

The junior Senator from Louisiana gained the impression that the Senator from Pennsylvania was prepared to vote on either one or a number of his amendments as soon as he felt that Senators generally were aware of what he was proposing to do and the changes he had in mind.

I suggest that we go ahead with the unanimous-consent agreement that we have, and that those of us who try to represent the leadership here clear the matter with the Senator from Pennsylvania and try to alert him when the discussion on the labor problem comes to an end. I should not be at all surprised if the hour of 1 o'clock arrived and the discussion of the labor problem was still continuing, in addition to the morning business.

#### REPRINTING OF REMARKS BY MEMBERS OF CONGRESS ON UKRAINIAN PROCLAMATION OF INDEPENDENCE

Mr. SCOTT. Mr. President, it is the intention of Representative FLOOD, of Pennsylvania, to reprint the remarks made by various Senators and Representatives on the occasion of the 47th anniversary of the Ukrainian proclamation of independence in booklet form. If any Members of the Senate object to the reprinting of their remarks, kindly contact Mr. Raymond F. Noyes, the CONGRESSIONAL RECORD clerk. The purpose of this statement is to conform to the rules of the Joint Committee on Printing.

#### ADJOURNMENT TO 11 A.M. TOMORROW

The PRESIDING OFFICER. What is the will of the Senate?

Mr. CLARK. Mr. President, I move that, under the previous order, the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 30 minutes p.m.) the Senate, under the previous order, adjourned until tomorrow, Tuesday, March 9, 1965, at 11 o'clock a.m.

#### NOMINATIONS

Executive nomination received by the Senate March 5, 1965:

REPRESENTATIVE TO 21ST SESSION OF ECONOMIC COMMISSION FOR ASIA AND FAR EAST OF THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS

Walter M. Kotschnig, of Maryland, to be the representative of the United States of America to the 21st session of the Economic Commission for Asia and the Far East of the Economic and Social Council of the United Nations.

Executive nominations received by the Senate March 8, 1965:

#### COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grade indicated in the Coast and Geodetic Survey:

To be Lieutenant

Dee E. Kimbell

#### OFFICE OF ECONOMIC OPPORTUNITY

Jack T. Conway, of Michigan, to be Deputy Director of the Office of Economic Opportunity.

The following-named persons to be Assistant Directors of the Office of Economic Opportunity:

Glenn W. Ferguson, of Maryland.  
Otis A. Singletary, of North Carolina.  
Theodore M. Berry, of Ohio.

## HOUSE OF REPRESENTATIVES

MONDAY, MARCH 8, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., quoted from the epistle of I Peter 5: 7: *Cast all your care upon Him, for He careth for you.*

Let us pray:

O Thou who are the Lord God Almighty, grant that we may meet the duties and responsibilities of this new week with a resolute faith in the guiding and sustaining presence of Thy spirit.

May we share the blessings of Thy divine providence with the needy members of the human family and in a spirit that is truly indicative of a personal interest in their welfare and happiness.

Inspire us with a clear understanding and appreciation of the greatness and glory of the ideals and principles of our democracy which we cherish.

May we feel the constraints and certainty of its ultimate triumph when men and nations shall be members of the kingdom of peace and brotherhood.

In Christ's name we pray. Amen.

#### THE JOURNAL

The Journal of the proceedings of Friday, March 5, was read and approved.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

#### THE SELMA, ALA., SITUATION

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, at Selma yesterday, a savage attack was made upon American citizens attempting to secure their right to vote. This storm-trooper-style action was undertaken at the direction of a reckless demagog. It must have shocked and shamed every decent American.

Our Speaker, JOHN McCORMACK, properly described yesterday's unconscionable activities at his press conference this morning as a "disgraceful exhibition of arbitrary power."

In this connection, it is interesting to note that the advocates of States rights now are calling for a convention

to amend our Constitution. If this misguided effort succeeds, the first duty of such a convention should be a reexamination of the doctrine of States rights as it affects constitutional rights.

The people of the United States cannot and will not condone outrages such as that which occurred at Selma yesterday.

#### STATE DEPARTMENT'S WHITE PAPER ON VIETNAM

Mr. MORRIS. 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 New Mexico?

There was no objection.

Mr. MORRIS. Mr. Speaker, over the weekend I read an advertisement appearing in the New York Times called a reply to the State Department's white paper on Vietnam.

Apparently this advertisement is the brainchild of a publication known as I. F. Stone's Weekly. Fronting for this so-called independent weekly newspaper in solicitation of funds for a surrender in South Vietnam is a Dr. H. A. Crosby Forbes. As you can imagine, this article is critical of our actions and policies in South Vietnam and suggests very strongly that we should surrender and leave the people of South Vietnam to the Communists who are determined to force their will upon all freedom-loving people. Their arguments for surrender are just as shortsighted as Prime Minister Neville Chamberlain's theory of "peace at any price" during the late 1930's in the United Kingdom's relations with Nazi Germany.

This article states that the North Vietnamese support for guerrillas in South Vietnam is no more of a secret than the U.S. support of the South Vietnamese Government against them. This is true but there is one very, very basic difference in these two positions—the U.S. Government is in South Vietnam at the invitation and urging of the South Vietnamese Government. The North Vietnamese Communists are supporting naked aggression against their neighbors, the south.

Stone's Weekly also suggested that we and the South Vietnamese Government have violated the Geneva Agreement on the partition of Indochina. We have not violated any such agreement because neither the United States nor the South Vietnamese Government were signatories to the Geneva accords.

It is time to support our President's position in Vietnam, instead of gutter-snipe attacks.

#### SCHEDULE FOR HEARINGS ON PRIVATE IMMIGRATION BILLS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. FEIGHAN. Mr. Speaker, many Members have inquired of me concerning the progress being made by the Subcommittee on Immigration and Nationality on private bills which they have introduced. I am sure other Members who have introduced private bills are similarly interested.

Early in January, I requested the counsel assigned to the subcommittee by the gentleman from New York [Mr. CELLER] to prepare a list of the bills ready for consideration, together with a summary of the individual case involved and to present this material to me as chairman of the subcommittee. Mr. Cline, the counsel assigned, has not yet met this request. As a consequence, the subcommittee has not been in a position to consider any of the pending private bills. As soon as the counsel assigned to the subcommittee meets my request, our subcommittee will then be in a position to announce hearings on private bills.

**LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103)**

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on the Judiciary and ordered to be printed:

*To the Congress of the United States:*

Crime has become a malignant enemy in America's midst.

Since 1940 the crime rate in this country has doubled. It has increased five times as fast as our population since 1958.

In dollars the cost of crime runs to tens of billions annually. The human costs are simply not measurable.

The problems run deep and will not yield to quick and easy answers. We must identify and eliminate the causes of criminal activity whether they lie in the environment around us or deep in the nature of individual men. This is a major purpose of all we are doing in combating poverty and improving education, health, welfare, housing, and recreation.

All these are vital, but they are not enough. Crime will not wait while we pull it up by the roots. We must arrest and reverse the trend toward lawlessness.

This active combat against crime calls for a fair and efficient system of law enforcement to deal with those who break our laws. It means giving new priority to the methods and institutions of law enforcement—

To our police, who are our frontline, both offensive and defensive, in the fight against crime. There is a great need not only for improved training of policemen but for all people to learn about, to understand, and to assist the policeman in his work;

To our courts, traditionally the symbol and guardian of our cherished freedoms. Local criminal courts are so overloaded that their functioning is impeded and their effectiveness weakened. More courts and judges is one answer, but

every possibility of improvement must be explored;

To our correctional agencies. We cannot tolerate an endless, self-defeating cycle of imprisonment, release, and re-imprisonment which fails to alter undesirable attitudes and behavior. We must find ways to help the first offenders avoid a continuing career of crime.

No right is more elemental to our society than the right to personal security and no right needs more urgent protection.

Our streets must be safe. Our homes and places of business must be secure. Experience and wisdom dictate that one of the most legitimate functions of government is the preservation of law and order.

Our system rejects the concept of a national police force. The protection responsibilities lie primarily with State and local governments.

That is right and proper.

Yet, crime is no longer merely a local problem. Every city, every State is troubled by the same hard statistical—and human—facts. The extent and seriousness of the problem have made it of great national concern.

Crime is as old as history. It is hardly new to America. But in our increasingly mobile, urban society, crime problems are not only greater, they are immensely more complex.

We have not stood idly by in the face of these problems. Many cities and States, as well as the Federal Government, have developed new programs reflecting their growing concern.

Yet the crime rate continues to increase.

The time has come now to check that growth, to contain its spread, and to reduce its toll of lives and property.

I believe the way to do so is to give new recognition to the fact that crime is a national problem—and to intensify our crime prevention and crime fighting at all levels of government.

**THE ROLE OF THE INDIVIDUAL**

The starting point for such efforts is the individual citizen. Law enforcement cannot succeed without the sustained—and informed—interest of all citizens.

It is not enough to reflect our concern over the rise in crime by seeking out single answers or simple answers. They do not exist. The people will get observance of the law and enforcement of the law if they want it, insist on it, and participate in it.

It has been said, for example, that the fault lies with courts which “coddle criminals,” or, on the other hand, that police officers do not observe the rights of the individual.

There is misunderstanding at times between law enforcement officers and some courts. We need to think less, however, about taking sides in such controversies and more about our common objective: law enforcement which is both fair and effective. We are not prepared in our democratic system to pay for improved law enforcement by unreasonable limitations on the individual protections which ennoble our system. Yet there is the undoubted necessity that society be

protected from the criminal and that the rights of society be recognized along with the rights of the individual.

As Mr. Justice Frankfurter once said:

A democratic society, in which respect for the dignity of all men is central, naturally guards against the misuse of the law enforcement process.

It has been said that the fault lies in poor living conditions, limited education, and the denial of opportunity.

Plainly, laws are less likely to command the respect of those forced to live at the margins of our society. Stability and order have little meaning and small advantage to those who exist in poverty, hopelessness, and despair.

The longrun solution to this view of crime is jobs, education, and hope. This is a goal to which this country is now committed. But we should remember that not all crime is committed by those who are impoverished or those denied equal opportunity. In any event, we cannot postpone our responsibilities to act against crimes committed today.

It has also been said that the fault lies in a deep moral decay, particularly among the young; that juvenile delinquency and high crime rates among younger adults have their origins in this decay.

In our increasingly complex society, it is becoming harder to perceive and maintain clear moral values. But the great majority of our young people lead law-abiding, creative lives. We need only look to the spirit which characterizes our youth today—the spirit of the Peace Corps, of VISTA, of commitment to the well-being and welfare of society. While crime by young people in our society is of very serious concern, it involves only a small proportion of our youth.

We must, in short, understand that the reasons for the growth of crime are many and complicated. We must accept hard facts at every turn. But like the related problems of poverty and of education, we must face them squarely if we are to succeed. And we must succeed.

Thus, while recognizing that the basic responsibility rests on local authorities, we must also recognize the burdens they now bear. To assist them in bearing these burdens successfully, I propose—

Increased Federal law-enforcement efforts;

Assistance to local law-enforcement efforts;

A comprehensive, penetrating analysis of the origins and nature of crime in modern America.

**FEDERAL LAW-ENFORCEMENT EFFORTS**

The average citizen is most directly concerned with what is called crime in the streets. Crime of this kind—robberies, muggings, housebreakings—are the primary law-enforcement responsibility of State and local governments. When criminals cross State lines, however, Federal enforcement is also available. Thus, Federal, State and local investigators may all join to pursue the bank robber, the kidnapper or the auto thief. Federal assistance in these activities has been and can continue to be helpful.

In some areas, however, the Federal Government has a special responsibility—organized crime, narcotic and drug control, regulation of gun sales, and law-enforcement activities in the District of Columbia.

#### 1. ORGANIZED CRIME

Organized crime is a cancer in the city. It has become an entrenched national industry. It embraces gambling, narcotics, stock and bankruptcy fraud, usurious loans, or corruption of public officials or labor-management relations.

Racketeering feeds on itself. Illegal gambling, for example, channels enormous profits to other criminal avenues. The citizen is the loser.

Organized crime also breeds lesser crime. The police in our large cities know from daily experience how much street crime results, for example, from narcotics addiction.

Perhaps the most alarming aspect of organized crime, however, is that it erodes respect for the law. Corrupting a public official may lend respectability to the racketeer, as it destroys the underpinning of law enforcement in a community.

Since 1961, the Federal Government has responded to this challenge in force. We have secured new legislative authority. We have achieved new levels of cooperation among the 26 different Federal law-enforcement agencies. We have achieved new prosecutive energy. The result has been a tenfold increase in racketeering convictions.

But this accomplishment represents a mere beginning. Much remains to be done.

Consequently, I am calling on the Attorney General, the Secretary of the Treasury, and the other heads of the Federal law enforcement arms to enlarge their energetic effort against organized crime. The Department of Justice will submit legislative proposals to the Congress to strengthen and expand these efforts generally.

