and the great tranquillity that comes from spiritual depth, I am proud that Marywood College is still young, still growing, still sending forth young women who have the learning and spiritual depth which we will need tomorrow in a growing America.

I could not possibly close these remarks without first turning to those women who built this college 50 years ago, and who have made this college such an outstanding institution of higher learning. I am sure that all of my colleagues join in extending compliments of the Congress and the gratitude of all Americans who know the values of education to the women who are not only educators but also models of learning and piety, the sisters, Servants of the Immaculate Heart of Mary.

ACTIVITIES OF SIGMA NU FRATERNITY, SAN DIEGO STATE COLLEGE

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I would like to call to the attention of my colleagues the activities of Sigma Nu fraternity of San Diego State College. While a few irresponsible troublemakers are making the headlines by reviling our efforts in Vietnam, Sigma Nu is conducting a drive to supply needed blood for our fighting men in Vietnam.

The fraternity is sponsoring a rally October 26 in San Diego and hopes that 5,000 donors will be on hand to give blood for use in the battle areas of Vietnam.

I consider this display of real red-blooded Americanism more typical of the moral fiber of our young people today than the marches of the unwashed and bearded. By donating blood, instead of tearing up their draft cards, these young people are showing our Nation that our fighting men have their support instead of their scorn.

I am hopeful that this campaign will spread to the other campuses across the Nation. It is an appropriate gesture. It could not only save the lives of wounded in Vietnam, but it is a fitting way to demonstrate that we here at home are blood brothers with those who have gone forth to fight for freedom in the jungles of far-off Vietnam.

A civilian blood bank is a realistic, patriotic, and useful way for those at home to help those overseas.

CRASH IN SAN DIEGO OF PROTOTYPE CHARGER COUNTERINSURGENCY AIRCRAFT

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BOB WILSON. Mr. Speaker, the evening before last I learned of the crash in San Diego of the prototype Charger counterinsurgency aircraft built by Convair Division of General Dynamics. Thankfully, the Navy test pilot successfully ejected and the airplane crash-landed on the open spaces of Lindbergh Airfield injuring no one. This is a most unfortunate setback to a program that deserves our support not only because of the vital mission for which the aircraft is intended but also because the aircraft was the product of free, enterprising American industry, not built with Government funds.

The crash occurred on the Charger's 196th flight with a total test flight time of about 200 hours on the airplane. Twenty-two hours of a 40-hour military flight test program were logged when the crash occurred. This military flight evaluation program involving pilots from the Air Force, Navy, Army, and Marines was being conducted by the Department of Defense. Clearly, there was military interest in this aircraft as a potential new and valuable weapon for limited wars such as Vietnam has been.

Flight testing to date had demonstrably shown the capability and merit of this prototype aircraft. It would certainly seem wise now for all the parties involved in the testing of this aircraft to move quickly to the development of a new Charger so that these vital tests can be completed and decisions necessary to the national defense made on the basis of full information.

STANDARDIZATION OF FIREHOSE THREADS

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BOB WILSON. Mr. Speaker, for several Congresses now I have introduced a resolution calling for the standardization of firehose threads. Though this may sound like a small and insignificant matter of concern for the Federal Government recent hose coupling problems in major disaster forest fires on both the east and west coasts indicate that a serious problem exists.

My friend, Battalion Chief Robert Ely, of San Diego, Calif., chairman of the International Association of Fire Chiefs, Committee on Standardization of Firehose Threads, recently stated that the friendly climate of mutual aid since World War II has been limited time and time again by the varying threads used by civil defense, military services, State agencies, rural fire departments and the Forest Service. For over 90 years the IAFC has been trying to get all firehose screw threads standardized. To ponder this in light of the magnificent space and undersea advances this Nation has made during that same span of 90 years immediately causes one to realize how great is the oversight on the part of Government of effectively fighting disastrous fires.

Chief Ely's committee has submitted a resolution calling for all possible aid and assistance from all members of the IAFC, all national fire organizations and governmental agencies, so that stand-

ardization of all firehose threads can be completed before 100 years have elapsed. I am greatly hopeful that the Congress will finally see fit to act on my legislation, House Concurrent Resolution 122, during the 2d session of the 89th Congress. The need for its passage is obviously evident.

I ask unanimous consent to include as a portion of my remarks the attached resolution.

STANDARDIZATION OF FIREHOSE THREADS

Whereas the International Association of Fire Chiefs has repeatedly advocated the standardization of firehose threads since the inception of our organization in 1873; and

Whereas this Nation's large-loss fires are increasing yearly with the records showing lack of uniform firehose threads as a contributing factor; and

Whereas the needed standardization can be accomplished at a minimum of labor and cost by the use of hose-threading machines and bushing inserts presently available; and

Whereas we as fire chiefs have the responsibility of recommending and maintaining proper standard procedures and equipment to provide adequate and efficient fire protection for our citizenry; and

Whereas, notwithstanding the persistent work of the International Association of Fire Chiefs to further nationwide standardization of firehose threads, there still remain many areas laboring under the handicap of nonstandard threads: Therefore, be it

Resolved, That the International Association of Fire Chiefs, in conference assembled, this 22d day of October 1964, in Houston, Tex., intensify its efforts to accomplish complete standardization of firehose screw threads throughout the country, by asking for aid and assistance from all fire chiefs, all national fire organizations, manufacturers, and governmental agencies; and be it further

Resolved, That copies of this resolution be promulgated to all branches of the Federal Government, all national fire organizations, and other interested parties.

THE NATURE OF ONE EUROPEAN COMMON MARKET CRISIS

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, I wish to bring to the attention of the House an excellent piece of reporting. It is an example of the type of background information Congressmen need to make sound judgments and decisions. It is an article from the Morgan Guaranty Survey of September 1965, titled "The Nature of the Common Market's Crisis."

In a few pages the survey gives a sound background for understanding the developments within the European Economic Community—EEC—that led to the present EEC crisis. The article confirms many of the comments that I made in my remarks in the nature of the EEC crisis in the CONGRESSIONAL RECORD of July 26.

Though I am grateful to the survey for supplying this information, it should have been supplied much earlier to the Congress by the executive branch. The State Department, for example, has the responsibility to present us with similar lucid analyses of events of such profound importance for our foreign policy. The office of the Special Representative for Trade Negotiations, which has occasionally sent reports on the progress of the current trade talks in progress at Geneva to the congressional delegates to these negotiations, could have taken the opportunity to present the background of the EEC crisis authoritatively.

THE NATURE OF THE COMMON MARKET'S CRISIS

President de Gaulle's press conference of September 9 did not in itself create a crisis in the development of the European Economic Community. Nor did the crisis start, as so many reports would have it, with the French decision last June to walk out of the Common Market negotiations in Brussels. The actual causes, rather, go back to fundamental problems and conflicts inherent in the idea of community that were only partially perceived, and certainly not adequately dealt with, at the time the Rome Treaty, EEC's basic document, was written.

What General de Gaulle has now done with acute precision is to spell out the problems and define the conflicts. Despite the dismay his action has stirred, it could well have the outcome of ultimately putting relations among the Six on more certain and less troublesome footing.

EEC's crisis has less to do with the particulars of economic policy than with the fundamental issues of constitutional form and the lodgment of ultimate power. What is involved most crucially is the Community's momentum toward becoming a political entity above its member nations. This, declared General de Gaulle, is unacceptable to France because it threatens French sovereignty.

He might have noted that it likewise threatens the sovereignty of each of the five other members, and might have asked—since rhetorical questions are not out of place in his press conferences—whether any or all of them were more ready than France to sign and seal the substantial surrender of autonomy which the erection of a supranational authority would demand. The general was issuing, in other words, not so much an ultimatum as an invitation to his fellow heads of state in EEC to think through one more time the conditions on which the economies of their countries are to be harmonized.

All this was no more than realists in the Common Market had reason to expect. Where the French leader jolted even the realists was in his strong implication that the Rome Treaty must be rewritten. France, he indicated, would require removal of "basic errors" and "ambiguities" from the treaty before it would be willing to go any further with the work of harmonization.

That work has been at a virtual standstill since last June 30, when French Foreign Minister Couve de Murville abruptly ended a session of EEC's Council of Ministers that was laboring to reach agreement on the knotty issue of the Common Market's financing arrangements for agriculture. On the basis of a previous understanding among the Six, those arrangements—involving member country payments into and receipts from the Agricultural Guidance and Guarantee Fund—were to have been worked out by June 30. The failure of the Council to meet the deadline, said the French, was the reason for their walkout.

Important as agricultural matters are to France and its farmers, and anxious as the French were to reach an agreement, close observers of Common Market affairs tended at the time to doubt the completeness of that explanation. Negotiations beyond deadlines, it was pointed out, have become commonplace for EEC. Moreover, sharp though the farm differences were, it seemed clear to most that the possibilities of compromise had not been exhausted, nor even fully explored, and that in time a solution would have been found.

As President de Gaulle's statements have now made clear, it seems far more likely that even in June France had decided that the time had come to face the crucial issue of supranational trend. In fact, with the effective veto power of individual member countries over major decisions scheduled by the Community's timetable to end next January 1, there exists widespread conviction that General de Gaulle might well have been forced to create a critical issue sometime this year if one had not presented itself. "Sooner or later," he declared, "the crisis was inevitable." With the transition to majority voting getting near, "sooner" presumably seemed better.

In any event, the end of June would have ushered in a period of enforced repose for the Community. The vacation period was on hand, and looming beyond that were the complications of the German national election in September and the French one in December. The French, meanwhile, could proceed with reasonable confidence that delay in fixing the terms of EEC's agricultural financing wouldn't necessarily mean that any less money would ultimately flow to France, since in practice there is a time-lag of many months in disbursements. Nor should it have distressed the French Government that postponing agricultural agreement meant further loss of time for the Kennedy round of tariff negotiations. Paris right along has been distinctly cool toward U.S. determination to get EEC to lower its farm import barriers.

At the center of the controversy, quite obviously, is the gut issue of how much political federalism the Community is to have, if any. Is the absolute sovereignty of each of the six to remain untouched, or is the Common Market to evolve in the direction of political federation, with its institutions (its executive body and its parliament in particular) wielding political authority which is independent of that possessed by the individual member countries?

The latter course was clearly in the minds of some of the community's original sponsors and was the chief reason for the enthusiasm with which the U.S. Government supported EEC from the start. It is precisely the concept which President de Gaulle is now challenging. "Nothing," he declared on September 9, "which is important at present in the organization, and later in the operation of the Common Market of the Six, should be decided and, even more, applied, except by the responsible public authorities in the six states; that is, the governments controlled by the parliaments."

While perhaps not so explicitly stated before, this has long been President de Gaulle's view. It has, moreover, numerous other adherents in Europe, a fact which tends to be underappreciated but which is vitally important in trying to assess the probable outcome of EEC's present crisis. There is rather wide agreement, actually, that few countries of Europe, big or small, have reached a stage where they are psychologically ready to abide by majority votes on economic issues other than the most trifling.

AGRICULTURE AND MUCH MORE

Although the squabble over agricultural financing is clearly of subordinate importance in the present controversy, its details and its chronology help illuminate what the fight is really all about. The origin of the trouble traces back to 1962, when, as a condition for agreeing to further industrial tariff cuts, the French insisted that a start be made on a common agricultural policy.

Among other things, agreement was reached at that time on a formula under which member countries would make payments into and withdraw money from an Agricultural Guidance and Guarantee Fund. The formula penalized farm imports from nonmember countries, the intent being to encourage and subsidize agricultural production within EEC.

This arrangement covered only a 3-year period. Thereafter, a new formula to be worked out no later than June 30, 1965, was to cover the remainder of EEC's transition period, which runs through 1969. In December 1964, anticipating the approaching deadline, the Council of Ministers instructed the Community's nine-man executive Commission to draw up and submit proposals for continuing the Fund's operations. The Commission also was asked to investigate how receipts from EEC's common external tariff, scheduled to go into effect July 1, 1967, might be used to replace payments to the Community's budget from national treasuries. It was from this latter request that the whirlwind blew.

STRETCHING THE MANDATE

In carrying out its assignment, the Commission made the fateful decision to construe its mandate in exceptionally broad terms. Besides providing a new formula for operating the agricultural fund, it proposed eventual transfer to the Community's coffers of all proceeds flowing from the common external tariff. Although provision was made for the redistribution to national governments of revenues in excess of normal Community needs, one very significant consequence of this arrangement would have been to make budgetary discipline over the Commission by member countries far more difficult.

Predictably, this was a highly controversial recommendation, since even previously the executive body's budgets had been a source of considerable friction. Still more sensitive was the Commission's suggestion that the EEC Parliament in Strasbourg—an institution that draws no real power from the Rome Treaty—assume partial authority over the Community's budget—and thus, in effect, the potential for materially influencing Common Market affairs.

The Commission's recommendations, formally submitted to the Council on April 1 of this year, triggered immediate opposition from the French. They angrily protested the coupling, in an omnibus package, of nonfarm proposals with those relating to agricultural financing, emphasizing that only for the latter, and for nothing else, was there a June 30 deadline.

The French thought they perceived the Commission's strategy, and they found it offensive. They believed the Brussels group was counting on France to swallow a measure of distasteful integration because of its special interest (as EEC's most important agricultural nation) in getting the details of farm financing settled. Reportedly, the implied suggestion that France might compromise its sovereignty for financial considerations was particularly infuriating to President de Gaulle.

Despite the strong protest from Paris, the Commission—in what is now regarded as a serious miscalculation of its strength—proceeded to try to line up support for its package. In May it sought and won the backing of the Strasbourg Parliament for its proposals, a tactic which could only add to the displeasure which the French already felt.

Since there is no public record of debate within the Council of Ministers, the precise position taken on the package by each of the community's members other than France is not known with certainty. The Dutch, who consistently have been the most federally minded among the six, unquestionably provided the commission's strongest support; beyond that, generalizations are risky. Italy, hardest hit of all by the financing formulas applicable from 1962 to 1965, seems to have been principally preoccupied with winning concessions on the matter of contributions to the agricultural fund.

The dialog between France and Germany on the commission's proposals presents, in retrospect, something of a puzzle. On the basis of conversations between the French and German Under Secretaries of State, the French toward the end of June were operating on the assumption that they had reached satisfactory agreement with Bonn on essentials. Then, on June 30, the deadline date, the German Bundestag passed a resolution supporting the Strasbourg Parliament's desire for budgetary power. This abruptly altered the complexion of the Council's deliberations, again giving primacy to the supranational issue, which had been tending to recede into the background. Probably the Bundestag's action, more than any other single event, was what prompted M. Couve de Murville to break off discussion at 2 a.m. on July 1.

Had agricultural financing alone been the issue, it seems highly improbable that any such outcome would have occurred. Italy and France, it is true, differed quite sharply on the length of the period for which financing arrangements were to be set. Germany, moreover, had introduced some complicated economic requests during the council sessions of June 28 and 29. But there had been considerable progress, and just before the Bundestag's move the general expectation of close observers of the Brussels negotiations was that a way of compromising differences on financing would be found—perhaps not by the midnight deadline on the 30th but probably with only a short extension.

A settlement covering agricultural financing alone would have been strongly displeasing to the Dutch, whose legislature had instructed its government not to agree to a plan for farm financing which did not allow for a strengthening of the powers of the Strasbourg Parliament. But the prevailing belief was that even that problem might have been circumvented by the council through some mildly worded declaration of eventual intent to consider changes in Parliament's status. Conceivably the Dutch might have balked at such a maneuver, but a position of intransigency would have been difficult for them to maintain had the other five members come to agreement.

But the Bundestag's unexpected vote of support for the Parliament's budgetary powers seemed to convince the French that the issue of supranationalism would have to be dealt with decisively before Community integration went any further. "Now we know," President de Gaulle declared September 9, "heaven knows that we know—that there is a different concept of a European federation in which * * * the countries would lose their national personalities. * * * The combination—premeditated or not—of the supranational demands of the Brussels Commission, of the support that several delegations declared themselves ready to give them and finally of the fact that some of our partners at the last moment went back on what they had previously accepted, forced us to bring the negotiations to a close."

The issue, then, focuses on the constitutional form the Community is to have and on the location of power within the organizational structure. President de Gaulle is calling for agreement among the Six on the precise limits of the commission's and the Parliament's authority. He clearly is no longer content to rely on anything like a "gentlemen's agreement" that the vote of a majority will not be used to ride roughshod over a dissenting nation's will. Agricultural financing, despite its great importance to France, is secondary, and that is undoubtedly why the French chose to stay away from the July meeting of the Council even though the commission by that time had belatedly drafted a new set of proposals restricted in essence to agricultural matters.

WHAT FUTURE FOR ECC?

All sorts of difficulties attend any effort to anticipate when and how resolution will come. The relevant considerations range all the way from purely personal animosities among the individuals involved to profoundly different philosophies of political organization. The only thing that can be said with reasonable safety is that the end of the crisis is at least some months off. The new German Government needs time both to get itself organized and to assess the French demands. The French, meanwhile, are nearing the start of their own election campaign. Thus, the chances are that a resumption of EEC negotiations will be delayed, with no hard bargaining likely for the rest of the year.

Eventually, however, France can be rather sure of getting its Common Market partners to focus on the question of revising the Rome Treaty. Waiting may prove all that is necessary. The agreement reached last April to merge the executive apparatuses of EEC, the European Coal and Steel Community, and Euratom contemplates the writing of a new document unifying the three existing treaties. This would afford France an opportunity to make proposals for eliminating the supranational features of the Rome Treaty which it dislikes.

Since last April's agreement calls for creation of a single executive commission for the unified community, the merger when it takes effect should provide some element of a fresh start in relationships between the Commission and the Council of Ministers. Some students of EEC's recent difficulties attach high causal weight to French dissatisfaction with present Commission personnel; with or without new faces, the mere event of unification will give the Commission a chance to get off on a new, more amicable footing with the Council.

In a confrontation as confused and ramified as the present one, anything is possible, including even EEC's eventual disintegration. The chances, however, of such an extreme outcome still seem small. A solid alinement against France on the issue of supranationalism, which conceivably could wreck the Community, is unlikely. Moreover, all ECC members, including France, seem convinced that the Common Market has had a lot to do with their prosperity.

Political scientists are busy noodling over the question of how reduced power for the Commission would affect EEC's future development. The prevalent theoretical preference for strong executive leadership inclines most observers to the view that any weakening of the Commission would make further progress toward economic harmonization more difficult. If the Commission's job is that of a catalyst, this line of reasoning goes, it can function effectively only if it has freedom to take venturesome initiatives, to propose boldly. This year's experience, however, casts some question on that basically plausible analysis. If it had not been for the Commission's boldness last spring, there might not have been a midyear explosion, and agricultural harmonization might now be much further along.

BAD NEWS FOR GATT

In Washington, concern over the Common Market deadlock centers on the harm it does to the Kennedy round tariff negotiations in Geneva. EEC's wrangle prevented it from putting forward the agricultural proposals that were supposed to have been submitted on September 16, and there would appear no prospect that this failure will be remedied anytime this year. This could mean a serious loss of negotiating time, since Congress in-

sisted when granting authority for the Geneva negotiations that cuts in industrial tariffs be made conditional on a lowering of EEC's agricultural barriers.

With U.S. bargaining authority running to mid-1967, there will still be leeway for constructive negotiations if EEC can resolve its troubles by early 1966 and then go speedily ahead with the submission of tariff proposals for farm products. If the crisis is not settled rather early in 1966, however, the outlook for a satisfactory outcome of the Kennedy round would dim, because the farm negotiations are bound to be troublesome and lengthy. This, in turn, could have a pronounced impact for a long time to come on world trade liberalization, since the prevailing judgment in Washington is that it will be a long while before another reciprocal trade measure is voted if the high hopes attached to the 1962 act come to nothing.

MEETING THE CHALLENGE OF AUTOMATION

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, in October 1964, I published in the National Association of Secondary-School Principals bulletin an article titled: "Automation." In that article I expressed many of my views on automation, which on review I find still valid today.

Essential to an understanding of automation is that it is an age-old phenomenon. The process of human invention and exploitation of inventions is the story of man's material progress. Though we tend to think of automation as a purely contemporary problem, the only way in which modern automation differs from earlier automation is that the pace of change is very highly accelerated. The type of technology now associated with this accelerated pace of change is often called cybernetics.

As the pace of automation grows faster and economic changes accelerate new jobs are being created and old jobs are being destroyed faster. Fortunately, although scholars have not sought the answer to this key question with enough diligence, commonsense and what existing studies there are indicate that new jobs are being created in much greater number than the number of jobs being destroyed. These jobs averaged out are not only of higher skill levels but bring higher pay. But there is a lag between the absorption of the new jobs by adequately skilled workers, and the result is "frictional" unemployment.

How can we activate processes of job and skill adjustment required by rapid economic change? For one thing we must find workable solutions to several immediately observable problems:

First. New jobs are frequently outside the business and geographic areas are where the jobs rendered obsolete exist.

Second. Displaced workers are frequently not the ones best suited to be trained to take newly created jobs. Obsolete jobs are very often inferior to jobs newly created by automation, and the jobs going begging today are jobs which demand skills higher than the national average of skills.

Third. With continual upgrading of job requirements and the displacement of man power with machine power, those who were born with very limited mental talents could be phased out of the labor market. Brains have taken priority over brawn as a job requirement.

The process of adjustment required by the above results of automation can be helped in a number of ways. First, and essentially, it is important that continual upgrading of job skills occur at all levels of employment. Education and training at all levels for all skills must be considered an investment in human capital, equal in priority if not to be given higher priority to investment in machinery and research and development.

A person holding down a job which is too easy for him does a disservice to himself, to society and to the person with fewer natural abilities who could fill the less demanding job. With a system of proper job analysis we can find a sufficient number of economically sound jobs which even persons of limited IQ can perform.

Solving the problems of skill upgrading, and placement of workers could be greatly facilitated by institutional changes.

For example, unions could contribute more to the continual upgrading and shifting of skills required by automation. Unions absorb new jobs in their "jurisdictions" only slowly, and give up their control over old jobs very reluctantly. Thus unions tend to take positions in defense of the status quo which is represented by the jobs held by their members. These are often obsolescent jobs. Unions in this case accurately represent the sentiment of the worker whose skill is becoming obsolete. They do not, however, represent their member's best interest, which will always be to continually upgrade his skills and his income, even if this upgrading and job shifting process might require the worker to move to a new firm in the same or a different locale. Unions should facilitate the pace of change by encourging and promoting the upgrading of their member workers' skills and helping workers make the change from one job to another without unduly great expense and effort.

Another institutional remedy is in management's organization and planning to facilitate job change. Management frequently has failed to anticipate that the process of rapid innovation requires the timely phasing out of certain skills, accompanied by on-the-job training for the new skills in demand.

Government, too, should modernize its institutional mechanisms so that an employee of one company who has a job which will be phased out would be trained at the same time for a new job. The cost of the training would be borne by the company that would use the new skills.

Further, Federal tax law inhibits, rather than encourages, the mobility and flexibility of labor which are so vital in coping with frictional and structural unemployment.

To this end a very large number of Republicans in both House and Senate have joined Senator WINSTON PROUTY and myself in introducing H.R. 10934, the Human Investment Act of 1965. This Republican measure operates on the elemental principle that taxation is a charge on the earnings of enterprises and individuals, and that these entities are prevented by this charge from doing things they would ordinarily do. By removing part of their tax burden, the Human Investment Act hopes to encourage firms to increase their training programs.

But the problem is deeper simply than encouraging firms to train the workers they need by means of financial encouragement.

Unions should take a new, progressive approach to problems caused by unemployment and economic change.

Government should realize finally that it can provide some basic services that will help firms to meet their skill needs.

Management and its associations should devise on their own initiative imaginative ways of quickly obtaining the job skills they need.

The article referred to follows:

AUTOMATION

"The anatomical study of the fossilized remains does not tell us when men emerged, and we must have recourse to other methods of approaching the question. Bergson's answer to it is often quoted. Man, he said, appeared on earth at the time when weapons and tools were first fashioned. For the paleontologist, as for the student of prehistory, the phenomenon of man's becoming man is contemporary with the first appearance in history of implements." (Reference "Larousse Encyclopedia of Ancient and Medieval History 1963.")

Some economic historians have pointed out that the progress of man can be followed in his increased ability to use energy. Hand tools, of course, increase the energy of men in an absolute sense, but more importantly they direct his energy more efficiently to the purpose at hand.

The early Egyptians learned that the inclined plane and buoyancy of water greatly increased the "manpower" of a man. However, not until late Roman times were there watermills in Rome, set in motion by water from the acqueducts. The use of watermills was slow to spread throughout the Empire. By the 12th century watermills were still not a common sight. The use of the power of wind, other than to sail ships, does not appear until the end of the 12th century. "During the 9th and 10th centuries there was a distinct improvement in harnessing (of horses), when the fixed wooden head collar came into use * * *. The origin of this new harness is unknown * * *. Through this new invention the sources of energy at the service of man gained the considerable addition of horsepower. Before that he had had at his disposal only manpower, the tractive power of oxen, and water power from driving the watermills." (Reference, "The Agrarian History of Western Europe A.D. 500–1850" by H. Slicher Van Bath translated by Olive Ordish 1963, p. 63, 64.) Yet, as in the use of watermills or other new invention, centuries passed before use of the invention became widespread. The invention of the horse collar

somewhere in Germany may well be an important factor contributing to the added leisure time which produced the Renaissance.

The industrial revolution beginning in the middle of the 18th cenutry can be closely identified with the advent of steampower. However, as each new basic invention which increased the sources of energy available to mankind was discovered, the time required for its widespread application diminished.

Steampower was hardly fully exploited in the first 100 years of its existence before the internal combustion engine and electrical power moved into prominence. And, now, less than 50 years later, electronics, atomic energy, and jet propulsion engines are moving in.

Basic research as well as applied research lie at the bottom of all material human progress. The invention of the zero in India and its spread through Arabia to the Western World was as important to basic research as was the invention of the horsecollar to that of applied research. The invention of the new science called cybernetics is as important to basic research as the invention of electronics is to applied research, the computers themselves.

Mr. H. Slicher Van Bath says: "Perhaps the best way to illustrate progress during the last century is to calculate the minimum number of man-hours needed to produce a certain quantity of cereals from a given area. In 1830 the production of 1,800 litres of wheat on one hectare using the ordinary plough, harrow, sickles, flails, took 144 man-hours. In the United States in 1896, with the aid of the machines in use at the time, this had been reduced to 22 man-hours; in 1930, when using tractors and combine harvesters, the time was brought to 8¼ man-hours." I do not know what the figure for 1964 would be; however, it is probably less than 1 man-hour. In the past decade, agricultural employment in the United States has declined 42 percent while, at the same time, there has been a continuing rise in farm production. Today agricultural production in the United States is limited by consumer satiation, not by ability to produce.

My basic point is that the term "automation," which is used so freely today, relates to nothing new under the sun. The process of human invention and engineering to exploit new inventions is the story of mankind's material progress. Nor does his process follow the Toynbee cycle of the rise and fall of nations. It seems to spiral ever upward; perhaps the rise and fall of nations is an essential factor in this upward spiral.

The most that can be said for coining a new term to describe the inventing and engineering process during our own times is that its rate has increased and continues to accelerate. Technological change is moving at an extraordinarily rapid pace. From time to time we have applied new names to describe rapid acecleration, e.g. the industrial age, the steel age, the electrical age, the electronic age. Now we use the term "automation," which in turn is giving way to cybernetics.

It is possible that the very increased rate of innovation in products and processes has produced a new phenomenon. Cybernetics may be introducing something different because of its great rate of change.

I believe that we are facing some new problems for a simple reason. The rate of innovation is now moving much faster compared to the human life span. Until the present, innovation, although rapid, did not disrupt en masse the life of individual human beings, even though it did affect the history of nations.

Let me put it this way. In 1900 a young man entering the labor force could probably count upon the skill he had learned or was about to learn as an apprentice for his livelihood during his entire working life. Today, with the rapid rate of innovation, the skill learned as a youth may become obsolete and unusable within 10 or 15 years.

The key question involving rapid innovation is not whether it is disruptive to the lives of individual men and women. Because it destroys jobs, it is disruptive. Nor is the key question whether it is becoming increasingly difficult for the individual man and woman to cope with it by learning new marketable skills for the new jobs that automation has created. Automation does create new jobs. The key question is does automation create more jobs than it destroys?

Scholars have not sought the answer to this key question with sufficient diligence. However, to the extent that studies have been undertaken and to the extent that commonsense and history have a hearing, the answer is clearly in the affirmative. Regrettably we have not yet moved economics out of the area of commonsense as we have the physical sciences. We are still floundering in a miasma of misinformation and prejudice. Commonsense and history could rescue us and put us on firm ground so we could move on into the higher realm of specialized sense—beyond commonsense. (Reference study by Dr. Yale Brozen entitled "Automation—the Impact of Technological Change," written for the American Enterprise Institute for Public Policy Research, and published by that organization in March 1963 "* * * between 1951 and 1961, 20 million new jobs were created and 13 million jobs were destroyed, leaving a net gain of 7 million jobs." "87 Million Jobs" by Congressman TOM CURTIS published by Duell, Sloan and Pearce, New York, affiliate of Meredith Press, 1962.)

If automation creates more jobs than it renders obsolete, then we are confronted with a problem which has been traditional in the United States, a shortage, not an overabundance, of manpower. Under these circumstances our unemployed and our underemployed become one of our greatest economic assets. I believe that this is, indeed, the case.

Furthermore, existing studies of automation, or of cybernetics, reveal that the jobs rendered obsolete are inferior to the new ones being created. They are inferior in two ways; the old jobs pay less; and the old jobs require more brawn and less brain. Furthermore, the old jobs require less training in order to attain the most efficient performance. However, one of the gratifying benefits of automation is more leisure time, which can be allocated both to increased recreation and to the training which the new jobs require. (It is more than symbolic that the word, "scholar," is derived from the Greek word, leisure time.)