I urge the prompt enactment of these measures.

#### 2. DRUG CONTROL

The return of narcotic and marijuana users to useful, productive lives is of obvious benefit to them and to society at large. But at the same time, it is essential to assure adequate protection of the general public.

To meet these objectives, the President's Advisory Commission on Narcotic and Drug Abuse recommended enactment of a Federal civil commitment statute to provide an alternative means of dealing with those narcotic and marijuana users likely to respond to treatment and achieve rehabilitation. The Commission also recommended that those penalty provisions of the Federal narcotics and marijuana laws requiring mandatory minimum sentences and precluding probation or parole be applied restrictively in order to provide a greater incentive for rehabilitation.

The Justice Department will shortly submit proposals for a Federal civil commitment statute to the Congress and for limiting the coverage of the mandatory minimum penalty sentences. The proposals will seek to the fullest extent con-

sistent with the public safety to give offenders a maximum opportunity for return to a normal life.

Increasing illegal sales of psychotoxic drugs, such as barbiturates and amphetamines, must be controlled. These sedatives and stimulants, taken so easily in pill form, have been termed the "dangerous drugs"—and with good reason. Senseless killings, robberies, and auto accidents have resulted from the radical personality changes induced by the indiscriminate use of these drugs. Because they are less expensive and more available than narcotics, these drugs appeal to a much broader cross section of our population, particularly the young.

Our existing legal weapons are inadequate. I therefore urge the Congress to enact legislation to control the abuse of these dangerous drugs without constricting their legitimate medical uses.

#### 3. FIREARMS CONTROL

Drugs are, of course, only one cause of the rise in violent crime in the United States. Another significant factor is the ease with which any person can acquire firearms. Lee Oswald sent for and received a rifle through the U.S. mail. I believe that the people of the United States have learned, through the recent tragic loss of President Kennedy, the need for strengthened control.

Here the Federal Government's jurisdiction is limited. State and local action will be necessary. But at minimum, we must make effective local regulation of firearms possible by increasing Federal control over interstate shipment of firearms. In addition, limits must be imposed on the importation into this country of surplus military weapons and other used firearms.

I am proposing draft legislation to accomplish these aims. It would amend the Federal Firearms Act to prohibit firearms shipments in interstate commerce except among importers, manufacturers, and dealers licensed by the Treasury Department.

Mail-order sales to individuals would thus stop. The legislation would also strengthen the present statutory standards for Treasury Department licenses and prohibit licensees from selling firearms to persons under 21 years of age—or under 18 in the case of rifles and shotguns. Other provisions of this legislation are designed to make it feasible for the States to impose effective controls over firearms within their own boundaries. I urge the Governors of our States and mayors and other local public officials to review their existing legislation in this critical field with a view to keeping lethal weapons out of the wrong hands.

I recommend this legislation to the Congress as a sensible use of Federal authority to assist local authorities in coping with an undeniable menace to law and order and to the lives of innocent people.

#### 4. DISTRICT OF COLUMBIA

A fourth opportunity for Federal leadership is the Nation's Capital. As I said in my special message on the District of Columbia, we must improve law enforcement and the administration of criminal justice in the District. Wash-

ington shares with our large cities the special and acute problems associated with rapid urban population growth.

Both in its own right and as a model for other cities, Washington can and should be a focus for intensive efforts in crime prevention, the detection and prosecution of crimes, rehabilitation, and related activities.

To assist in this effort, I will shortly appoint the commission to which I referred in my message on the District of Columbia.

#### ASSISTANCE TO LOCAL AUTHORITIES

Whatever we may do to strengthen Federal law enforcement, the principal enforcement responsibility still rests on States and local governments—and that has become a very large burden indeed.

The cost of operating our police departments has risen by 50 percent in the last 5 years alone. Yet our law enforcement and corrections personnel are overworked. Our courts are overcrowded. Our penal and rehabilitative facilities and programs are understaffed or underdeveloped. To meet their large and growing burdens, State and local law enforcement agencies must have additional training and technical assistance from the Federal Government.

Federal assistance has long been provided in various forms to local law enforcement. Because of Mr. J. Edgar Hoover's early recognition of the need for such assistance, the Federal Bureau of Investigation has provided a number of valuable services to State and local police organizations. It assists them with training activities and the FBI National Academy in Washington gives comprehensive instructions to State and local career law enforcement officers each year. The Federal Government also provides support for short-term vocational training for police officers and more extensive training in related fields through the Department of Health, Education, and Welfare. The Treasury Department provides instruction for narcotics enforcement personnel through the Bureau of Narcotics Training School.

The Federal Government has been giving active support to juvenile delinquency control efforts. Under the Juvenile Delinquency and Youth Offenses Control Act, programs have been developed to provide new approaches to the prevention and control of juvenile delinquency and to train needed personnel. Under this act important studies have shed new light on the complex causes of delinquency.

The Department of Health, Education, and Welfare will shortly submit requests for urgently needed additional appropriations in this field. I support these proposals and request the Congress to act on them favorably and rapidly.

These are present and continuing endeavors. But we must do more. I believe a major opportunity lies in the development and testing of experimental methods of crime control. To this end, I am proposing the Law Enforcement Assistance Act of 1965. This legislation would authorize the Attorney General to assist State, local, and private groups to improve and strengthen crime control

programs and make generally available information as to their effectiveness.

This act would bolster present training programs for local law enforcement personnel and would support the development of new training methods. Fighting crime effectively under modern conditions requires professional police who are expertly trained in a variety of skills. The Federal Government now provides financial assistance for research and training in other professions—science, mathematics, foreign languages, medicine, nursing. Trained, professional law enforcement personnel are fully as essential to the preservation of our national health and strength—and no less deserving of increased Federal support.

This legislation would also authorize Federal support for the development of improved methods of enforcing criminal laws and administering justice. For example, experiments might be undertaken with different kinds and intensity of police coverage in high crime districts in order to learn more about the effective allocation of manpower. The effectiveness of different communication and alarm systems might be studied. By pilot projects in the administration of justice, we may find ways of making the judicial process fairer and speedier and the correctional process more effective.

The dissemination of information about projects supported under the Law Enforcement Assistance Act will be of substantial value to other communities in designing their own crime control programs.

#### PRESIDENTIAL COMMISSION

The proposals which I have discussed are promising immediate approaches to a number of the specific problems of controlling crime. In the longer run we must also deepen our understanding of the causes of crime and of how our society should respond to the challenge of our present levels of crime. Only with such understanding can we undertake more fundamental, far-reaching, and imaginative programs.

As the first step, I am establishing the President's Commission on Law Enforcement and Administration of Justice. The Commission will be composed of men and women of distinction who share my belief that we need to know far more about the prevention and control of crime. I will ask the Commission to make a comprehensive report to me by the summer of 1966 and to make interim reports when early action on the basis of its recommendations may be possible.

No agency of Government has ever in our history undertaken to probe so fully and deeply into the problems of crime in our Nation. I do not underestimate the difficulty of the assignment. But the very difficulty which these problems present and the staggering cost of inaction make it imperative that this task be undertaken.

It is of the utmost importance that the people of this country understand what is at stake in controlling crime and its effects. I believe therefore that the Commission should disseminate information

on its work and findings and build a broad base of public support for constructive action.

Typical of the examples of important and troubling questions on which I believe the Commission can furnish guidance are:

(1) How can law enforcement be organized to meet present needs?

In too many instances present divisions of responsibility for law enforcement reflect unexamined precedent rather than practical organization. In addition to exploring improved law enforcement and correctional techniques, the Commission can be helpful in suggesting possible reorganization of law enforcement functions and methods of achieving greater cooperation where there are separate responsibilities.

(2) What steps can be taken to create greater understanding by those involved in the administration of justice at the State and local level of the efforts of Federal courts to insure production of individual rights?

The Commission should seek understanding of the needs of those responsible for carrying out our criminal laws and the relationship to these needs of the historic protections our Nation has accorded to the accused. The Commission may well serve as a bridge of understanding among all those involved in the fair and effective administration of criminal justice.

(3) Through what kinds of programs can the Federal Government be most effective in assisting State and local enforcement?

The Commission can recommend new and imaginative ways in which the Federal Government can render assistance—without infringing on the primary responsibility of States and localities.

(4) Is the Nation as a whole providing adequate education and training opportunities for those who administer the criminal laws?

The Commission should evaluate the programs and institutions now available for law enforcement officers, correctional personnel and both prosecution and defense attorneys and make recommendations on necessary additions.

(5) What correctional programs are most promising in preventing a first offense from leading to a career in crime?

A large proportion of serious crimes is committed by persons who are previous offenders. Thus, reducing the total volume of crime is, to a large extent, a problem of reducing the rate of recidivism. The first offender's initial contact with our correctional system is often a turning point in his life. The Commission should consider how we can best insure that his first contact will be his last.

(6) What steps can be taken to increase public respect for law and law enforcement officers?

In a free land, order can never be achieved by police action alone, no matter how efficient. There must be a high level of voluntary observance of the law and cooperation with public authorities. Citizens too often shun their duty to report crimes, summon assistance, or cooperate with law enforcement in other

ways. In the light of recent examples of what happens when private citizens remain bystanders at tragedy, I hope the Commission will suggest means of improving public attitudes toward the individual's sense of responsibility to his community and to his neighbor.

These questions only illustrate those which this Commission must put to itself. It must also—

Consider the problem of making our streets, homes, and places of business safer;

Inquire into the special problems of juvenile crime;

Examine the administration of justice in our shockingly overcrowded lower courts through which so many citizens are herded wholesale;

Explore the means by which organized crime can be arrested by Federal and local authorities.

In its task, the Commission will not be working alone. In addition to its own staff and subpanels of experts in various fields and disciplines, it will have the close cooperation and support of representatives of the Federal Government.

I have directed the Attorney General, the Secretary of the Treasury, and the Secretary of Health, Education, and Welfare, and the Director of the Office of Economic Opportunity to work closely with the Commission and to assist it in every possible way. Because of the importance of the Attorney General's responsibilities within the Federal Government for these problems—ranging from investigation and enforcement through administration of the Federal prison system—I anticipate that the Department of Justice and especially its newly created Office of Criminal Justice should take a particularly active role in assisting the work of the Commission.

The Commission also will work closely with representatives of State and local governments with such groups as the American Bar Association, the American Law Institute, State and local bar groups and appropriate law enforcement organizations; and with universities and other institutions and individuals engaged in important work in the social sciences, mental health, and related areas.

The task before the Commission is one of consummate difficulty and complexity. But it could scarcely be more important. I hope and expect that its work will be a landmark to follow for many years to come.

#### CONCLUSION

This message recognizes that crime is a national problem.

That recognition does not carry with it any threat to the basic prerogatives of State and local governments. It means, rather, that the Federal Government will henceforth take a more meaningful role in meeting the whole spectrum of problems posed by crime.

It means that the Federal Government will seek to exercise leadership and to assist local authorities in meeting their responsibilities.

It means that we will make a national effort to resolve the problems of law enforcement and the administration of justice—and to direct the attention of the Nation to the problems of crime and

the steps that must be taken to meet them.

This effort will involve great difficulties.

It will not produce dramatic, visible results overnight. But it is an effort we must begin now.

I ask the help of the Congress. I believe that these actions and proposals are soundly based and give promise of meeting urgent needs of a growing nation. I commend them to the American people and to the Congress and urge their prompt enactment.

LYNDON B. JOHNSON.  
THE WHITE HOUSE, March 8, 1965.

#### DISTRICT OF COLUMBIA DAY

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from South Carolina [Mr. McMILLAN], chairman of the Committee on the District of Columbia.

#### SPECIAL REGULATIONS FOR AMERICAN LEGION CONVENTION

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the resolution (H.J. Res. 195) to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1966, to be held in Washington, D.C., to authorize the granting of certain permits to the American Legion 1966 Convention Corp. of the District of Columbia on the occasion of such convention, and for other purposes, and ask unanimous consent that the resolution be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from South Carolina? There was no objection.

The Clerk read the resolution, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the period of the American Legion National Convention of 1966, to be held in the District of Columbia on August 29, 30, and 31, and September 1, 1966, the Commissioners are authorized and directed to make all reasonable regulations necessary to secure the preservation of public order and protection of life, health, and property; to make special regulations respecting the standing, movement, and operation of vehicles of whatever character or kind during said period; and to grant, under such conditions as they may impose, special licenses to peddlers and vendors for the privilege of selling goods, wares, and merchandise in such places in the District of Columbia, and to charge such fees for such privilege, as they deem proper.*

Sec. 2. For the purposes of this Act—

(a) "Commissioners" means the Commissioners of the District of Columbia, or their designated agent or agents;

(b) "Corporation" means the American Legion 1966 Convention Corporation of the District of Columbia, or its designated agents;

(c) "Convention" means the American Legion National Convention of 1966, to be held in the District of Columbia on August 29, 30, and 31, and September 1, 1966;

(d) "Period" and "convention period" mean the ten-day period beginning August 25, 1966;

(e) "Secretary of Defense" means the Secretary of Defense, or his designated agents; and

(f) "Secretary of the Interior" means the Secretary of the Interior, or his designated agents.

SEC. 3. There are authorized to be appropriated such sums as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, to enable the Commissioners to advance to the corporation's guaranty fund \$25,000, for the reimbursement of which the District shall have a prior claim on any moneys available to the corporation for repayment to guarantors, and to provide additional municipal services in said District during the convention period, including employment of personal services without regard to the civil service and classification laws; travel expenses of enforcement personnel, including sanitarians, from other jurisdictions; hire of means of transportation; meals for police, firemen, and other municipal employees; construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths; and other incidental expenses in the discretion of the Commissioners.

SEC. 4. The Secretary of the Interior, with the approval of such officer as may exercise jurisdiction over any of the Federal reservations or grounds in the District of Columbia, is authorized to grant to the corporation permits for the use of such reservations or grounds during the convention period, including a reasonable time prior and subsequent thereto; and the Commissioners are authorized to grant like permits for the use of public space under their jurisdiction. Each such permit shall be subject to such restrictions, terms, and conditions as may be imposed by the grantor of such permit. With respect to public space, no reviewing stand or any stand or structure for the sale of goods, wares, merchandise, food, or drink shall be built during the convention period on any sidewalk, street, park, reservation, or other public grounds in the District of Columbia, except with the approval of the corporation, and with the approval of the Secretary of the Interior or the Commissioners, as the case may be, depending on the location of such stand or structure. The reservation, ground, or public space occupied by any such stand or structure shall, within ten days after the end of the convention period, be restored to its previous condition. The corporation shall indemnify and save harmless the District of Columbia, the United States, and the appropriate agencies of the United States against any loss or damage to such property and against any liability arising from the use of such property, either by the corporation or a licensee of the corporation.

SEC. 5. The Commissioners are authorized to permit the corporation to install suitable overhead conductors and install suitable lighting or other electrical facilities, with adequate supports, for illumination or other purposes. If it should be necessary to place wires for illuminating or other purposes over any park, reservation, or highway in the District of Columbia, such placing of wires and their removal shall be under the supervision of the official in charge of said park, reservation, or highway. Such conductors, with their supports, shall be removed within five days after the end of the convention period. The Commissioners, or such other officials as may have jurisdiction in the premises, shall enforce the provisions of this joint resolution, take needful precautions for the protection of the public, and insure that the pavement of any street, sidewalk, avenue, or alley which is disturbed or damaged is

restored to its previous condition. No expense or damage from the installation, operation, or removal of said temporary overhead conductors or said illumination or other electrical facilities shall be incurred by the United States or the District of Columbia, and the corporation shall indemnify and save harmless the District of Columbia, the United States and the appropriate agencies of the United States against any loss or damage and against any liability whatsoever arising from any act of the corporation or any agent, licensee, servant, or employee of the corporation.

SEC. 6. The Secretary of Defense is authorized to lend to the corporation such hospital tents, smaller tents, camp appliances, hospital furniture, ensigns, flags, ambulances, drivers, stretchers, and Red Cross flags and poles (except battle flags) as may be spared without detriment to the public service, and under such conditions as he may prescribe. Such loan shall be returned within five days after the end of the convention period, the corporation shall indemnify the United States for any loss or damage to any such property, and no expense shall be incurred by the United States Government for the delivery, return, rehabilitation, replacement, or operation of such equipment. The corporation shall give a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

SEC. 7. The Commissioners, the Secretary of the Interior, and the corporation are authorized to permit electric lighting, telegraph, telephone, radio broadcasting, and television companies to extend overhead wires to such points along and across the line of any parade as shall be deemed convenient for use in connection with such parade and other convention purposes. Such wires shall be removed within ten days after the end of the convention period.

SEC. 8. The regulations and licenses authorized by this Act shall be in full force and effect only during the convention period, but the expiration of said period shall not prevent the arrest or trial of any person for any violation of such regulations committed during the time they were in force and effect. Such regulations shall be published in one or more of the daily newspapers published in the District of Columbia and no penalty prescribed for the violation of any such regulation shall be enforced until five days after such publication. Any person violating any regulation promulgated by the Commissioners under the authority of this Act shall be fined not more than \$100 or imprisoned for not more than thirty days. Each and every day a violation of any such regulation exists shall constitute a separate offense, and the penalty prescribed shall be applicable to each such separate offense.

SEC. 9. Whenever any provision of this Act requires the corporation to indemnify and save harmless the District of Columbia and the Federal Government or any agency thereof against loss, damage, or liability arising out of the acts of the corporation or its licensee, or to give bond to an agency of the Federal Government guaranteeing the safe return of property belonging to such agency, the requirements of any such provision shall be deemed satisfied upon the submission by the corporation to the Commissioners and the Secretary of the Interior on behalf of the several agencies of the Federal Government, of an insurance policy or bond, or both an insurance policy and bond, in such amount or amounts and subject to such terms and conditions, as the said officials in their discretion approve as being necessary to protect the interests of the respective governments.

SEC. 10. Nothing in this Act shall be applicable to the United States Capitol Buildings or Grounds or other properties under

the jurisdiction of the Congress or any committee, commission, or officer thereof.

Mr. GROSS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I understand that this bill provides for a \$25,000 appropriation to the District of Columbia or to the Commissioners of the District of Columbia, whichever it is; may I ask the gentleman if that is correct?

Mr. McMILLAN. I understand they had a similar resolution when the American Legion had their convention here in 1954 and that all that money was paid back. It did not cost the District or the Federal Government any money whatsoever.

Mr. GROSS. I would ask why this \$25,000 appropriation at all? Why should there be a \$25,000 appropriation?

Mr. McMILLAN. I understand it will be refunded.

Mr. GROSS. This is not an advance to the American Legion; this is an advance to the Commissioners?

Mr. McMILLAN. The American Legion would like the Commissioners to have this money for preparations to be made for the convention.

Mr. GROSS. Is the District government so strapped for money that it cannot come up with \$25,000 to stage this convention?

Mr. McMILLAN. I do not know; that is what they asked for.

Mr. GROSS. Let me ask the gentleman this question. The gentleman says that the \$25,000 appropriated for the last American Legion Convention in Washington, D.C., was paid back. It was paid back to whom? Do I understand correctly—and I hope the gentleman will correct me if I am wrong—that this \$25,000 will come out of the Federal Treasury and be made available to the District of Columbia for the staging of this convention? If the \$25,000 is paid it will be paid from revenues accruing from the holding of the convention and will be paid to the District Commissioners, will it not, or to the District treasury? Nothing will come back to the Federal Treasury; is that correct?

Mr. McMILLAN. That is correct.

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

Mr. GROSS. I yield.

Mr. ABERNETHY. This money does not come from the Federal Treasury. This will be handled as a District item. The money will be placed in the hands of the District Commissioners to be used initially in making preparations for the convention of the American Legion. In 1954 we had a comparable situation; a comparable convention and a comparable advancement of funds, every penny of which was repaid and every bit of which in this instance will be repaid to the District at the conclusion of this particular convention.

Mr. GROSS. Mr. Speaker, let me ask the gentleman this question, then. There are no Federal funds involved?

Mr. ABERNETHY. That is my definite understanding of the matter.

Mr. GROSS. It is the gentleman's understanding that there are no Federal funds involved. This simply authorizes an expenditure from the District treas-

ury for the purpose of staging this convention; is that correct?

Mr. ABERNETHY. That is what the bill says; that is what I understand it to say. It says, "payable in like manner as other appropriations for the expenses of the District of Columbia."

Mr. GROSS. I thought the bill authorized the taking of \$25,000 from the general funds of the U.S. Treasury.

Mr. ABERNETHY. I think the gentleman is mistaken. Even if it did come from general funds I think it would be a good investment. As in the past, this money will be refunded as it was at the time of the 1954 convention.

Mr. GROSS. The gentleman hopes it will be.

Mr. ABERNETHY. I am quite sure it will, because the Legion is a responsible organization.

Mr. GROSS. If this money were to come out of the Federal Treasury I would be constrained, when the appropriation bill comes up for the District of Columbia, unless repaid to the Federal Treasury—I would be constrained to offer an amendment to cut \$25,000 from the District of Columbia appropriation. I want the American Legion to have the finest possible convention in Washington but if public funds are to be used I want those funds to come from the District of Columbia treasury and not the Federal Treasury.

Mr. Speaker, I withdraw my reservation of objection.

Mr. HARSHA. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in support of this important bill, House Joint Resolution 195, which would permit the District of Columbia government to make all the vital official arrangements to accommodate the large numbers of American Legionnaires, their many guests, and their activities during the 10-day convention beginning August 25, 1966.

Every effort should be made by the Congress to insure the proper welcome, the comfort, the safety, and the smooth operation of the 1966 convocation of this splendid veterans organization. This bill will materially assist in the success of the convention next year.

Mr. Speaker, as a member of the District Committee which unanimously reported this bill, I urge its immediate passage.

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

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

PURPOSE OF THE RESOLUTION

Mr. McMILLAN. 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 South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, the purpose of this resolution is to authorize the District of Columbia Commissioners and certain Federal officers to undertake such actions as may be necessary in connection with the American Legion Na-

tional Convention of 1966, to be held in the District of Columbia on August 29, 30, and 31, and September 1, 1966.

PRECEDENTS

This resolution is nearly identical to the resolution adopted by the Congress on July 28, 1964 (78 Stat. 337) in connection with the 91st annual meeting of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington in July of this year, and also to the act in connection with the American Legion, Convention of 1954—68 Stat. 743. It is patterned substantially also after the Presidential Inaugural Ceremonies Act of 1956 (70 Stat. 1049).

Your committee wishes to point out that the only provision of this resolution which was not contained in House Joint Resolution 888 of the 88th Congress, which was adopted in connection with the forthcoming Shrine convention to be held this year, is the authorization for the appropriation of \$25,000 for advancement by the Commissioners to the guarantee fund of the American Legion National Convention Corp. of the District of Columbia. It is provided that the District shall have a prior claim for the reimbursement of this money, upon any moneys available to the corporation for repayment to guarantors. As a matter of fact, there was an identical provision in the resolution pertaining to the American Legion Convention of 1954, and in that instance the entire amount was repaid to the District.

REASONS FOR THE RESOLUTION

Your committee is informed that this convention is held annually in various cities all over the United States, and that the convention proposed to be held in Washington in 1966 will bring to the city some 25,000 to 35,000 persons associated with the American Legion. In addition, many other persons will be attracted to the city to witness the parade and other convention activities. This affair will, of course, result in the spending of a considerable amount of money in the District.

At the same time, however, conventions of this magnitude present special problems, such as the handling of large crowds, erection of reviewing stands for the parade, the need for special traffic regulations, and for rules and regulations incident to bringing special police officers in from out of town, and so forth. This resolution is designed, therefore, to provide the necessary authority to allow Federal officials and the Commissioners of the District of Columbia to cooperate fully with the American Legion 1966 Convention Corp. of the District of Columbia in making this forthcoming American Legion convention in Washington a pleasant, safe, and memorable event.

The following is the letter from the District of Columbia Board of Commissioners, under date of March 3, 1965, requesting this legislation and summarizing its principal provisions:

MARCH 3, 1965.

The Honorable the SPEAKER,  
U.S. House of Representatives,  
Washington, D.C.

MY DEAR MR. SPEAKER: The Commissioners of the District of Columbia have the

honor to submit a draft of a joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1966, to be held in Washington, District of Columbia; to authorize the granting of certain permits to the American Legion 1966 Convention Corp. of the District of Columbia on the occasion of such convention; and for other purposes.

On the occasion of the American Legion National Convention of 1966, the resolution authorizes appropriate action to be taken to provide for the comfort and protection of all persons within the District of Columbia during the 10-day period of the convention. The resolution is patterned after the joint resolution approved July 28, 1964 (78 Stat. 337; Public Law 88-386), relating to the 91st Annual Session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America.

The resolution authorizes the Commissioners and certain specified Federal officials to deal with the special problems which will arise on the occasion of the 1966 National Convention of the American Legion, and which are expected to exert a heavy burden on the municipal services of the District of Columbia, and, to a certain extent, on the Federal Government. These problems relate principally to the handling of traffic and large crowds, and the erection of reviewing stands for the parade to be held in connection with the convention. In addition, there is need for increased services by the Metropolitan Police Department and the Department of Public Health to protect the personal safety and health of the citizens of the District and the many visitors who will be present in the District for the occasion. The Commissioners have been informed that the minimum number of persons associated with the American Legion expected to be present in the District during the convention period has been estimated at 25,000 to 35,000. This number of visitors, together with the many other persons who may come into the District to witness convention activities, will generate a need for increased activity on the part of the municipal government of the District of Columbia. The joint resolution is intended to provide authority for such an increase.