Automation requires an increase in the average age of entry into the labor force. More time is required to learn the skills demanded by the new jobs. It is an anachronism that our Bureau of Labor Statistics still uses age 14 as the age of entry into the work force. The average age of entry is now over 19, and it will continue to increase as more and more of our high school graduates go on to college and as more and more of our college graduates go on to graduate school. Note also that adult education has been increasing by leaps and bounds in recent years to meet the great demand for further training, retraining, and appropriate mental recreation which the higher order of skills require.

I would hazard a guess that most people would consider the increased demand for brain rather than brawn and the utilization of more and more time for recreation and education in accord with their concept of an increasing standard of living and the pursuit of happiness. Certainly human freedom is unshackled from these natural forces; these shackles should not be replaced by those imposed by society.

I have presented the optimistic side of automation. However, there are hard realities involved in the rapid rate of obsolescence of human skills that automation creates as many technological changes are experienced during a human being's lifespan. The proper way to proceed is to analyze the problems and see if we can't cope with them. Surely sabotage is not the proper course. (Again the history of a word reveals much. The word, "sabotage," is derived from the French word sabot, a wooden shoe, which, it is said, the French worker of 1800 threw into the machinery to break it, blaming the machine for robbing him of his job.)

The hard realities of rapid innovation are that the new jobs created are frequently outside the business and geographical area where the jobs rendered obsolete exist. The obsolete jobs are directly related to a human being, while the newly created jobs are still looking for a human being for attachment.

Furthermore, the obsolete jobs often are related to a particular labor union, while the newly created jobs are outside the jurisdiction of that particular union and, being new, have not yet been unionized. The union leader finds his own interests coincide with the inertia of the displaced employee. Instead of accommodating the process of innovation he may tend to sabotage it outrightly or with featherbedding.

Management frequently has failed to anticipate that the process of rapid innovation requires the timely phasing out of certain skills, accompanied by on-the-job training for the new skills in demand. Government, too, has not understood the process of innovation. It should have already established the machinery through which an employee of company X, holding a job being phased out, would train at the same time for the new job, not with company X, but with company Y. Of course, company X should not be charged with the cost of the retraining from which it derives no economic benefit. However, it would be relatively easy to set up the mechanism whereby the costs of retraining could be borne by the ultimate user. Furthermore, the Federal tax laws inhibit, instead of encourage, the mobility and flexibility of labor which are so vital in coping with frictional and structural unemployment.

Probably the reality most often overlooked is that the displaced worker frequently is not the one best suited to be trained to take on the newly created job. The obsolete jobs tend to be considerably inferior to the jobs newly created by automation. Furthermore, the jobs going begging today are jobs which demand skills higher than the national average of skills. The process of training for the high skills in demand usually requires that a person holding down a good job upgrade his skill in order to prepare for the new and better job. His old job then becomes available for someone below him in the ladder of skills, who will upgrade his skill in a similar and simultaneous manner through night school or on-the-job training. Meeting the changes demanded by automation requires a massive and constant upgrading process all along society's ladder of skills.

A person holding down a job which is too easy for him does a disservice to himself, to society, and to the person with less natural abilities who could be doing the less demanding job. For example, a person with two arms who preempts a job which a one-armed man might do and who refuses to undertake an available job which requires two arms thwarts the upgrading process which automation demands.

Finally, I would observe that possibly we face a problem which has never before been presented to us quite so clearly. Yet it is an age-old problem. With the continued upgrading of skills and with greater emphasis upon brain instead of brawn, those

who were born with very limited mental talents could be phased out of the labor market. Throughout much of history the person deficient in brawn tended to be an economic drone. A similar situation may now be developing with regard to those endowed with very limited mental capacities. However, I believe that by a system of proper job analysis we can find a sufficient number of economically sound jobs which persons of limited IQ can perform. Even many of those we presently institutionalize can perform useful tasks during a period of cybernation. After all, a human brain with a 60 IQ is still a much more versatile and usable thinking apparatus, particularly with regard to dealing with variables, then the most talented computer.

MANY IN UNEMPLOYMENT COUNT DO NOT COUNT

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, the administration places a strong emphasis on reducing the unemployment rate to an arbitrarily defined level. This level is now set at 4 percent of the work force as measured by our present Bureau of Labor Statistics—BLS. The administration seems to forget that our unemployment statistical series gives us at best a very crude indication of real unemployment. Criticism comes from opposite sides, one side arguing from time to time that the series underestimates real unemployment, the other side arguing that it overestimates real unemployment. My own judgment is that probably both sides are correct. When we are in an economic downturn the series tends to underestimate and in periods of economic upturn it overestimates.

A recent survey conducted by the Wall Street Journal indicates that the present estimate of unemployment, 4.4 percent of the work force in September, is unrealistically high and that determination of the real significance of the present level of unemployment requires more than just an awareness of the overall jobless rate. The survey concluded that a large segment of the group presently labeled "unemployed" is made up of persons only temporarily idle while between jobs or not seeking employment in any more than a cursory manner. Another sizable portion includes wives, sons, or daughters of the family breadwinner. These unemployed often do not need work to support their families. Many others are people who find it difficult to get work because of old age, lack of training, education or physical or emotional capability.

There is a further sign that unemployment may not be as bad as the statistical sampling leads us to believe. State employment offices and private agencies cite numerous instances of jobs going begging either because many persons ostensibly in the labor force do not really want a job or are too selective in what pay or type of work they will select. What is true, I believe, is that there is a high incidence of people not working in our society, not working because of lack or incentive or lack of skills, not because of a lack of jobs. Not working is not the same as unemployed as defined in our BLS unemployment statistics.

The proof of this important fact lies in a statistical series to which too little attention has been paid; namely, the "Labor Force Participation Rate." In 1964 that rate was 57.4 percent, the lowest since 1947. The rate in 1956 was 59.3 percent, and averaged 58.54 percent for the decade 1951–60. The average for the first 4 years of this decade 1961–64 is 57.51 percent. If the labor force participation rate in 1964 was 59.3 percent as it was in 1956, and not 57.4 percent, 2,548,717 more men and women would have been in the labor force. Attention is directed to the following:

Labor force participation rate

	Percent
1947	57.4
1948	57.9
1949	58.0
1950	58.4
1951	58.9
1952	58.8
1953	58.5
1954	58.4
1955	58.7
1956	59.3
1957	58.7
1958	58.5
1959	58.3
1960	58.3
1961	58.0
1962	57.4
1963	57.3
1964	57.4

For 1965 the monthly unadjusted figures are:

January	55.9
February	56.4
March	56.5
April	56.9
May	57.7
June	59.3
July	59.8

I include this article from the October 13 Wall Street Journal entitled "Who's Still Jobless?" in the RECORD at this point.

WHO IS STILL JOBLESS?—MANY IN GOVERNMENT'S COUNT ARE NOT UNDER STRAIN TO WORK

(By Albert R. Karr)

YOUNGSTOWN.—William J. Anderson, 66, relaxes on a lounge chair on the front porch of his modest home here and relates how he retired as a steel plant millwright late in 1963. He looked for a job until his Ohio unemployment compensation ran out last June and since then has taken life easy.

"I do not want to be tied down anymore—I worked since I was 10 years old and that was long enough," he says.

In nearby Hubbard, Ohio, Mrs. Kay Barita, 52, leaves her chores in her paneled kitchen long enough to tell a visitor how she worked for 20 years until she was laid off at a meat packing factory last fall. For half a year she drew $42 a week in jobless pay, which came on top of her husband's take-home pay of about $125 a week. She tried until recently to find a new job. Now, she says, "They have my name. If they need anybody, they can just call me."

Mr. Anderson and Mrs. Barita are among a good many people throughout the United States who recently have been looking for a job. Also, like an unknown number of others, they haven't been particularly eager to find work, are not in serious need of employment and are not readily employable.

Significantly, either one conceivably could have been counted as unemployed in the U.S. Government's monthly survey of the Nation's work force and thus contributed to the sample on which Uncle Sam calculated the percent of the work force that is jobless. Any interviewees who say they are not working and are looking for a job are classed as unemployed. Yet neither Mr. Anderson nor Mrs. Barita would seem to fit most people's notion of the "hard-core unemployed"—those desperate for jobs who are searching for any means to keep themselves and their families clothed and fed.

FIGURES UNDER FIRE

How typical are people like Mr. Anderson and Mrs. Barita among the unemployed? No one knows for sure, partly because it is nearly impossible to say whether a particular person really wants a job and needs it. But there is a growing amount of criticism of use of the Government's raw figures on the total unemployed.

Administration officials were pleased that the official jobless rate dropped to 4.5 percent of the work force in mid-July, the lowest since 1957, in the face of a seasonal influx of teenagers in the job market, and fell further to 4.4 percent in mid-September. But they still express concern at even this much unemployment in a record-shattering economy.

Many of the critics say that the 4.4 percent figure is unrealistically high and is used wrongly to justify Government measures aimed at creating jobs. Federal officials, while admitting their jobless estimate is an imperfect measure of unemployment, say that any alternative method might understate or overstate the problem even more. So-called "secondary workers" such as teenagers and married women are included in the listing of unemployed, the Labor Department says, because they account for over one-fourth of all workers; if they're to be counted as employed when working, they must be counted as jobless when they lose a job and search for another, the Department argues.

There is evidence, though, that any judgment of the seriousness of current unemployment requires more than just an awareness of the overall jobless rate. Interviews with more than 50 jobless individuals such as Mr. Anderson and Mrs. Barita, at State unemployment offices and other spots in the Youngstown, Pittsburgh, and Erie, Pa., areas and talks with State and Federal employment specialists in a number of States suggest that hard-core unemployment is a much smaller problem than the Government's official jobless figure would indicate.

FEW ARE UNDER REAL STRAIN

This survey indicates that a large segment of the ranks of the currently unemployed is made up of persons only temporarily idle while between jobs or not seeking employment in any more than a cursory manner. Another sizable group includes wives, sons or daughters of the family breadwinner, who often don't have to support their families. Many others are people who find it difficult to get work because of old age, lack of training, education or physical or emotional capability.

A sampling of unemployed persons in Youngstown and Erie turned up 34 family household heads out of work. Of these, only four had been jobless longer than 3 months, or were actively looking for work and were without immediate prospects. Among 16 nonbreadwinners, only one wanted work and hadn't found it for some time. The rest were either laid off seasonally, were between jobs, or indicated they weren't under much strain to find another. Of the five who could be classed as hard-core unemployed, one was a heart patient and one an alcoholic.

Such a sampling itself can be misleading, of course, since such persons as the large number of teenagers in the market and the unemployed who've exhausted their State payments obviously don't show up at State compensation offices. Nonetheless, nearly two-thirds of the Nation's unemployed are covered by such payments. And many State employment officials say their overall jobless rates are no longer cause for major concern. This gives evidence that the brisk economy is, for now anyway, overcoming the effects of automation on employment.

In Ohio, where the jobless rate is about 3 percent Beman Pound, director of unemployment compensation, exclaims, "It's almost fantastic that you can get down this low in an industrial State. I don't know what full employment is, but this is getting pretty close."

The Journal survey turned up a good many persons even among jobless pay recipients who weren't eager to find any job other than one they might be recalled to, and some none at all.

One reason for their lack of concern is that their joblessness is only temporary and not hurting too much financially. U.S. long-term unemployment (15 weeks or more) was under 1 percent at mid-September. State officials maintain that a considerable amount of short-term unemployment is inevitable as the result of such things as businesses closing and new ones starting, seasonal fluctuations and other changes.

"I don't want to take any job that isn't better than the one I had," says a laid-off machine operator at a toy factory in Erie. He was put out of work about 2½ months earlier because of the plant's seasonal closedown, but with full expectation of early recall. Meanwhile, he has been subsisting on unemployment compensation.

Many of the interviewed jobseekers weren't overly eager to find work even though they had no long-term prospects for getting employment. Mr. Anderson, the retired steel plant worker, is a case in point. He says he was forced to retire at 65 in 1963 and couldn't find a desirable job afterward—one comparable to his $575-a-month mill position.

"What the heck—they don't bother with an old man—too many young fellows out looking for work," Mr. Anderson snorts. He finally gave up seriously trying to find a job, though he still makes some modest attempts, at least while drawing unemployment compensation benefits. Those benefits, which lately ran about $85 a month, supplemented $70 in pension from the steel mill, $124 in social security benefits and a $48-per-month veteran's pension. The jobless pay ran out in June, but in September Mr. Anderson's wife started drawing $46.50 monthly in social security benefits of her own. "I really didn't need a job," Mr. Anderson admits; his income and living expenses "run nip and tuck."

A retired storm window salesman interviewed in the Youngstown office of the State bureau of unemployment compensation expresses a similar lack of fervor about seeking work. He says he spends 4½ months every winter as a racetrack betting teller in Florida, then comes home to Youngstown and collects jobless pay. "I'm 77—I can't get work here," he explains.

State employment offices and private agencies cite numerous instances of jobs going begging either because many persons ostensibly in the labor force don't particularly want a job or are too selective in what they'll accept—as to pay or type of work. State unemployment officials in New York City report difficulty in filling such relatively unattractive and low-paying jobs as shirt-pressers in dry cleaning shops. And "thousands" of employable young persons in the Philadelphia area are "not only not work-oriented, but hardly even trying to find work," according to Jack Brown, executive director of Pennsylvania's Bureau of Employment Security.

SOME JOBS SNUBBED

Employment agencies say that many persons who once would have filled domestic-help positions now turn up their noses at being cooks, cleaning women, or maids, causing a surplus of such jobs. Servants willing to live in the homes where they work are especially hard to find, agencies say.

Part of the problem of heavy Negro unemployment, jobless experts add, is that Negroes no longer are willing to fill the menial jobs that they traditionally have held. The civil rights movement of the last few years has helped foster a resentment toward such work, they say, and the low pay of many such jobs often doesn't offer enough attraction to Negroes who are already getting relief benefits.

Harry King, a 40-year-old Negro who formerly drew $1.75 an hour washing windows of high-rise buildings, lost his job last summer when the washing concern folded. He's been taking in $100 a month, often less, by odd painting jobs. He also gets $41.50 twice a month on relief. Standing on a street corner in Pittsburgh's Hill district, a Negro ghetto, Mr. King makes it clear that he doesn't want any job that pays under $70 a week. "What's the sense of my taking a job for less?" he asks. "By the time I pay carfare and my rent, I've got nothing left. Very few people mind working, but they'd like to get something for it."

There are also a number of jobless persons who want work and probably could find it if they were willing or able to move to get available jobs. When a major steel company interviewed over 1,200 men laid off when Studebaker Corp. closed its South Bend, Ind., plant in an attempt to fill openings for steelworkers at a mill about 50 miles away, only 3 ended up being hired.

"I would have said that everybody we interviewed was suitable—we'd have taken them, but they didn't take us," comments an official of the steel company.

Many jobless persons, to be sure, are serious about wanting work. But, it is also clear, an important segment of that group isn't in dire need of jobs and their inclusion in Government statistics on the unemployed appears to paint an unduly gloomy picture.

CUBAN REFUGEE SITUATION

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HARVEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, on my monthly radio-TV broadcast, which goes back to my congressional district in Indiana, I had as my guest yesterday my good friend and colleague, Congressman PAUL ROGERS of Florida.

Because of Mr. ROGERS' interest and understanding of the Cuban refugee situation and, since he represents a section of south Florida, it is my feeling that the Congress and the Nation should be interested in Congressman ROGERS' observations.

During our discussion, I am happy to say, Congressman ROGERS offered many enlightening observations; however, one of the most important referred to the fact that Castro unilaterally initiated the recent sending of refugees to our shores, without the consideration or the release of hostages or political prisoners.

Mr. ROGERS went on to say that it is indeed a pitiful sight to see these people landing on our shores in boats of all kinds. It was also mentioned that it is unfortunate the Organization of American States has not been invited to play a more predominant role in the final determination of the fate of these people.

As a Congressman from the Midwest it seems appropriate to remind my colleagues that this problem is not a localized problem, affecting only Florida, but it is a national problem involving security.

The fact remains that our intelligence sources were caught completely off guard by Castro's announcement and the problem of screening processes—which must necessarily go on to insure that Castro is not planting agents in the United States—is a real difficult one which I believe the Congress should concern itself with. With Cuba now a Communist satellite in our hemisphere every precaution must be taken to insure the authenticity of these refugees.

Insofar as the reuniting of families is concerned, there is no question about the justifiable humanitarian side of this problem. We owe the State of Florida our applause for what she is doing for these people; however, as it relates to the Nation, it seems in order to remind the Nation of the Communist doctrine as it tries to infiltrate and conquer from within.

Again, my thanks to Congressman ROGERS for sharing his valuable time with me and the people of the 10th Congressional District in Indiana.

PROPOSAL TO MAKE DISTRICT OF COLUMBIA PART OF THE STATE OF MARYLAND

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BETTS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BETTS. Mr. Speaker, only with the thought of trying to be helpful, I am offering a plan for the solution of the District of Columbia problem. In doing this, I make the following observations:

First, pure home rule is difficult to resolve because of a genuine constitutional question as well as the inability to solve the problem of financing;

Second, representation by a nonvoting delegate is no representation at all;

Third, giving the District two Senators and representation in the House on the basis of its population elevates it to the rank of a State when, as a matter of law and fact, it is only a city; and

Fourth, it is, however, difficult to deny any community as large and important as the District of Columbia the right of representation in the Federal Congress. This is more justified than home rule.

After all, representation is basic in our philosophy of government.

I have therefore introduced a resolution for a constitutional amendment providing that, for the purpose of representation in Congress, the District shall be considered a part of the State of Maryland. This would permit its local government to remain, as now, under the legislative control of Congress. But it would provide representation in the body which controls it. The two Maryland Senators would represent both the State and the District and be elected by the voters of both the State and the District. The District of Columbia would be divided into congressional districts as if it were a part of Maryland and, for the purpose of redistricting, Maryland and the District would be considered together as if they were one State.

This plan could not be classified as retrocession because nothing would be ceded to Maryland. It would leave the District just as it is, a Federal city under legislative control of Congress, but, at the same time give its residents representation in Congress.

Such a proposal does, however, conflict with the 23d amendment, which treats the District as an entity. This difficulty is best overcome by repeal of the 23d amendment and inclusion of its provision in the new proposal. The resolution reads as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the Congress.

"ARTICLE —

"SECTION 1. The twenty-third article of amendment to the Constitution of the United States is hereby repealed.

"SEC. 2. For the purposes of representation in both Houses of the Congress and the appointment of electors of President and Vice President, the District of Columbia shall be considered as part of the State of Maryland.

"SEC. 3. Section 2 shall not take effect until the transmission by the President to the Congress of the statement, as provided in section 22 of the Act of June 18, 1929 (2 U.S.C. 2a), showing the number of Representatives to which each State would be entitled following the next decennial census of the population after the ratification of this article."

CONGRESSMAN CLEVELAND COMMENTS ON RESULTS OF SECOND NEW HAMPSHIRE DISTRICT QUESTIONNAIRE

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, for the third successive year, I have sent questionnaires to my constituents and wish to take this opportunity of presenting the results to the House. I wish I could also share with my colleagues the many interesting and constructive comments which constituents returned with their answers but space limitations do not permit.

The questionnaire was mailed generally to all postal patrons in my district last June. I believe the replies are an important indication of how a large group of thoughtful citizens feel about some of the current issues facing the Nation.

LUMP LEGISLATION

Because so many of the legislative proposals of the Great Society come to us packaged in large omnibus bills containing numerous, distinctly separate programs under one attractive-sounding title, it proved difficult to frame questions that could be answered "yes" or "no." There is a growing tendency to legislate by lump and by label, a tendency I view with concern. This situation, however, provides no excuse for not asking the people how they feel on the issues and, although I do not always agree with my constituency—and certainly all of them do not always agree with me—I think it is important to the cause of good government that issues be discussed and ideas exchanged.

In the following reporting of the results, I have noted not only the "yes," "no" and "not sure" tabulations but also the figures showing the number of blanks, which in some instances are significant. Question 9(c), for example, apparently was poorly drafted as indicated by the large number who did not answer it.

DISTRICT SWITCHES ON FOREIGN AID

Perhaps the most significant information provided by the results is the general disfavor now accorded by my district to the foreign aid program. My previous polls had not clearly indicated this. It is obvious that my constituents now feel that the foreign aid program should be carefully reevaluated and I agree.

Before getting to the results, I want to comment briefly on my own positions on the questions. Many constituents who replied asked how I felt on these issues and I think they are entitled to know.

CLEVELAND ANSWERS QUESTIONNAIRE

I am on record as supporting U.S. policy generally in Vietnam and the Dominican Republic, although reserving, of course, the right to criticize these policies when I think they are wrong. My chief criticism continues to be that our Government has not made our intentions to stand by our commitments clear enough. Such failures, in my opinion, have always encouraged miscalculations by aggressors.

I voted again this year to continue the foreign aid program, although I voted for the moderate cuts that were made and voted, also, against continuing aid to Indonesia and Egypt, and countries trading with North Vietnam.

AGAINST REPEAL OF 14(b)

I voted against repeal of section 14(b) of the Taft-Hartley Labor Act. I supported the voting rights bill, after first cosponsoring and voting for the broader, more equitable Republican alternative, which, among other things, would have retained literacy tests where not clearly discriminatory. Also, I voted for the clean elections amendment proposed by Republicans to help insure that ballots are honestly cast and counted.

I have long favored increasing a Congressman's term from 2 to 4 years, but only if there is added a limit on the number of terms that a Congressman can serve consecutively.

GUN CONTROL LEGISLATION

Although I strongly oppose Senator DODD'S gun control bill (S. 1592) because it goes too far, I do feel that strengthening of Federal control over the distribution of firearms is in order. I will support legislation that bans the shipment across State lines of mail-order weapons to those under 18 and to persons with felony convictions. I would support Federal control over the transportation of concealed firearms, and I would support legislation to impose increased penalties for crimes involving the misuse of firearms, and legislation to curb the flood of foreign firearms that are being dumped here. In my opinion, the foregoing objectives can be obtained without denying ownership of firearms to American citizens of good repute using them for lawful purposes. Legitimate gun dealers, hobbyists, and sportsmen need not be penalized nor should any legislation be permitted to infringe on a citizen's right to keep and bear arms as guaranteed by the second amendment to the U.S. Constitution.

NEW DEPARTMENT—FARM SUBSIDIES—IMMIGRATION

I voted against creating the new Cabinet-level Department of Housing and Urban Affairs, supporting instead the Republican proposal to create a new office of Housing in the Executive Office of the President. This would have done the job more efficiently, I believe, and was far more comprehensive. I strongly favor limiting the dollar amount of subsidies that could be paid to any one farm or farmer. Evidence from governmental sources shows that Federal farm subsidies are going to large farm operations in disproportionate amounts while the small farmer is not being helped.

I voted for the new immigration law, the chief purposes of which are to permit the reuniting of families, the entry of persons with needed skills, and the abolition of the outmoded national origins quota systems.

DRAFT—IMPORTS—REFORMS NEEDED

I oppose ending the military draft but favor a revision of procedures to guarantee fairer and more equitable treatment for all young men.

I favor Federal income tax exemptions or credits for the cost of higher education and have introduced legislation to accomplish this purpose.

I favor quantitative restrictions or agreed upon quotas to limit imports of woolen products as promised by the administration for 4 years, and also restrictions and quotas for other imports of a similar nature. Beyond that, I have long advocated a general reform of the U.S. tariff schedule so that the rates of

duties will reflect the differing wage rates in foreign countries shipping goods to us. New rates should also reflect those cases where the manufacturing of goods being shipped to the United States is being subsidized by foreign governments. The purpose of such rates would not be protectionism in the traditional sense. The purpose would be to establish more equitable conditions of international competition, orderly marketing, expanded foreign trade, and improved standards of living for all.

I voted against the administration's rent-subsidy plan.

Questionnaire results

	Yes	No	Not sure	Blank
In general, do you favor—				
1. U.S. policy in Vietnam?	4,415	1,556	873	198
2. U.S. policy in the Dominican Republic?	4,699	1,161	964	218
3. Continuing the foreign aid program?	2,602	3,058	1,003	379
4. Continuing aid to Indonesia and Egypt?	780	4,964	1,045	253
5. Repeal of sec. 14(b) of the Taft-Hartley Act which allows States to pass right-to-work laws?	1,713	4,161	872	296
6. (a) Federal legislation to guarantee voting rights?	5,353	1,072	286	331
(b) Retaining literacy tests where these are not discriminatory and not just used to prevent Negroes from voting?	5,880	767	235	160
(c) A "clean elections" amendment to insure a fair vote count?	6,126	257	418	241
7. Increasing Congressmen's terms from 2 to 4 years?	3,999	2,332	590	121
8. Limiting the number of terms a Congressman can serve?	2,283	4,097	479	183
9. (a) Stronger Federal legislation to control sales of guns?	4,176	2,429	301	136
(b) Ending mail-order sales of all guns?	3,869	2,717	307	149
(c) Limiting ban to concealed weapons, e.g., pistols?	2,827	2,692	975	548
10. A new Cabinet-level Department to deal with public housing and urban affairs?	1,924	3,876	1,096	146
11. A top limit on subsidies paid to any one farmer or farm to spread benefits which now heavily favor big operators?	5,880	495	443	224
12. Changing our present national origins system of immigration to permit entry of persons with needed skills regardless of national origins?	3,656	2,540	695	151
13. Permitting persons with close relatives in the United States to enter without regard to country of origin?	2,493	3,455	891	203
14. Ending the military draft?	1,282	5,097	405	258
15. Federal tax exemptions or credits for costs of higher education?	5,088	1,336	463	155
16. Quantitative restrictions or agreed-upon quotas to limit imports of woolen products (as promised for the past 4 years)?	4,496	1,267	1,077	202
17. Restrictions on other imports of a similar nature?	4,132	1,489	1,170	251
18. President Johnson's proposal to subsidize rent for low-income families in lieu of additional public housing?	1,528	4,339	962	213

FURTHER COMMENT ON CONDITIONS AT THE SALT LAKE CITY, UTAH, VETERANS' ADMINISTRATION HOSPITAL

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, Members will recall that on Tuesday, the 19th, I made reference in the RECORD and quoted a number of passages from an official report of the Veterans' Administration concerning conditions at the Veterans' Administration Hospital, Salt Lake City, Utah. May I emphasize that the report is an official VA report; it is not conclusions or findings on my part.

This morning, I was visited by the Associate Deputy Administrator, the Deputy Chief Medical Director, and an Assistant Chief Medical Director, who presented me with the following statement on behalf of Dr. McNinch, the Chief Medical Director, which I ask unanimous consent to insert as a part of my remarks at this point:

STATEMENT BY DR. JOSEPH H. MCNINCH, VA'S CHIEF MEDICAL DIRECTOR, ON THE SALT LAKE CITY VA HOSPITAL

The recent publicity of alleged irregularities at the Salt Lake City VA Hospital was based on a report by VA's own internal audit service following an extensive audit of station activities. Such audits are conducted periodically within the VA organization as a sound management device to assure the adequacy of personnel and programs.

A followup study of the report by our Department of Medicine and Surgery generally supported the findings of the internal audit service, and corrective action has been taken.

I am satisfied personally that the hospital is rendering excellent medical care to sick and disabled veterans, and that the administrative laxities that were uncovered have been ended.

By far the most serious of the allegations was that resident physicians had refused a nurse's request to check the condition of a patient she believed to be seriously ill. The hospital director confirmed this allegation, and reported that it involved isolated incidents on just one of the many wards at the hospital—a geriatric ward. Partly to blame was a misunderstanding between the psychiatric service and the medical service as to supervisory responsibility for the geriatric ward.

The officer-of-the-day physician determined to be primarily responsible for nonresponse to the nurse's request was reprimanded by the hospital chief of staff the day immediately following the first incident. When the same resident physician—who has since left VA's employ—again failed to respond in a similar situation, the patient was seen in a matter of minutes by another physician. Although some irregularities included in the audit report required further investigation and confirmation, I considered the failure of physicians to respond to call so serious that, when I received the audit report, I took immediate action to require the director to take measures to assure there would be no repetition of such incidents. I have received assurances that there will be none.

On October 12, the Administrator of Veterans' Affairs approved disciplinary actions recommended by me in connection with the total report on the hospital. These actions, which are now being carried out, will be noted in the official records for each of staff members involved.

Mr. Speaker, I also insert as a part of my remarks the text of letters presented to me by officials of the Veterans' Administration at their conference previously referred to:

AUGUST 30, 1965.

HOSPITAL DIRECTOR,
VA Hospital,
Salt Lake City, Utah.

Dear ———: I have had presented to me the report of internal audit that was conducted at your station from May 19 to July 23. This report has some 210 recommendations. These are not yet fully staffed out because of the brief time that has elapsed since receipt.

There are three items which do not need further staff work to announce my positive position. I want my positive position to be known to you and I desire that you make this position crystal clear to every member of your professional staff.

Item 1: It is set forth in the audit report (p. VIII–2) that "some service chiefs state that their primary responsibility is to the teaching program first, research second, and the care of the veteran third." Nothing could be farther from the truth. I have on many occasions stated in strong language that the primary mission of D.M. & S. is the care and treatment of the veteran patient. It is for the purpose of strengthening our medical competency to achieve this goal that we engage in the most worthwhile activities of research and teaching. It does the VA medical program irreparable damage to have members of the professional staff disseminate such ill conceived and fallacious views. You are directed to take immediate steps to see that these staff members are properly oriented to the mission of D.M. & S.

Item 2: I am most distressed to read in the internal audit report (p. VIII 4–5) about the difficulties that your station is experiencing in getting proper OD coverage of the geriatric ward. It is inconceivable that physicians will refuse to respond to emergency calls from nurses who are caring for these patients as apparently is occurring at your station. Has the age of specialization advanced (regressed) to that degree that specialists have relinquished their professional and moral obligations to the sufferer. I direct that you take immediate and forceful action to correct this situation.