The principal provisions of the joint resolution are as follows:

1. The Commissioners are authorized and directed to make regulations to preserve peace and order, specially regulate traffic, and issue special licenses to peddlers and vendors, such regulations to be effective during the period of the convention, defined by the resolution as a 10-day period beginning August 25, 1966, and ending September 3, 1966, both dates inclusive.

2. Appropriations are authorized for advancement by the Commissioners to the corporation's guarantee fund of \$25,000, for the reimbursement of which the District shall have a prior claim on any moneys available to the corporation for repayment to guarantors; and to pay the cost of providing additional municipal services and to pay for other municipal expenses connected with the convention, estimated at \$250,000.

3. The Secretary of the Interior and the Commissioners are authorized to grant permits for the use of public space under their respective jurisdictions, subject to certain limitations imposed by the resolution.

4. The Commissioners are authorized to permit the installation of temporary electrical facilities of all kinds, also subject to certain limitations imposed by the resolution.

5. The Secretary of Defense is authorized to lend certain equipment belonging to the Department of Defense to be used in connection with providing for the well-being of the expected crowds, also subject to limitations imposed by the resolution.

6. The temporary placing of wires along and across the line of any parade for use by electric lighting and communications concerns is authorized.

7. The effective period of the regulations authorized to be adopted and a penalty for their violation (a fine of not more than \$100 or imprisonment for not more than 30 days) are prescribed.

8. The resolution requires the American Legion 1966 Convention Corp. of the District of Columbia to indemnify and save harmless the District of Columbia and Federal Government against loss, damage, or liability and provides that such requirements shall be satisfied by the corporation's submitting to the District of Columbia Commissioners and the Secretary of the Interior an insurance policy or a bond, or both, in such amounts and subject to such terms as these officials may deem adequate to protect the interests of the respective governments.

9. Finally, the resolution specifically exempts from its provisions the Capitol Building and grounds and other property under the jurisdiction of the Congress.

Legislation similar in scope to the draft resolution has been enacted in the past years when conventions and other public gatherings have brought large numbers of people into the District. The most recent enactment is the joint resolution approved July 28, 1964, relating to the 91st Annual Session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America.

The Commissioners, in the belief that the resolution will adequately provide for the safety and well-being of all persons in the District of Columbia during the period of the 1966 National Convention of the American Legion, recommend its approval.

The Commissioners have been advised by the Bureau of the Budget that, from the standpoint of the administration's program, there is no objection to the submission of this legislation to the Congress.

Sincerely yours,

WALTER N. TOBRINER,  
President, Board of Commissioners,  
District of Columbia.

#### AUTHORIZING VFW TO RENT CERTAIN PROPERTY

Mr. McMILLAN. Mr. Speaker, at this time I yield to the gentleman from Texas [Mr. Dowdy] to call up a bill which comes from his subcommittee.

Mr. DOWDY. Mr. Speaker, I call up the bill (H.R. 4338) to authorize the Veterans of Foreign Wars of the United States to rent certain property in the District of Columbia for certain office purposes.

The Clerk read the bill, as follows:

H.R. 4338

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Veterans of Foreign Wars of the United States are authorized to lease or rent for office purposes to any department, agency, or instrumentality of the United States or the District of Columbia or to any nonprofit organization any of the property exempt from taxation in the District of Columbia by the Act of July 19, 1954, as amended (D.C. Code, sec. 47-832).*

With the following committee amendment:

On page 1, line 4, immediately after "authorized" insert ", subject to the provisions of sections 2, 3, and 5 of the Act of December 24, 1942 (D.C. Code, sec. 47-801b, 801c, and 801e)."

The committee amendment was agreed to.

Mr. DOWDY. Mr. Speaker, I now yield to the gentleman from Indiana [Mr. ROUDEBUSH], the author of the bill.

Mr. ROUDEBUSH. Mr. Speaker, I strongly endorse H.R. 4338 and express the hope that the House will pass this legislation.

Mr. Speaker, may I assure everyone here that there is no money involved in this legislation at all. It merely provides a zone variance so that the Veterans of Foreign Wars may rent two stories of their five-story building, located at 200 Maryland Avenue NE., in the District of Columbia.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUDEBUSH. Mr. Speaker, the purpose of this proposed legislation—as set forth in House Report No. 142—is to authorize the Veterans of Foreign Wars to rent or lease any part of their Memorial Building, located at 200 Maryland Avenue NE., in the District of Columbia, for office purposes only, to any agency of the Federal or District of Columbia Governments or to any nonprofit organization.

Many years ago, the Veterans of Foreign Wars established offices in the District of Columbia to aid veterans, their widows, and their orphans with their petitions before various Federal agencies. Their services are free to all veterans and their widows and orphans, regardless of whether they are members or not. Hence, the Veterans of Foreign Wars is truly a charitable and eleemosynary organization.

Mr. Speaker, some 12 years ago, the national commander in chief and the National Council of Administration of the VFW decided that in view of the rental being paid for the Washington offices it would be more economical to erect its own building in the District. They purchased a lot for this purpose on First Street NE., between the Carroll Arms and the Plaza Hotels. However, before construction of the building could be started the Congress decided that it needed this ground for a parking area, and the VFW was forced to sell this property and seek another location. They finally purchased the old Rolland Hotel property at the corner of Maryland Avenue and Second Street NE., demolished the old existing structures, and in 1960 erected a very attractive five-story office building of white marble, at a total cost of some \$1.7 million.

The location of this building on Capitol Hill makes it extremely attractive to various Federal Government agencies and commissions, and inasmuch as some of the space in the building was not immediately needed by the Veterans of Foreign Wars for its own purposes, the organization rented space in the building for the past several years to the following Government organizations: The President's Railroad Commission; the President's Commission on the Status of

Women; the President's Task Force on Employment-Management Relations; Office of Manpower, Development, and Training, U.S. Department of Labor; Study Group B-1, U.S. Department of Defense; Bureau of Employment and Compensation; Office of Civil Defense; and the Warren Commission. Most of these commissions, it will be noted, have had U.S. Senators and Congressmen among their membership.

Mr. Speaker, it should be pointed out that the local real property of the VFW was exempted from District of Columbia real estate taxation by act of Congress—District of Columbia Code, 47-832. Since this exemption does not apply to any commercial use of the property, however, the organization has paid tax each year upon that part of its building for which rental has been received. This tax has amounted to approximately \$6,000 per year.

The 3-year contract between the Veterans of Foreign Wars and the GSA, under which this space was leased for Government use, expired on January 15, 1965, and the GSA notified the VFW several months prior to this date that they would not renew the contract because of improper zoning of the property. This referred, apparently, to some zoning regulations which had been approved on May 20, 1958, under which the VFW's own use of the property for philanthropic purposes is nonconforming, although this had not been the case in 1957 when the Board of Zoning Adjustment granted an appeal to permit the construction of the building for such purpose.

The Veterans of Foreign Wars immediately appealed for a zoning variance which would permit unrestricted office use of the basement, fourth floor, fifth floor, and part of the third floor of their building. However, this request was denied by the Board of Zoning Adjustment on December 1, 1964.

At present, therefore, the Veterans of Foreign Wars finds itself with space in its building excess to its own present needs and highly desirable for certain Government usage, yet unable to make these facilities available for this purpose. The Food Marketing Commission had moved into this building, and wished to remain there. In fact, GSA had advised the Veterans of Foreign Wars that they could keep all the available space in the building leased if the proper zoning could be obtained.

Meanwhile, the National Association of Government Engineers had sought to lease office space from the Veterans of Foreign Wars. This is a nonprofit organization engaged in philanthropic activities in behalf of its members, the engineering profession, and the national interest. In its opinion of December 1, 1964, referred to above, the Board of Zoning Adjustment had advised the VFW that, under the provisions of section 3105.37 of the District of Columbia zoning regulations, the organization is free upon proper appeal to the Board to request the use of unneeded or excessive office space by other organizations which may qualify as philanthropic or eleemosynary institutions. Such a proceeding by the Board would be in the nature

of an extension of the nonconformance throughout the building. In the belief that the National Association of Government Engineers would qualify under this provision as a tenant in their building, the VFW sought this permission on January 8, 1965. They were advised, however, that the National Association of Government Engineers apparently could not qualify under this privilege because "its primary purpose or effect is the promotion of special benefits for its membership," which is forbidden in the definition of "philanthropic or eleemosynary institution" as it occurs in the zoning regulations.

Mr. Speaker, these unfavorable developments have left the Veterans of Foreign Wars with no apparent means of utilizing the excess space in their building except by legislative provision such as would be offered by H.R. 4338.

I wish to emphasize the fact that whereas the zoning variance which was refused by the Board of Zoning Adjustment would have permitted the Veterans of Foreign Wars unrestricted office use of any part of their building—that is, they could have leased office space to any tenants whatever—H.R. 4338 will restrict such tenancy to departments or agencies of the Federal or District of Columbia Governments, or to nonprofit organizations. Hence, the authority sought in this proposed legislation is far more limited than that which was sought in the appeal for zoning variance.

At a public hearing conducted by our Subcommittee No. 4 on February 25, 1965, testimony was offered to the effect that special purpose zoning was granted in the case of a structure located at the intersection of Maryland Avenue and Second Street NE., diagonally across from the Veterans of Foreign Wars building. Also in the same square are a cleaning and dyeing establishment, a leather goods repair shop, a youth center for the Young Women's Christian Association, and real estate and other types of offices. Hence, the character of the neighborhood is not all residential, and certainly the highly restricted use which this bill would authorize for the VFW building would have no detrimental effect whatever upon the integrity of the area.

At the hearing, a representative of the District of Columbia Corporation Counsel's office expressed the opinion that the provisions of this proposed legislation will in no way affect the present status of the VFW property with respect to real estate taxation. That is, the parts of the building occupied by the Veterans of Foreign Wars in connection with their philanthropic activities will continue to be exempt from District of Columbia real estate taxation, and any part of the building from which income is derived through the authority granted by this bill will be subject to such tax, exactly as has been the case in the past 3 years. Upon his advice, however, amending language was added to preclude any possible misunderstanding on this point.

It is the opinion of the committee that the present situation represents a hardship for the Veterans of Foreign Wars, and that in view of the dire shortage of

suitable Government office space on Capitol Hill, the relief which H.R. 4338 would offer is in the public interest.

Mr. Speaker, the District Committee, on which I am privileged to serve, gave this problem a thorough hearing and review and unanimously concluded that the bill should be favorably reported to the House for final passage. Therefore, I strongly urge my colleagues here in the House to lend their support to this legislation.

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

Mr. ROUEBUSH. I yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Speaker, I rise in support of this bill, H.R. 4338, which, in effect, authorizes the Veterans of Foreign Wars to rent several floors of space in its national headquarters building which, as we all know, is located here on Capitol Hill almost adjacent to the Senate Office Buildings.

Briefly, this is corrective legislation drawn to right a wrong imposed by a late zoning change in which the VFW was caught in the middle with a terribly large amount of valuable and beautiful office space in its headquarters in excess of its own needs. But, due to the untimely zoning change, the VFW is now precluded from renting such space which, until just recently, was rented to the Government and other nonprofit groups. Incidentally, among the Government groups previously renting there was the Warren Commission.

Mr. Speaker, this bill in no way affects the tax exempt status of the VFW but does assist the Government of the District of Columbia tax revenues in that the VFW under this bill will continue—as it has done religiously in the past—to pay the full District of Columbia tax on the property that it would be allowed to rent under this legislation.

Mr. Speaker, I urge my colleagues to support immediate passage of this bill.

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.

#### COMMITTEE ON EDUCATION AND LABOR

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor have until midnight tonight to file its report on the Elementary and Secondary Education Act of 1965, H.R. 2362.

Mr. ARENDS. Mr. Speaker, reserving the right to object, I could not hear the gentleman's request. I wish he would speak louder.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the House Committee on Education and Labor have until midnight tonight to file its report on the elementary and secondary education bill.

Mr. ARENDS. Mr. Speaker, further reserving the right to object, does that include the right of the minority?

Mr. PERKINS. Mr. Speaker, if the gentleman will yield, that includes the rights of the minority to have until midnight tonight to file its views.

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

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Kentucky? There was no objection.

**EXPLANATION BY THE DEPARTMENT OF THE TREASURY OF THE ACT TO REMOVE TAX BARRIERS TO FOREIGN INVESTMENT IN THE UNITED STATES**

Mr. MILLS. Mr. Speaker, I ask unanimous consent that there be inserted at this point in the RECORD an explanation prepared by the Treasury Department of the bill H.R. 5916 which I introduced today entitled "An act to remove tax barriers to foreign investment in the United States." I am advised by the Government Printing Office that the estimated cost of printing this explanation is \$343. Notwithstanding the cost I request that this be inserted in the RECORD.

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

There was no objection.

The matter referred to follows:

**EXPLANATION OF H.R. 5916, AN ACT TO REMOVE TAX BARRIERS TO FOREIGN INVESTMENT IN THE UNITED STATES**

(Prepared by the Treasury Department)

**GENERAL EXPLANATION**

*Introduction*

In his balance-of-payments message of February 10, 1965, the President proposed a series of measures designed to reinforce the program to correct the balance-of-payments deficit of the United States. Among the proposals made by the President is one to remove the tax deterrents to foreign investment in U.S. corporate securities so as to improve our balance of payments by encouraging an increase in such investment. The recommended legislation described herein would effectuate this proposal.

The review of the tax treatment of nonresident foreigners and foreign corporations investing in the United States resulting in these legislative recommendations was prompted in large measure by the report of the Task Force on Promoting Increased Foreign Investment in U.S. Corporate Securities. This task force, which was headed by the then Under Secretary of the Treasury, Henry H. Fowler, was directed, among other things, to review U.S. Government and private activities which adversely affect foreign purchases of the securities of U.S. private companies. In its report, the task force made 39 recommendations designed to help the United States reduce its balance-of-payments deficit and defend its gold reserves. Among these were several directed at changing the tax treatment of foreign investors so as "to remove a number of elements in our tax structure which unnecessarily complicate and inhibit investment in U.S. corporate securities without generating material tax revenues." The task force report cautioned, however, that its tax recommendations were not intended to turn the United States into a tax haven, nor to drain funds from developing countries.

The legislation being requested deals with all of the tax areas discussed in the task force report, although in certain instances the action suggested differs from the proposals made by the task force. Furthermore, the draft bill contains recommendations in areas not mentioned in the task force re-

port which deal with problems which came to light in the Treasury Department's study of the present system of taxing nonresident foreigners and foreign corporations. It should be emphasized that the recommendations embodied in the proposed legislation were considered not only from the viewpoint of their impact on the balance of payments, but also to insure that they contributed to a rational and consistent program for the taxation of foreign individuals and foreign corporations. Thus, all legislative suggestions made herein are justifiable on conventional tax policy grounds.

It is estimated that the adoption of these proposals would result in a net revenue loss on an annual basis of less than \$5 million.

Foreign purchases of U.S. stocks constitute the largest single source of long-term capital inflow into the United States, with even greater potential for the future. Net purchases have averaged \$190 million a year between 1956 and 1963, while the outstanding value of foreign-held stocks has risen from \$6.1 to \$12.5 billion during this period. It is extremely difficult to measure the precise impact of this proposed legislation on our balance of payments because of the various factors affecting the level of foreign investment in the United States. It is anticipated that, when combined with an expanding U.S. economy, the proposed legislation will result over the years in a significant increase in such investment.

Most provisions of the draft bill are proposed to become effective to taxable years beginning after December 31, 1965. However, those provisions which provide a revised estate tax treatment for the estates of foreigners are made applicable to the estates of decedents dying after the date of enactment of the proposed legislation. In addition, those special provisions applicable to U.S. citizens who have surrendered their U.S. citizenship are made applicable if the surrender occurred after March 8, 1965.

*Specific recommendations*

The following paragraphs describe the specific changes in the Internal Revenue Code of 1954 which are proposed. For this purpose the technical language of the Internal Revenue Code has been used, e.g., foreigners are described by the technical term "alien."

1. **Graduated rates:** Eliminate the taxation at graduated rates of U.S. source income of nonresident alien individuals not doing business in the United States.

Under present law, nonresident aliens deriving more than \$21,200 of income from U.S. sources are subject to regular U.S. graduated rates and are required to file returns. However, graduated rates on investment income already are eliminated by treaty in the case of almost all industrial countries, except where a taxpayer is doing business in the United States and has a permanent establishment here. Only a very small amount of revenue is collected from graduated rates at present. For example, for 1962 graduated rates resulted in the collection of \$746,743 above the taxes already withheld. Although graduated rates are rarely applicable they complicate our tax law and tend to frighten and confuse foreign investors.

Thus, graduated rates, whether applied to investment income or such types of income as pensions, annuities, alimony, and the like, serve no clearly defined purpose, deter foreign investment, and should be eliminated. The elimination of graduated rates will limit the liability of nonresident aliens not engaged in trade or business to taxes withheld, and where the alien is not engaged in trade or business here no return need be made. (However, graduated rates would be retained for the U.S. business income of nonresident aliens engaged in trade or business here.)

2. **Segregation of investment and business income and related matters:** Provide that (a)

nonresident alien individuals engaged in trade or business in the United States be taxed on investment (nonbusiness) income at the 30 percent statutory withholding rate, or applicable treaty rate, rather than at graduated rates; (b) foreign corporations engaged in business in the United States be denied the 85-percent dividends-received deduction and be exempt from tax on their capital gains from investments in U.S. stocks; (c) nonresident alien individuals and foreign corporations not be deemed engaged in trade or business in the United States because of investment activity in the United States or because they have granted a discretionary power to a U.S. banker, broker, or adviser; and (d) nonresident alien individuals and foreign corporations be given an election to compute income from real property and mineral royalties on a net income basis and be taxed at graduated rates on such income as if engaged in trade or business in the United States.

*Segregation of business and investment income*

Under present law, if a nonresident alien is engaged in trade or business within the United States, he is subject to tax on all his U.S. income (including capital gains), even though some of the income is not derived from the conduct of the trade or business, at the same rate as U.S. citizens.

A nonresident alien individual engaged in trade or business in the United States should be subject to taxation on his investment income on the same basis as a nonresident alien not so engaged. Thus his investment income would be taxed at the 30-percent statutory rate or applicable treaty rate, rather than at graduated rates. For the purpose of determining the applicability of treaty rates the alien will be deemed not to have a permanent establishment in this country. All business income should remain subject to tax at graduated rates, but the rates on business income would be computed without regard to the amount of investment income.

This change conforms to the trend in international treaty negotiations to separate investment income from business income. Whether a taxpayer is helped or harmed by segregating his investment from his business income, separate treatment is proper and equitable. Investment decisions may be made on the same basis whether or not the alien is engaged in business here, since income arising from investments here will not be subject to taxation at graduated rates in either event.

Moreover, a nonresident alien individual engaged in trade or business here should not be taxed on capital gains realized in the United States which are unrelated to the business activity carried on by him in this country, except where he would be subject to tax on those gains under the rules pertaining to nonresident aliens generally.

*Tax treatment of income from U.S. stock investments by foreign corporations*

Under present law all the activities of a corporation are treated as part of its trade or business. Thus, for example, all its expenses are treated as deductible as business expenses. Accordingly, it would be inappropriate to segregate a foreign corporation's U.S. investment income from its U.S. business income. However, there is one abuse in this area which should be eliminated. Frequently, a foreign corporation with stock investments in the United States engages in trade or business here in some minor way (such as by owning a few parcels of real estate) and then claims the 85-percent dividends-received deduction on its stock investments in the United States. Such a corporation thereby may pay far less than the 30-percent statutory or treaty withholding rate on its U.S. dividend income, although its position is essentially the same

as that of a foreign corporation doing business elsewhere which has U.S. investment income.

To eliminate this abuse and treat all foreign corporations with investments in U.S. stocks alike, the 85-percent dividends-received deduction should be denied to foreign corporations doing business here. Their income from stock investments would be made subject to the 30-percent statutory withholding rate, or any lesser treaty rate applicable to such income, rather than regular U.S. corporate rates. For the purpose of determining whether the treaty rates on dividend income apply, a foreign corporation will be deemed not to have a permanent establishment in this country. To fully equate the tax treatment of stock investments of foreign corporations doing business in the United States with that of foreign corporations not doing business here, such corporations are exempted from the U.S. tax on capital gains realized on their U.S. stock investments.

#### *Definition of "engaged in trade or business"*

Present law provides that the term "engaged in trade or business" does not include the effecting, through a resident broker, commission agent, or custodian, of transactions in the United States in stocks, securities, or commodities. There is some confusion as to whether the amount of activity in an investment account, or the granting of a discretionary power to a U.S. banker, broker, or adviser, will place a nonresident alien outside of this exception for security transactions so that he is engaged in trade or business in the United States. This uncertainty may deter investment in the United States and is undesirable as a matter of tax policy.

The fact that a discretionary power of investment has been given to a U.S. broker or banker does not really bear a relation to the foreigner's ability to carry out transactions in the United States—the discretionary power is merely a more efficient method of operating rather than having the investor consulted on every investment decision and frequently is merely a safeguard to protect him in case of world turmoil. Nor, where the alien is an investor, is the volume of transactions material in determining whether he is engaged in trade or business.

Accordingly, the proposed legislation makes clear that individuals or corporations are not engaged in trade or business because of investment activity in the United States or because they have granted a discretionary investment power to a U.S. banker, broker, or adviser. No legislative change is necessary to provide that the volume of transactions is not material in determining whether an investor is engaged in trade or business in the United States as this is the rule under present law.

#### *Real estate income and mineral royalties*

Under present law it is not clear whether a nonresident alien (or foreign corporation) is engaged in trade or business in the United States by reason of the mere ownership of unimproved real property or real property subject to a strict net lease, or by reason of an agent's activities in connection with the selection of real estate investments in the United States.

If because of such activity a nonresident alien is considered as not engaged in trade or business he becomes subject to withholding tax on his gross rents. Since the consequent tax could exceed his net income, the taxation on a gross basis of income from real property should not be continued where taxation on a net basis at graduated U.S. rates would be more appropriate.

Therefore, a nonresident alien or foreign corporation should be given an election to compute their income from real property (including income from minerals and other natural resources) on a net income basis and

at regular U.S. rates as if they were engaged in trade or business in the United States. Such an election is comparable to the one now appearing in many treaties to which the United States is a party. Such an election would not affect the method of taxation applied to his other income.

3. Capital gains: Eliminate the provision taxing capital gains realized by a nonresident alien when he is physically present in the United States, and extend from 90 to 183 days the period of presence in the United States during the year which makes nonresident aliens taxable on all their capital gains.

The underlying policy of U.S. taxation of nonresident alien individuals has been to exempt capital gains realized from sources in this country. This policy has been proper both from a tax policy standpoint and from the viewpoint of our balance of payments. However, existing law has two limitations: U.S. capital gains realized by a nonresident alien while he is physically present in the United States, or realized during a year in which he is present in the United States for 90 days or more, are subject to a U.S. tax of 30 percent.

The limitations now contained in our law, especially the physical presence test, contain illogical elements and are likely to have a negative impact on foreigners who are weighing the advantages and disadvantages of investing in the United States. The physical presence test was added to the law after World War II when many nonresident alien traders were frequently present in this country. Since this is no longer true, and moreover, since the tax may be readily avoided by passing title to the property outside the United States, the provision now serves little purpose. However, it does pose a threat to the foreign investor which may deter him from investing in this country and therefore should be eliminated.

The limitation relating to presence in the United States for 90 days or more in a particular year should be retained, but the period should be lengthened to 183 days. This extension will remove a minor deterrent to travel in the United States and help mitigate the harsh consequences which may arise under the existing rule if a nonresident alien realized capital gains at the beginning of a taxable year during which he later spends 90 days or more in the United States.

4. Personal holding company and "second dividend" taxes: (a) Exempt foreign corporations owned entirely by nonresident alien individuals, whether or not doing business in the United States, from the personal holding company tax; (b) modify the application of the "second dividend tax" of section 861(a)(2)(B) so that it only applies to the dividends of foreign corporations doing business in the United States which have over 80 percent U.S. source income.

Under present law any foreign corporation with U.S. investment income, whether or not doing business here, may be a personal holding company unless it is owned entirely by nonresident aliens, and unless its gross income from U.S. sources is less than 50 percent of its gross income from all sources.

The personal holding company tax should not apply to foreign corporations owned entirely by nonresident aliens. The only reason for applying our personal holding company tax to foreign corporations owned by nonresident aliens has been to prevent the accumulation of income in holding companies organized to avoid the graduated rates. With the elimination of graduated rates as suggested in recommendation 1 (and the revision of the second dividend tax, discussed below), U.S. investment income in the hands of foreign corporations will have borne the U.S. taxes properly applicable to it and accumulation of such income will not result in the avoidance of U.S. taxes imposed on the company's shareholders. Hence, there is no

longer any reason to continue to apply the personal holding company tax to these corporations.

With respect to the "second dividend tax," section 861(a)(2)(B) now provides that if a corporation derives 50 percent or more of its gross income for the preceding 3-year period from the United States, its dividends shall be treated as U.S. source income to the extent the dividends are attributable to income from the United States. As a result such dividends are subject to U.S. tax when received by a nonresident alien. This tax is often referred to as the "second dividend tax." However, under section 1441(c)(1) a foreign corporation is not required to withhold tax on its dividends unless it is engaged in business in the United States and, in addition, more than 85 percent of its gross income is derived from U.S. sources.

It is now proposed to levy this second dividend tax only where the foreign corporation does business in the United States, and 80 percent or more of its gross income (other than dividends and capital gains on stock) is derived from U.S. sources. Where a foreign corporation is not doing business in the United States, it will pay U.S. withholding taxes on all investment income and other fixed or determinable gains and profits derived from the United States, and since that is all the tax its foreign shareholders would owe if they received the income directly, no second tax seems warranted.