Item 3: The internal auditors uncovered and a later central office investigation confirmed and set forth the pertinent details that involved funds which were obtained by members of your staff for professional work done on non-VA patients. These funds were deposited to "Castro-enterology development fund" and "pulmonary disease fund" maintained and controlled by the University of Utah. Questionable disbursements were made from these funds. Notwithstanding that the origin of this procedure antedated your assumption to the position of Director of the hospital, it has continued during your tenure.

I will communicate with you further on this subject after the report of investigation has been fully studied and analyzed. At this time, however, I direct you to see to it that your staff members take immediate action to terminate their activities as they relate to the professional care of ineligible

patients and as they relate to the obtaining of funds, their deposit to the university account and their expenditures. This, as you undoubtedly know, involves primarily your chief and assistant chief of the medical service.

I desire that you confirm by return mail that the actions directed above have been taken.

Sincerely yours,

———— ————,
Chief Medical Director.

VETERANS' ADMINISTRATION HOSPITAL,
Salt Lake City, Utah, September 7, 1965.
CHIEF MEDICAL DIRECTOR,
Department of Medicine and Surgery, Veterans' Administration Central Office, Washington, D.C.

DEAR ————: Your letter dated August 30, 1965, was received at 3:45 p.m., Friday, September 3. I have complied with your directed action in the absence of Dr. ————, hospital Director, as follows:

Item 1: The chief of staff met with the entire professional staff this afternoon and reminded each member that the primary mission of D.M. & S. is the care and treatment of veteran patients. Enclosed is a copy of a memorandum given to each chief of service.

Item 2: The responsibility for OD coverage for the geriatric wards has been assigned to and assumed by the full-time senior staff of the psychiatric service.

Item 3: This matter has been discussed with Dr. Renzetti, Chief, Medical Service, and with Dr. Englert, Assistant Chief, Medical Service. Enclosed is a copy of a memorandum personally presented to each physician. Both individuals have indicated that they will comply with your directed action.

The chief of staff and I have discussed your letter with Dr. ———— by telephone. When he returns to duty on September 13, 1965, he will correspond with you further on each of the matters cited in your letter.

Sincerely,

———— ————,
Acting Hospital Director.

VETERANS' ADMINISTRATION HOSPITAL,
Salt Lake City, Utah, September 7, 1965.
To: All concerned.
From: Acting Hospital Director.
Subject: Chief Medical Director's letter of August 30, 1965.

The following excerpt from a letter received September 3, 1965, from the Chief Medical Director is presented to make clear the policy of the VA and of this hospital with reference to the importance of patient care. Each member of the staff must be well aware of the policy clearly set forth in the quotation.

"It is set forth in the audit report (p. VIII–2) that 'some service chiefs state that their primary responsibility is to the teaching program first, research second, and the care of the veteran third.' Nothing could be farther from the truth. I have on many occasions stated in strong language that the primary mission of D.M. & S. is the care and treatment of the veteran patient. It is for the purpose of strengthening our medical competency to achieve this goal that we engage in the most worthwhile activities of research and teaching. It does the VA medical program irreparable damage to have members of the professional staff disseminate such ill-conceived and fallacious views."

———— ————.

SEPTEMBER 7, 1965.
Re Chief Medical Director's letter of August 30, 1965.
ASSISTANT CHIEF, MEDICAL SERVICE,
Acting Hospital Director:

The following is an excerpt of a letter from the Chief Medical Director that was received at approximately 4 p.m. on Friday, September 3. Dr. McNinch has made his position unmistakably clear in item 3 of his letter, which is quoted for your immediate compliance:

"Item 3: The internal auditors uncovered and a later central office investigation confirmed and set forth the pertinent details that involved funds which were obtained by members of your staff for professional work done on non-VA patients. These funds were deposited to "gastroenterology development fund" and "pulmonary disease fund" maintained and controlled by the University of Utah. Questionable disbursements were made from these funds. Notwithstanding that the origin of this procedure antedated your assumption to the position of director of the hospital, it has continued during your tenure.

"I will communicate with you further on this subject after the report of investigation has been fully studied and analyzed. At this time, however, I direct you to see to it that staff members take immediate action to terminate their activities as they relate to the professional care of ineligible patients and as they relate to the obtaining of funds, their deposit to the university account, and their expenditures. This, as you undoubtedly know, involves primarily your chief and assistant chief of the medical service."

———— ————.

VETERANS' ADMINISTRATION HOSPITAL,
Salt Lake City, Utah, September 20, 1965.
CHIEF MEDICAL DIRECTOR,
Department of Medicine and Surgery, Veterans' Administration Central Office, Washington, D.C.

DEAR ————: This will serve as a further reply to your letter of August 30 as promised by ———— ———— reply of September 7.

I am particularly concerned about the accusation of item 1. The service chiefs accused have not been identified by internal audit; I have been unable to identify them. During the 2 years I have been here all service chiefs have repeatedly manifested a primary devotion to patient care. In no instance, has any one of our service chiefs put either research, or teaching, ahead of patient care. For me the exemplary behavior of these service chiefs speaks louder than the report of the internal audit team. Nevertheless, corrective action has been taken as indicated by Mr. ————.

It is true that the internal audit did find two exceptional instances of failure on the part of residents to respond promptly to call as noted in item 2. These should never have occurred; when they were discovered, corrective action was taken. Furthermore, after October 1, the responsibilities for 24 hours coverage on the wards where these defections occurred will rest with senior staff rather than with residents. There will be no recurrence of this sort of negligence.

The problem referred to in item 3 has been corrected also. Our staff no longer provides service at this hospital to ineligible patients. Such patients as were formerly ineligible will be handled in the future as prescribed by D.M. & S. circular No. 10–65–196 (July 1, 1965), or M–1, part I, change 72, chapter 4, paragraph 4A.08 (July 20, 1962) and Interim Issue 10–435, paragraph 3 (June 3, 1957). Payments are not made to our staff, they are made to the university. As faculty members of the medical school our staff members simply advise the school how some of the funds should be spent; disbursement is made by the medical school.

Establishment of a pulmonary laboratory and a GI laboratory at the medical school in December will further reduce the number of nonveterans referred to these clinics on hospital grounds.

Neither the internal audit team, or Mr. ———— ————, the investigator, nor our own investigation has turned up a single instance in which any of our staff obtained any supplemental income from these funds.

Sincerely,

———— ————,
Hospital Director.

Mr. Speaker, it is a source of considerable regret to me, and I am sure will be to all those who are sincerely interested in the conditions described in the VA report, of the lack of forceful action on the part of the Chief Medical Director in this regard. I have not been advised of the disciplinary actions which have been recommended by the Chief Medical Director. I can only assume that they are of a decidedly mild variety or else I would have been told in detail what action was planned.

I know that one of the four resident physicians who failed to respond is no longer with the Veterans' Administration Hospital at Salt Lake City, Utah. I assume that he left of his own volition. I can only repeat, Mr. Speaker, that in my opinion the four residents who refused to respond to the call for the care of a veteran who had become seriously ill should be dismissed with prejudice. It is shocking to me that the Chief Medical Director would, for one moment, tolerate this condition. In my opinion, his action indicates nothing more than a slap on the wrist and a pious hope that nothing like this will transpire again.

I would also like to reiterate my original statement that the Hospital Director and the former Hospital Director and the Assistant Hospital Director, who deny all knowledge of the conditions prevailing at this station, have removed themselves from any consideration for positions of responsibility or trust in the Veterans' Administration medical system. A former Chief Medical Director, one who was more decisive, quickly removed the present hospital director when he was serving as area medical director for what, in my opinion, was a much less serious infraction of the rules.

If the Veterans' Administration believes that the situation at the Veterans' Administration hospital, Salt Lake City, Utah, can be handled by the brief statement of the Chief Medical Director reproduced elsewhere in my remarks, it is very much mistaken. Full and corrective action will have to be taken, however painful that may be to the Chief Medical Director.

I have read with some amazement the reply of the hospital director, inserted by my colleague, the gentleman from Utah [Mr. KING] in which he defends the practice of admitting non-Veterans' Administration patients. I would remind all Members that the Veterans' Administration hospital system was created to take care of veteran patients. It was not created to take care of individuals who did not serve in one of the branches of the Armed Forces. In view of the hospital director's response to the official Veterans' Administration report, and again I must emphasize it is a Veterans' Administration report and not my report, I can only draw the conclusion that he believes the treatment of non-Veterans' Administration patients to be in order, while at the same time denying

to central office officials that he had any knowledge of the practice.

Mr. Speaker, because of the attitude displayed by the Chief Medical Director in his statement which I have previously referred to, I have referred the text of my remarks, including the quotations from the Veterans' Administration official report, to the Attorney General to determine if there has been a violation of the law, and also to the Commissioner of Internal Revenue. I regret the necessity for this action, but the attitude of the Chief Medical Director leaves me no alternative and I include as a part of my remarks the text of a letter which I have sent to the Attorney General and the Commissioner of Internal Revenue:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 21, 1965.

Hon. NICHOLAS KATZENBACH,
Attorney General of the United States,
Department of Justice,
Washington, D.C.

DEAR MR. KATZENBACH: Enclosed is a copy of the remarks which I made on the floor of the House on Tuesday, October 19, which I believe you will find self-explanatory. They appear at page 27433 of the CONGRESSIONAL RECORD for that date.

In view of the apparent reluctance of the Veterans' Administration to take action, which in my opinion is warranted and in fact essential, I would appreciate it if you would have carefully reviewed the portion under the title "Admission of Nonveterans' Administration Patients" and advise me as to your conclusion as to whether or not this is a violation of law. It seems to me that it most clearly is and that appropriate action should be taken.

I shall look forward to hearing from you at your early convenience.

Sincerely,

JOHN P. SAYLOR,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 21, 1965.

Hon. SHELDON S. COHEN,
Commissioner, Internal Revenue Service,
Washington, D.C.

DEAR MR. COHEN: Enclosed is a copy of the remarks which I made on the floor of the House on Tuesday, October 19, which I believe you will find self-explanatory. They appear at page 27433 of the CONGRESSIONAL RECORD of that date.

I ask your particular attention to the statement contained in the Veterans' Administration report which relates to the receipt of certain moneys in which a doctor's liability insurance premiums and expenses for professional society dinner meetings were paid from the fund and I assume were not counted as income.

This is a matter which in view of the reluctance of the Veterans' Administration to take appropriate action would apparently be of concern to officials of your agency.

Sincerely,

JOHN P. SAYLOR,
Member of Congress.

NORA ISABELLA SAMUELLI—RETURN OF BILL AND PAPERS TO THE SENATE

The SPEAKER laid before the House the following communication from the Secretary of the Senate:

IN THE SENATE OF THE
UNITED STATES,
October 21, 1965.

Ordered, That the Secretary of the Senate request the House of Representatives to return to the Senate the bill (S. 619) entitled "An Act for the Relief of Nora Isabella Samuelli," together with all accompanying papers.

FELTON M. JOHNSTON,
Secretary.

The SPEAKER. Without objection, the request of the Senate is granted.

There was no objection.

A motion to reconsider was laid on the table.

AUTHORITY FOR SPEAKER TO DECLARE RECESSES DURING REMAINDER OF THE WEEK AND FOR CONSIDERATION OF CONFERENCE REPORTS THE SAME DAY REPORTED

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that at any time during the remainder of the week it may be in order for the speaker to declare recesses subject to the call of the Chair and that during the remainder of the week it shall be in order to consider conference reports the same day reported, notwithstanding the provisions of clause 2 of rule XXVIII.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I wonder if the distinguished majority whip would explain to us what is involved in the definition of the "week" and what is involved in the definition of the clause, and why we do not pass a sine die adjournment resolution, which would make all such procedures in order.

Mr. BOGGS. Of course, the answer to the first part of the question is obvious. The definition of the remainder of the week is tomorrow and Saturday, Friday and Saturday.

Mr. HALL. This does refer to the calendar week and not a legislative week.

Mr. BOGGS. The other phase of the request would waive the printing in the RECORD of conference reports before they can be called up.

We are hopeful of adjourning this Congress either tomorrow or Saturday. The basis for the request is exactly that, to facilitate adjournment.

Today we asked for authority for the Speaker to declare recesses in order to take up this very important conference report on the supplemental appropriation bill, which we were able to do, and to dispose of.

Mr. HALL. The history of the House indicates that when prior authorities for recess have been granted by unanimous consent there have been other devices used, not under the present administration, and I believe it is necessary to get a legislative record established so that we will know the full intent before any unanimous consent request is granted.

Finally, we could have had the sugar bill, the sugar daddies' bill, or the sugar plum bill back here today, if we had had conferees in town to confer on it. It is about time that we began to act under the other rule of procedure which says we can perform all of these functions—without printing in the RECORD or otherwise—in the last 3 days prior to a sine die adjournment. Such a resolution would bring this about.

Mr. BOGGS. I assure the gentleman that there is no intent to do anything other than to expedite the remaining business of this session.

Mr. HALL. Mr. Speaker, I am sure we are all anxious to expedite this long, drawn out session. I withdraw my reservation.

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

There was no objection.

DISPOSAL OF ZINC FROM STOCKPILE—CONFERENCE REPORT

Mr. PHILBIN submitted a conference report and statement on the bill (H.R. 9047) to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile or both.

AUTHORIZING DISPOSAL OF NICKEL FROM NATIONAL STOCKPILE

Mr. PHILBIN submitted a conference report and statement on the bill (H.R. 10305) to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 124,200,000 pounds of nickel from the national stockpile.

URBAN RENEWAL, CAMDEN, N.J.

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. CAHILL] is recognized for 10 minutes.

Mr. CAHILL. Mr. Speaker, all of us who serve in the House are familiar with the purpose of urban renewal. The grant of Federal funds and the power of eminent domain to curtail slum neighborhoods, tear down buildings, and resell the cleared land to private developers at a reduced price has the very lofty objective of attracting new industry, new housing, new business, and thus stimulate the economy of the community by the development of new ratables.

I personally have read in the CONGRESSIONAL RECORD, in magazines, in books, and in newspaper stories throughout the years a great many criticisms of this program. I knew, for example, that in my own district a classic example existed to dramatically illustrate the sad and complete failure of an urban renewal program. I hoped that something might be done, but it now appears that nothing can be done.

Instead of developing the already acquired land, acquired at considerable cost to the taxpayers, the city of Camden, N.J., is now planning additional urban renewal projects and programs. I am calling this matter to the attention of the Congress to point out the great need for more careful planning on the part of city officials and Federal agencies in the allocation of Federal funds and the use of the power of eminent domain by municipal officials. Unless there is some positive, attainable project that will utilize the land cleared of taxpaying properties, it seems to me that we are

creating additional problems for our towns and cities, rather than eliminating them.

For example, in the city of Camden, N.J., I find upon investigation that a contract was executed between the Federal Government and the local housing authority of Camden, N.J., in April of 1959, to acquire land and properties at Kaighns Point, situated in the southern part of the city. The purpose behind the program was desirable and laudable, as are most of the aims of these programs. It was intended to remove substandard and unsightly buildings and to utilize the vacant land for light industry and/or business for the purpose of increasing the beauty of the area, developing the whole section of the city, and bringing new ratables to the city. Now what actually happened?

Well, the acquisition started in December 1959, followed by demolition of more than 300 taxpaying properties. The demolition was completed in April 1963 and as of that date, acres of land were cleared in preparation for the coming of business, industries, and housing. What was the cost? Well, I am told by the Housing and Home Finance Agency that the estimated gross project cost, including acquisition, demolition, relocation, site preparation, and so forth, was $2,527,503. Of course, as usual, the Federal Government paid the lion's share. In this case the Federal Government paid $1,388,470, with the city of Camden contributing in cash and noncash items almost $700,000.

Now what did the city gain? Absolutely nothing. What did the Federal Government gain? Absolutely nothing.

What did it cost the Federal Government? Not counting the salaries of all of the Federal officials who participated in and worked on the program, the cost to the Federal Government was a minimum of $1,388,470.

This is bad enough, but the real loser was the city of Camden and its citizens. Why do I say this? Because, Mr. Speaker, it not only cost the city of Camden $694,000 in cash and noncash items of expenditure, but it has cost the city the loss of taxes from the properties that were demolished in 1961–62. I do not know how much this is in dollars and cents. I do know, however, that approximately 300 buildings of all kinds and sizes were demolished. I do know that all of these property owners were paying real estate taxes to the city of Camden and I do know that as of October 1965, the only thing that has replaced these properties on these acres of ground at Kaighns Point, in Camden, N.J., has been weeds.

In other words, the Federal program in the city of Camden has not only cost the Federal taxpayer, but it has brought irreparable harm to the city of Camden and the city taxpayer. The land is still vacant. The city has lost taxes on all of these properties for 3 years and no relief is in sight.

Now it would be easy to blame this upon the city officials who approved the plan and sought the Federal funds. It would be easy to criticize these officials for not doing anything with this land since 1963. But I prefer to lay the blame at the doorstep of the Federal Government, for if these programs were not available, or if available were more strictly supervised with more stringent criteria, such boondoggles as Kaighns Point, Camden, N.J., could not occur.

I urge the Congress, therefore, to take this as another example of the outrageous waste involved in some of the Federal programs that have been enacted in recent years. I have only to mention the accelerated public works program which did not create jobs but prevented public works from being performed; the area redevelopment program with its grants for ski lodges and luxury motels, and all of the other abuses that have been spread throughout the pages of the CONGRESSIONAL RECORD for the past several years.

Accept, Mr. Speaker, Kaighns Point, Camden, N.J., as another red flag of warning to the Congress of the United States. It should serve also as a warning to municipal officials throughout this country. Do not get involved in Federal programs unless you know exactly what you are doing. Do not accept the Federal grant to tear down taxpaying properties unless you are sure you can replace them with other taxpaying properties.

Do not let this happen in your community.

Do not let this happen in this country.

TOWARD THE GREAT SOCIETY—HEALTH

The SPEAKER. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY], is recognized for 10 minutes.

Mr. FOGARTY. Mr. Speaker, enactment of the medical care for the aged bill has somewhat overshadowed the great strides made by the 89th Congress toward providing a healthful life for all Americans regardless of age or financial position. The Democratic administration has launched a broad attack on the Nation's health problem.

A great need exists to bring our proven medical research capabilities into closer relationship with actual medical practice. Making a major effort toward this objective, the 89th Congress has authorized $340 million in grants over the next 3 years for establishment of regional medical programs designed to make the latest advances in diagnosis and treatment available to all heart, cancer, and stroke patients throughout the country. These three diseases presently account for 70 percent of the deaths in the United States each year.

This Congress has also approved legislation which will enable us to maintain into the 1970's the present ratio of 149 physicians per 100,000 population. It provides for a 3-year extension of the present matching grant program for construction of teaching facilities at medical, dental, and other professional health schools, and for extension of the present medical student loan program. A new scholarship program for needy students and a new grant program to improve the quality of teaching in health professional schools is also provided.

In 1963 Congress approved funds for the construction of community centers for the care and treatment of mentally ill and retarded persons. However, at that time funds for staffing the centers were dropped from the bill. This year Congress has approved $73.5 million over 3 years for initial grants, and additional sums for continuing grants, to community mental health centers to meet initial staffing costs of technical and professional personnel. It is estimated the centers will receive more than $225 million over the next 7 years for staffing assistance. More than $100 million over the next 3 years will be available to train teachers of mentally retarded and handicapped children.

The vaccination assistance program which assists communities in intensive immunization programs against polio, diphtheria, whooping cough, and tetanus, has been expanded and will also cover immunization against measles for 20 million preschool children. The program for family health service clinics and other health services for the 1 million domestic migratory workers and their families has been extended. Congress this year also authorized $280 million for a 3-year extension of the matching grant program for construction of health research facilities.

The Drug Abuse Control Act of 1965 tightens Federal controls over the distribution of depressant and stimulant drugs. It does not interfere with the use of drugs in proper medical practice. It deals with the substantial illicit traffic in drugs in order to protect the public health and safety. Of the 9 billion barbiturate and amphetamine tablets produced annually in the United States, an estimated 50 percent are distributed through illicit channels.

Each year 120,000 disabled persons are being rehabilitated under Federal-State programs. Yet many handicapped, particularly those with more severe physical and mental disabilities remain outside the mainstream of American life. The doors to employment remain closed not because of their inability to work but because society has not fully recognized their abilities. Congress has approved legislation that will step up the State vocational rehabilitation services to reach the Democratic administration's goal of rehabilitating 200,000 persons annually.

The 89th Congress has made remarkable progress toward conquering our three major killers—heart disease, cancer, and stroke, toward providing improved care for the mentally ill in their own community, toward a continuation of our vital health research activities, and toward providing health services for medically needy children. But much remains to be done before the most modern medical skills and treatments are available to all who need them. We still have a long way to go to catch up on long neglected health needs to prepare for future health demands.

TOWARD THE GREAT SOCIETY—REGIONAL ECONOMIC DEVELOPMENT

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that

the gentleman from Minnesota [Mr. BLATNIK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BLATNIK. Mr. Speaker, every American deserves the opportunity to build his own place in our abundant land. Why should opportunity be closed to a person merely because of the circumstances of the area in which he lives?

As President Johnson said:

> The conditions of our distressed areas today are among our most important economic problems. They hold back the progress of the Nation, and breed a despair and poverty which is inexcusable to the richest land on earth. We will not permit any part of this country to be a prison where hopes are crushed, human being chained to misery, and the promise of America denied.

Approximately 27 million Americans now live in economically distressed areas scattered throughout the country—in Appalachia, in the Ozarks, the mountainous Northwest, the upper New England area, upper Great Lakes, the desert high plateau area of Utah, Colorado, New Mexico, and Arizona and the Deep South.

Economically distressed areas are caught in a strangling web of circumstances which blocks progress and leads only to further decay. Young people leave school early to find jobs and means of support. No jobs are available so they leave the area taking their desperately needed energy to the cities. Only the older folks stay behind. As income goes down, schools, hospitals, and other public services deteriorate. Only the toll of human poverty grows, as more of the strength of our Nation is sapped away.

The Area Redevelopment Act of 1961 and the Accelerated Public Works Act of 1962 have shown that vitality can be restored to economically dying areas. Helping business to expand and build new plants, along with construction of needed public facilities can produce jobs. And the cost of creating these jobs is less than the cost of supporting these workers and their families through public assistance. ARA, through some 550 projects, with 300 in rural areas, has created jobs for 115,000 unemployed.

The new Public Works and Economic Development Act approved by the 89th Congress will bring new industry, jobs, and a fresh start on economic life for residents of poverty pockets throughout the United States. And at the same time it will help build new public facilities—roads, water systems—needed to attract new business and to create more jobs.

Over the next 5 years, a total of $3.25 billion in grants and loans for public works, development assistance, and technical assistance will go into economically depressed areas throughout the country. A key feature of the new program calls for comprehensive, long-range economic development planning on a multi-county and multi-State basis through establishment of regional planning commissions. Poverty and development potential know no boundaries.

The initiative, the ideas, and the request for help must come from the local areas. The Federal Government will step in only when it is asked to assist in creating conditions under which private business can provide jobs and increased income. Only those projects offering substantial promise of increasing economic development will be assisted. We can be assured that in the long run the increased economic activity stimulated by this program will return its costs many times over to the Federal Treasury.

This legislation will not work alone, but with the manpower retraining program and the antipoverty programs which are helping people to improve their abilities to obtain and to hold a job it will bring renewed hope for the unemployed and their families. The Public Works and Economic Development Act will bring new hope and increased prosperity to our distressed areas and increase prosperity for the Nation as a whole.

THE PROBLEM OF HUNGER IN THE WORLD

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PURCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PURCELL. Mr. Speaker, this year has found the Congress making great progress in our war against poverty, our war against ignorance, our war against disease, and the war against social injustice in our country.

But, Mr. Speaker, we must not let our desire for progress on our internal problems deter our attention entirely from the problems which face the rest of the world. Today, I particularly want to speak to the problem of hunger in the world.

More than half of the people in the world today suffer from either an inadequate or improper diet and the numbers of starving people are growing at a fantastic rate. Experts tell us that there is an increase of 1 million people in the world every week, most of them hungry.

This much talked about population explosion is most serious in the underdeveloped countries of the world. In these areas centuries of substandard living are now being aggravated to the breaking point, and there can be little doubt that it is making a sizable contribution to the success of the insurgent forces of communism in these trouble spots.

Now, however, for the first time in history, the American people have the ability to make real progress against the scourges of hunger and ignorance in the world. By accepting this as a challenge we have the opportunity to demonstrate both the ability of the American system to produce, and the compassion and concern of the American people, a free people, for their fellow men.

Taking advantage of our ability to produce food and working within the framework of a well planned and coordinated program, we can have the opportunity to mount a most effective war, not only against the problems of hunger and ignorance, but also against the forces of tyranny and oppression.

Ours is a nation of people concerned about the problems of individual people. Ours is a nation which, under God, seeks to serve people rather than be served by people, and has compassion and concern for the needs of our people. We cannot, and will not, deny to Americans the freedom of opportunity or food for their bodies. We cannot be true to these principles and, at the same time, ignore the problem of starving people elsewhere in the world.

The 4-year farm bill just passed goes a long way toward improving the economic condition of the American farmer. But both commonsense and our moral responsibilities tell us that it is not enough for a long-time solution.

Nothing short of full-capacity production with a fair return for the farmer can be justified. Nor can we justify, over a long period of time, a continuous reduction of our ability to produce food while people are still starving in the world.

One year ago our President told us:

> There is a great moral principle at stake. It is not right—in a world of such infinite possibilities—that children should die of hunger, that young people should live in ignorance, that men should be crippled by disease, that families should live in misery, shrouded in despair.
>
> If we truly mean our commitment to freedom, we must help strike at the conditions which make a mockery of that hope.
>
> We have the skills and resources to improve the life of men. I do not believe we lack the imagination to find ways to shatter the barrier between man's capacity and man's needs.

The National Council of Churches in their resolution on world hunger earlier this year said:

> For Christians the issue is clear and final. For us the issue is sharpened by the fact that for the most part the world's resources lie in areas where Christians predominate, and the world's needs in areas where Christians are fewest. For Christians the holy gifts of knowledge and scientific skill and the needs of our neighbors lay a mandate on our conscience to which only one answer is possible.

For Americans, there is only one answer. We must turn our creative abilities loose on the problem of shifting the emphasis from one of restriction of production and disposal of surplus foods to one of utilization of our great agriculture productive capacity to feed the hungry people in the world.

Such a program would have favorable impact within this country also. Our farmers would, with full farm production, buy more machinery, more fertilizer, more gasoline and tires, and many other items from American industry. Transportation systems would increase their income by hauling the additional production. The impact would be favorable all through our economy.

A word of caution, however. As we develop these programs, we must not let

ourselves destroy the initiative of the people to provide for themselves. We must not bury their pride in an avalanche of charity. We must give our help in a manner which will encourage these countries to become independent partners with the United States, rather than dependents.

I believe, for example, that we can use our food to encourage the unemployed and hungry people of those countries to increase their own food production or to work on schools, water systems, and other needed public facilities. I believe, also, that our food can be used to help the underdeveloped countries build a sound agricultural base which is the first step toward a sound and progressive industrial economy. I am certain, also, that people can look more objectively at the alternatives of communism and democracy when they are sound of body and mind, and when they are not faced every day with the fear of want.

Mr. Speaker, early in the next session, I will be introducing legislation which I hope will be the first step taken by our country in a new, vigorous effort to both help the hungry people in this world, and, at the same time, strengthen the economy of rural America. I hope it will deserve the support and approval of the Congress. I also want my colleagues to know that I would appreciate any suggestions or alternative ideas which they might want to offer.

TOWARD THE GREAT SOCIETY—ARTS AND HUMANITIES

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MOORHEAD. Mr. Speaker, in a complex industrial society such as ours, stress is too often placed on the material aspects of life—jobs, housing, food—to the neglect of our intellectual and esthetic development. A starved mind and spirit is harmful to society, just as is a starved body.

Arts and letters are our most precious heritage. They reveal, in the words of President Johnson, "the inner vision which guides us as a nation. And where there is no vision, the people perish."

At long last the arts and humanities have been officially recognized as a vital element in America's pursuit of excellence. The 89th Congress has established a National Foundation on the Arts and Humanities to encourage, promote, and support our cultural development.

The Foundation is composed of two endowments; one for the creative and performing arts including music, drama, dance, movies, photography, architecture, and so forth, and one for the humanities which includes the study of language, literature, art, history, philosophy, and so forth.

The arts endowment will provide matching grants to groups and to individuals for actual production or performance of works of art, training of artists, construction of necessary facilities, and to encourage public appreciation and enjoyment of the arts.

The humanities endowment will provide nonmatching grants and loans for research, fellowships, and grants for training purposes, support of publication of scholarly works, for the interchange of information, and to encourage public understanding and appreciation of the humanities.

Limited funds totaling $21 million annually for 3 years are available to assist private, State, and local initiative in encouraging and supporting the arts and humanities. Much greater support is now given the sciences through the National Science Foundation, and to health through the National Institutes of Health.

This legislation will not create artistic and literary excellence but it will create the conditions under which arts and letters can flourish through recognition of special achievements, through making works of our artists and humanists available to all the people, and through encouragement of public understanding and appreciation of artistic talent. Through support of the humanities we shall broaden the boundaries of understanding of the sources and goals of human activity.

In the not too distant future we hope to have a National Ballet Company and a National Opera Company, a National Repertory Theater to perform ancient and modern theater classics throughout the country, and an American Film Institute. With the help of State and local governments and private organizations the Foundation will support symphony orchestras, commission musical works by American composers, and bring more artists to our universities. The humanities endowment will help to build the great audience for the Great Society.

Most important, cultural opportunities will abound not only in the cities but will be brought to all parts of the country. No longer should any community be culturally starved.

Upon signing this legislation, President Johnson said:

> What this bill really does is to bring active support to this great national asset, to make fresher the winds of art in this great land of ours. The arts and the humanities belong to the people, for it is, after all, the people who create them.

THE JOINT ECONOMIC COMMITTEE STILL HOPES THAT THE TREASURY WILL CONSIDER THE POSSIBLE ADVANTAGES OF SLIGHTLY WIDENING THE PERMISSIBLE LIMITS OF EXCHANGE RATE VARIATION

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. REUSS. Mr. Speaker, I want to call attention to a speech on the Treasury's gold policy made by Leland Howard, Director of the Treasury's Office of Domestic Gold and Silver Operations. Mr. Howard's statement explores some of the suggestions that have been made for changing the present gold policy and explains why these policies are impracticable and undesirable. I find myself in general agreement with Mr. Howard's line of reasoning. I think that his speech is a useful and comprehensive statement of the current Treasury position. However, I believe that Mr. Howard's discussion is gravely defective with respect to its handling of the proposal for broadening the range of exchange rate variations which the Joint Economic Committee and its Subcommittee on International Exchange and Payments have strongly urged the administration to consider.

Whether by design or by inadvertence, Mr. Howard has grouped this proposal with the proposal for freely fluctuating exchange rates. His discussion leaves the impression that larger limits for exchange rate variations would have the same results as free exchange rates. Nothing could be more misleading.

If limited exchange rate variations were equivalent to free exchange rates, we would be on a free exchange rate system today. For contrary to Mr. Howard's statement, we have neither a rigid policy of buying and selling gold at $35 an ounce nor a system of completely fixed exchange rates.

The policy of the United States is to buy gold at $34.9125 per ounce and to sell it for $35.0875 per ounce; the Treasury applies a charge of 0.25 percent in its gold transactions with foreign monetary authorities. To criticize Mr. Howard for having said that we have a "rigid policy of buying and selling gold at $35 an ounce," when in fact we maintain a spread of 0.5 percent between our gold buying and selling price may seem to be stressing a trivial difference, making a mountain out of a molehill. But the traditional difference between our gold buying and selling price highlights a basic and important fact about the international monetary system; the present system rests on fixed exchange parities, but it does not rest on fixed exchange rates. Under the Articles of Agreement of the International Monetary Fund all member countries have established par values for their currencies. These par values are expressed in terms of gold or in terms of the U.S. dollar of the weight and fineness in effect on July 1, 1955.

The articles of agreement also provide for changes in par values in cases of fundamental balance-of-payments disequilibrium. Among the major countries, however, changes in par values have been infrequent.

Actual rates of exchange among the currencies differ from par values. The actual rates are influenced by free market forces and are stabilized by the

monetary authorities of the governments concerned through purchases or sales of their own currencies in the foreign exchanges markets. The articles of agreement of the fund require member countries to limit the variations in their exchange rates to plus or minus 1 percent of par values.

The reason I emphasize these technical details is to bring home the point that, while we live in a world of fixed exchange rate parities, we live at the same time in a world where actual exchange rates fluctuate within specified limits. This is not new. The fixity of exchange parities and limited freedom for exchange rate variations were basic features of the 19th century gold standard just as they are basic features of the system we have today.

The members of the Joint Economic Committee see in this limited exchange rate flexibility a positive tool for increasing the stability of the international monetary system and for facilitating the process of adjustment to international imbalances. We have urged the administration to give serious consideration to expanding the permissible limits of exchange rate variations, while at the same time maintaining the present system of fixed exchange rate parities. We reasoned that the advantages of the present system with its 1 percent flexibility on either side of parity values might be expanded if the flexibility were increased to, say, 2 or 3 percent on either side of parity values.

These were the advantages that we thought could follow from such an expansion in the limits of permissible exchange rate variations:

First. It would permit the monetary authorities greater freedom to pursue independent monetary policies without providing incentives for short-term capital movements; the authorities would have greater scope for short-term intervention in the forward exchange market to offset interest rate differentials.

Second. It would permit exchange rate variations to play a somewhat larger role in the adjustment process than is now possible.

Third. It would discourage speculation by increasing the risk of losses in relation to the possibilities for profit.

The Joint Economic Committee's interest in such an expansion of permissible exchange rate variations has been stated in numerous of its reports. First, in its 1964 Report on the U.S. Balance of Payments. Again, in its 1965 Joint Economic Committee Report. And most recently, last August, in the report of the Subcommittee on International Exchange and Payments entitled "Guidelines for Improving the International Monetary System." In addition, the Banking and Currency Committee of the House in its April 1965 report on increasing the International Monetary Fund quota of the United States also recommended that the administration consider this proposal. I ask unanimous consent to include in the RECORD at this point the relevant passage from the report of the Subcommittee on International Exchange and Payments. I call special attention to that part of the subcommittee report which states that:

We do not insist that broader limits for exchange rate variation be adopted, for we have not fully explored their implications nor weighed any possible disadvantages against the benefits we recognize. But we do insist that the expertise of the administration be brought to bear on the idea and that it receive the serious consideration which it merits.

To equate the proposal for broader limits for exchange variations with freely fluctuating exchange rates, as Mr. Howard does in his speech, is to treat rather cavalierly the Joint Economic Committee's recommendation. Clearly, a modest and evolutionary enlargement of today's limits on exchange rate variations in no way amounts to abolishing all limits for exchange rate variations, which is the implication of the proposal for freely fluctuating exchange rates.

Under unanimous permission I include the full text of Mr. Howard's remarks in the RECORD at this point:

TREASURY'S GOLD POLICY

(By Leland Howard, Director, Office of Domestic Gold and Silver Operations, at the 1965 Mining Convention of the American Mining Congress, Las Vegas, Nev., Oct. 14, 1965)

I welcome this opportunity to meet with this distinguished gathering of representatives of one of our Nation's most essential industries and to have the opportunity to restate the Treasury's position on gold.

At the very outset and before I proceed further, I believe it would help in explaining Treasury's position if I pointed out the difference between thinking of gold as a commodity and as a monetary metal. You as producers are interested in bringing out of the ground a ton of material for which you can obtain a price, on the basis of the metal or metals therein, that will offset your cost of mining the ton of material. As the cost of mining increases you feel that the price of gold should increase. The fact that the metal content of an ore body is not inexhaustible, is even forgotten sometimes. As a monetary metal, however, the price of gold must by the nature of its use remain stable. We in the Treasury think of gold as a monetary metal—not as a commodity. The gold dollar is the standard of unit and is defined as $15\frac{5}{21}$ grains of gold nine-tenths fine. This amounts to one thirty-fifth of an ounce of gold and therefore makes the official price of gold $35 per fine ounce. Also, we must keep in mind that the dollar not only is involved in our domestic economy, but also is used as a reserve currency by others as a supplement to the world's gold supply.

Our Government's policy on gold, therefore, is essentially the same today as it was in 1934, when Congress enacted the Gold Reserve Act. Our basic policy has been—and remains—one of centralizing the gold stock of the country in the hands of the Government under the jurisdiction of the Treasury and maintaining a fixed price of $35 an ounce for gold.

Prior to World War II the dollar evolved as a key currency of the world and since World War II the world has accepted the dollar in increasing amounts as a supplement to the gold supply in furnishing liquidity to the trade between the countries of the world. A great many countries made a decision that the dollar best met their needs as a reserve asset and because of its general acceptability and other factors the use of the dollar in private trading transactions became worldwide. To reach this position required confidence in the dollar. This has been possible for a number of reasons, but a fundamental aspect has been our policy of buying and selling gold at a fixed price to foreign governments, central banks and under certain conditions to international institutions, for the settlement of international balances and for other legitimate monetary purposes. Our pledge to maintain that price has been and still is the foundation upon which the stability of the gold exchange standard is based.

The dollar is the only currency that maintains this link between money and gold, and the monetary system of the entire free world is hinged to this interconvertibility which we maintain between gold and dollars. Because of the importance of this link, successive Presidents of both political parties have given assurance that the $35 price would be defended with all the resources of the country. Doubt as to our intention of continuing this pledge could cause a severe drain on our gold supplies and could disrupt not only our economy but also the economies of the countries of the free world.

We do not, I might note here, sell gold to foreign individuals. However, we sell gold for legitimate industrial, professional, and artistic use in the United States.

Inasmuch as the dollar claims held by others, which we stand ready to convert into gold, were accumulated through our balance-of-payments transactions, I think it would be appropriate to trace briefly the history of the U.S. payments picture during the period since World War II. This will give us a picture of where we stand today.

Our payments balance was in surplus during the period 1946 through 1949 and totaled about $7 billion. During this period our gold stock rose by $4.5 billion and amounted to $24.6 billion at the end of 1949.

In 1950 our balance-of-payments picture changed from surplus to deficit and during the 7-year period through 1956 we had a total deficit of $10.7 billion. During this period our gold stock declined only $2.5 billion. At the end of 1956 our gold stock amounted to $22.1 billion.

In 1957, due to the Suez crisis, we again showed a surplus in our balance of payments which amounted to $500 million; however, our gold stock increased $800 million. Our gold stock at the end of 1957 amounted to $22.9 billion which was nearly $3 billion more than we had at the close of World War II and only $1.7 billion less than we had at the end of 1949.

In 1958 we started a period of very large and persistent balance-of-payments deficits which have been with us every year since. During the period 1958 through 1964 our deficits amounted to $24.3 billion and our gold losses were $7.4 billion.

On the basis of figures for the first half of this year we are running a deficit of about $1.3 billion on an annual basis. Our gold losses, however, have been large and we lost $1.2 billion during the first half of this year, not including $258.8 million paid into the International Monetary Fund on June 30. Our gold stock after this payment stood at $14 billion.

The picture today with respect to foreign exchange holdings shows that foreign monetary authorities hold about $14 billion in their reserves. Private holdings amount to about $11 billion. Nonmonetary international institutions also hold about $1.5 billion.

The U.S. balance-of-payments deficits which provided the vehicle for the accumulations of dollar balances by others, plus our loss of gold, have provided in many quarters the opportunity to come forth with a variety of solutions to our problem, some of which relate to gold. Let's take a look at some of these proposals.

It has been said that a subsidy to gold producers in the United States would bring forth enough gold within a few years to

offset our decrease in gold stocks. This decrease has amounted to $8.8 billion in the past 7½ years—the period when our gold losses were greatest.

Is it conceivable, therefore, that subsidization could reverse the trend and cause such an increase in production that our gold stocks would reach the 1950 or 1958 level? What does experience tell us? In 1934, when the price of gold was increased 69 percent—when labor and supplies were cheap, so that it was feasible to rework old ore dumps and tailing piles and to dredge the gold-bearing streams in the West—our gold production slightly more than doubled. Consider the different economic conditions prevailing today—the present cost of labor and machinery—and speculate as to the kind of subsidy that would be required to insure the large-scale production necessary to restore the lost gold. The Department of the Interior a few years ago, in commenting on one of the proposed subsidy bills, indicated that a 100 percent subsidy would about double today's production.

At that rate, it would take the increase due to the subsidy about 170 years to replace the gold losses of the last 7½ years.

In this connection, let's take a look at recent gold production figures here in the United States and in the free world.

In the U.S. production reached its peak in 1940, when it amounted to $170 million. In 1964, U.S. production amounted to only $51.4 million. Free world production, on the other hand, has increased from $738 million after World War II to $1.4 billion in 1964. Estimates are that for at least the next few years free world production will continue to increase. As it now stands, based on 1964 figures, U.S. production is only 3.7 percent of free world production.

A subsidy, in short, cannot solve the problem. And it would present a very real danger to our dollar.

We cannot afford to run the risk of having a second price for gold in the United States alongside the official price. Our creditors—those that hold dollar balances—would interpret any price other than the official price to mean that we had made a judgment that the official price was too low; that in some way, directly or indirectly, we were on the way to changing our official price. This could lead to speculation against our currency.

We often hear it said that subsidies are paid by other countries, therefore, why not by the United States.

The answer is that the monetary units of other countries do not have the status of the dollar, and other countries do not have the responsibility for maintaining a fixed relationship between their currencies and gold. Gold in the United States is a monetary metal and cannot be treated as a commodity, as are products of other industries, or as gold is treated in some countries. The usual reasons, therefore, for urging gold subsidies in other countries or for urging subsidies to other industries in this country are not applicable to gold in the United States.

Another suggested solution to our balance-of-payments problem is to return to a gold standard system. Some may have other motives but many advocates of this solution believe that the international monetary system at the present time is experiencing a surplus of liquidity mainly because of too many dollars. They believe the automatic adjustment which they attribute to the gold standard would correct the situation and bring about a balance.

A return to the gold standard and its so-called automatic adjustment implies a sharp curtailment of world reserves and world liquidity. Inherent in this solution is the threat of worldwide deflation. Some who suggest the return to the gold standard recognize the threat of dangerous deflationary pressures and, therefore, recommend that there be a general increase in the price of gold so as to offset this deflationary pressure.

Such suggestions are thoroughly unacceptable to the United States. They combine the proposal that the world once again accept automatic regulation of its money supply according to the vagaries of world gold production with the proposal that the implied and stated commitments of the gold exchange standard be repudiated to the advantage of a few and the disadvantage of many. It is easy to see how it might be appealing to the major gold-producing countries, including the Union of South Africa and the U.S.S.R., and even perhaps to a few countries holding a high proportion of their reserves in gold. It would, of course, be discriminatory against countries which have kept a substantial fraction of their reserves in the form of reserve currencies. We believe our commitment to maintain the fixed parity of $35 an ounce between gold and dollars is basic to the stability of the world monetary system.

It has also been proposed that we abandon our rigid policy of buying and selling gold at $35 per ounce, thus letting the exchange rate for the dollar fluctuate or float. Some advocates would limit the amount of fluctuation, whereas others would let the dollar float freely. This school holds that fixed exchange rates create the need for large reserves.

They feel that fixed exchange rates tend to restrain individual countries from following indicated and desirable domestic policies. They contend that if exchange rates were free to move up and down in the market, a balance-of-payments deficit would be reflected in a cheapening of the country's currency which would bring about desired adjustments in the trade pattern; that is, lower imports and higher exports.

During the postwar period we have striven through the International Monetary Fund and through international monetary cooperation to develop a payments system based on stable exchange rates firmly linked to gold. Free exchange rates would introduce uncertainties and disruptions in exchange transactions and would not be conducive to trade between countries, which has grown so greatly since World War II under a system of basically fixed exchange rates among the major industrial countries. It should be noted, for example, that world trade virtually doubled in the last decade alone, while domestic economies were moving briskly forward.

The theoretical arguments for floating exchange rates can be presented with great effectiveness and appeal but we believe that such a system, in practice, could prove extremely disruptive to world trade and financial transactions.

There is another school that would have the United States continue its fixed selling price of gold at $35 but they would have us suspend purchases or make purchases on a limited scale. This plan contemplates a lower price for gold by removing the United States from the buying side at the fixed $35 price. The advocates of this plan contend that the guaranteed price for gold is conducive to speculation, especially by individuals, and, therefore, if the guaranteed price is removed, private speculation in gold would at least be less attractive. It is further contended that the desire of some countries to hold a large proportion of their reserves in gold would be dampened.

This plan would be in serious conflict with the various obligations of IMF members, who have agreed to maintain a parity within a margin of 1 percent on either side of the declared par value. This proposal itself, of course, is based on the assumption that the United States' offer to buy gold is the controlling factor in the gold market. But certainly this assumption can be challenged. And, in any event, the risks inherent in a move that could trigger generalized uncertainty and doubt far outweigh whatever dubious advantages such a move might offer.

At this point I wish to repeat what I said before; namely, the role of the dollar internationally has been possible for a number of reasons but the overriding one is the knowledge that dollars are freely convertible into gold at the fixed price of $35 per ounce. At the same time we have offered to buy gold freely, thus making it a two-way street. The fact that we have not varied from this policy and this fixed price for over 30 years, plus the fact that we are the only country which stands ready to exchange gold for its currency internationally, has made the dollar—along with gold—the basic international reserve assets. We cannot afford to take side excursions from our present policy which could cause a loss of confidence in us and in turn the dollar.

In summary, I point out that the root cause of our monetary problem is our balance-of-payments deficit and this is the problem to which we must direct our attention and which we must solve. This is the course of action which we are following and must follow, for we cannot continue to sustain deficits of the magnitude of recent years. Consequently, it is essential that we continue to pursue vigorously the measures outlined by the President to stem the outflow of dollars abroad and thus reduce substantially, if not completely eliminate, the deficits which have led to our gold losses in the last few years. Our effort in this direction, by the very nature of the problem, must be broad. Not only does it involve many interrelated programs which require support and participation by many departments and agencies of the Government but it also requires the understanding and cooperation of business, labor, and finance.

AN OMBUDSMAN TO HANDLE CITIZENS' COMPLAINTS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. REUSS. Mr. Speaker, on October 12, the British Government issued a white paper announcing its intention to establish a Parliamentary Commissioner for Administration or British Ombudsman.

Thus Britain will become the fifth country—after Finland, Denmark, Norway, and New Zealand—to adapt and adopt an institution which originated in Sweden and has won worldwide interest as a means of protecting citizens against administrative error and abuses.

In Scandinavia and New Zealand, the ombudsman—the word means representative or agent—receives complaints from the people about their grievances with the bureaucracy. He can look into the complaints, make recommendations for remedies if he finds fault with the bureaucracy, and can publicize his recommendations if this will help to bring about justice for aggrieved individuals. He is an agent of parliament.

I hope the United States will soon adopt an ombudsman in a form suited

to our needs, traditions, and governmental system. I have proposed an American Ombudsman whom I call, more pronounceably, an Administrative Counsel of the Congress.

H.R. 4273 to provide an Administrative Counsel is pending before the Committee on House Administration. The proposal is also being considered by the Joint Committee on the Organization of Congress. I have described the proposal in detail in the RECORD of February 3, 1965, on pages 1880–1881.

ESTABLISHMENT OF A BRITISH OMBUDSMAN IS MEANINGFUL FOR THE UNITED STATES

The adoption of an official modeled after the ombudsman by Britain is particularly meaningful for the United States for two major reasons:

First. Britain will be the first large country to adopt the ombudsman idea.

Second. Like U.S. Congressmen, members of the British House of Commons have a traditional role of helping their constituents in the constituents' problems and grievances with the administration. Although this role is not as highly developed in Britain as in the United States, it is an important part of the British political system, known as "constituency surgery." British Government white paper points out that the establishment of the ombudsman or Parliamentary Commissioner for Administration is not intended to "erode" this role of Parliament and its members but to help them to do the job better.

In Britain, Parliament is the place for ventilating the grievances of the citizen—by history, tradition and past and present practice. It is one of the functions of the elected Member of Parliament to try to secure that his constituents do not suffer injustice at the hand of the Government. The procedures of parliamentary questions, adjournment debates and debates on supply have developed for this purpose under the British pattern of parliamentary government; and members are continually taking up constituents' complaints in correspondence with ministers, and bring citizens' grievances, great or small, to Parliament, where ministers individually and Her Majesty's Government collectively are accountable. We do not want to create any new institution which would erode the functions of members of Parliament in this respect, nor to replace the remedies which the British Constitution already provides. Our proposal is to develop those remedies still further. We shall give Members of Parliament a better instrument which they can use to protect the citizen, namely, the services of a Parliamentary Commissioner for Administration.

THERE ARE MANY SIMILARITIES BETWEEN THE BRITISH AND AMERICAN PROPOSALS

The Administrative Counsel of the Congress, as proposed in H.R. 4273, is likewise intended to help Congressmen help their constituents and not to supplant them in this role.

Both the American and British ombudsman would be adapted to the existing role of American and British legislators as advocates for citizens in their troubles with the bureaucracy and to the larger size of their countries by the same device: funneling citizens' complaints through Members of Congress or the House of Commons.

When the Administrative Counsel in the United States or the Parliamentary Commissioner for Administration in Britain had finished investigating the case, he would report back to the Member of Congress or Commons who had referred the case to him. Under both proposals, the ombudsman could make special reports to the legislature and would make yearly reports. The action to be taken when an administrative error is not corrected as a result of the ombudsman's recommendations would be left to Congress and Parliament.

The funneling of complaints through Members of Congress and Commons will allow a screening out of complaints which do not belong in the ombudsman's hands. It will retain unimpaired the important relationship between constituents and Members of Congress and Commons.

I am pleased that many of the aspects of the British Government's proposal are the same or similar to views I have stated independently on the nature and purposes of the ombudsman in the United States.

MOST COMMENTARY FAVORS THE OMBUDSMAN PROPOSAL

The publication of the white paper on the ombudsman has inspired much commentary on that proposal and on the need for an ombudsman in the United States.

I include hereafter the full text of the British Government white paper and a number of articles and editorials which I believe will be of value to Members interested in considering the adoption of an Administrative Counsel of the Congress.

Among the following articles is an editorial from the Washington Sunday Star of October 17 endorsing the proposal for an Administrative Counsel. In addition, the New York Times, the New York Daily News, and the Christian Science Monitor have recently commented favorably on the ombudsman:

THE PARLIAMENTARY COMMISSION FOR ADMINISTRATION

1. The Government has decided to introduce legislation for the appointment of a Parliamentary Commissioner for Administration. This white paper explains the reasons for this decision and the role which they envisage for the Commissioner.

2. The interests of the citizens who is affected by a decision of Central Government are already safeguarded in a number of ways. He may have an opportunity of putting his case at an inquiry held before administrative action is taken. He may have a right of appeal to a tribunal against a decision. He may have a remedy before the courts.

3. But these arrangements cannot cover every instance where a private person feels that he is suffering injustice as a result of faulty administration on the part of a Government department.

THE CITIZEN AND PARLIAMENT

4. We have examined the arrangements made for the scrutiny of such individual grievances in Sweden, Finland, Denmark, Norway, and New Zealand. The broad objective in each country has been the same, but in each case the detailed arrangements have been made to suit the particular circumstances of the particular country. In Britain, Parliament is the place for ventilating the grievances of the citizen—by history, tradition and past and present practice. It is one of the functions of the elected member of Parliament to try to secure that his constituents do not suffer injustice at the hand of the Government. The procedures of parliamentary questions, adjournment debates and debates on supply have developed for this purpose under the British pattern of parliamentary government; and members are continually taking up constituents' compliants in correspondence with ministers, and bringing citizens' grievances, great or small, to Parliament, where ministers individually and Her Majesty's government collectively are accountable. We do not want to create any new institution which would erode the functions of members of Parliament in this respect, nor to replace remedies which the British Constitution already provides. Our proposal is to develop those remedies still further. We shall give members of Parliament a better instrument which they can use to protect the citizen, namely, the services of a Parliamentary Commissioner for Administration.

5. Under our proposals, the Parliamentary Commissioner will be an independent officer, whose status and powers will be conferred by statute. He will be appointed by the Crown; his salary and pension will be a charge on the consolidated fund; and he will be secure from dismissal, except by parliamentary motions. He will report to Parliament each year, and otherwise as occasion requires.

FUNCTIONS OF THE PARLIAMENTARY COMMISSIONER

6. The Commissioner will act only at the instance of a Member of the House of Commons, as the elected representative body in Parliament, and on a complaint of personal injustice suffered by the complainant. It will be for the Member to decide whether the complaint appears to be one appropriate for reference to the Commission. A complainant will not be restricted to approaching the Member for his own constituency; Members will doubtless establish their own conventions for insuring that the constituency Member is kept in touch when another Member takes up a case. Most complaints will come from private individuals, but companies or other corporate bodies—other than those under publicly elected or appointed authority—will not be excluded. The Commissioner will be authorized to consider any complaint sent to him by a Member of Parliament from anyone lawfully resident in Great Britain or, so far as matters controlled by the Government in Westminster are concerned, in northern Ireland. Visitors from abroad will be included if the complaint relates to something which happened while they were lawfully present here. So will persons living abroad if their complaint is about the administration of individuals' rights or obligations arising here. But we do not intend that the Commissioner should cover complaints about our high commissions, embassies, consular offices or other posts of Her Majesty's government abroad.

CENTRAL GOVERNMENT ADMINISTRATION TO BE COVERED

7. Except for some exclusions which are explained later in this paper, the field for the Commissioner will be the whole range of relationships between the private person and the central government. We propose to list in the statute the bodies to be subject to investigation by the Commissioner in matters within his scope. The proposed list is as follows:

Ministry of Agriculture, Fisheries, and Food.

Ministry of Aviation.

Office of the Chancellor of the Duchy of Lancaster.

Civil Service Commission.

Colonial Office.
Commonwealth Relations Office.
Customs and Excise.
Ministry of Defense.
Department of Economic Affairs.
Department of Education and Science.
Export Credits Guarantee Department.
Foreign Office.
General Register Office.
General Registry Office, Scotland.
Ministry of Health.
Home Office.
Ministry of Housing and Local Government.
Central Office of Information.
Inland Revenue.
Ministry of Labor.
Ministry of Land and Natural Resources.
Land Registry.
Lord Chancellor's Department.
Office of the Lord Privy Seal.
National Assistance Board.
National Debt Office.
Ordnance Survey.
Ministry of Overseas Development.
Paymaster General's Office.
Ministry of Pensions and National Insurance.
Ministry of Power.
Ministry of Public Building and Works.
Public Record Office.
Public Trustee.
Department of Registers of Scotland.
Registry of Friendly Societies.
Royal Mint.
Scottish Office:
Department of Agriculture and Fisheries for Scotland.
Scottish Development Department.
Scottish Education Department.
Scottish Home and Health Department.
Scottish Record Office.
H.M. Stationery Office.
Ministry of Technology.
Board of Trade.
Ministry of Transport.
Treasury.
Treasury Solicitor's Department.
Office of the Minister Without Portfolio.
Welsh Office.

It has been agreed that the Crown estate office shall be included too. So also will the post office as regards its functions relating to national savings and to the control of broadcasting and wireless telegraphy or as the agent of any body which is itself subject to the Commissioner. The list will need to be amended from time to time as the structure of the Government machinery itself is changed, and we shall seek power to do this by subordinate instrument.

EXCLUSIONS

8. The exclusions which we propose to make from the Commissioner's field of investigation are those where there are dominant considerations of national or public interest—namely, the exercise of powers to preserve the safety of the state; matters which Ministers certify as affecting relations with other countries; matters relating to the administration of colonial territories; and the exercise of powers in relation to investigating crime or determining whether a matter shall go to the courts. The Commissioner will not normally pursue matters which are within the competence of the courts; he will have discretion to act if he thinks that the remedy open in the courts is not one which the complainant could reasonably be expected to use, but this will not affect anyone's right of access to the courts. He will not pursue issues already covered by tribunals or other quasijudicial bodies, or by the Council on Tribunals and its Scottish Committee—of both of which he himself will be an ex officio member. Nor will he look into the exercise of the Prerogative of Mercy or into the exercise of the personal authority of the sovereign in conferring honors and privileges, or into appointments by the Crown or by Ministers. He will be excluded from investigating actions of departments in personnel matters, including orders and discipline in the Armed Forces. Finally, purely commercial relationships, of departments with customers or suppliers will not come within his purview.

PROCEDURE

9. We intend the Commissioner's procedure to be as informal as possible, subject to the requirement that if he takes up a case he must give to the person against whom the complaint lies the opportunity to comment on it. He will be empowered to decide whether the parties can be legally represented, but legal representation will be the exception, not the rule. Legal aid will not be available. The Commissioner will be able to call for oral or written evidence; and he will have power to compel production of documents, including departments' minutes, but excluding Cabinet or Cabinet Committee documents. He will have power to take evidence on oath, although we would expect this power to be used infrequently. In this connection the sanction to be invoked in the event of defiance of the Commissioner will be to refer the matter to the High Court, or in Scotland to the Court of Session, or in Northern Ireland to the Supreme Court of Justice, for consideration as if it were contempt of that Court.

10. The Commissioner will have discretion to refuse to pursue a case where he thinks there are insufficient grounds for the complaint or where he does not regard it as within his scope. He will not normally pursue a case where the matter complained of had been known to the complainant more than 12 months previously but he will have discretion to do so.

11. The Commissioner will be concerned with faults in administration. It will not be for him to criticize policy, or to examine a decision on the exercise of discretionary powers, unless it appears to him that the decision has been affected by a fault in administration. If he finds nothing wrong, he will inform the Member of Parliament who has approached him. If he finds that there is justifiable cause for complaint and the Department responds to his invitation to put it right, he will inform the Member. So far as the Commissioner is concerned, this will be the end of the matter, save for a possible reference to the case in his annual report to Parliament. If the Department does not act to the Commissioner's satisfaction, it will be open to him to report his conclusion to Parliament ad hoc.

12. It will be for Parliament to decide what arrangements to make to receive and act upon reports from the Commissioner. This will not be a matter for legislation. It may well be found convenient to establish a Select Committee to take these reports in the first instance. This committee would have the usual powers of a select committee to summon witnesses (including Ministers) and to take evidence and report to Parliament.

13. It will be for Parliament, with the help of this committee (if one is appointed), to consider what action should be taken on the reports of the Commissioner—whether the annual report, or reports ad hoc. The Commissioner in his annual report may comment on defects in the system which have come to his notice as a result of investigating individual complaints.

14. We do not intend that a reference to the Commissioner should automatically hold up action on the case by the Government; sometimes this might be contrary to the public interest. Ministers will have discretion to proceed with a case even where it is being examined by the Commissioner. They will also have discretion to prevent disclosure of information by the Commissioner where the safety of the State or the public interest makes it necessary to do so.

15. The fact that we are proposing this scheme does not mean that we think that the administration of Government departments is open to serious criticism or that injustices are frequently suffered by individual citizens. Far from it. We are in no doubt that the tradition of integrity and impartiality in our public administration is being fully maintained. But our proposal should increase confidence in that administration—by enabling complaints about administrative action to be fully and impartially investigated, so that, if a grievance is justified, it may be remedied, or, if it is unjustified, this may be demonstrated. It should also result, as has proved to be the case in other countries, in the further improvement of administrative standards and efficiency.