With the adoption of the rule that the income from the U.S. stock investments of foreign corporations doing business here be taxed at flat statutory or treaty withholding rates, no further U.S. tax should be imposed on such income. Therefore, in applying the proposed 80-percent test, such income of the foreign corporation, whether from U.S. or foreign sources, should be disregarded and the test applied only to the corporation's other income. Furthermore, if the 80-percent rule is met, the dividends of such corporations should be subject to tax only to the extent that such dividends are from U.S. source income other than income from stock investments in the United States.

Withholding requirements should conform to the incidence of tax, and therefore withholding should be required on dividends paid by foreign corporations doing business in the United States with 80 percent or more U.S. source income to the extent such dividends are from U.S. source income other than income from stock investments in the United States.

With the adoption of the revisions proposed in U.S. system of taxing nonresident aliens and foreign corporations, the regulations dealing with the accumulated earnings tax will be revised to eliminate the application of this tax to foreign corporations not doing business in the United States which are owned entirely by nonresident aliens. The accumulation of earnings by such corporations will not result in the avoidance of U.S. taxes. However, because of possible avoidance of the revised second dividend tax, the accumulated earnings tax will remain applicable to foreign corporations doing business here.

5. Estate tax and related matters: (a) Increase the \$2,000 exemption from tax to \$30,000 and substitute for regular U.S. estate tax rates a 5-10-15 percent rate schedule; (b) provide that bonds issued by domestic corporations or governmental units and held by nonresident aliens are property within the United States and therefore are subject to estate tax; and (c) provide that transfers of intangible property by a nonresident alien engaged in business in the United States are not subject to gift tax.

It is generally believed that high estate taxes on foreign investors are one of the most important deterrents in our tax laws to foreign investment in the United States. Our rates in many cases are higher than those of

other countries and in these situations, despite tax conventions and statutory foreign estate tax credits, nonresidents who invest in the United States suffer an estate tax burden. Moreover, under present law a nonresident alien's estate must pay heavier estate taxes on its U.S. assets than would the estate of a U.S. citizen owning the same assets.

To mitigate this deterrent to investment and to rationalize the estate tax treatment of nonresident aliens, the exemption for estates of nonresident alien decedents should be increased from \$2,000 to \$30,000 and such estates should be subject to tax at the following rates:

If the taxable estate is not over \$100,000, the tax should be 5 percent of the taxable estate.

If the taxable estate is over \$100,000 but not over \$750,000, the tax shall be \$5,000, plus 10 percent of excess over \$100,000.

If the taxable estate is over \$750,000, the tax shall be \$70,000, plus 15 percent of excess over \$750,000.

The increase in exemption and reduced rates will bring U.S. effective estate tax rates on nonresident aliens to a level somewhat higher than those imposed upon resident estates in Switzerland, Germany, France, and the Netherlands, for example, but substantially below those imposed on resident estates in the United Kingdom, Canada, and Italy. Thus U.S. investment from these latter countries bears no higher estate tax than local investment because of foreign tax credits or exemptions provided in such countries. The proposed tax treatment of the U.S. estates of nonresident aliens is similar to the treatment accorded the estates of nonresidents by Canada, whose rates on the estates of its citizens are comparable to our own. Where additional reductions are justified these may be made by treaty.

These changes should result in more appropriate estate tax treatment of nonresident aliens and thereby improve the climate for foreign investment in the United States. Particularly in the case of nonresident alien decedents who have only a small amount of U.S. property in their estates, present U.S. rates and the limited exemption provided result in an excessive effective rate of estate tax. The proposed changes correct this situation. The new rates will produce for nonresident aliens' estates an effective rate of tax on U.S. assets which in many cases is comparable to that applicable to U.S. citizens who may avail themselves of the \$60,000 exemption and marital deduction (which are not available to nonresident aliens).

The following figures show the effective rates for nonresident aliens under present law, and the effective rates produced by the proposed exemption and rates as compared to those applicable to the estates of U.S. citizens electing and not electing the marital deduction:

U.S. gross estate	Nonresident alien under present law	Nonresident alien under proposed law	U.S. citizen with marital deduction	U.S. citizen without marital deduction
\$60,000	12.5	2.0		
100,000	17.3	3.0		3.0
500,000	25.8	7.4	8.0	22.1
1,000,000	38.8	8.8	11.1	26.7
5,000,000	43.0	12.6	16.9	42.3

As part of this revision of the estate tax, the situs rule with respect to bonds should be changed. The present rule, very frequently modified by treaty, is that bonds have situs where they are physically located. This rule is illogical, permits tax avoidance, and is not a suitable way to determine whether bonds are subject to an estate tax as their location is one of their least significant characteristics for tax purposes. Other intangible debt obligations are pres-

ently treated as property within the United States if issued by or enforceable against a domestic corporation or resident of the United States. Accordingly, it is recommended that our law be amended to provide that bonds issued by domestic corporations or domestic governmental units and held by nonresident aliens are property within the United States and therefore subject to estate tax.

Furthermore, a present defect in the operation of the credit against the estate tax for State death taxes in the case of nonresident aliens should be corrected. Under present law the estate of a nonresident alien may receive the full credit permitted by section 2011 even though only a portion of the property subject to Federal tax was taxed by a State. The amount of credit permitted by section 2011 in the case of nonresident aliens should be limited to that portion of the credit allowed the estate which is allocable to property taxed by both the State and the Federal Government.

Our gift tax law as it applies to nonresident aliens should be revised. Under present law a nonresident alien doing business in the United States is subject to gift tax on transfers of U.S. intangible property. This rule has little significance from the standpoint of revenue and tax equity. Therefore, our law should be amended to provide that transfers of intangible property by a nonresident alien, whether or not engaged in business in the United States, are not subject to gift tax. Gifts or tangibles situated in the United States which are owned by nonresident aliens will continue to be subject to U.S. gift taxes.

6. Expatriate American citizens: Subject the U.S. source income of expatriate citizens of the United States to income tax at regular U.S. rates and their U.S. estates to estate tax at regular U.S. rates, where they surrender their U.S. citizenship within 10 years preceding the taxable year in question unless the surrender was not tax motivated.

As a result of the proposed elimination of graduated rates, taken together with the proposed change in our estate tax as it applies to nonresident aliens, an American citizen who gives up his citizenship and moves to a foreign country would be able to very substantially reduce his U.S. estate and income tax liabilities.

While it may be doubted that there are many U.S. citizens who would be willing to give up their U.S. citizenship no matter how substantial the tax incentive, a tax incentive so great might lead some Americans to surrender their citizenship for the ultimate benefit of their families. Thus, it seems desirable, if progressive rates are eliminated for nonresident aliens and our estate tax on the estates of nonresident aliens is significantly reduced, that steps be taken to limit the tax advantages of alienage for our citizens.

The recommended legislation accomplishes this by providing that a nonresident alien who surrendered his U.S. citizenship within the preceding 10 years shall remain subject to tax at regular U.S. rates on all income derived from U.S. sources. A similar rule would apply for estate tax purposes to the U.S. estates of expatriate citizens of the United States. Thus, the U.S. property owned by expatriates would be taxed at the estate tax rates applicable to our citizens (but without the \$60,000 exemption, marital deduction and other such provisions applicable to our citizens), in cases where the alien decedent's surrender of citizenship took place less than 10 years before the day of his death. The \$30,000 exemption granted nonresident aliens would be allowed to expatriate citizens.

To prevent an expatriate from avoiding regular U.S. rates on his U.S. income by transferring his U.S. property to a foreign corporation, or disposing of it overseas, the recommended legislation treats profits from

the sale or exchange of U.S. property by an expatriate as being U.S. source income. To preclude the use of a foreign corporation by an expatriate to hold his U.S. property and thus avoid U.S. estate taxes at regular U.S. rates, an expatriate is treated as owning his pro rata share of the U.S. property held by any foreign corporation in which he alone owns a 10-percent interest and which he, together with related parties, controls. Furthermore, the recommended legislation makes gifts by expatriates of intangibles situated in the United States subject to gift tax.

These provisions would be applicable only to expatriates who surrendered their citizenship after March 8, 1965, and would not apply if contravened by the provisions of a tax convention with a foreign country. Moreover, they would not be applicable if the expatriate can establish that the avoidance of U.S. tax was not a principal reason for his surrender of citizenship.

7. Retaining treaty bargaining position: Provide that the President be given authority to eliminate with respect to a particular foreign country any liberalizing changes which have been enacted, if he finds that the country concerned has not acted to provide reciprocal concessions for our citizens after being requested to do so by the United States.

One difficulty which may arise from the liberalizing changes being proposed in U.S. tax law is that it may place the United States at a disadvantage in negotiating concessions for Americans abroad as respects foreign tax laws. Moreover, the failure to obtain concessions abroad may have an effect upon our revenues since the foreign income and estate tax credits we grant our citizens mean that the United States bears a large share of the burden of foreign taxation of U.S. citizens. To protect the bargaining power of the United States the President should therefore be authorized to reapply present law to the residents of any foreign country which he finds has not acted (when requested by the United States to do so, as in treaty negotiations) to provide for our citizens as respects their U.S. income or estates substantially the same benefits as those enjoyed by its citizens as a result of the proposed legislative changes. The provisions reapplied would be limited to the area or areas where our citizens were disadvantaged. Furthermore, the provisions reapplied could be partly mitigated, if that were desirable, by treaty with the other country.

It is essential, if we are to revise our system of taxing nonresident aliens as is being suggested, that this recommendation be adopted. Otherwise, we risk sacrificing the interests of our citizens subject to tax abroad and reducing our revenues in an effort to simplify the taxes imposed upon nonresident aliens.

8. Quarterly payment of withheld taxes: Provide that withholding agents collecting taxes from amounts paid to nonresident aliens be required to remit such taxes on a quarterly basis.

Under the present system, withholding agents are required to remit taxes withheld on aliens during any calendar year on or before March 15 after the close of such year. This procedure varies considerably from that applicable to domestic income tax withheld from wages and employee and employer FICA taxes, where quarterly (in some cases monthly) payments are required.

Withholding on income derived by nonresident aliens should be brought more closely into line with the domestic income tax system. There is no reason to permit withholding agents to keep nonresident aliens' taxes for periods which may exceed a full year before being required to remit those taxes, when employers must remit taxes withheld on domestic wages at least quarterly. The Government loses the use of the

revenue, which revenue in 1962 exceeded \$80 million, for the entire year. Accordingly, section 1461 requiring the return and payment of taxes withheld on aliens by March 15 should be revised to eliminate this specific requirement. The Secretary or his delegate would then exercise the general authority granted him under sections 6011 and 6071 and require withholding agents to return and remit taxes withheld on income derived by nonresident aliens quarterly. However, no detailed quarterly return would be required.

9. Exemption for bank deposits: Under present law, an exemption from income taxes, withholding, and estate taxes is provided for bank deposits of nonresident alien individuals not doing business in the United States. By administrative interpretation, deposits in some savings and loan associations are treated as bank deposits for purposes of these exemptions, but such exemptions do not apply to most savings and loan associations. There does not appear to be any justification for this distinction between types of savings and loan associations and it should be eliminated by extending these exemptions to all such associations.

10. Foreign tax credit—similar credit requirement: Section 901(b)(3) provides that resident aliens are entitled to a foreign tax credit only if their native country allows a similar credit to our citizens residing in that country. Apparently the provision is designed to encourage foreign countries to grant similar credits to our citizens. However, this requirement works a hardship on refugees from totalitarian governments. For example, the Castro government is not concerned with whether Cubans in this country receive a foreign tax credit. Therefore, it is recommended that the similar credit requirement of section 901(b)(3) be eliminated, subject to reinstatement by the President where the foreign country, upon request, refuses to provide a similar credit for U.S. citizens. Of course, no request would ordinarily be made in a case, such as Cuba, where the possible reinstatement of the present reciprocity requirement would have little or no effect upon the foreign government's policy toward U.S. citizens.

11. Stamp taxes on original issuances and transfers of foreign stocks and bonds in the United States to foreign purchasers: Our stamp tax on certificates of indebtedness is imposed on issuances and transfers within the territorial jurisdiction of the United States. The stamp tax on issuances of stock does not apply to stock issued by a foreign corporation, but the transfer tax applies to transfers in the United States. These taxes have forced U.S. underwriters who handle issuances of foreign bonds and stocks and their original distribution to foreign purchasers to handle closings overseas. In view of the limited association of such issuances and transfers with the United States and the fact that these taxes are ordinarily avoided by moving the transactions outside the United States, our law should be revised to exempt original offerings of foreign issuers to foreign purchasers from our stamp taxes where only the issuances and transfers take place in the United States. Such an exemption would facilitate such transactions and their handling by U.S. underwriters and is consistent with our balance-of-payments objectives.