CONCLUSION. TWO PRINCIPLES

16. In formulating our proposals we have paid regard to two important principles. First, that this new institution should serve to develop and reinforce our existing constitutional arrangements for the protection of the individual. Secondly, that the scope of the scheme must be made as clear as possible, so that everybody may know as plainly as may be what cases the Commissioner will be able to take up and what their rights and obligations will be in relation to his inquiries.

17. In due course, it may be desirable to consider extending the powers of the Commissioner to deal with complaints of the private citizen against the administrative actions of other public authorities. But, first, we intend to seek experience of the Commissioner in the field of relationships between the citizen and central government.

[From the Times of London, Oct. 13, 1965]

MOVE TO PRESERVE RIGHTS OF COMMON—OMBUDSMAN WILL ACT AT M.P.S' REQUEST

In an attempt to preserve the traditional rights of Members of Parliament to raise the grievances of their constituents in the Commons the Government proposes that the Parliamentary Commissioner for Administration whom they will appoint to rectify injustices caused by maladministration "will act only at the instance of a Member of the House of Commons, as the elected representative body in Parliament."

In this way, the Member of Parliament will preserve his freedom to take up a grievance in the House if he so chooses, though the Government expects that most cases will be referred to the commissioner who will have the right "to compel production of documents, including departments' minutes, but excluding Cabinet or Cabinet committee documents."

The commissioner, according to the white paper published yesterday explaining the basis on which the Government will proceed to legislate in the next session of Parliament, "will not normally pursue matters which are within the competence of the courts" or issues already covered by tribunals and other quasi-judicial bodies, nor will he investigate complaints where the purely commercial relationships of departments (such as the Post Office) with customers or suppliers are involved. He will not investigate actions of departments in personnel matters, or orders and discipline in the Armed Forces or the police.

But it is clear that the commissioner will be authorized to examine documents which in the past have been kept from the courts on the plea of Crown privilege. Senior Ministers said yesterday this would be allowed so long as there was no breach of secrecy and where the commissioner thought it necessary to help him in his task.

NO POLICY DECISIONS

The commissioner will be able to recommend the payment of lump sums to compensate people who have suffered injustice or damage as the result of faulty administration.

For the first few years, the commissioner's range of inquiry will be limited to the administrative acts of central Government departments (including the Scottish office and the Welsh office); later the activities of public authorities and local government may be brought into the scheme. Indeed, there is talk in Government quarters of encouraging big local authorities to proceed independently to set up their own "Ombudsmen."

It is expected that his salary will be over £8,000 a year. He will have deputies authorized to carry out inquiries in Scotland, Wales, and other parts of Britain.

Ministers are emphasizing that the commissioner will be limited to detecting faults in the administration; he will not be allowed to stray into the realm of policy decisions.

The commissioner's procedure is to be as informal as possible. "Legal representation will be the exception, not the rule," says the white paper.

NORTHERN IRELAND CALLS FOR DEFENDER

Mr. James O'Reilly, Nationalist member for Mourne, has tabled a bill in the Northern Ireland House of Commons demanding the appointment of an Ombudsman. He says the bill aims to meet a widespread need for providing protection for the ordinary citizen. The bill is entitled "The Public Defender" (Protection of the Citizen) bill (Northern Ireland).

Mr. Brian McConnell, Minister of Home Affairs, said there was little change in the Government's attitude to the appointment of an Ombudsman in Northern Ireland. "Ours is a smaller area and for this reason there is closer contact between the administration and the citizen than there is in Britain."

[From the Times of London, Oct. 13, 1965]

THE WATCHMAN

The case for a naturalized ombudsman in Britain is not that the citizenry is groaning under the weight of a corrupt or capricious bureaucracy. It is that when grievances alleging maladministration do occur (as they are bound to from time to time in so vast a field) the means of pursuing them are limited, uncertain, and difficult.

Since the nation lacks any developed system of administrative law such as the French possess, redress through the courts is impeded by technical and procedural snags, by the settled reluctance of the judiciary to be drawn into pronouncing on the merits of administrative disputes, and by the sheer expense of the process. The area covered by tribunals and statutory inquiries, now under the supervision of the Council on Tribunals, has been cleaned up well since the publication of the Franks report in 1957, but the area is restricted and excludes many of the most frequent causes of friction. The time-honored methods of ventilation in the press and of representation to a Member of Parliament are chancy. In Parliament the approaches open to Members of Parliament—correspondence with a Minister, parliamentary questions and adjournment debates—may or may not elicit the full facts. If they do not, either there is no satisfaction or, in rare cases, recourse is had to a judicial tribunal, a sledgehammer, not uncommonly, to crack a nut.

The Government's proposal is to strengthen the parliamentary means of investigation and redress by the appointment of a Parliamentary Commissioner for Administration of similar status and with similar powers of those of the Comptroller and Auditor General. In that they are closely following the example of New Zealand, which has helped to dispel doubts about the possibility of grafting a Scandinavian scion on to Westminster political stock. The main difference is that whereas Sir Guy Powles in New Zealand can act on complaints from the public or on his own motion, the officer proposed by the Government would be able to act only on the instance of a Member of Parliament. The condition may have been necessary in order to overcome the suspicion of Members of Parliament lest they should be left out of the act; and, provided they do not establish a restrictive convention that a Member of Parliament does not handle the complaint of another's constituent, the condition is acceptable at any rate at first.

The commissioner's scope is circumscribed in other ways. He would be concerned only with complaints arising out of a person's dealings with the organs of central government. Police, public corporations, local government, to name three fertile sources of grievance, would be outside his province. He would have access departmental files, which is an important and necessary concession, and could summon witnesses; and a Minister's power to block his investigation "in the public interest" is tightly restricted to considerations of security, relations with other States or colonies, crime detection and prosecuting functions. The white paper is not equally explicit about Ministers' discretion to prevent disclosure of information by the commissioner. It should be made clear that "public interest" in this case too is to be interpreted in the same restricted sense. Crown privilege must not be allowed to reenter by the back door. Publicity is of the essence. Another limitation of the proposed office is that the commissioner's function is purely recommendatory. If a department did not accept his recommendation it would be for Parliament, to which he would report, to decide what to do about it.

The Government have produced a minimal edition of the innovation. It is not necessarily the worse for that. The institution stands a better chance of becoming established if it does not rove too widely at first. Tall oaks from little acorns grow, and if this one is nurtured properly it may come in time to occupy an important place in the administrative arrangements of the country. The development of the French conseil d'état and of the Scandinavian Ombudsman shows that such institutions are capable of becoming not merely valuable means of redress but a positive influence making for competent and fair administration, an assistance not an impediment to officialdom.

For that to happen in Britain the mood of Parliament and of Ministers must be one of encouragement from the outset: agreement not to make false issue out of M.P.s' privileges or the doctrine of ministerial responsibility, and acknowledgment that the innovation contains the springs of growth into areas of public administration which it is precluded from entering at first. Its introduction ought, too, to be accompanied by an enlargement of the work of the Council on Tribunals. The commissioner would not be free to examine discretionary decisions unless they appeared to have been affected by a fault in administration. In other words, citizens would not be able to go to the commissioner simply in the hope of getting a more favourable decision in their case. Such decisions, when not matters of policy, are more appropriately reviewed by administrative tribunals. But there are still gaps in their coverage which could be made good by extending the range of matters under the notice of the Council on Tribunals.

[From the Washington (D.C.) Sunday Star, Oct. 17, 1965]

THE CITIZEN'S "PROTECTOR"

In the Scandinavian countries, an "ombudsman" functions as the protector of individuals caught up in bureaucratic delay or outright abuse. Complaints ranging from delayed welfare payments to mistreatment at the hands of insolent officials are referred to him. If the complaint is legitimate, the ombudsman publicizes the abuse and recommends action to the national parliament. This power, naturally enough, keeps most administrators on their best behavior. It has worked so well, in fact, that Britain has decided to set up a similar office for processing grievances.

Congressman REUSS, of Wisconsin, is seeking an American variation on the ombudsman. His proposed bill would create an Administrative Counsel, who would be attached to the House and given a small staff of specialists in administration. Valid complaints, coming into congressional offices, would be sent to him for corrective action.

The idea has great merit. The processing of individual grievances cuts deeply into the primary role of Congressmen as legislators. There is less time to ponder, to study, to debate legislative issues. Indeed, Congressmen are caught in a frustrating bind. The same rapid expansion of Government services that makes it so difficult for them to keep abreast of legislation has also produced a greater spawning ground for hidden abuses and individual injustices. Some clear avenue of relief is needed. The ombudsman, geared to our Federal system and armed with sufficient authority to do the job, may be the answer.

[From the New York Times, Oct. 14, 1965]

PUBLIC PROTECTOR

Britons who think they are being pushed around by their Government will soon have a sort of supergrievance committeeman to protect them. The Labor government is planning to set up a parliamentary office to act on complaints from people who don't like the way they are being treated by officialdom. The model is the "ombudsman" system that already exists in Sweden, Finland, Norway, Denmark, and New Zealand.

The British decision is a reminder that Congress has been letting the dust accumulate on a similar proposal first put before it 2 years ago by Representative HENRY S. REUSS, of Wisconsin. The proliferation of Government agencies in this country has been accompanied by a parallel rise in the frustrations of citizens trapped in the toils of bureaucracy. Ten million people now work for Federal, State, and local agencies; their number and the range of their activities keep growing. So does the flow of appeals for help sent to Congressman by distracted citizens.

An American ombudsman, operating with full independence from Congress, the White House or any political party, would provide a kind of citizen's review—or at least sounding—board. Congressmen would be relieved of the burdensome task of investigating the flood of complaints from their constituents. Civil servants would have some protection from politicians trying to make them look wrong when they had been right. And the citizen would feel just a bit less lonely in his jousts with the colossus that is his Government.

[From the New York Daily News, Oct. 14, 1965]

WANTED: OMBUDSMEN

"Ombudsman" is a Scandinavian word having a funny sound to non-Swedish, Norwegian, Finnish, or Danish ears.

But an ombudsman has duties that are anything but funny, and he is an extremely useful citizen in countries where he exists—so useful that the British Government intends to borrow the ombudsman idea from the Scandinavian nations in the near future, as New Zealand already has done.

An ombudsman's job is to collect citizens' grievances against government or govern-

mental bureaucrats and fight for redress in all appropriate and effective ways.

In a country where government monkeys intimately with the private lives of the people, an ombudsman (the ancient Romans, we imagine, would have called him a Tribune of the People) is almost the indispensable man. He is long overdue in Britain.

Also, he is becoming due in the United States, as big daddy Government rapidly and relentlessly extends his overlordship of all our lives, our property, and our business. Let's get cracking on setting up as many ombudsmen as we need, at Federal, State, and local government levels.

[From the Christian Science Monitor, Oct. 15, 1965]

OMBUDSMAN

Few things are as frustrating for the individual as finding himself seemingly helpless in the toils of bureaucracy. And few things are as unjust as a wrong verdict pronounced by a bureaucracy against an individual when the individual manifestly has right on his side. Few lands are as jealous of individual rights as the countries of Scandinavia. It is natural, therefore, that the Scandinavians should have invented the ombudsman—and all honor to them for having done so.

The ombudsman is a public official without political or departmental commitment whose only job is to investigate complaints of individual citizens when they believe they are the victims of the inefficiency, injustice, or corruption of officialdom.

New Zealand—that Scandinavia of the Antipodes—was first to follow the Scandinavian example by appointing an ombudsman. Now Britain is doing likewise. In Britain he will be called the "Parliamentary Commissioner for Administration." If we know our Britons, it will not be long before they come up with a shorter (and perhaps more colloquial) name for him.

There has been a lively correspondence in the Times about the proper title for the new official. Among the suggestions: National Referee, Sentinel, Lord Protector, Defensor, Umpire-General, and People's Counselor. Somewhere along the line, even the French "Conseil d'Etat" was brought into the argument.

It seems to us that even if it is a mouthful at first sight, "Ombudsman" is good enough. The most acceptable alternative would surely be some pithy word already existing in English that can precisely describe the office of ombudsman. With all respect for the good intentions of those who have decided that Britain needs an ombudsman, we think the title "Parliamentary Commissioner for Administration" somewhat pretentious.

We agree with the Oxford man who wrote to the Times: "If we establish such a post, let us give credit where it is due, and borrow this word from Scandinavia to describe the man who in those three countries, and in New Zealand, has proved such a useful defender of individual rights."

[From the New York Times, Oct. 13, 1965]

BRITAIN TO APPOINT AN OMBUDSMAN

(By Anthony Lewis)

LONDON, October 12.—Nearly 400 years after Shakespeare wrote of "the insolence of office," Britons can shortly expect to have a public champion against official incompetence and corruption.

In a white paper today, the Government announced plans to set up a "Parliamentary Commissioner for Administration." He will be the local version of the ombudsman in Scandinavian countries, investigating citizens' complaints against officials.

A special British touch will require members of the public to make their complaints through Members of Parliament. The M.P.'s will decide, initially, whether a matter is worth referring to the ombudsman. "In Britain," the white paper explained, "Parliament is the place for ventilating the grievances of the citizen—by history, tradition, and past and present practice.

"It is one of the functions of the elected member to try to secure that his constituents do not suffer injustice at the hands of the Government."

Another, unstated reason for filtering complaints through M.P.'s is that handling such matters for constituents is good politics, here as in the United States.

Parliament, which has to approve legislation to create the ombudsman, might not be so keen about a plan taking away this political prerogative. As the draft stands, no serious objection is expected.

Sweden has had an ombudsman since 1809. More recently the idea has been adopted by Finland, Denmark, Norway, and New Zealand.

The Parliamentary Commissioner here, as in the other examples, will be entirely independent of the Government. He is expected to be paid about $28,000, a very high salary by British standards, and will be removable only by vote of Parliament.

His powers to investigate wrongdoing in Government departments will be broad. He will be able to compel oral or written testimony and to take evidence under oath. Failure to answer his demand for evidence will be treated as contempt of court.

The white paper makes the point that the commissioner will be concerned with "faults in administration," not policy. It will be up to him, at least initially, to draw the line between them.

COMMISSIONER'S NEXT STEP

If the commissioner finds something wrong, he will so report to the member of Parliament who referred the complaint to him. He may also mention the case in an annual report to Parliament. He will have no actual power to overrule officials, but they are expected to follow his recommendations in most cases.

Exclude from the commissioner's scope will be all judicial proceedings, such as criminal prosecutions, and military and foreign affairs matters. Nor will he handle complaints against nationalized industry or local government, the white paper said.

The biggest impulse for the creation of a British ombudsman came from what is known as the Crichel Down affair, which came to a climax in 1954.

That concerned some farmland on Crichel Down, in Dorset, which was taken by the Royal Air Force in World War II. When it was no longer militarily useful, it was turned over to the Ministry of Agriculture instead of being returned to the owners.

The original owners fought for years to get their farms back. Finally an official investigation found that bureaucratic evasion and deception had been operating. The Minister of Agriculture of the day, Sir Thomas Dugdale, dramatically resigned.

There was no way for the affected farmers to sue the Crown or the officials to test the issues in court. British law limits much more severely than American the right to sue against official action, so the only practical recourse has often been to make a public protest or request a member of Parliament to ask a question in the House of Commons.

If the new ombudsman plan had been operating, the former owners of the Crichel Down land could have taken their complaints to him.

[From the Milwaukee Journal, Oct. 16, 1965]

U.S. "COMPLAINT OFFICE" SUGGESTED

WASHINGTON, D.C.—Representative HENRY S. REUSS is convinced that there's an ombudsman in America's future.

"Sooner or later it will have to come to this, and we would save a lot of taxpayers' money by having it sooner than later," the Wisconsin Democrat said Saturday.

Ombudsman means "representative" in Swedish. Actually, he is a sort of public grievance man who handles complaints of citizens against administrative lapses or abuses of the government.

Sweden introduced the ombudsman in 1809 and this public defender idea has since spread to almost a dozen countries, from Scandinavia to New Zealand.

REUSS believes the ombudsman idea would work here, and would save time, money and wear and tear on Congressmen.

WOULD AID CONGRESS

"A Congressman is an ombudsman in a way, and a good one," REUSS said. "But with this, he'd be able to do a better job of serving his constituents."

When a U.S. citizen has a question or complaint about some Government program, such as social security, veterans' benefits or the like, he usually writes a letter to his Congressman. If he's really steamed up, he'll write to both his Senators at the same time.

As the three elected representatives go to bat for the constituent, they don't know, usually, that they are all working on the same problem.

Beside the matter of duplication, their limited staffs do not include experts on all the spreading governmental programs that confront the citizen.

BILL INTRODUCED

With an ombudsman—and REUSS has introduced legislation to establish one—a centralized staff of 100 to start with would handle all such citizen complaints funneled to it by Congressmen. The staff would include specialists in all the fields where problems crop up.

His plan provides for no direct access to the ombudsman by citizens, as in the Scandinavian countries. All matters would have to come through the offices of Congressmen and Senators. The answers would go back to the inquiring citizens by the same route.

REUSS said his office spends about half its time serving these needs of constituents. An ombudsman, he argues, "would let the Congressman concentrate on central issues in domestic and foreign policy, and he could vote more wisely."

[From the Congressional Quarterly, Editorial Research Reports, Oct. 14, 1965]

AN AMERICAN OMBUDSMAN

(By Richard Spong)

An idea which has been kicking around the U.S. Congress without much attention for the past several years is certain to be given another and more studious look when Britain's Parliament approves legislation establishing the new office of Parliamentary Commissioner for Administration. This is the British version of the Scandinavian Ombudsman, who is charged with investigating and pressing citizens' complaints against the government and public officials.

Several measures to create an American Ombudsman have been introduced in recent sessions of Congress. Senator CLAIBORNE PELL, Democrat of Rhode Island and Representative HENRY S. REUSS, Democrat of Wisconsin are sponsors of measures (S. 984, H.R. 4273) pigeonholed in committees at present that would establish what they call an administrative counsel of the Congress.

This individual, in the language of Representative REUSS, "shall review the case of any person who alleges that he believes that he has been subjected to any improper penalty, or that he has been denied any right or benefit to which he is entitled under the laws * * * or that the determination or award

of any such right or benefit has been * * * unreasonably delayed."

The Ombudsman has proved a successful device for democratic government in Sweden, where it was established in 1809. Since then it has spread to other countries, to Finland in 1919, Japan in 1948, Denmark in 1955, and Norway and New Zealand in 1962.

Now the British Labor Government, in a white paper of October 12, proposes the establishment of a Parliamentary Commissioner for Administration who would be an Ombudsman with a special British complexion. He would be entirely independent of the government, but—and the point is important—the public would make its complaints through Members of Parliament. "In Britain," the white paper explains, "Parliament is the place for ventilating the grievances of the citizen—by history, tradition, and past and present practice." It's also good politics for M.P.'s to handle the chores of their constituents.

Most British papers welcomed the Ombudsman proposal. The Times reasoned sedately: "The development of the French Conseil d'Etat and the Scandinavian Ombudsman shows that such institutions are capable of becoming not merely valuable means of redress but a positive influence, making for competent and fair administration—an assistance not an impediment to officialdom."

But the Daily Express sees the proposal as just another Labor gimmick, arguing: "Parliament, the press, and the judiciary are well able to look after the rightful interests of the public. If the Ombudsman emerged as a serious rival for the protection of the public interest there might be a danger that the traditional safeguards of the people would be undermined."

In a welfare state the British Ombudsman will have plenty of complaints, though nationalized industry is to be off limits for him—along with local government, judicial proceedings, and military and foreign affairs. A congressional Administrative Counsel would be equally busy.

An American Ombudsman would lighten the "casework" load of Senators and Representatives and still—by handling only complaints funneled through Capitol Hill—leave the flow of political power undisturbed. Representative REUSS, in testimony before the Joint Committee on the Organization of Congress some time ago (May 11, 1965) soberly observed: "I do not believe that Members of Congress, who want to be reelected, would consent to remove themselves entirely from dealing with constituents' problems."

In a radio broadcast on October 14, 1965, David Brinkley argued for an American ombudsman, albeit one whose role would be somewhat different from what I have envisioned. The script of his broadcast follows:

The British and four other countries have, or will have, somebody in the Government citizens can write to and get answers. We could use one here. Back in a moment.

Sweden has had for 150 years a public official called an ombudsman. His job is to accept complaints from the citizens about their dealings with the government, investigate, see if they have any substance, and if they do, take some action. Now the British are adopting the idea. Finland, Denmark, and New Zealand already have, and it is occasionally recommended that the United States try it. If we did, the results surely would be interesting, because it appears that you can scratch any American and find somebody with a complaint, a question, a suggestion, or a criticism he wants to take up with the Government. And if we were to have an ombudsman, all of these would immediately fall into his lap.

Where they fall now are in the White House mailroom and on the desks of Congressmen, Government officials, newspaper and broadcast reporters. Most of them are in two categories: Questions and complaints about social security payments, generally from those who think they ought to be getting more and questions and complaints about veterans' benefits, generally from those who think they ought to be getting more. Plus the other Government welfare programs where people think they have had a bad deal. And with all the new welfare plans now going into effect—medical care and the others—this kind of complaint is bound to increase. Complaints sent to the White House are routinely referred to the agencies involved: Social Security, Veterans' Administration, the Health and Welfare Department. And, eventually, they will answer. But the agency answering the complaint is the same agency being complained about, so it is unlikely the answer will say anything the writer has not already heard. Complaints to Congress get roughly the same treatment. All congressional offices are understaffed for this kind of thing. They have neither the people nor the time to make personal investigations of complaints about veterans and social security payments. So they ask the agencies involved for the answers, pass them along in their own replies, and that's about all they can do.

In addition, there are always those who want their poems printed in the CONGRESSIONAL RECORD or broadcast on the Voice of America, those with plans for saving the world, paying off the debt, and other good ideas that, regrettably, appear unworkable If there were a Federal Government ombudsman, a sort of national Mister Fixit, all this would go to him. He would have to have the power to force the right answers out of the bureaucrats, keep a tabulated record of the complaints so he could detect unusual centers of bungling and incompetence in the Federal Establishment and help repair them and so perform a service both to the public and to the Government. The bigger the Government gets, and it grows every day, the more complaints there will be and the less chance of getting adequate answers. So, sometime, we may come to it, somebody to write to in the Government who can and will do something. As for the poems and the plans for saving the world, he could just send them back with a polite note.

In addition, I include a very thoughtful review of a new book on the ombudsman edited by Prof. Donald C. Rowat of the University of Toronto and entitled, "The Ombudsman: Citizen's Defender," University of Toronto, 1965. The reviewer Prof. Stanley V. Anderson of the University of California at Santa Barbara is one of the leading experts on the ombudsman. He is a professor of political science and a lawyer.

[From the New Republic, October 23, 1965]

COMPLAINT DEPARTMENT

(By Stanley V. Anderson)

The ombudsman is an independent commissioner appointed by the legislature to investigate citizens' complaints of bureaucratic abuse. He has the power to compel testimony, the duty to form an opinion, and the right to publish his views. He does not have power to change an administrative decision nor to punish civil servants other than by reprimand.

As a result of ombudsmanic inquiries, the administration may choose to alter a previous position or to subject an employee to disciplinary proceedings. The former is common, the latter rare. In either case, the authorities act because they are persuaded by the reasonableness of the ombudsman's views, and not because they are bound by his judgments. Equally important, an agency may revise a troublesome regulation or the legislature may amend an unworkable law, pursuant to the ombudsman's suggestion.

Sweden provided for a Justitieombudsman (JO)—literally, an "agent for justice"—in the constitution of 1809. Finland, for centuries a part of the Swedish kingdom, followed suit in 1919 after breaking ties with Russia. In the decade from 1952 to 1962, the institution was adopted in Denmark, Norway, New Zealand, and West Germany—in the last, for military affairs only. More recently, proposals have been put forward in Australia, Canada, England, Holland, and Ireland. This year, ombudsman bills were dropped in the legislative hoppers of California, Connecticut, Illinois, and New York. Another was introduced in the New York City Council. Gov. Edmund G. Brown accorded the California bill emergency status before it was defeated in the senate committee on government efficiency; the measure is under interim study awaiting reintroduction by by Assembly Speaker Jesse M. Unruh.

The literature on Ombudsmen is extensive, but scattered and repetitive. Professor Rowat, chairman of political science at Carleton University in Ottawa, has provided a benchmark by putting 28 articles between two covers. Nearly half of the text explicates existing Ombudsman systems. Next, a few related institutions are described, such as the Army Inspectorate-General and the erstwhile Philippine Presidential Complaints and Action Committee (PCAC). The demise of the latter suggests that the effectiveness of an Ombudsman is limited to marginal defects in administration, and "does not meet the [more basic] need for a rationalization of government power and structure." With a population three times that of Sweden, the PCAC received complaints at a rate of 30 to 1 over the Swedish total of about 2,000 a year.

In the third section of "The Ombudsman: Citizen's Defender," the editor presents some current proposals. One of these is sponsored by Congressman HENRY S. REUSS, Democrat, of Wisconsin, who urges the creation of an administrative counsel of the Congress to take some of the load of constituent complaints from Congressmen's shoulders, thereby permitting more time to be devoted to the consideration of legislation. The staff of an administrative counsel could develop an expertise which would enhance the efficiency and efficacy of representatives to the executive branch. Besides providing more boon and less doggle, the administrative counsel might be able to pinpoint trouble-spots whose manifestations today are diffused in the offices of 100 Senators and 435 Representatives.

Finally, Professor Rowat has collected 10 short essays in a concluding section designed to "present some of the arguments for and against transplanting the institution."

Ombudsman countries range in population from New Zealand's 2,500,000 inhabitants to Sweden's 7,500,000. Would the office be able to function if there were 18 million potential customers (Canada, California, or New York), or if there were 50 million (Great Britain), or 190 million (the United States)?

The New Zealand ombudsman has testified that with additional staff assistance he could handle four times his present workload, which is somewhat in excess of 1,000 complaints a year. In Sweden, the civil ombudsman, the deputy civil ombudsman, and the military ombudsman have recently combined forces to allow for more rational distribution of cases. Though not raised in the book under review, it might also be argued that there is a minimum size—perhaps under 500,000—below which a city or state has small need for an ombudsman, due to the accessibility of its political leaders.

Must the population in question be homogeneous, as are those in Scandinavia and

New Zealand? Would the implementation of an ombudsman office keep us from attacking more serious problems of public administration?

To resolve these doubts, "the best test is a practical trial, preferably as a limited and reversible experiment," according to Prof. Fritz Morstein Marx' essay. In this vein, but independently of the Rowat study, Prof. G. V. V. Nicholls has secured the cooperation of the government of Nova Scotia in permitting the law students at Dalhousie University to serve as unofficial ombudsmen—a form of legal aid in the administrative sphere.

Further scholarly research might also be useful. For example, legislators sometimes argue that they are already functioning as ombudsmen. Yet no systematic investigation has ever been made of complaint-handling procedures, or of the number and kind of grievances which enter an elected official's office, whether in the executive or legislative branch. A study in this domain is being carried out by the Institute of Governmental Studies on the Berkeley campus of the University of California. Such inquiry is valuable whether or not an ombudsman office is instituted, because it permits an appraisal of the adequacy of existing complaint machinery.

The trouble with the lawmaker-as-ombudsman approach is that some legislators are more able, more interested, and more influential than others. At the State level, many citizens are not aware of this avenue of complaint. In my opinion, the availability of elected officials as buffers between citizen and bureaucracy ought to be widely publicized, particularly if politicians insist upon a monopoly.

Throughout the Western World, legislatures have been declining in importance vis-a-vis the executive. The underlying reason may be found in the vast complexity of modern life, which provides the experts of the executive branch with an automatic fait accompli. Even as to grievances, lawmakers reply greatly on executive agencies for the evaluation of complaints which legislators receive. To restore the balance, legislatures need to create tightly knit highly qualified counterparts of administrative mammoths. Praiseworthy efforts in this direction may be seen in Congress Joint Economic Committee, in Federal and State comptrollers general, and more generally in the professionalization of staff assistance for Congressmen and State legislators, their committees and reference libraries. There has, however, been little professionalization of the complaint handling function.

The Rowat book, then, is timely and provocative. But if the ombudsman idea is going to be more than words, it will have to burst the confines of academic speculation and be tested in one or more of our 50 State "laboratories." Success in Scandinavia and New Zealand would seem to justify the experiment: the ombudsman has served as a homeopathic cure for some of the common ailments of bureaucracy—slowness, rudeness, obtuseness and error—and proved to be a prompt, inexpensive and flexible means of helping to keep administration prompt, inexpensive and flexible.

WHY THE COMMUNISTS KEEP FIGHTING

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. OTTINGER. Mr. Speaker, last weekend we witnessed a shocking spectacle as the antidraft movement reached a new peak with demonstrations all over the country. These latest demonstrations are shocking not only because many of the demonstrators are violating a new Federal law by destroying their draft cards, but also because the demonstrators—supposedly well-informed, well-educated college students—are demonstrating incredible ignorance about the situation in Vietnam.

I want to make it clear that I firmly believe in the right of assembly. I believe in the right of free speech. I believe in the right of assembly. But I also believe in the law, and those who are breaking and perverting it by destroying draft cards and seeking to undermine the Selective Service Act are a disgrace to this great Nation and should be punished to the fullest extent of the law.

The tragedy of these demonstrations against U.S. policy in Vietnam is that they are having an effect directly contrary to that which apparently is desired. The demonstrators, most of them misguided and uninformed youths, are not promoting peace but postponing it. They are not convincing President Johnson and the Congress that we should terminate our commitment in Vietnam. But they are misleading the Communist leaders in southeast Asia into believing that the antiwar demonstrations will eventually force the administration into pulling out of Vietnam.

Mr. Speaker, I suggest in all seriousness that if these young demonstrators really want the fighting in Vietnam to end, they should take their placards and signs to the Communist capitals, for there lies the ultimate responsibility for the continued bloodshed. The demonstrators must awake from their naivete. They must realize that not only are they playing right into the hands of the Communists, but are in many cases actually being led and controlled by Communists.

Back in January, I was gravely concerned over the situation in Vietnam and the lack of any clear definition of our policy in southeast Asia. I was among the first to call upon President Johnson to enunciate our goals and aspirations in that strife-torn corner of the globe, and to take the initiative in seeking an honorable, peaceful settlement of the conflict. Beginning with his speech at Johns Hopkins University, the President has done just that, but all our overtures have fallen on deaf ears in Hanoi and Peiping. Let there be no doubt who is prolonging the fighting in Vietnam. If our young demonstrators do have doubts, they would do better to spend their time in the classrooms and libraries getting the facts, rather than creating the illusion that they can force our Government to end its commitment in Vietnam and permit another Communist puppet state to be born.

This is not to say that our policy in southeast Asia should not be subject to full and open discussion. Certainly, no phase of our foreign policy is sacrosanct and beyond question. But we are now committed to spare no effort in seeking a just peace and the antidraft and get-out-of-Vietnam movements are having no effect other than to hinder those efforts. By their lack of responsibility and disrespect for the law, the demonstrators are putting this country in a disgraceful and dangerous position.

We cannot escalate the military conflict, as the radical right would have us do, to the point where a world war and nuclear holocaust would be likely, but neither can we abandon the people of South Vietnam and the freedom-loving countries of the world who rely on our strength to protect them from Communist domination, as the radical left and the antidraft demonstrators advocate.

NELSON CRUIKSHANK

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURTON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BURTON of California. Mr. Speaker, on October 1 of this year, Nelson Cruikshank retired from the post as director, department of social security, AFL–CIO. Nelson Cruikshank is an eloquent and forceful fighter whose efforts span the development of the social security system in the United States from its inception to the most recent enactment of medicare. The bill we passed this year bears the mark of his efforts.

His long and distinguished career started as director, social service department of Brooklyn, N.Y., Federation of Churches. He had worked his way through Ohio Wesleyan University and Union Theological Seminary by working in auto factories in Toledo, Ohio, and as a seaman on Great Lakes steamships.

He was director, workers education center at Yale University, from 1933 to 1935, and director, workers education project, WPA and New York University, 1935 to 1936. From 1937 to 1942 he served as labor relations representative, Farm Security Administration. During the last 2 years of this period he was director of the migratory labor camps program.

He was executive assistant to labor members of the National Management Labor Policy Committee, War Manpower Commission, and Deputy Vice Chairman of Labor Relations, War Management Commission, during 1943–44.

He served as AFL director of social insurance activities from 1944 to 1955 and as director, Department of Social Security, AFL–CIO, from 1955 until his retirement on October 1.

Nelson Cruikshank's service to humanity has extended beyond his service to the working men and women of this country. He was a member of the U.S.

Commission for UNESCO and a U.S. delegate to the first General UNESCO Conference in Paris, France, in 1946.

He represented the United States at the first General Conference of the World Health Organization in Geneva, Switzerland, in 1948. He has been:

Representative, AFL, as adviser, Economic and Social Council, U.N.—Geneva, Switzerland, 1948;

Federal Advisory Council of the U.S. Department of Labor;

Labor Committee of the National Planning Association;

Social Security Advisory Council, U.S. Senate Finance Committee, 1948–49;

Consultants' group to Secretary of Health, Education, and Welfare, 1953;

Statutory Advisory Council on Social Security Financing 1957–58;

Statutory Advisory Council on Social Security Financing, 1963;

National Advisory Committee, White House Conference on Aging, 1960–61;

National Commission on Community Health Services;

Department of Church and Economic Life, National Council of Churches of Christ in America, 1964;

Independent Relations Research Association, executive committee, 1960.

While he has "retired," he has already announced plans to teach at a social studies seminar at Michigan State this coming spring.

Let us wish him well in his "retirement" and continued success in his service to his fellow man.

FOR A HAPPY RECOVERY

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MULTER. Mr. Speaker, it is to the great credit of the President and to the American people that the country remained on such an even keel as the Chief Executive went to surgery.

Across the land, Americans felt a great relief to know that the operation was over, and that it was a success. Two recent editorials, one from the October 9, 1965, New York Herald-Tribune and the other from the October 9, 1965, Baltimore Sun, express the Nation's prayers that the President will rest well in these days, and that he will have a good, speedy, and complete recovery.

I commend these two editorials to the attention of our colleagues:

[From the New York Herald Tribune, Oct. 9, 1965]

HAPPY RECOVERY, MR. PRESIDENT

To any one who has emerged from an anesthetic after major surgery, bemused, relieved and apart from all the world, nothing will better illustrate the peculiar and lonely eminence of the Presidential office than the query one reporter directed to Bill Moyers. Was Mr. Johnson's condition, asked the questioner—3 hours after the operation—such that he could make any Presidential decisions that might be necessary?

The idea that the drowsy aftermath of surgery might be punctuated by a shrill call on the hot line is enough to frighten the most hardened veteran of recovery rooms. True, Vice President HUMPHREY was standing by and world crises, after all, do not occur every hour on the hour (although sometimes it must seem so to the President). Nevertheless, there was a considerable amount of past and future history compacted into the operating room at the Bethesda Naval Hospital yesterday morning, and there was a very general sigh of relief when the word came out that—despite the complication of a ureter stone—all was going well.

To that expressive sigh there is little that can be added now, except to wish the President a happy and speedy recovery. He has met this physical crisis with courage, good sense and a patent awareness of the national interest in the premises. For that, as well as for the successful outcome of the operation, the country is grateful.

[From the Baltimore (Md.) Sun, Oct. 9, 1965]

GET-WELL CARD

Before the President entered the hospital we were told that according to all the signs his operation would be routine, though of course this operation is major surgery. Nevertheless, the Nation could not but feel apprehension as it awaited the news that the signs had turned out to be right. That news when it came was most welcome. We now wish for Mr. Johnson a swift end to the inevitable postoperative discomfort, a good rest with a minimum of heavy work and an early return to normal energy and vigor, which in his case is energy and vigor beyond what in most men would be called normal.

DR. W. DEMING LEWIS INAUGURATED AS 10TH PRESIDENT OF LEHIGH UNIVERSITY IN BETHLEHEM, PA., OCTOBER 10, 1965

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, there are many things of which we in the 15th District of Pennsylvania are justifiably proud—one of the foremost being our education system and our magnificent institutions of higher learning.

On October 10 it was my great privilege to take part in the inauguration of one of America's most brilliant and respected scholars, Dr. W. Deming Lewis, as the 10th president of Lehigh University in my native Bethlehem, Pa.

I hope I may be forgiven a touch of chauvinism in my remarks about Lehigh University, but I feel compelled to point out that few private institutions in our history have left a stronger or more indelible mark upon the intellectual and scientific communities.

In Dr. Lewis, Lehigh is fortunate in having a man of international reputation as a space scientist and educational philosopher. His inauguration ushers in a new era of academic progress for Lehigh, already among the Nation's finest universities.

Dr. Lewis is a Rhodes Scholar whose standing in American education can best be attested to by the simple fact that Dr. Nathan M. Pusey, president of Harvard, Dr. Jerome B. Wiesner, dean of the School of Science at Massachusetts Institute of Technology and adviser to our late President Kennedy and the Right Honorable Lord Shawcross, former member of Parliament and Chancellor of Sussex University, appeared at Lehigh on the ocassion of his inauguration as President to pay tribute to him.

Dr. Lewis' own remarks on his acceptance of the presidency are a major contribution to the continuing dialog on higher education's role in the community, the Nation and the world.

It is with great pleasure that I call the attention of my colleagues to the text of Dr. Lewis' remarks. The text follows:

LEHIGH'S ROLE AS A DEVELOPING UNIVERSITY

(Inaugural Address of W. Deming Lewis, on the occasion of his inauguration as 10th president of Lehigh University)

Mr. Magee, trustees, faculty, staff, alumni, and students of Lehigh University, delegates and distinguished guests, I accept the charge which the trustees today formally place in my hands with deep feelings of dedication to work which has already begun. In the few minutes I shall speak to you this afternoon I would like to outline the challenge and the task which today face our university.

Our eminent guest speakers, Lord Shawcross, Dr. Pusey, and Dr. Wiesner, represent and personify traditions and forces of the utmost importance to Lehigh and indeed to all universities. We understand Lehigh's own tasks better if we understand what each of these three unusual men represents and ponder the significance of what he has personally done.

Lord Shawcross, simply by being an Englishman, symbolizes the constitutional and elective processes of government of free people under which universities such as our own can thrive and grow and without which they could not exist in the form we know them. His long service as a barrister and his work as chief prosecutor for Great Britain at the International Military Tribunal in Nuremburg exemplify the processes by which free institutions, including universities, can, in practice, achieve justice. His service as chancellor of Sussex University demonstrates, I assume, a belief that while nations must nourish universities so can universities strengthen nations.

Dr. Nathan Pusey as head of this nation's oldest university symbolizes and personifies to all of us the great traditions and idealism of university men everywhere. His institution is a preeminent example of the modern university. The university of today has its roots in the isolation and asceticism of the monastery. Its central stem and main branches are energetically occupied with activities designed to shape and guide the leaders and thinkers of the future and to discover new knowledge. Its tendrils and offshoots are becoming interwound with an increasingly numerous and diverse set of human activities. Dr. Pusey and Harvard, while fruitfully working toward these many goals symbolize for all of us the achievement of one central goal of great value—broad education with emphasis on fundamentals and attention to humanities and the development of the intellect.

Dr. Jerome Wiesner, as dean of science of the Massachusetts Institute of Technology, and as former chief scientific adviser to Presidents Kennedy and Johnson, symbolizes and personifies the relatively recent great surge of importance of science and technology in the affairs of men, universities,

and nations. It has been clear since August 1945, that the survival, as well as the prosperity, of nations will henceforth depend heavily on their scientific and technical competence. No one has seen more clearly than Dr. Wiesner the consequent need for an adequate and coherent policy of support for science and technology in the universities, or has thought more searchingly about how it should be formulated or worked more effectively toward its practical realization.

The presence of these three men here reminds us then that a university has a complex and crucial role in society today. On the one hand it must keep part of itself free from the struggle of the outside world in order that many of its people can be free to learn and teach and discover the truth. On the other hand it must prepare people and help to prepare nations for this struggle. On the one hand a university must preserve and understand the intellectual treasures of the past. On the other hand it must encourage the questioning of conventional wisdom in order that greater wisdom can be found. On the one hand its stock in trade is activities of mind and spirit. On the other these mental and spiritual activities can flourish only within a stable and healthy framework of faculty salaries, student life, auxiliary services and physical plant.

I would now like to become more specific and talk about Lehigh in particular. Both for this occasion and because we reach the modest age of 100 this year it is appropriate to take note of our position and to consider where we want to go from here.

Lehigh, in spite of raising its entrance requirements to the most stringent ever, has reached a new high in undergraduate enrollment. This is, in part, due to its high reputation and in part, of course, to the current pressure for admission on all colleges because of increasing population and increasing requirements for education.

Many institutions are adjusting to these pressures by making dramatic increases in undergraduate size and some new undergraduate institutions are being established. These expansions in undergraduate capacity are necessary but they can usually be undertaken only where substantial public funds are provided.

It appears that Lehigh can serve the cause of undergraduate education better by remaining private, retaining approximately its present undergraduate enrollment and still further upgrading the quality and character of the undergraduate experience which it offers. The quality and character of Lehigh's alumni as well as their impressive record of achievement and their enthusiastic loyalty all confirm the wisdom of such a course.

The present structure of three undergraduate colleges with great flexibility for curriculum interchange provides a strong base for development of future undergraduate courses and programs. That such development must take place goes without saying, and there is too little time to say here what its lines might be. It is, in any case, clearer than ever in this age of exploding knowledge that we cannot prepare men for life by the inculcation of specific techniques and information alone. We must in the future place even greater emphasis on developing the powers of the intellect and on understanding fundamentals.

Lehigh, some 5 years ago, made a different decision about its graduate school. It was decided that the graduate enrollment, unlike the undergraduate enrollment, should be systematically expanded.

It would have been more comfortable financially and far simpler administratively to retain the size of the graduate program or even to reduce it gradually, thereby permitting Lehigh to abandon its status as a university and to devote all of its resources to the honorable task of being a first-rate college. But it would not have been right.

There is today a tremendous and growing need for graduate programs. The need is particularly great in engineering and science where Lehigh has great strength. It is growing rapidly in the field of education where Lehigh is also strong. It is expanding into the social sciences, the humanities and business administration. Lehigh has resources in all of these fields.

Now Lehigh is indeed a private university but it has a public obligation. This arises from its tax-exempt status, from its charter and most of all from the feeling of its trustees, faculty, and staff. It will, therefore, do whatever it can do well to meet the growing need for graduate education. It will go as far as it can with private resources. Where there is still further need it has sought and will continue to seek further support in the form of appropriate grants and contracts from public agencies.

In doing this, Lehigh will be helping rather than hurting its undergraduate program. This help will come from the higher numbers of truly outstanding faculty which can be attracted to an institution which offers research and graduate teaching opportunities along with its undergraduate program.

Expansion of a graduate program is not without dangers, especially for a private university of modest size and endowment. The hardheaded financial realities of life must be respected even by universities. We cannot afford rapid expansion in all fields at once. Perhaps we could expand slowly in all, but not without losing the competition everywhere for many of the best men, both faculty and students, to larger institutions with greater resources. Instead we will select a few fields in which we have unusual opportunities, and expand rapidly in these. This will require some hard choices but they have to be made if we are to succeed.

Thus, we have already selected as a so-called salient field the application of mathematics. This salient cuts across the physical sciences and engineering disciplines and is rapidly extending its importance in the social sciences and the disciplines of business administration. The digital computer is magnifying the importance of, and resources available to, workers in this field.

To implement this decision we have created an interdisciplinary center for the application of mathematics. We have made a number of new appointments of men who will work both in this center and in academic departments where mathematics can be fruitfully applied. They will join others with such interests who are already on our staff.

Education is another graduate field where unusually rapid expansion is taking place at Lehigh. This is in response to the intense demand for more well-trained administrators and teachers for primary and secondary schools. We are also taking the lead in developing programs to meet the impending burst of need for community college personnel.

There are other fields where significant graduate programs already exist at Lehigh. From time to time, when the need is felt and where opportunity and resources permit, we shall increase this number, but we shall do it only if we can be reasonably sure that a program of high quality will be constructed.

As I mentioned earlier one evidence of the excellence of Lehigh's undergraduate program is the unusually large number of able and successful men which it has produced over the years. A few of these men serve on the board of trustees, they and many of the others serve enthusiastically on such helpful projects as the current centennial drive. A surprisingly high percentage of those asked so far have given and given generously to this drive. This project has helped and will help us still further to achieve the goals of the university. Watching the success of this work has been one of the most rewarding aspects of my first year here.

There is another way in which well-qualified alumni can help still further and that is by establishing a closer contact with the academic activities of the university. A university is an instrument of society, though it must be insulated from many of the daily struggles and pressures of the outside world it should understand and perhaps respond to major trends and developments there. If for no other reason it should do so because most of its students will eventually live in the outside world. There is also a need for segments of the outside world to be better informed of what is going on in the university.

To help meet both of these needs for Lehigh we are in the process of establishing a system of committees to visit the various academic departments and interdisciplinary centers of the university. These committees will be made up of qualified and interested people, alumni wherever possible, from business, government, and other academic institutions. They will advise, but of course not control, they will be concerned with policy, but of course not with details of curriculum and administration. We believe they will be most helpful.

One final word. The spirit of its faculty is a significant determinant of the quality of any university. None of our plans for progress can be effective without an excellent faculty. With an excellent faculty even faulty plans will succeed. Accordingly, we are making determined efforts to preserve the substantial faculty strength which Lehigh already has. This must include the identification of and reward of quality in all possible ways. It must clearly include recruiting of new faculty of high quality. Perhaps, most important of all, it requires uninhibited and meaningful discussion among and with all faculty and staff who might have something useful to say about the welfare of Lehigh. I feel that this has been going on during the past years and hope it will continue.

These, then, are the seeds of a program for Lehigh. We will toil at the cultivation and hope that the harvest is good.

THE CHARGER

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, my home community of San Diego, Calif., has been the site of many advances and developments in aviation and aerospace. Many of the names of aircraft and missiles now famous throughout the world were first heard there. These range from the Spirit of St. Louis to the Atlas ICBM.

Most recently a new aircraft by the name of Charger took to the skies over San Diego. There had been high hopes that the name of this prototype counter-insurgency—COIN—aircraft built by the Convair division of General Dynamics would in time join the ranks of other famous San Diego-built products.

Most unfortunately, the aircraft crashed the evening before last. The Navy test pilot successfully ejected during his landing approach because an emergency had developed. No one,

thank God, was killed, but the aircraft was totally destroyed.

This accident is unfortunate not only for itself but also because this aircraft built by private money and designed to meet a growing national defense need was undergoing a military test-flight evaluation that might well have insured its future and the fame of its name. The aircraft had logged more than 200 hours and had clearly demonstrated the valuable contributions it could make to counter-insurgency and limited war actions.

But development programs have met with setbacks before; many famous products trace early failures in their history. I hope and believe that the Charger has a great future of service and contribution. I hope and believe that all concerned now will move quickly to rebuild the program, complete the testing, and make the decisions that must be made if national needs are to be met.

GEN. ROBERT E. WOOD BRANDS CANAL ACTION

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, since the joint announcement on September 24, 1965, by the Presidents of the United States and Panama concerning the status of three proposed canal treaties to replace the 1903 convention, I have read many news stories and editorials in the mass news media commenting on that proposal.

Among the first and best of these were a news story quoting a statement by Gen. Robert E. Wood and an editorial, both in the September 26, 1965, issue of the Chicago Tribune.

As an important builder of the Panama Canal, business executive with vast experience, and an experienced statesman, General Wood's views carry great weight.

The indicated news story and editorial follow:

[From the Chicago (Ill.) Tribune, Sept. 26, 1965]

CANAL ACTION BRANDED A MISTAKE—GENERAL WOOD RAPS JOHNSON PLAN FOR NEW PACT

President Johnson's decision to relinquish U.S. sovereignty over the Panama Canal Zone is a "terrible mistake" that will undermine the Nation's position in Latin America. Gen. Robert E. Wood, one of the few surviving builders of the canal, said yesterday.

The move also could jeopardize national defense by placing a vital transportation link under the control of another government, said General Wood, a director and retired chairman of Sears, Roebuck & Co.

SEES DIRE RESULTS

"What I really think of it—Johnson's decision—is unprintable," he said. The only hope I can see in this thing is that (the Johnson administration) doesn't tell what it is going to give to Panama.

"If Panama only gets some little control over local matters, it might be all right, but if the plan is to set up a joint participation in control of the canal between the United States and Panama, it would be terrible."

Johnson announced Friday that a new treaty will be negotiated to supplant the 61-year-old treaty that gives the United States "all rights, power, and authority" over the 33-square-mile Canal Zone "in perpetuity."

The new treaty would place the zone under joint United States and Panamanian administration, the President said.

General Wood was one of Gen. George W. Goethals' assistants in constructing the canal in 1905, the Army assigned General Wood, then 25 years old, to work on the canal. He was on loan to the Isthmian Canal Commission and stayed until 1915. His responsibilities included the hiring and housing of workers and the purchase and distribution of all supplies.

RECALL EARLIER WARNING

General Wood warned in January 1964, that any arbitration of U.S. treaty rights in the Canal Zone would "finish" the United States in Latin America. It was a time when widespread anti-American rioting broke out in Panama, a symptom of resentment over U.S. control of the canal.

Then Wood conceded that Communists could have had a hand in organizing students leading the riots, but he held that the Panamanian Government was using the threat of a Communist takeover as a bludgeon to force the United States to modify the pact.

"My opinions are still the same," he said yesterday.

[From the Chicago (Ill.) Tribune, Sept. 26, 1965]

FOR THE STARVING, A CANAL

Because thousands of Panamanians are ill fed and living on our doorstep in squalor, we have agreed to hand over a canal which they can neither eat nor live in. That is about the size of Mr. Johnson's agreement to abrogate the treaty of 1903, which unequivocally gives us sovereign rights in the Canal Zone. He apparently hopes that this great concession will appease the anti-American agitators.

The immediate purpose of the announcement was to strengthen the hand of Panama's President Marco Robles when the National Assembly meets this week. Had he failed to achieve any change in the status of the canal, he would have been noisily castigated by the opposition, which consists largely of leftwingers playing upon the poverty and nationalistic sensitivities of the people.

But does anybody seriously believe that these agitators, who include Communists and Castroites, are going to quiet down and go home simply because one of their talking points is removed? History offers abundant proof that they will simply find other excuses to heckle the Government and denounce the United States.

When the anti-American riots broke out in January 1964, Mr. Johnson said with what sounded like conviction that the United States could not allow the security of the canal to be imperiled, and that this country intended to honor its obligation to run the canal efficiently and securely. His present unilateral concession is all the more conspicuous as evidence that rioting against the United States does pay off and that anything the United States says, no matter how firmly, is subject to dickering, compromise, and even retraction.

The promised concession applies not only to the present canal, which is considered outdated and is tentatively scheduled for replacement with a sea-level canal. It also sets a precedent for the new canal; and by hinting strongly that the new canal will be built in Panama rather than in one of the neighboring countries, Mr. Johnson has undercut the incentive for Panama to offer concessions in return.

We are yielding a great deal for an uncertain reward. What is particularly tragic is that the need for appeasement might have been averted entirely if we had followed the advice of men like our former Ambassador to Panama, Joseph S. Farland, who resigned in 1963 with the prophetic warning that anti-Americanism in Panama would grow to unmanageable proportions if the United States did not pay more attention to the crying needs of the Panamanian people. What sense did it make to lavish billions of dollars of aid on places like India, Indonesia, and more remote parts of Latin America, while allowing such poverty to exist so near and in such striking contrast to the park-like luxury of life in the Canal Zone?

Nationalism is only one factor behind the discontent of the Panamanians. Sovereignty over the canal is not going to improve their living conditions. Had the United States built Panama—a country with only one-third the population of the city of Chicago—into a showcase with improved sanitation, education, housing, roads, and opportunities for employment, and had it done this in time, we might have had a more satisfied and friendly people living along the canal which means so much to us. The Communists and agitators might then have been left talking to each other.

JOHN WILDER PARKHURST: POST-WAR SALUTE TO A BRAVE SOLDIER

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, the official histories of our Armed Forces in World War II have now been largely completed but the full history of the individual heroes in it is far from finished. One of these heroes was young John Wilder Parkhurst—1925–1945—of Winchester, Mass., an ambulance driver for the American field service in southeast Asia.

A son of Richard Parkhurst, distinguished former member of the U.S. Maritime Commission, business executive, authority on the Merchant Marine, and a member of the Board of Visitors of the U.S. Coast Guard Academy, this gifted son of a gifted father had a future that would probably have been brilliant.

Volunteering for service in 1944, he soon found himself in southeast Asia. Within a period of 1 years' service, he won the admiration of his associates for personal bravery in caring for his wounded comrades.

At last, 20 years later, one of the Nation's leading writers, Harry W. Frantz, of Washington, D.C., in eloquent words, has told the moving story of young Parkhurst.

In order that this splendid eulogy may become what the author intended—a legacy for his family, a contribution to history, a tradition in the U.S. Army, and an inspiration for the youth of our land—it merits a place in the permanent annals of the Congress.

The eulogy follows:

JOHN WILDER PARKHURST: POST-WAR SALUTE TO A BRAVE SOLDIER

(By Harry W. Frantz (SSU 10, Armee Francaise en Orient, 1917), Bethesda, Md., July 27, 1965)

Twenty years after World War II, I have had the good fortune to read a collection of tributes, military citations, personal letters and other memorabilia about a brave American youth who lost his life in India but inspired a lasting tradition in the annals of the American field service and stirred the hearts of countless friends who knew of his service and his sacrifice.

As I read these records there constantly recurred to mind a thought attributed to George Washington which meant, in essence, if not in exact text: "We can only raise a standard to which the wise and the good may repair: the event is in the hand of God."

John Wilder Parkhurst of Winchester, Mass., raised his standard to the humane service of the ill and wounded in World War II, volunteering, despite a negative record of fitness for combat service, to drive an ambulance for the American field service.

After a training period near Bombay he served with British, Indian and Gurkha troops in the dangerous Assan-Burma theater during 1944 and 1945. The Allied campaign there ushered the defeat of Japan's armies in southeastern Asia, and appreciably hastened the end of the terrible war.

The unforeseen event "in the hand of God" was John's untimely death at a British General Hospital at Calcutta on July 3, 1945. The immediate cause was officially reported as pneumonia, but he had long since suffered devastating attacks of malaria, and according to one diagnosis typhoid fever, during his service along the battle fronts. In childhood he had suffered infantile paralysis.

At the time when his work was done he was barely over 20 years of age, having been born at Boston on April 21, 1929; and as recently as June 1943 had graduated from the Vermont Academy. Except for his patriotic determination to serve the Allied cause he would soon have enrolled at Dartmouth College. His wartime letters revealed his potential for becoming a talented writer.

There were some wonderful compensations for John Parkhurst's untimely end on earth, for he left innumerable friends at home and abroad. His brave and ardent service on far-distant battlefronts gave almost legendary meaning to his life, and had an inspirational value which will grow with the passing years.

His personal bravery and determination to serve the sick and the wounded were attested by his comrades, by the gratitude of the human wrecks which he conveyed to field surgical stations and hospitals, and by laudatory reports by the high command of British and Indian military and medical services. Among such witnesses to his merit and that of his companions of the American Field Service was the renowned Mountbatten of Burma, a mastermind of the military struggle against the Japanese in southeastern Asia.

Back in his sorrowful homeland, John's memory was honored and revered through ceremonial events and lasting symbols at the Vermont Academy, Dartmouth College—his intended alma mater had he survived the war—and at the American Field Service headquarters in New York.

From the records of his wartime service one might surmise that John had been influenced in schooldays by Rudyard Kipling's fascinating novel about Kim—"the Little Friend of All the World," by the haunting lyrics of "The Road to Mandalay," and the bizarre accounts of life and adventure along the northwestern and northeastern frontiers of India. For reasons known only to God, John's destiny led him along similar routes to service and adventure.

The imponderable hopes, fears, loyalties, affections and speculations which must have passed through John's mind as his ambulance conveyed war's victims along the shell-wracked and disease-ridden overland Road to Rangoon and Mandalay might also have been a metaphysical counterpart to the fictional masterpieces of Joseph Conrad, the great literary assessor of life and destiny of white men in the great region between Suez and Singapore.

The celebrated German philosopher Goethe once wrote that adaptability is the mark of human greatness. If evaluated by this simple rule, John's service in World War II attested his superior character. Among British Tommies, Gurkha soldiers, Indian camp-followers, the wild tribesmen of Burma, stretcher bearers, nurses, physicians, privates or officers of all ranks, he manifested the singular qualities of industry, courage, humor, perception and innate friendliness which mark the person of superior adaptability.

His American Field Service section officer Percy Gilbert in a reminiscent postwar letter recalled:

"I can't tell you how much John meant to all of us. I knew him very well, and he was one of the hardest workers I have seen in my 3½ years overseas with the Field Service. He did not know the word 'giveup.' Despite his handicap he went through the thick of the Burma campaign.

"He had many narrow escapes performing his duties. You could never get him to talk about them, but by delving and asking British officers and his friends I learned of his exciting escapes. He never said a word about the hardships he endured, of which I knew he'd had many. A great many British officers talked to me about his fine work and about his courage for volunteering for tough jobs."

An abbreviated record of John's service and stations, compiled by his father, Mr. Richard Parkhurst of Winchester, Mass., from British and A.F.S. records, contained the following highlights:

April 5–May 4, 1944: In transit across India (Poona) to Imphal (Assam).

May 1944: 33d Indian Corps, 7th Indian Division, on Dimapur-Kohima road, and the so-called Bokajahn track.

June 15, 1944: On Jessami track, east flank of Kohima-Imphal road; here his jeep section was known as the "Hell Patrol."

February 26, 1945: 33d Indian Corps, 19th Indian Division.

April 18, 1945: 7th Indian Division, 114th Brigade, 4/5 Gurkha Rifles.

June 1, 1945: 33d Indian Corps, 4/15 Punjab Regiment.

June 15, 1945: Hospitalized. Brigade to Calcutta.

July 3, 1945: Died British General Hospital 2, Calcutta.

Dates of service with the 5th Indian Division and some operational locations were lacking, but Mr. Parkhurst noted: "In general, however, the territory covered was the territory covered in transit from Poona to Imphal in Assam, thence to Rangoon in Burma. Imphal to Rangoon saw heavy fighting most of the way."

John Parkhurst's letters to his folks at home, remarkable for detailed observation and sensitivity to ever-changing environment, disclosed his swift adaptation to the unpredictable vicissitudes of army life in the mountain, jungle, and river terrains.

Writing from Poona, India, on March 3, 1944, he said that he had taken the British commando judo course and had started the study of Urdi (Hindustani). He made notes about the fruit peddlers, roadside magicians, and new military acquaintances. In a characteristically humorous vein he continued:

"Possibly a description of my little corner of India would prove enlightening. My bed is on the left of one of the doors as you come into the barracks. It's a teak frame, teak being used as you use pine, with a frame across. I was lucky enough to get a mattress of sorts. My head is to the wall, on which hangs my battle dress and bush jacket and Ghurka hat.

"A very deep windowsill is on the left, under which is a sort of three-story bookcase holding my shaving stuff, sewing and mess kits, colored glasses, and vitamin pills. Two wires go the length of the barracks, passing over my head and feet. During the day, my mosquito net is rolled and tied with two blue ribbons to the one at the head. At the foot is my everything—a roof-tin trunk.