12. Withholding taxes on savings bond interest: The Ryukyu Islands, the principal island of which is Okinawa, and the Trust Territory of the Pacific, principally the Caroline, Marshall, and Mariana Islands, although under the protection and control of the United States, are technically foreign territory. Thus, the islanders are nonresident aliens and subject to a 30-percent withholding tax on interest on U.S. savings bonds. This interferes with the selling of U.S. savings bonds. Therefore, the 30-per-

cent withholding tax as it applies to the interest income realized from U.S. savings bonds by native residents of these islands should be eliminated.

It addition to the changes discussed above, the proposed legislation makes a number of clarifying and conforming changes to present law.

HON. LESLIE C. ARENDS,  
REPUBLICAN WHIP

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, under leave to revise and extend my remarks, I am inserting in the RECORD a column entitled "Politics, Illinois Viewpoint," by William H. Rentschler, which is a regular column appearing in a number of newspapers in Illinois.

That of February 27, which I am inserting, is of special interest as it pertains to the reelection of our colleague the gentleman from Illinois, LESLIE C. ARENDS, as Republican whip. It bespeaks the high regard we have for him, not only here in this House, but especially throughout the entire State of Illinois. The article follows:

POLITICS: ILLINOIS VIEWPOINT

(By William H. Rentschler)

"Nice guys finish last." Leo Durocher said it.

But the recent reelection of Congressman LESLIE C. ARENDS, of Melvin, Ill. (population 550), as minority whip of the U.S. House of Representatives, disproves that theory.

Nearly everybody likes the long, lank Illinoisan with the silver ducktail, who first went to Congress the year the Dionne quintuplets were born, who has survived all sorts of Republican disasters, and who has yet to lose an election.

"Nice guy" ARENDS reaped the most recent harvest in January, when the 89th Congress (the 16th in which ARENDS has served) convened. Republicans were smarting from the drubbing of last November 3. Indiana's conservative old pro, CHARLIE HALLECK, had been dumped as minority leader in favor of Congressman GERRY FORD, of Michigan.

The eastern wing of the party, tasting blood, wanted LES ARENDS' scalp, too. They picked Representative PETER FRELINGHUYSEN, a suave, well-born New Jerseyite, to oppose him. FORD, staking a certain measure of prestige on the outcome, said he was backing FRELINGHUYSEN.

The press sensed another Republican rift and gave plenty of ink to this new evidence of internecine warfare. Many felt the "new broom" approach would sweep the veteran ARENDS into the discard.

ARENDS didn't see it quite that way, and showed no evidence of panic as the balloting neared. Long accustomed to rounding up stray votes from the Capitol cloakroom, he and his informal campaign manager, Representative ROBERT H. MICHEL, of Peoria, working with the other nine Illinois GOP Congressmen, had been buttonholing fellow legislators.

Just before the secret vote, ARENDS, the master nose counter, predicted he'd win by 10 votes. He was almost right. The final tally: ARENDS 70, FRELINGHUYSEN 59. Eleven Republican Congressmen were absent, and ARENDS believes he had nine of them.

With the issue settled, LES ARENDS was asked if he could work in harness with the new minority leader. His answer, plain and unvarnished, showed in part why ARENDS has such an incredible record of longevity as whip:

"Of course I'll work with him. Just as hard and as faithfully as I've worked with GERRY's predecessors—JOE MARTIN and CHARLIE HALLECK—over the past 20 years."

He meant just that. Observed highly respected New York Times columnist Arthur Krock: "Few, if any, among the House Republicans doubt that the pledge will be meticulously redeemed."

ARENDS continued, head earnestly forward, peering over half spectacles: "My interest is in the Republican Party and its service to the country. Nothing else. The party is greater than any individual."

That sums up LES ARENDS—no bitterness, no backbiting, no vindictiveness, no negativism. Many other Republicans could take a page from his book.

ARENDS was a gangling country boy when he first arrived in Washington three eventful decades ago. He has known the great, the near great, and the not so great of America over this span of years. He golfed regularly with Ike, has worked intimately with the titans of Congress. He has acquired polish and finesse, yet today, at 69, he is still a gangling, likable, country boy with a charm faintly reminiscent of Will Rogers. And he is one of those rare men of power without a trace of pomposity or awe of self.

One evening last fall, LES ARENDS drove up from Melvin to Aurora to speak at a dinner honoring his able and beauteous colleague, Representative CHARLOTTE REID. He told a story that night worth repeating.

A man approached a construction site where three men were chipping stone, and he asked each in turn what he was doing.

The first replied, "Can't you see, I'm chipping stone."

The second said, "I'm trying to make a living."

The third looked toward the sky and answered, "I'm building a majestic cathedral."

LES ARENDS' point was that the Republican Party, to succeed and win, must do more than chip stone. They must build a cathedral. Republicans must project a dream that will inspire people. They must offer plans and programs with the magic to stir man's blood.

Some nice guys finish first—like LES ARENDS.

THE BRIDGE AT REMAGEN

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, the story of the bridge over the Rhine at Remagen is a classic of American heroism, and I am privileged and honored to join with the distinguished gentleman from West Virginia [Mr. HECHLER], in marking with tenderly remembering remarks the 20th anniversary of an event in World War II in which the daring and the courage and the blinding drive, against incalculable odds of American soldiery reached the heights of the sublime.

Our able colleague from West Virginia, then Captain HECHLER, was there and all

the action and all the phases and personalities of this classic he has immortalized in his book, one of the really great books of the World War II period that is still among the best sellers. His colleagues in this Chamber look forward to many future occasions when they may join with him in reliving the glory of the bridge at Remagen.

#### THE LEGISLATION NEEDED TO STRENGTHEN CONGRESSIONAL CONTROLS OVER U.S. INTELLIGENCE OPERATIONS

Mr. ROGERS of Florida. 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 Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, we have heard much lately about the increase in so-called snooping by various U.S. Government agencies. The Post Office, for example, has admitted putting mail covers on as many as 24,000 persons, and that the practice of watching their mail has been going on for several years.

Food and Drug Administration officials have used concealed tape recorders while visiting businessmen, no advance warning being given that the conversations were being recorded.

And stories are circulated about the CIA operating right here inside the United States—activities ranging from a charity foundation in New York to an oil business in Miami. Certainly we in Florida are aware of CIA activities inside the United States due to the role our State has played in the Cuban situation.

I am asking whether snooping by mail cover, concealed tape recorders, or domestically based cloak-and-dagger operations are proper activities for the U.S. Government in terms of authority granted by acts of the Congress. Many questions can be raised concerning Government operations going beyond the limits originally authorized by Congress. What assurances have been given that mail covers, taped visits by an agency seemingly outside the intelligence field, and a number of other actions in questionable areas carried out by various Government agencies are not being done at the request of the intelligence community?

To allow this trend to go unchecked would transform the American version of democracy into a police state. Who knows what uses the Government will find for information obtained through invasions of individual privacy? The Congress ought to find out through constant scrutiny of the various agencies concerned.

I urge the establishment of a joint House-Senate watchdog committee to oversee the activities of the CIA, the Defense Department, the State Department, and any other U.S. Government agency concerned with intelligence gathering, interpretation, or operations. The joint committee would have broad jurisdiction, but its jurisdiction would be no broader than that already allowed the

U.S. Government agencies engaged in this field.

Intelligence activities are of vital necessity in the world today. Certainly it is of the highest national priority that this Government carry on covert operations, and that they be executed with the tightest secrecy is of the utmost importance. However, the Congress, which authorized such functions to begin with, has a duty to the American people to review these functions on a regular basis.

Intelligence activities have been concentrated in the Central Intelligence Agency, although other Government agencies also carry out phases of this function. No such centralization of this subject matter exists in the Congress. The creation of the joint committee as proposed in my resolution would solve this problem and not only aid coordination in congressional dealing with the intelligence community but assist the intelligence community as well as the Congress.

Mr. Speaker, the intelligence community needs closer congressional review. Former CIA Director Allen Dulles, himself, said that the Congress can keep a secret, and that the early development of the atomic bomb was related to certain Members of Congress is now common knowledge. Security can be protected and in fact improved by the creation of this congressional watchdog committee.

Vice President HUMPHREY introduced legislation similar to the measure I offer today during his service in the Senate. Other Senators and Members of the House have done likewise. I urge the early enactment of legislation to establish this joint committee to oversee the intelligence community. This aspect of the Government is like any other in that if not supervised regularly it will get out of hand.

#### CLOSING OF VETERANS' ADMINISTRATION FACILITIES

Mr. ADAIR. 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 Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, my colleagues on both sides of the political aisle are aware of the controversy stemming from the administration's announced closing of 11 Veterans' Administration hospitals and 4 domiciliary homes. A subcommittee in the other body and our own Committee on Veterans' Affairs have heard Veterans' Administration spokesmen attempt to justify the closing order. We have heard testimony from opponents of the closing order that contradict the Veterans' Administration statements on this subject.

Whether the Veterans' Administration or its opponents in this matter are in error is somewhat academic at this point. The indisputable fact remains that the Veterans' Administration and the Bureau of the Budget in open testimony before committees of both Houses of Congress

have failed to prove administration claims that the announced closings will result in either economy or improved service to veterans.

Certainly, no one is more interested in effecting economy in Government than I. Is it economical to create new depressed communities and make their residents eligible for Federal assistance because the payroll of the closing hospital provides in excess of 40 percent of the community's income? Is it economical to abandon a Veterans' Administration hospital which was completely renovated and remodeled in 1952 at a cost in excess of \$2 million? Is it economical to abandon a hospital built in 1951? Is it economical to abandon one Veterans' Administration hospital while constructing another less than 100 miles away? Is it economical to transfer patients to hospitals with per diem costs that are higher than those of the closing hospitals?

Can better services to veterans result from the elimination of 3,000 domiciliary beds established for the sole purpose of providing, in the words of a Veterans' Administration publication, "a home—bed, board, and incidental medical care—for men who are so disabled that they cannot support themselves"? Are we providing better service by making a sick veteran travel hundreds of miles from home to obtain the hospital care that a grateful nation has said he deserves? All of these questions, Mr. Speaker, must be answered in the negative.

I have devoted considerable thought to a possible solution to the problem posed by the closing of these installations. The most obvious solution, of course, would be to prohibit the closing of any Veterans' Administration hospital or domiciliary unless approved by the Congress. I do not believe, however, that it would be wise to tie the hands of the Administrator of Veterans' Affairs in this manner. The shifting veteran population and other factors require that the Administrator have some degree of flexibility in determining the locations of hospitals.

Coincidental to such authority, however, is the responsibility for exercising sound judgment in determining the location of these hospitals. The events of recent weeks have seriously shaken my confidence in the ability of Veterans' Administration officials to exercise sound judgment when confronted with pressures from higher authority.

Therefore, I have today introduced a bill that will require the Veterans' Administration to publish the notice of proposed closings or relocations of hospitals, domiciliaries or outpatient clinics in the Federal Register at least 6 months in advance of the effective date. This provision of my bill will serve to prevent a recurrence of the precipitous action taken by the administration in the present instance. Appropriate committees of the Congress will then have sufficient time to examine the propriety of the action if the circumstances warrant it.

Equally alarming, Mr. Speaker, although somewhat obscured by the intensity of feeling about individual hospital closing, are the long-range implications of the administration's actions. According to information furnished by the Vet-

erans' Administration, 2,536 fewer general and neuropsychiatric hospital beds will be operated in fiscal 1966 than are currently being operated. In these same hospitals, an average patient load of 1,352 fewer veterans will be treated each day in fiscal 1966 than are currently being treated.

Now, the Veterans' Administration will point with pride to the fact that during this same period they will operate 1,239 more nursing care beds in 1966 than were operated in 1965. Let me remind my colleagues that the Congress in Public Law 88-450 authorized the Administrator to establish and operate 4,000 additional nursing care beds. The report of the Committee on Veterans' Affairs which accompanied this legislation at the time it was favorably reported to the House authorized immediately 2,000 additional nursing care beds. Let me quote from that report, "the 2,000 additional nursing home care beds are to be provided in the immediate future and to be fully operated at the earliest practicable date." The plain facts, Mr. Speaker, are that the administration has failed to view the nursing care beds as additional to the beds already being operated and they have failed to provide them in the immediate future. These figures alarm me, Mr. Speaker, because they represent the erosion of the splendid system of Veterans' Administration hospitals that have been maintained over the years. I am unable to reconcile this callous disregard of the needs of the Nation's sick and needy aging veteran with the stated goal of the Great Society "to improve the quality of life for all."

The bill which I have introduced today also contains a provision making it mandatory that the Veterans' Administration operate not less than 124,000 general, neuropsychiatric, and nursing care beds. This will assure the continued operation of the Veterans' Administration hospital system at least at the 1965 operating level in addition to the 4,000 authorized nursing care beds. I urge my colleagues to support this bill.

#### FEDERAL POWER ACT

Mr. ROGERS of Florida. 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 Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, today I have introduced legislation to clarify the intent of the Federal Power Act.