"In the morning my bearer clatters in with his hobnailed shoes, rattles my cup, and goes away. I reach a peak of anticipation, then fall asleep. At exactly this moment he returns with my tea. I drink this and fall asleep. He then drops the net on my face, usually twice. I get up."

Describing the arduous routine of an ambulance driver's work, John wrote from his car at Dimapur, Kohima, in May 1944:

"As usual, I am writing in the back of my ambulance, this time on the bottom of a wash basin which I made out of a petrol tin. We have been fairly busy of late, and as our hours are necessarily irregular, it can easily occur that you can be up 20 hours or more. An average run takes about 8 hours, both ways, and if you get caught at night, longer. The road is typical mountain stuff for this section, and the average down speed, with stretcher cases, is between 5 and 10 miles per hour, with frequent stops. It's rather grueling driving, with both you and the fellows in back feeling each bump.

"I had one unpleasant night recently when I was the last vehicle down before the road closed, and the fog so thick that when I looked out of the cab window I couldn't see the road. To top the run off, I broke down at the hospital, luckily after the patients had been disposed of.

"Most of today I spent on my back underneath the car, changing oil, greasing, tightening, cleaning filters, and generally getting things in shape. It's a great feeling, after a day like that, to start the crate and hear her purr."

In several letters, John commented on the strange native tribesmen with whom he came in contact. Writing from the Imphal region, he said:

"There are some particularly interesting people in these parts known as Nagas. They are of Mongolian origin, and lead particularly hard lives. You see them a good deal, walking on the roads, with colored blankets, long-handled, thick-bladed knives and ancient rifles.

"No one ever knows just where they're going, only every little while one will wander in with a few Jap heads. I talked with one the other day who had an 1872 Lee-Enfield rifle, which his grandfather probably killed an Englishman to get. It was only a single shot, and he made the cartridges himself, but he'd got 20 with it. Another guy (Naga) had his wife and family cut into small pieces, and swore he'd get 100 for every piece. He brought in 35 heads the other day. Naga women are having a rough time. We often find them dead in captured bunkers."

In another letter John said that when he came to a Naga village he first went to see the chief.

"He, if in a good mood, greets you warmly," John wrote. "If he isn't in a good mood, it is just as well to leave right away. A good next step is to take the chief and a couple of his men, sons and hangers-on down to the ever present river for a little grenade fishing. You pitch the grenades upstream and

the natives haul the fish out about 50 yards downstream, stunned but otherwise unwounded. A couple of grenades usually gets up to 30 fish, some nearly a foot. Since it would take the villagers a good day with their nets to do this, the chief is happy about it all, and takes you up to his house.

"The village is all built on bamboo stilts about 10 feet off the ground, and you walk up on a notched log to a sort of veranda. The chief seats you, mumbles something, and tea appears. He then gives you a whacking great cheroot which smells and tastes like burning leaves. You sit and beam at each other, drinking tea and smoking the cheroot with apparent gusto, while all the chief's relatives peep at you from the doorway. The women are particularly handsome, with oval faces, slant eyes, and silver bangles. Eventually, you leave, generally stopping to watch the women weaving cloth on looms."

In January 1945, on his first annual leave of absense, John had the good fortune to visit the Northwest Frontier. Of this excursion he later wrote:

"I had a wonderful time on my leave. It's a wonderful country up at the Northwest Frontier. They were hospitable at various outposts we detoured to see, and we were always asked into the mess. Some of the married officers at Peshawar had us to tea, and nobody was stuffy or 'pukka' at all. I suppose because it's an out of the way place where visitors are welcome and Americans unusual.

"Even tribesmen would grin and show you the right direction or gather in the bazaar in groups up to 50 or 60 and point and jabber. The day that I went down in blue jeans and an Afghan goat-hair jacket and hat caused them to treat me like a brother. The United States just doesn't know how much of a standard it is, as a free country as well as materially."

After the allied capture of Mandalay in March 1945, John wrote to his father:

"The past 2 months have been the most interesting, and by far the toughest, as far as enemy activity goes, of any I've spent out here. Two of us were attached to a crack Indian battalion and went with them, often as the only vehicles in the capture of the city. We made runs under all kinds of circumstances, including night runs to company positions which were being attacked. The whole show ended with our working 50 hours straight. My only injury is a quantity of blisters from digging. I don't mind telling you I never thought I'd get out of it with a whole skin, but when you're resigned like that you're not afraid and although on your toes, part of your brain seems out of commission.

"The battalion officers are all young and good guys as well as good soldiers and the Jawans (Indian private) are plenty tough.

"We were always included in battalion conferences and saw the plans developed and executed, and were told what to expect. This is good because some of the battalions, notably the British ones, will just say: 'Well, there may be some wounded here, you can find your way alright, and I think the sappers have been over the road.' This often leads to sticky situations."

In his last letter to his parents, written June 3, 1945, John wrote in part:

"The good old monsoon has started again. A year ago we were in Kohima. From Kohima to beyond Rangoon is a long way, and there are divisions who have marched 700 miles of that distance, not counting side tracks to various battles.

"I am at present waiting for a bullock cart ambulance. The road back is impassable and I shall have to hike some 8 miles with this thing.

"I often forget to mention how much I enjoy the clippings and cartoons you send, but I keep most of them for days and read them many times. Letters I almost memorize."

Before many weeks John would have sailed for home at end of his first enlistment. Instead he was struck by malaria, and was hospitalized in Calcutta. After his death on July 3, 1945, he was buried the next day in the United States Military Cemetery at Barrackpore, near Calcutta. Six members of the American Field Service acted as bearers, and there was a Guard of Honor from a British regiment with which he had served in Burma—the Royal Berkshire and the York and Lancaster. Later his remains were transferred to the Wildwood Cemetery, at Winchester, Mass.

His long-cherished dream of enrollment at Dartmouth College was never realized, but became part and parcel of the Dartmouth tradition. His parents installed a memorial fireplace in the President's office in Parkhurst Hall, and according to John's wish—recorded in a letter written from the Burma jungle provision was made for winter logs through the years to come.

"Cheer and warmth will spread from the fire on the hearth through long days and nights uncounted, reflecting the dreams of loyalty and warm-hearted friendship among men," said an editorial in the Boston Traveler.

A letter from a friend written shortly after John's death (author unnamed) posed the eternal riddle, which only God could answer:

"It is so hard to understand the divine plan that denies to the most unselfish the greatest glory of homecoming. But he has peace and perhaps even happiness, since many of his friends must be with him."

To this one might add that he will be remembered in the Eastern Hemisphere when the monsoon breaks the terrible heat of the desert winds, and he will be alive in the hearts of his friends and kin in the Western Hemisphere when the joy of springtime stirs anew the spirit of adventure and service in countless youthful hearts.

Who else in 20 years could have lived so bravely and served so nobly in two hemispheres?

FROM RESEARCH TO CONSUMER

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FOGARTY. Mr. Speaker, I include the following speech for delivery at annual meeting of the American Public Health Association, Chicago, Ill., October 19, 1965:

FROM RESEARCH TO CONSUMER

(By Hon. JOHN E. FOGARTY, House of Representatives, Washington, D.C.)

These are exciting days of a dramatic year for the consumers of health services—and they include every man, woman and child in the United States. Probably never before in our history has our nation taken so many bold strides upward toward one of our highest national goals—the provision of the best in health care, in the healthiest possible environment, to all our people.

From these few words you will have inferred correctly that I am interpreting the subject of this address in its broadest terms. When it comes to health, all of us are consumers. And we should be the beneficiaries of all the research done which has relevance to our physical and mental well-being.

This year I have had the privilege of serving in a Congress which has done these things:

Provided the greatest appropriation for medical research in history;

Driven a broad highway through the economic barriers that has separated the people who need health care most—our older citizens—from the care they need;

Enacted the Older Americans Act, which provides a strong central focus and responsibility within the Department of Health, Education, and Welfare on all matters of concern to older people and those who work with and for them;

Created a bold new approach to the delivery of top-quality health care in every region of our country by authorizing regional medical programs designed to bring together the worlds of medical research, medical education, and medical practice;

Greatly strengthened the ability of our health professional schools to prepare greater numbers of better trained practitioners to serve the medical, dental, nursing, and public health needs of present and future generations;

Enacted vigorous new legislation to accelerate the cleansing of our Nation's rivers and waterways.

These are the great milestones. But there are other markers to progress that also deserve mention—extending and expanding vaccination assistance and support of migrant health services, extending and expanding the health research facilities construction program, providing for a greatly improved system of medical libraries, permitting Federal funds to support staffing of community mental health centers.

This is a shining record. All of us in the 89th Congress are proud of it.

But we are the first to recognize that it is less than half the battle.

What happens now depends on the thousands of people who, like yourselves, are engaged in the daily struggle to deliver the goods to the consumers of health services.

I can say with confidence that you will benefit from outstanding leadership at the peak of the giant pyramid. The Department of Health, Education, and Welfare with its distinguished new Secretary, and the Public Health Service with its brilliant young Surgeon General, have enthusiastically accepted the President's challenge to fulfill the unfulfilled aspirations of a nation of consumers.

Are you, in the States and communities, ready to tackle old problems in new ways? Are you ready to break free from the bonds of traditional and comfortable practices?

Unless you are, all that we do in the U.S. Capitol, and all that the Public Health Service does on Independence Avenue, and all that the National Institutes of Health does on its great research campus in Bethesda will fall far short of our lofty target.

We have, all of us, been falling far short for years. For our target is nothing less than the full delivery of the great promise of scientific research to the individual consumer. Let us consider a few examples of promises unfulfilled.

Twenty years ago, dental research gave us, in fluoridation, a highly effective method for preventing tooth decay. It is safe, it is economical, and it can reduce the attack rate of this most common of human ailments by about two-thirds. And yet today only 50 million people have access to fluoridated water systems. Another 150 million, who could be and should be its beneficiaries, are being denied the protection because what is purely and simply a health measure has, by some strange magic, been turned into an emotionally inflamed political issue. How much longer must our children wait before reason prevails?

Medical research in recent years has produced wonders which cross the border of the miraculous in heart surgery. Some thousands of our fellow Americans are enjoying healthy and productive lives today because they were among the lucky ones—they got to the right doctor, at the right time, and their case was brought ultimately to the operating theater of one of our great citadels of medical excellence. But hundreds of thousands with similar conditions are gone because they didn't make the right connection.

Medical research has yielded brilliantly effective new tools for the early diagnosis of cancer. Of these, the one with perhaps the greatest potential for saving lives involves the use of soft-tissue X-ray techniques to diagnose cancer of the breast. Yet how much hope can we hold out for this development when thousands of women still die every year who could have been saved through the use of the Papanicolau smear technique for early diagnosis of cervical cancer?

Medical research combined with advanced physics and engineering has now brought us the capability for automating many of the steps in a standard medical examination, for screening of electrocardiograms by a computer a thousand miles away at the end of a regular telephone line, even for compiling a usable nationwide system for medical records. The economies in precious professional time and resulting expansion of professional service, made possible through the use of such twentieth century methods, thrill the imagination. How long will it be before these things help, not a few of the lucky ones but the millions of health consumers

Are these public health problems? You bet your life they are. For these problems—such diseases as heart disease and cancer which kill nearly three-fourths of our people, and such problems as the effective use of professional effort—are the fundamental problems of the public health. Public health people can no longer hide behind the old walls that separated your profession from private practice. For those walls, like the walls of Jericho, are tumbling down. In today's America, with today's patterns of sickness and health, your profession has the opportunity of a lifetime—to pull together, community by community, State by State, the many resources which must combine to protect and prolong the life of each individual member of the consuming public.

Consider, for example, the furiously controversial medicare legislation. Beyond all doubt, the high cost of medical care, striking our older people at a time of their lives when most of them are least well prepared to pay, has been a tremendous deterrent to the application of research knowledge for the improvement of health. Beginning next year, this obstacle will have been greatly reduced. The older people will benefit; their children who have been paying the bills will benefit; their physicians will benefit—for they will now be able to prescribe in accordance with medical need instead of tempering their course of action in accordance with the patient's financial capability.

But nothing in the Medicare Act can possibly guarantee that the older people are actually able to receive the care to which they are now financially entitled. That historic enactment will not, of itself, create a single new hospital bed. It will not improve the quality of care in a single nursing home. It will not make home nursing service available in a community where none now exists. It will not increase the supply of nurses whose rapidly diversifying capabilities are so indispensable to the care of the older patient.

In short, it will do nothing to assure that older people can buy what they are now able to pay for. Our older citizens will become a consumer group with greatly increased purchasing power. But you, the health forces of the Nation, must create and staff and administer the services they want to buy.

And, in my view, you who work in the public health field have a very special responsibility to do this job. For this is essentially an organizing job, a focusing job, a task of administration in its broadest sense. It cannot be achieved by anything less than the full health resource. And the local and State health departments are still the only agencies specifically charged with viewing health resources as a whole, with seeing where the pieces fit together, where the gaps are, where additional strength is needed to serve the people fully and well. Meeting the initial demands of medicare will require high-powered short-range planning and action. But unless these plans and actions are carried out in logical relation to health planning and action for longer range goals, the ultimate result will be detrimental.

In a somewhat different way, public health people have a parallel challenge in the environmental health fields. To a large extent modern medical research and public health measures, as we know them today, had their beginnings in the Nation's efforts to rid itself of the great epidemic diseases. Diligent and painstaking research sought to isolate the disease organisms and trace them to the particular environmental factor responsible for their transmission. Vast campaigns to drain mosquito breeding swamps, to improve the quality of drinking water, and protect the food and milk supplies from deadly contaminants were undertaken. Techniques of massive communitywide immunization were introduced and, one by one, the terrible scourges, that had terrorized the Nation for so long, began to yield.

The translation of research into consumer benefits was so successful that today, a case of typhoid, cholera, smallpox, yellow fever, and other such diseases, is observed by medical students as an example of past medical problems.

But if the history of environmental health research and application is dramatic, its present status is rather dismal. Today, every major waterway in the country is polluted—in degrees ranging from minor to slightly less than open flowing cesspools. The supply of potable water is dangerously low even in New England and New York, areas once rich in natural water resources.

Smoke, soot, and noxious gases billow forth—from buildings, from automobiles, from burning garbage dumps. In New York City, 63 tons per square mile of this dust settle out of the air every month—blackening buildings, corroding statuary, damaging plant life, and doing we know not what to man. I am sure that all of you here today are well aware of the ability of the Nation to "smother itself under a blanket of refuse." Some 800 million pounds of solid wastes must be disposed of in this country every day.

I could go on citing statistics, but I think my point is clear. These environmental difficulties are rapidly reaching astronomic proportions and the hazard to public health is multiplying every day.

The picture is not entirely black. Almost every State now has some kind of air and/or water pollution control legislation; Federal, State, and local governments have contributed billions of dollars to the construction of new sewage treatment plants. Monitoring stations situated in various parts of the country pour in information concerning the quality of the air and water across the Nation. Industrial cooperation in eliminating some of the more acute pollution problems has been sought and often obtained. We have conducted and are continuing to conduct numerous research projects on the control of environmental hazards.

Some of these projects have yielded information from which all of us, as consumers of research results, have benefited. One notable example, I think, is the development and use of the sanitary land-fill method of solid waste disposal. By burying wastes in this manner many communities have been able to convert swamp lands into productive property, and at the same time, eliminate the nuisance and public health hazards inherent in open refuse dumps and other methods of incineration and disposal.

In the area of food and milk protection, our research and application of research has been especially successful. The fact that the average consumer purchases his food and milk supplies from supermarkets, restaurants, and vending machines with complete confidence in the safety and purity of such supplies attests to this fact. As food sources have moved further away from the ultimate consumer, new methods of inspecting, testing, packaging, and distribution have been developed and applied commercially. The recent development of an ion exchange technique for removing radionuclides from milk is a good example of this type of research to consumer progress.

Yet these attempts at control, these instances of successful research and development in environmental health, represent little more than the finger in the dike when compared with the rising tide of environmental hazards.

It seems axiomatic that one cannot hope to effectively eliminate a problem until one knows the nature and extent of the problem itself. Yet, in a way, this is what we have been attempting to do in environmental health. Pushed by the enormity of present problems, pressed by a public that demands action, we are working feverishly to answer these demands. But our success has been minor, for in dealing with the environment we lack the broad base of scientific knowledge necessary to develop programs that will not only control present hazards but prevent future growth of these hazards.

Up until now we have concentrated our research efforts on the categorical areas of the environment in place of studying it as an integrated whole. We have learned that certain concentrations of pollutants in the water will kill a man; we know that breathing high concentrations of certain gases is fatal. We know that crowded city living conditions, increased levels of noise, light, temperature, and so on, cannot possibly be considered beneficial to health.

But a death certificate seldom lists "pollution" as a cause of death. We do not know how much and in what way continual exposure to low levels of toxicants in the total environment of an individual contributes to illness and death. We do not know what amounts of these contaminants men can tolerate without eventual adverse health effects. Nor do we know the long-term health effects of metropolitan living.

We must have this information if we are to reach our goal of a hazard-free environment. And we must reach this goal. It is painfully obvious that the most fruitful research into disease and the finest clinical facilities will be of little value if mankind must breathe air contaminated with harmful impurities, drink polluted water, and suffer the physical and mental debilities resulting from crowded urban living.

I look to the Environmental Health Sciences Center now being planned by the Public Health Service to perform and coordinate our national environmental health research program in such a way as to develop this needed knowledge. I look to universities and private research organizations to intensify their research efforts in this field. I look to those of you here today to encourage this research effort, to cooperate with each other—and the people back home—in working out control measures and educating the public to the problems we, as a nation, face.

We are, all of us, swept up in a flood tide of public insistence upon better conditions for living. This tide is not created but merely given practical expression by the Congress and the executive branch of the Federal Government. Its source is the realization by the American people that they are not receiving the full measure of benefit from the great advance of medical research, and that they no longer need live in unhealthy and dangerous surroundings. The great new legislative thrusts and the great sums of money appropriated for health are an effect and not a cause of this public demand.

We in the Congress will continue to support the forward sweep of medical science—for although research has accomplished great things, our leading scientists tell us that we are only beginning to reap the full dividend. We will continue to respond to the public's just demands by appropriating funds for health programs. And we will continue to explore new and promising avenues for health legislation to strength the Nation's health resources.

But in the last analysis, the burden rests squarely upon your shoulders. You cannot wait for the last word to be spoken on environmental hazards before you apply the knowledge already available to control pollution. The people will not let you. Nor can you wait for traditional practices and time-honored channels to deliver the life-saving results of medical research. The people will not let you.

The people—the consumers of the benefits of health research—have waited long enough.

THE DRAFT CARD BURNINGS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RESNICK. Mr. Speaker, it seems to me that a certain element of our youth in this country today must be taught the distinction between democracy and anarchy. Those college students and others who are burning their draft cards and organizing programs for avoiding the draft are in a minority—they certainly do not represent a true cross-section of American youth today. But what they are doing is wrong—legally and morally wrong—and I feel compelled to speak out against it. These people are not conscientious objectors. They are simply protestors, and there is a big difference between the two. I sympathize with legitimate conscientious objectors who out of deep moral and religious conviction believe that all war is wrong and that they cannot bring themselves to bear arms against another. Politics does not enter into their decision, and we are willing to listen to and respect their view. That is democracy. But on the other hand, I have no sympathy with those who are deliberately flaunting the law by destroying their draft cards, and by devising improper ways of avoiding the draft, on the basis that they do not approve of our Nation's military efforts in Vietnam. This is sheer anarchy and it cannot be permitted to continue.

When our Nation issues a call to arms, it is our duty to respond, whether we like it or not. I am sure there are many fighting men in Vietnam today who would rather be elsewhere. But they are there because our Nation has judged that it is in the best interests of the United States and the rest of the free world to have them there. We can have only one national policy. We cannot have a different Secretary of State and a different Secretary of Defense on every college campus around the country. When our leaders speak they speak for all of us. We most certainly do have the right to protest, but there is a line beyond which protest cannot step, and I fear that this line has now been overstepped by our card-burning, draft-dodging students. Their behavior is a disgrace.

There have been many times of crisis in our Nation's history when the issues were confusing, and where there was no clear-cut decision for many people between right and wrong. As a matter of fact, our own Revolutionary War was one of those times. There was far from unanimous enthusiasm for the decision to break from England. But when the decision was finally made, and the call came, Americans responded. Where would we be now if they had not responded? Our political leaders, I am sure, will continue to look for the best road through our present difficulties in Vietnam. But their search is not being made any easier by irresponsible people committing irresponsible acts.

FIRST ANNIVERSARY SALUTE TO ZAMBIA

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. POWELL. Mr. Speaker, the Republic of Zambia celebrates its first anniversary of independence on October 24. On this momentous occasion, we wish to extend warm felicitations to His Excellency Kenneth Kundas, President of the Republic of Zambia; and to His Excellency Hosea Josias Soko, the Zambian Ambassador to the United States.

This is a date to which the people of Zambia may point with a good deal of pride; for the achievements of Zambia's first year offer the prospect of a future of progress and accomplishment.

During the last days of the former Federal Government of Rhodesia and Nyasaland, a white paper was circulated which painted a grim picture of the economic consequences of the breakup of the Federation for what was then called Northern Rhodesia. That was only 2 years ago; just 1 year before Northern Rhodesia was to become the independent Republic of Zambia. Contrary to the dire predictions of the Cassandras of 2 years ago, the political stability and economic growth of this new republic have been most impressive. In fact, in its first year of independence, Zambia held a balance-of-payments surplus estimated at $45 million.

Most of Zambia's prosperity has been the result of the large revenues which have accrued from its rich mineral resources, most particularly from its famous "Copper Belt," an area endowed with a quarter of the world's known exploitable copper reserves. As the world's third largest producer of copper—over 600,000 tons per year—Zambia has attracted over $100 million of private American investment.

Recognizing the natural dependence of one product exporters on the vicissitudes of the world market, the Government of Zambia has launched a series of ambitious and far-reaching economic development plans to balance the economy. Such plans include new electrical power projects, large-scale improvements in the transportation system, and a concerted effort to upgrade agriculture to bring the traditionally self-sufficient but poverty stricken Zambian farmers into the cash economy.

Alongside of the Government's plans to place the entire Zambian population on a more equal footing economically, the Government of Zambia has begun an extensive program to improve the educational level of all citizens. A great deal of accomplishment has already been achieved in a concerted drive to provide for more school buildings. Zambia's efforts in this direction have been expressed both in the substantial amount of funds allocated for this crucial project and the large number of skilled artisans and supervisory staff members devoting their energies almost entirely to school building.

In education, as in the wide range of social projects undertaken by the new republic elsewhere, the Government is working closely with voluntary organizations and with Great Britain, the former colonial ruler. The same spirit of cooperation has been evidenced in Zambia's relations with our country and in the halls of the United Nations.

It is this willingness to cooperate with other nations, not only in achieving its own goals but in promoting the brotherhood of mankind, that above all, inspires optimism in the future of this young republic which achieved its independence on United Nations Day. It is with great pleasure that I take this opportunity to extend my congratulations to the Republic of Zambia on its first anniversary.

TOWARD THE GREAT SOCIETY—WAR ON POVERTY

Mr. CHARLES H. WILSON. 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. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GIBBONS. Mr. Speaker, in this abundant land of ours 15 million children live in a dark, ugly world of de-

spair. Some 35 million Americans, or one-fifth of the citizens of the richest country in the world, live in poverty.

The Democratic administration has launched a massive effort to help the poor break out of the poverty cycle. Although just 1 year old, the antipoverty programs have given over 1 million children and young people their first chance to achieve a better life. With the aim of keeping the children of poverty from becoming the parents of poverty, the major thrust of the economic opportunity program is directed toward the youth of our Nation.

There are now over 13,000 youths receiving a 2-year program of education, vocational training, and work experience at 66 Job Corps centers including 49 conservation camps and 13 residential training centers—8 for men and 5 for women.

One of the most successful antipoverty programs is the Neighborhood Youth Corps, which provides young men and women full- or part-time work experience while enabling them to continue their education and to improve their employability. Work experience is gained through newly created jobs in hospitals, settlement houses, parks, libraries, schools, and in other public services. Some 354,000 youngsters have participated in 933 NYC projects. Neighborhood Youth Corps have had a noticeable effect on the declining number of high school dropouts. Of the class which entered fifth grade in 1957, approximately 71 percent—an all-time high, will be graduating from high school next June.

During this fall school term, 105,000 needy students attending 1,000 colleges and universities have part-time jobs through the OEO work-study program. Without this help most of these youngsters could not continue their schooling.

The other antipoverty program aimed directly at children is Project Head Start, which provides preschool training to prepare deprived youngsters for regular school. This past summer over 561,000 preschoolers attended 13,344 Head Start Centers in 2,500 communities. Half a million volunteers—teachers, doctors, dentists, neighborhood workers—prepared these children for school and for life, both mentally and physically. This program has met with such tremendous success it will be made a permanent part of the American educational system.

Community action programs, which utilize available local resources to help low-income families in the community, are providing a wide range of activities such as assistance in job training, counseling, housing, health services, special education. American communities have truly met the challenge. More than 90 percent of all communities with over 50,000 population are mounting full-scale offensives against the causes of poverty in their areas.

Other economic opportunity programs provide basic education for adults over 18 who cannot read or write English; employment and training for heads of families receiving assistance under aid to families with dependent children program; loans to persons in rural areas for agricultural and nonagricultural purposes; and loans for small business establishments.

The determining factor in who wins the war on poverty will not be Federal or State or local funds—it will be people—people helping people. Every segment of American life is participating in the battle—bankers, labor leaders, social workers, educators, businessmen, clergymen, doctors. And the poor are helping to work out their own salvation. Poverty does not deprive them of their potential for leadership and self-help.

A great many of the poverty programs are being assisted by the Domestic Peace Corps—VISTA. We now have 1,230 Volunteers in Service to America. These dedicated Americans, age 18 to 82, give up a year of their own lives and go to live and work with the poor in Harlem slums, in Appalachia, on Indian reservations. This is how the war will be won—people helping people.

The war on poverty is off to a good start. The 89th Congress voted to double funds available for these programs to accelerate the jobs that must be done. The doors to the American way of life and economic abundance are being opened to all our citizens.

TOWARD THE GREAT SOCIETY—EXCISE TAX REDUCTIONS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. VANIK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. VANIK. Mr. Speaker, the Excise Tax Reduction Act of 1965 may well become the most significant piece of consumer-oriented legislation passed by the 89th Congress. The act, which reduced the Federal excise burden by $4.6 billion, was designed to help business and buyer alike. Our intent in Congress was the same as President Johnson's: to make it easier to buy through lower prices.

Reduction or elimination of Federal excise taxes, referred to as "nuisance" taxes, have in many cases resulted in lower consumer goods costs without depriving any merchant or manufacturer of revenue. These taxes had increased costs of doing business because of collections and accounting and reporting.

We have reduced the excise on new cars by 3 percent with annual downward changes until January 1, 1969, when the levy will be 1 percent of maufacturers' cost, instead of the 10 percent that had been in effect for many years.

The excise has been entirely repealed on most consumer items, such as refrigerators, freezers, radios, television sets, phonographs, cameras and film and other photo supplies, most sporting goods, electric light bulbs, farm equipment formerly taxable, auto parts, air conditioners, appliances, furs, jewelry, luggage and handbags, and toilet preparations.

A number of important excise taxes remain in effect. They are the excises on tobacco and alcohol, automotive lubricants and tires, motor fuel, and an assortment of other items.

Most of the excise tax structure, Mr. Speaker, was imposed during wartime to provide a temporary source of revenue. They were to be eliminated when normal conditions returned. However, that gay "return to normalcy" never seemed to come, so that by fiscal 1964, the excises had been extended, increased, and expanded to provide some $13.9 billion in revenue.

With all of the excise tax revisions recommended by the administration and passed by the 89th Congress in full effect, about $11.3 billion in Federal excise taxes remains in effect.

In his message recommending the excise tax reduction, President Johnson said:

> To insure that the excise tax reductions make the maximum contribution to continued price stability and balanced prosperity, I call on American business to translate lower excise taxes promptly into lower retail prices for consumers.
>
> Business will share fully in the benefits of excise tax cuts through the larger sales volume they will generate. Rising volume will boost profits and create more jobs.

Mr. Speaker, ever since the excise tax reduction went into effect, I have been keeping close watch on consumer price trends, to make sure that lower prices actually are paid by the consumers.

It would be unconscionable if the business community were to adopt a policy of not passing the excise tax reductions on to the buyer. I say this after a review of the volume of testimony in July and August of 1964, in which one representative after another for various sectors of the business and industrial community pleaded for repeal of Federal excises, so as to lower prices and increase business volume.

Mr. Speaker, this Congress has done its part. It remains up to the businessman to accept his part, to pass on the savings as was promised in the hearings before the Committee on Ways and Means. I am confident that this will take place. If we find widespread breach of faith, we well ought to begin thinking of reimposition of the taxes so recently repealed.

FIRST SESSION OF THE 89TH CONGRESS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MOELLER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MOELLER. Mr. Speaker, it is my duty to report today on the record of the first session of the 89th Congress, and on the position I took on the major legislative proposals considered by the U.S. House of Representatives.

By all odds, the single most important piece of legislation enacted during 1965 was the medical care program for the elderly. When it becomes effective next July 1, this blessed act will guarantee adequate hospital-medical services for America's 19 million senior citizens—including tens of thousands in southeastern Ohio.

The measure—a composite of the superior features of separate bills offered by the administration, congressional Democrats, certain Republicans and the American Medical Association—is especially needed in Ohio. Our State was one of only nine in the Nation that failed to ratify the Kerr-Mills Medical Assistance Act of 1960 and, thus, has no general health care program for the aged.

But come July 1, no longer will the elderly anywhere in America have to live in dread and fear that a single illness might wipe out the savings of a lifetime and leave them broke and penniless for the future.

I worked and fought and labored for the medical care program for many years, and the proudest moment of my legislative career came July 30, 1965, when I stood by President Johnson's side as he signed the bill into law.

If it had done nothing else but approve the medical care bill, I think this Congress would have earned for itself a lasting place in history.

However, we also approved such landmark legislation as the Elementary and Secondary Education Act; the Appalachian Regional Development Act, of which I am coauthor; and the regional medical centers program, to name just a few.

At this point, let me make it perfectly clear that I supported the Johnson administration position when I felt it was meritorous, and voted "no" when I felt it lacked merit.

The myth that President Johnson pressured Congress to get what he wanted is just that—a myth without fact or foundation. Although the White House consulted me many times about legislation, never once did the President resort to arm-twisting tactics.

Among the proposals supported by the administration and opposed by me were foreign aid; the closing of certain Veterans' Administration hospitals; the creation of a Cabinet-rank Department of Housing and Urban Affairs; curtailment of the soil conservation program, and home rule for the District of Columbia.

I also help lead the successful fight against the administration's ill-advised plan to impose a consumer tax on bread to finance, in part, the 1965 farm program. I strongly supported the bill itself, but insisted that it should be funded out of general Federal revenues and not through the imposition of another consumer tax. My view prevailed.

Following is a résumé of the major programs enacted by Congress and which I did support and vote for.

ECONOMY, COMMUNITY DEVELOPMENT, JOBS

Authorized the Public Works and Economic Development Act, which provides $3.3 billion in Federal grants and loans to communities for construction of water and sewerage facilities, industrial parks, access roads, and other improvements essential to economic growth and expansion. The need for this program is particularly acute in southeastern Ohio.

Expanded the Economic Opportunity Act (the antipoverty program) which contained the Job Corps; the Neighborhood Youth Corps; community action programs; Operation Head Start, loans to farmers and rural families, and other programs designed to attack the causes of poverty while providing assistance to the untrained, the undereducated, and the poor. It has achieved outstanding success in our 10th district.

Extended through June 1969 the Manpower Development and Training Act, under which hundreds of young men and women have been and are being trained in career opportunities at the Technical Training Center at Jackson, Ohio. Some 92 percent of the Center's graduates have been placed in permanent jobs.

Passed into law the Appalachian Regional Development Act, a long-range, $1.1 billion program to assist in the economic and industrial revitalization of southeastern Ohio and other distressed areas lying in Appalachia. It can do for our area what the fantastically successful Tennessee Valley Authority did for the region it serves.

SOCIAL SECURITY, HEALTH, AND EDUCATION

In addition to passing the medical care program for the elderly, Congress also:

Increased social security pensions by 7 percent across the board, retroactive to January 1, 1965. This raise is providing an estimated $1.6 million a year in additional benefits for the 34,000 social security recipients in our 10th district.

Expanded assistance for child health and crippled children's services; increased payments under Federal-State programs for dependent children, the blind and the disabled; eased eligibility requirements for social security pensions for the permanently and totally disabled, for widows and for those over age 70; raised to 22 the age that children of deceased beneficiaries may draw social security benefits while attending school.

Authorized a 5-year program to develop multipurpose regional medical centers to fight heart disease, cancer, strokes, and other major diseases that account for the vast majority of all deaths in the United States.

Extended through 1970 the Community Health Service Act, authorizing grants to States and communities for mass immunization programs against polio, diphtheria, whooping cough, tetanus, and measles.

Approved the Elementary and Secondary Education Act, which initially authorizes $1.3 billion in Federal grants to strengthen and improve the quality of our public schools—especially those in distressed areas. The act contains more than $1 million for elementary and secondary schools in southeastern Ohio. Without question, this is one of the most significant bills of its kind passed by Congress since the Lincoln administration laid the groundwork for land-grant colleges a century ago.

Authorized the Higher Education Facilities Act, a 5-year undertaking to help States support community service programs of colleges and universities, to raise the quality of instruction in smaller colleges, to improve library facilities, and to make available scholarship grants for "exceptionally needy" students.

MILITARY, NATIONAL DEFENSE, VETERANS

In these vital fields, Congress appropriated $700 million additionally to prosecute the war in Vietnam. This action served notice that Congress, on a bipartisan basis, stands behind the administration's policy in Vietnam and that the United States would abandon no part of southeastern Asia to the Communists.

Provided pay increases averaging 10.4 percent for members of the armed services, the most substantial raise they have had since the early 1950's.

Appropriated funds to provide increased VA pensions to some 1.3 million veterans, and widows and children of veterans.

AGRICULTURE AND RURAL

Congress, I think, acted effectively to extend the blessings of our society to farmers and rural residents—the two segments of the population that have not shared fully in the economic progress of this Nation. Here are some of the things we did in 1965:

Extended and strengthened the Food and Agriculture Act, and provided a guaranteed increase of $300 million in the income of our farmers.

Increased from $200 to $450 million the amount of low-interest loans that the Farmers Home Administration may insure annually. During fiscal year 1965, approximately $182.6 million was loaned to 12,168 farm families to buy, enlarge, and develop farms; more than 82,000 farm families who might otherwise have been forced to leave their farms and move to the cities were provided with FHA loans to strengthen their economic positions.

Increased to $450 million funds for the rural water system program, which provides insured loans for water and sewerage projects, community recreation projects, shifts in land use, and farm purchases.

I have hit only the high spots in this résumé of congressional activities in 1965. If any of my people from the 10th district of Ohio have questions about any Federal program, or if any need assistance from Uncle Sam, they should contact me without hesitation.

At a later date I will report on the Federal projects, programs, and grants to be awarded in my congressional district.

TOWARD THE GREAT SOCIETY—MEDICARE, SOCIAL SECURITY

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. KING] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. KING of California. Mr. Speaker—

No longer will older Americans be denied the healing miracle of modern medicine. No longer will illness crush and destroy the savings that they have so carefully put away over a lifetime so that they might enjoy dignity in their later years.

So spoke President Johnson as he signed into law the medical care for the aged bill. Enactment of this bill by the 89th Congress culminated an intensive legislative effort to provide our citizens both dignity and security in their senior years.

Now every American age 65 and over will be covered by a basic plan of hospital insurance financed through the social security system. In addition, every senior citizen will have the option of enrolling in a voluntary supplementary plan which, for a $3 monthly contribution, will cover physicians' fees and other medical services. Briefly, the compulsory hospital plan provides 60 days of hospitalization, with a $40 deductible for each spell of illness, up to 100 days' post-hospital care in a nonhospital facility, up to 100 visits for home health services after a hospital stay, and outpatient hospital diagnostic services available as required with a $20 deductible during a 20-day period.

The voluntary supplementary plan will pay for 80 percent of a patient's bill, after a $50 annual deductible, for physicians' and surgical services in hospital, clinic, office or home; up to 100 visits a year for home health services without requirement of prior hospitalization, and other medical services whether provided in or out of a medical institution, such as X-rays, electrocardiograms, ambulance services, surgical dressings, casts, braces, rental of certain medical equipment as oxygen tents, wheelchairs, iron lungs, hospital beds. Benefits under the two plans will go into effect July 1, 1966.

Enrollment in the basic hospital plan is automatic at age 65; however, persons who do not receive social security, railroad retirement benefits, Federal civil service retirement annuity, or public assistance payments should contact their local social security office. Those who are 65 or older desiring to enroll in the voluntary plan covering doctor's fees and other medical services should enroll before March 31, 1966. Others not yet 65 should enroll during the 3 months prior to reaching age 65.

Along with providing medical care for 18 million senior citizens this bill provides a 7-percent across-the-board increase in social security benefits for 20 million social security beneficiaries, retroactive to January 1, 1965.

The Kerr-Mills program, which provides medical assistance for the needy aged, is vastly expanded and will now include more comprehensive medical care for the blind and the disabled as well as the needy aged. Programs for materal and child health, crippled children, health care for needy children, and mental retardation planning are expanded.

Other amendments made to the social security law will gradually raise maximum family benefits to $368 effective in 1971; will continue child's insurance benefits until age 22 if he is attending school or college; will provide option to widows to receive actuarially reduced benefits at age 60; will liberalize earned income limitation by exempting first $1,500 a year; will permit disability payments to workers who have been or expect to be disabled for at least 12 consecutive months; will liberalize eligibility requirements by providing basic benefit of $35 a month at age 72 or over for 355,000 persons with minimum of three quarters of coverage; and will continue widow-widower benefits at reduced rate in event of remarriage.

To finance the 7-percent social security benefits increase and other improvements made in the program, including the basic hospital insurance plan for the aged, the social security taxable earnings base is increased to the first $6,600 of income and the tax rate is gradually raised from the present 3.62 percent to 5.65 percent in 1987.

It has now been 30 years since Congress enacted the social security law to provide workers with basic economic security and dignity in their twilight years. Many amendments over the years have improved the original law. The 89th Congress has again brought the act up to date to face new needs and challenges of the 1960's.

PICKLE HARVEST IN MICHIGAN

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WILLIAM D. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, I would like to comment on the pickle harvest in my State of Michigan.

Since the termination of the Mexican bracero program under Public Law 78, we have all heard, I am sure, many cries of despair from those who profited from the use of low-wage foreign workers. We have been engulfed in predictions of gloom of what would happen without the braceros to harvest the crops. I would like to call attention to just one crop in one State to show how right the Secretary of Labor was that sufficient domestic workers could be recruited to harvest the crops.

Braceros have formed the major source of labor used in harvesting Michigan pickles in past years. Last year, for example, during the peak harvest period almost 80 percent of the pickers were braceros. The termination of the bracero program could thus have been expected to have a considerable impact.

However, this year, with the end of Public Law 78, the Department of Labor, its Farm Labor Service and Public Employment Service, processors, growers, and their associations conducted extensive recruitment campaigns throughout Michigan and nearby States to obtain sufficient labor. This campaign was very successful. By the last week in June, it was estimated that about 16,500 domestic migrant workers from outside Michigan were committed for work in the pickle harvest, which normally would have started in late July and early August.

Late planting and extremely cool and dry weather during the growing season delayed the beginning of the harvest by 2 to 3 weeks. In fact, severe drought conditions in many areas raised a question of whether nonirrigated fields would even be harvested. This prompted growers to notify the Michigan Employment Security Agency that they did not contemplate any additional recruitment at that time.

Because of the uncertain weather conditions, the actual pickup of workers who had been recruited and hired in Kentucky, West Virginia, Mississippi, Louisiana, and other States was deferred from 2 to 3 weeks. Workers who arrived early for the harvest were idle and turnover increased. Three or four more days of drought in July would have resulted in much acreage being abandoned.

Then came heavy rains, and the demand for workers became acute, but by that time, many workers previously recruited were no longer available. A crash recruitment program was then undertaken.

Despite these problems, a substantial number of domestic workers was recruited. Compared with the previous year, domestic employment was up 5,700 workers by the end of July, 7,400 by mid-August, 9,000 by the end of August, and 2,100 on September 15. These employment gains were directly attributable to the fact that Mexican braceros were not available. Had those foreign workers been available, it is almost certain that growers would have found domestic workers not available.

There has been another very interesting fact emerge from the situation this year. The Secretary of Labor has repeatedly charged that the use of Mexican braceros at low wages had adversely affected the employment of domestic workers by keeping farm wages depressed. Again it would seem that he was correct.

Last year, Michigan pickle growers paid their workers $1 an hour. A few paid piece rates which guaranteed earnings of $1 an hour. This year, most employers increased their wage rates to meet the regulations issued by the Secretary of Labor last year, and hourly rates were raised to $1.25 an hour. In fact, at the peak of the harvest, when labor supply was most critical, a number of growers changed their method of payment. They offered piece rates of 35 cents per pail for the first 15 pails, and 45 cents per pail for all additional. The hourly guarantee of $1.25 was kept. In marked contrast to previous practice, these rates were paid without regard to the size of the pickles

picked. In the past, higher rates were paid only for small pickles.

Workers were instructed to pick all pickles found. The experience under this system was good, and worker productivity increased. Earnings of over $2 per hour was reported by many workers. This change in the wage rate was due to the tight labor situation, and would not have occurred if an ample supply of braceros been made available.

While official reports as to the production and value of the Michigan pickle crop will not be available for at least another month, domestic workers were employed in far greater numbers and at higher wages than in the past. It is estimated that domestic wage payments will be about $2,500,000 greater this year than last. To which, I must add, this money will all be spent in this country in contrast to the earnings of braceros who take a large portion of their earnings back to Mexico. These gains would never have been made had the Mexican program been still operative. Though there were problems, the significant thing is that the pickle crop was harvested, and that more jobs were provided for our own American workers and at higher wages.

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. HALPERN (at the request of Mr. BROYHILL of North Carolina), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. ASHBROOK, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. CAHILL (at the request of Mr. BROYHILL of North Carolina), for 10 minutes, today.

Mr. FOGARTY, for 10 minutes, today.

Mr. ZABLOCKI, for 1 hour, tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ADAIR and to include extraneous matter.

Mr. JONES of Alabama and to include extraneous matter.

(The following Members (at the request of Mr. BROYHILL of North Carolina) and to include extraneous matter:)

Mr. BROCK in two instances.

Mr. FINDLEY.

Mr. CLEVELAND.

Mr. GURNEY.

Mr. PELLY.

Mr. MCDADE.

(The following Members (at the request of Mr. CHARLES H. WILSON) and to include extraneous matter:)

Mr. CULVER.

Mr. BROWN of California.

Mr. MURPHY of Illinois.

Mr. WOLFF.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1758. An act to provide for the right of persons to be represented in matters before Federal agencies;

S. 2084. An act to provide for scenic development and road beautification of the Federal-aid highway systems;

S. 2092. An act to amend the Agricultural Marketing Agreement Act of 1937 to permit marketing orders applicable to various fruits and vegetables to provide for paid advertising; and

S. 2300. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that 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. 1317. An act to provide for the free entry of a mass spectrometer which was imported during May 1963 for the use of Stanford University, Stanford, Calif.;

H.R. 1386. An act to provide for the free entry of one mass spectrometer for the use of Pomona College;

H.R. 1393. An act for the relief of Mrs. Maria Eduvigis Aran Heffernan;

H.R. 1781. An act to amend section 113(a) of title 28, United States Code, to provide that Federal District Court for the eastern district of North Carolina shall be held at Clinton;

H.R. 2565. An act to provide for the free entry of one mass spectrometer for the use of the University of Chicago;

H.R. 2578. An act for the relief of Maxie L. Rupert;

H.R. 2762. An act for the relief of Manlio Massimiliani;

H.R. 2906. An act for the relief of Mrs. Lily Ning Sheehan;

H.R. 3079. An act for the relief of Mrs. Eleni Bacola Ciacco, doctor of medicine;

H.R. 3126. An act to provide for the free entry of one mass spectrometer for the University of Washington;

H.R. 3905. An act for the relief of Bibi Daljeet Kaur;

H.R. 4832. An act to provide for the free entry of a mass spectrometer for the use of St. Louis University;

H.R. 5006. An act for the relief of Diosdado F. Almazan;

H.R. 5217. An act to permit the vessel *Little Nancy* to be documented for use in the coastwise trade;

H.R. 6312. An act for the relief of Mario Menna;

H.R. 6655. An act for the relief of Pieter Cornelis Metzelaar;

H.R. 6666. An act to provide for the free entry of a 90-centimeter split-pole magnetic spectrograph system with orangepeel internal conversion spectrometer attached for the use of the University of Pittsburgh;

H.R. 6720. An act for the relief of Ping-Kwan Fong;

H.R. 6906. An act to provide for the free entry of one mass spectrometer and one split-pole spectrograph for the use of the University of Rochester, Rochester, N.Y.;

H.R. 7282. An act for the relief of Richard D. Walsh;

H.R. 7357. An act for the relief of Dr. Felipe V. Lavapies;

H.R. 7453. An act for the relief of Margaret Elizabeth and Frederick Henry Todd;

H.R. 7608. An act to provide for the free entry of one automatic steady state distribution machine for the use of the University of Oklahoma, Norman, Okla.;

H.R. 8135. An act for the relief of Jennifer Rebecca Siegel;

H.R. 8232. An act to provide for the free entry of one mass spectrometer-gas chromatograph for the use of Oklahoma State University, Stillwater, Okla.;

H.R. 8272. An act to provide for the free entry of an isotope separator for the use of Princeton University, Princeton, N.J.;

H.R. 8646. An act for the relief of Rifkin Textiles Corp.;

H.R. 9351. An act to provide for the free entry of one shadomaster measuring projector for the use of the University of South Dakota;

H.R. 9495. An act to increase the appropriation authorization for the Franklin Delano Roosevelt Memorial Commission, and for other purposes;

H.R. 9587. An act to provide for the free entry of a Craig countercurrent distribution apparatus for the use of Colorado State University, Fort Collins, Colo.;

H.R. 9588. An act to provide for the free entry of an electrically driven rotating chair for the use of the Louisiana State University Medical Center, New Orleans, La.;

H.R. 10198. An act to amend the requirements relating to lumber under the Shipping Act, 1916;

H.R. 10256. An act for the relief of James D. W. Blyth, his wife, Jean Mary Blyth, and their daughter, Penelope Jean Blyth;

H.R. 10292. An act for the relief of Hilda Shen Tsiang;

H.R. 11096. An act to authorize the disposal of graphite, quartz crystals, and lump steatite talc from the national stockpile or the supplemental stockpile, or both;

H.J. Res. 397. Joint resolution to authorize the Commissioners of the District of Columbia on behalf of the United States to transfer from the United States to the District of Columbia Redevelopment Land Agency title to certain real property in said District; and

H.J. Res. 597. Joint resolution providing for the erection of a memorial to the late Dr. Robert H. Goddard, the father of rocketry.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

October 20, 1965:

H.R. 23. An act to authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, and for other purposes; and

H.R. 9022. An act to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; and for other purposes.

October 21, 1965:

H.R. 1218. An act for the relief of T. W. Holt & Co. and/or Holt & Export Co.;

H.R. 4088. An act for the relief of Irving M. Sobin Chemical Co., Inc.;

H.R. 9545. An act providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy;

H.R. 11303. An act to amend section 18 of the Civil Service Retirement Act, as amended;

H.R. 11369. An act to give the consent of Congress to the States of Connecticut, Rhode Island, and Vermont to become parties to title II of the Compact on Taxation of Motor Fuels Consumed by Interstate Buses and the agreement relating to bus taxation proration and reciprocity;

H.R. 11420. An act 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; and

H.J. Res. 571. Joint resolution to authorize the President to proclaim the week beginning October 25, 1965, as National Parkinson Week.

ADJOURNMENT

Mr. CHARLES H. WILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 10 minutes p.m.) the House adjourned until tomorrow, Friday, October 22, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1696. A letter from the Acting Archivist of the United States, transmitting report on records proposed for disposal, pursuant to 63 Stat. 377; to the Committee on House Administration.

1697. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the popular election of the Governor of the Virgin Islands; to the Committee on Interior and Insular Affairs.

1698. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to authorize the acquisition, transfer, conveyance, and lease of certain property in the District of Columbia for use as a headquarters site for the Organization of American States, as sites for other international organizations, and as sites for governments of foreign countries, and for other purposes; to the Committee on Public Works.

1699. A letter from the Chairman, Federal Communications Commission, transmitting report on backlog of pending applications and hearing cases as of August 31, 1965, pursuant to Public Law 554; to the Committee on Interstate and Foreign Commerce.

1700. A letter from the national corporation agent, Legion of Valor of the United States of America, Inc., transmitting the financial statement of the Legion of Valor of the United States of America, Inc., covering the period August 1, 1964–July 31, 1965, pursuant to Public Law 84–224; to the Committee on the Judiciary.

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. FALLON: Committee on Public Works. H.R. 9963. A bill to promote the economic development of the State of Alaska by providing for U.S. participation in the statewide exposition to be held in Alaska during 1967; with amendment (Rept. No. 1187). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. S. 2542. An act to amend the Small Business Act; without amendment (Rept. No. 1188). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Missouri: Committee on House Administration. House Concurrent Resolution 509. Concurrent resolution authorizing the printing of additional copies of hearings on crime in the District of Columbia, and House Report No. 176, entitled "District of Columbia Crime," without amendment (Rept. No. 1189). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Concurrent Resolution 512. Concurrent resolution authorizing the printing of additional copies of the hearing on home rule for the District of Columbia; without amendment (Rept. No. 1190). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Concurrent Resolution 513. Concurrent resolution authorizing the printing of additional copies of hearings on "Lower Colorado River Basin Project," 89th Congress, 1st session; without amendment (Rept. No. 1191). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Concurrent Resolution 519. Concurrent resolution authorizing the printing of additional copies of the hearings on H.R. 2580 (89th Cong., 1st sess.), to amend the Immigration and Nationality Act, and for other purposes, before the Committee on the Judiciary of the House of Representatives; with amendment (Rept. No. 1192). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Resolution 544. Resolution to provide for the printing as a House document of the statements made and other pertinent matter presented in honor of Hon. Carl Vinson; with amendment (Rept. No. 1193). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Resolution 569. Resolution that there be printed as a House document the dedication ceremonies of the Carl Vinson Room, the hearing room of the Committee on Armed Services in the Rayburn House Office Building; without amendment (Rept. No. 1194). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Resolution 570. Resolution authorizing the printing of the document, "Why Vietnam," as a House document; without amendment (Rept. No. 1195). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Resolution 592. Resolution providing for printing as a House document the "Compilation of Social Security Laws"; with amendment (Rept. No. 1196). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. Senate Concurrent Resolution 53. Concurrent resolution authorizing the printing of the report of the proceedings of the 42d biennial meeting of the Convention of American Instructors of the Deaf as a Senate document; without amendment (Rept. No. 1197). Ordered to be printed.

Mr. MAHON: Committee of conference. H.R. 11588. An act making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes. (Rept. No. 1198). Ordered to be printed.

Mr. DAWSON: Committee on Government Operations. H.R. 10607. A bill to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States; with amendment (Rept. No. 1199). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint committee on Disposition of Executive Papers. Report pursuant to (63 Stat. 377); without amendment (Rept. No. 1200). Ordered to be printed.

Mr. TEAGUE of Texas: Committee of Conference. H.R. 168 (Rept. No. 1201). Ordered to be printed.

Mr. RIVERS of South Carolina: Committee of conference. H.R. 9047 (Rept. No. 1202). Ordered to be printed.

Mr. RIVERS of South Carolina: Committee of Conference. H.R. 10305 (Rept. No. 1203). Ordered to be printed.

Mr. POWELL: Committee of conference. H.R. 8310. An act to amend the Vocational Rehabilitation Act to assist in providing more flexibility in the financing and administration of State rehabilitation programs, and to assist in the expansion and improvement of services and facilities provided under such programs, particularly for the mentally retarded and other groups presenting special vocational rehabilitation problems, and for other purposes (Rept. No. 1204). 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. BURTON of California:

H.R. 11722. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. COHELAN:

H.R. 11723. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARVEY of Michigan:

H.R. 11724. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for the costs of removing diseased trees where the removal is required by a local governing body; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 11725. A bill to authorize the Secretary of the Interior to construct two modern stern-ramp trawlers to be used for experimental commercial fishing, research, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. REUSS:

H.R. 11726. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RIVERS of South Carolina:

H.R. 11727. A bill to authorize the grade of brigadier general in the Medical Service Corps of the Regular Army, and for other purposes; to the Committee on Armed Services.

By Mr. RYAN:

H.R. 11728. A bill to protect the constitutional rights of individuals irrespective of race, creed, color, or national origin, and for other purposes; to the Committee on the Judiciary.

H.R. 11729. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

H.R. 11730. A bill to provide protection against lynchings; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 11731. A bill to authorize the negotiated sale of two inactive Liberty ships to the Santa Rosa Board of County Commissioners, Florida; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of Virginia:

H.R. 11732. A bill to authorize the Secretary of the Interior to designate the Washington Country National Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WATSON:

H.R. 11733. A bill to prohibit Federal assistance to certain educational institutions; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 11734. A bill to amend the Federal Water Pollution Control Act to authorize increased appropriations for assisting construction of municipal sewage treatment works, and to strengthen authority to enforce pollution abatement; to the Committee on Public Works.

By Mrs. DWYER:

H.R. 11735. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

H.R. 11736. A bill to amend the Tariff Schedules of the United States to provide for the free importation of certain specialized educational equipment; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 11737. A bill to direct the Secretary of the Interior to study and formulate a comprehensive plan containing recommendations regarding the action that should be taken to preserve, develop, and make accessible for public use and benefit the Long Island Sound and related shoreline areas in the States of New York, Connecticut, and Rhode Island; to the Committee on Interior and Insular Affairs.

By Mr. GRIDER:

H.R. 11738. A bill to provide a program of Federal assistance to elementary schools throughout the Nation to improve educational opportunities through provision for the services of child development specialists and to provide a program of Federal assistance for the training of such elementary school personnel in the institutions of higher education, and for other educational purposes; to the Committee on Education and Labor.

H.R. 11739. 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. BELCHER:

H.R. 11740. A bill to amend section 312 of title 38 of the United States Code to provide that emphysema developing a 10-percent degree of disability within 10 years after separation from service shall be considered to be service connected; to the Committee on Veterans' Affairs.

By Mr. CONYERS:

H.R. 11741. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. EDWARDS of California:

H.R. 11742. A bill to amend chapter 13 of title 18, United States Code, to provide additional protection for civil rights guaranteed by the Constitution of the United States, to prescribe additional penalties for violations of civil rights, and for other purposes; to the Committee on the Judiciary.

H.R. 11743. A bill to establish uniform dates throughout the United States for the commencing and ending of daylight saving time in those States and local jurisdictions where it is observed, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HANSEN of Idaho:

H.R. 11744. A bill to clarify the tax status of American Indians; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 11745. A bill to provide a program of Federal assistance to elementary schools throughout the Nation to improve educational opportunities through provisions for the services of child development specialists and to provide a program of Federal assistance for the training of such elementary school personnel in the institutions of higher education, and for other educational purposes; to the Committee on Education and Labor.

By Mr. KING of New York:

H.R. 11746. A bill to prohibit the use of appropriated funds by officials or agencies of the Government for the purpose of influencing the vote in any referendum or election held pursuant to an act of Congress, and for other purposes; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.R. 11747. A bill to amend section 3203, title 38, United States Code, to restrict the conditions under which benefits are immediately reduced upon readmission of veterans for hospitalization or other institutional care; to the Committee on Veterans' Affairs.

H.R. 11748. A bill to amend section 111 of title 38, United States Code, to authorize the prepayment of certain expenses associated with the travel of veterans to or from a Veterans' Administration facility or other place, in connection with vocational rehabilitation or counseling, or for the purpose of examination, treatment, or care; to the Committee on Veterans' Affairs.

By Mr. WHALLEY:

H.R. 11749. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 11750. A bill to provide that the Secretary of the Navy shall transfer the bathyscaph *Trieste II* to the city of San Diego, Calif.; to the Committee on Armed Services.

By Mr. DOW:

H.J. Res. 780. Joint resolution designate Columbus Day, the 12th day of October in each year, a legal holiday; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.J. Res. 781. Joint resolution proposing an amendment to the Constitution to empower the Congress to regulate the distribution of pornographic literature; to the Committee on the Judiciary.

By Mr. CONYERS:

H.J. Res. 782. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. O'HARA of Michigan:

H. Res. 616. Resolution authorizing the Committee of Education and Labor to conduct studies and investigations relating to certain matters within its jurisdiction; to the Committee on Rules.

By Mr. WAGGONNER:

H. Res. 617. Resolution to authorize the Committee on Armed Services to conduct an investigation and study of the quality of education made available overseas to children of members of the Armed Forces, and of civilian officers and employees, of the United States; to the Committee on Rules.

H. Res. 618. Resolution to authorize the Committee on Un-American Activities to conduct an investgiation and study of the organization known as Students for a Democratic Society and the extent and character of its involvement in the current demonstrations relating to official U.S. policy in Vietnam; to the Committee on Rules.

By Mr. ZABLOCKI:

H. Res. 619. Resolution authorizing the Speaker to appoint a delegation from the House to attend the dedication of the American Research Hospital for Children; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Tennessee:

H.R. 11751. A bill for the relief of Mr. George Panourgias; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 11752. A bill for the relief of Lei-May Ling; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 11753. A bill to provide for the free entry of one mass spectrometer for the use of Indiana University; to the Committee on Ways and Means.

By Mr. BURTON of California:

H.R. 11754. A bill for the relief of Ignacio Aiello, his wife, Maria Theresa Aiello, and their children, Gaetana Maria Aiello, Paola Aiello, Andrea Aiello, and Anna Aiello; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11755. A bill for the relief of Konstantinos Angelou; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 11756. A bill for the relief of Giovanni D'Amico; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 11757. A bill for the relief of Salvatore Stabile; to the Committee on the Judiciary.

By Mr. KREBS:

H.R. 11758. A bill for the relief of Antonino Sutera; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 11759. A bill for the relief of Barbara Elizabeth Ella Stadler; to the Committee on the Judiciary.

By Mr. McCARTHY (by request):

H.R. 11760. A bill for the relief of Dr. Siddiq Nabi; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 11761. A bill for the relief of George Tsilipetros; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 11762. A bill for the relief of Mr. I Ping Yu; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 11763. A bill for the relief of Haviv Schieber; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

282. By the SPEAKER: Petition of the Assembly of Naha City, Okinawa, Ryukyu Islands, relative to the method of election of the Chief Executive of the Government of the Ryukyu Islands; to the Committee on Interior and Insular Affairs.

283. Also, petition of the City Council, Cambridge, Mass., relative to water pollution in the Charles River; to the Committee on Public Works.

284. Also, petition of the Massachusetts Medical Society, Boston, Mass., relative to certain directives of the Department of Health, Education, and Welfare; to the Committee on Ways and Means.