The Federal Power Commission recently began an effort to regulate intrastate electrical power, already regulated under State laws and not under Federal control in the past.

From recent actions, it is apparent the Federal Power Commission is seeking to regulate the activities of companies engaged in the transmission of electric energy whose operations heretofore have been regulated by the States. Where there is a bona fide interstate transaction the Commission should obviously have jurisdiction and does under the law. But

where the transaction is local, the Commission has no jurisdiction and should have none. Their extension of authority would result in unnecessary duplication of State and Federal jurisdiction and would cause extra expense to individual companies and consumers because of overlapping requirements regarding the filing of reports and information.

My bill would eliminate the duplication by stating in clear terms that are not subject to misinterpretation that the Commission is to regulate interstate sales and the States are to regulate intrastate sales.

This legislation would not be necessary had the intent of Congress been carried out as set forth in the original legislation. A situation similar to the present one presented itself in relation to regulation of natural gas almost 10 years ago, when the Commission attempted to exercise jurisdiction over the local distribution of natural gas, even though distribution and sale was being regulated by State agencies. At that time, as well as now with electricity, there was no question of the right of the Federal agency in regard to regulating the interstate transactions. However, they sought to control the intrastate operations of local companies as well.

Congress was quick to amend the Natural Gas Act so as to restore its original intent and preserve local regulation by the States, while in no way restricting the Commission's jurisdiction over interstate distribution. We presently find the Federal Power Commission attempting to extend its jurisdiction in a like manner in the electrical energy field.

It was hoped in the present case of electric power the Commission would look to the instruction of the Congress in regard to the natural gas matter to see congressional intent. Apparently, the Power Commission does not understand the congressional intent and they seek to interpret the Federal Power Act to broaden their own jurisdiction. Congressional action is therefore necessary once again.

#### ACADEMIC RESEARCH

Mr. HALL. 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 Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I include herewith an editorial from the Bulletin of the Greene County Medical Society in Springfield, Mo., for February 1965, entitled "A Path and Its Pitfall." It speaks for itself, and I commend it to all Members of the House and specifically those of the 88th Congress' Special Committee on Research and Development, as well as existing ones in the Armed Services Committee on which I serve, and others.

For too long, as one of the trained scientists of the Congress, I have been concerned about direct and indirect overutilization of scientific researchers and technologists throughout the country by Government. I am further concerned

by our various universities and postgraduate schools depending too heavily on Federal grants or contracts for research—with or without percentages of overage per project—and so forth. Finally, Mr. Speaker, as a member of the R and D, T and E Subcommittee of the Armed Services, it has become increasingly apparent to me that too much present research is built on the vertical style of blocks such as basic, applied, developmental, testing, engineering, procurement, and possibly, finally, production. The "horizontal approach" is much better, if the end-result is to be in the hands of those who need it so badly at the earliest practicable date, and supported by taxpayers money inasmuch; as all basic and applied research must eventually come to engineering specifically. Why not simultaneously? Admittedly, research is duplicative and sometimes overlapping and may even be wasteful, but it is the seat of expanded knowledge. Why therefore, I repeat, not engineer, test, and develop good ideas from the caldron of basic and applied research, simultaneously?

Indeed, private industry with its own funds has adopted this "combined system's approach" to R and D, T and E with startling results. This places the finally evolved tool in the hand of the user at a much earlier date, saves time, moneys, and evolves "breakthroughs" of first magnitudes.

Toward that end I am also enclosing my recent news releases showing the folly of too much taxpayers' money support in areas that are analogous to those of "A Path and Its Pitfall" by Wilfred E. Wooldridge, M.D., the editor of the Greene County Medical Society Bulletin.

[From the Bulletin of the Greene County Medical Society, Springfield, Mo., February 1965]

#### A PATH AND ITS PITFALL

(By Wilfred E. Wooldridge)

The greater part of medical research of the last 10 years has been devoted to the laboratory approach to illness rather than the clinical. This has not been altogether healthy for medicine for a complication of this state of affairs has been a widening breach between the physician in practice and the physician in research, the latter usually representing a teaching institution.

The technical advances of these 10 years have been tremendous and it is not realistic to advocate that the tools thus made available not be used, but it is equally unrealistic to make broad assumptions that human illness can be reduced to the manipulation of mechanical gadgets. It is a failing of the human mind that the thinking process under those circumstances becomes also mechanical, once the leavening of consideration for the illness of a fellow man is somewhere lost beneath all the equipment.

This aseptic approach to medical research in our institutions has resulted in reams of reports so sophisticated that they are of use only in other institutions, thereby bypassing the great legion of medical men who live with patients every day. I do not mean to belittle this pure research, except to the extent that it encroaches upon and replaces that which is applicable to human disease. But such does occur and we must thus beware that the availability of new techniques, and the awesome laboratories in which they are used, not preoccupy us so completely that medicine becomes split into one camp

representing the professor and another the practitioner. The implications of such a division are at once obvious, especially in these times so perplexing for medicine.

This trend to purely laboratory science is nowhere more evident than in one of our dermatologic journals which has been undergoing a gradual desiccation of spirit in the decade past. Formerly I found myself referring, time after time, to key reports in that journal, reports which would aid me with my problems of practice. Those pages are well-worn and I love the articles and their wisdom as I love old friends. There was little love wasted, however, on the November 1964 issue of that same journal which led off with "Experiments in the Sweating on the Palms of the Green Monkey" and proceeded with more and more of the same until I come to "The Direct Effect on ACTH on the Rat Preputial Gland." Both of these projects were accomplished under grants from the National Institutes of Health. I have no argument with them except that they should have appeared in a journal of comparative zoology; this particularly when the society publishing the journal would be out of business without the practicing physician to support it.

Neither has this trend been limited to publications. Indeed, the publishing of such oblique medical articles is only a reflection of where the interest all too frequently lies in our schools of medicine. A good example recently occurred in one of our more prominent schools when the professor of medicine showed commendable vigor in arranging with a great foundation for almost a half-million dollars to endow a chair of dermatology. Once that was accomplished, the professor then hired an immunologist and installed him as professor of dermatology, despite the fact the man could not have diagnosed a case of scabies on a clear day. He was then expected to administer a group of volunteer clinicians and the avowed purpose of the department was the training of young men in dermatology. The result was exactly what a child might expect; internecline revolt, which set the department back several years, but not until the "Precipitation Reactions of the Golden Hamster in a Cold Chamber," or some such piffle, had been thoroughly studied.

I do not presume to chart a path for medical research. I am neither qualified by training nor by mental capacity to do so. But not for a moment do I doubt that a great deal of medical research funds are being foolishly expended, one consequence being that the concentration of interest in our teaching institutions too seldom lies in the training of the young men on whom we must depend tomorrow to heal our sick.

[Release from the office of Representative  
DURWARD G. HALL]  
ANTS IN OUR GRANTS

Representatives DURWARD G. HALL, Republican, of Missouri, believes the Federal Government is betraying its responsibility to the taxpayer by expending vast sums of money on certain research projects "which may not be justified at all, but certainly not in a year when the country experiences a \$5 billion deficit.

"During 1964, the Federal Government through the National Science Foundation allocated \$358,551,437 in research projects which are incredibly broad in scope. No doubt many of these projects are valid, but I suspect many others should more rightly be financed by interested private foundations rather than by the taxpayers.

"Academic research often serves as useful purposes, but it's not such a 'sacred cow' that we can afford to allocate such great amounts of Federal funds for every purpose under the sun. In many cases, the lure of Federal money diverts thousands of professors from their primary duty to teach, while their classes are taught instead by assistants chosen from among students."

Among the research grants questioned by HALL, and listed in the latest compilation by the National Science Foundation:

Population Biology of Indo-Australian Ants—\$70,000; The Analysis of Nest Building in Textor Cucullatus—\$36,000; Decision-making in Small Groups—\$89,000; Preparation of a Handbook of Middle American Indians—\$124,700; Studies of Social Institutions—\$88,100; Ambiguity in Personality Assessment—\$80,000; Prehispanic Settlement Patterns of Teotihuacan—\$17,900; Formal Analysis of Interpersonal Relationships—\$41,900; Urban Structure of the Soviet Union—\$23,900; Prehistoric Mexican Influence on the Maya—\$4,400; Nubian Prehistory—\$98,000; Bronze Age Influences in Eastern Europe—\$3,200; Archeological Salvage in the Aswan Reservoir Area (Egypt)—\$53,800; Anthropological Study of Central Polynesia—\$6,800; Conference on the Status of Research in Prehistoric Archeology in the Aswan Dam Area—\$17,400; Aboriginal Occupation and Land Utilization in Northwestern Colorado—\$20,700; Chromosomes of the Chipmunks—\$12,600; Cultural Relationships Among Prehistoric Cultures—\$34,000; Phylogeny and Faunal Affinities of Fossil Bryozoa in the Middle Ordovician Through Silurian—\$34,400; Behavior and Breeding of Tree Shrews—\$20,200; Speciation in Cave Beetles—\$14,000; Social Structures in Madagascar—\$630; Human Ecology of the New Guinea Rain Forest—\$20,000; Early Man in South America—\$13,500; A Basic Index of Social Change—\$25,500; Study of American Kinship Structure—\$6,500; Paleocology of the Nile—\$24,700; Linguistic Study of Kymara and Kawki—\$5,400; a Multilingual Thesaurus of the Languages of the World—\$79,700; Directed Culture Change—\$25,000; and so on ad infinitum.

Representative HALL said the projects cited are only a minute percentage of the total grants, but they serve to illustrate how deeply the taxpayer is involved in every conceivable area of academic interest.

"I think the Congress must relate the benefit which may or may not flow from such expenditures to the danger of mounting national debt, deficit financing, and a restrictive and prohibitive tax rate.

"One project in particular which I take exception to is a poll, taken at taxpayers' expense to determine among other things, how popular politicians are in relation to other occupations. The poll is being conducted by the National Opinion Research Center of the University of Chicago.

"As a physician as well as a Congressman, perhaps I should be pleased that the poll shows that physicians rank No. 2 in prestige. But I challenge the prudent use of taxpayers' funds to conduct such a poll and perhaps this kind of expenditures of public funds are one reason that 'political occupations in general have lost prestige' as the poll states.

"All the lights that have been turned out at the White House wouldn't pay for the \$70,000 study of Indo-Australian ants. I think perhaps we've got ants in our grants."

#### POPULARITY POLL

Congressman DURWARD G. HALL said today a poll financed by the Federal Government—at a cost to the taxpayers of \$186,000—to determine the popularity of politicians in comparison to other occupations was made by the National Opinion Research Center of the University of Chicago, and covers a 3-year period. The study was financed by means of a grant from the National Science Foundation.

"Any private foundation, of course, is free to conduct any kind of poll it wants, but I do not believe the taxpayers should be financing such a poll at a time when the Federal budget is experiencing deficits averaging \$6 billion, the past 3 years. As one of the ranking Republican members of the House Armed Services Subcommittee on Re-

search and Development, I've always supported sound and justified research projects, and have, since 1961, voted for appropriations totaling over \$24 billion for projects, which I believe to be vital and necessary.

"But this makes it all the more important that great discretion be used in determining what is a proper area for Federal expenditures and what is not. I do not believe that popularity polls costing almost a quarter of a million dollars are justified at the very time when Congress is attempting to finance a multitude of vital programs dealing with domestic and international problems, especially when there are numerous private polling organizations engaged in similar activity at no cost to the taxpayer.

"For this expenditure what have we learned? This is the way the poll rates the prestige of various occupations:

Occupations:	"Rank in poll
U.S. Supreme Court Justice.....	1
Physician.....	2
Nuclear physicist.....	3
Scientist.....	3
State Governor.....	5
Government scientist.....	5
Cabinet member.....	7
U.S. Congressman.....	7
College professor.....	7
Chemist.....	10
Lawyer.....	10
Diplomat.....	10
Dentist.....	13
Architect.....	13
County judge.....	13
Psychologist.....	16
Director, large corporation.....	16
Mayor, large city.....	16
Minister.....	16
Department head, State government.....	20
Airline pilot.....	20
Priest.....	20
Civil engineer.....	20
Banker.....	24
Biologist.....	24

"I make no issue over the accuracy of the poll, however interesting some of its conclusions may be. I do question whether it was worth \$186,000, especially when the Congress is making every effort to preserve the value of our currency, by keeping expenses within available revenues.

"To further illustrate the need for sound priorities in the selection of research projects, it should also be pointed out that the Johnson administration has proposed a severe slash in Federal support for soil and water conservation programs. I think this program of technical assistance is far more important to farmers throughout the Nation than any 'popularity' poll. In Dade County alone we have almost 500 farms under cooperative agreement and 270 of these have developed complete soil and water conservation plans. This program has been so well received in southwest Missouri that we have organized seven new districts in 6 years. The administration proposal for a revolving fund to collect for SCS technical assistance would seriously jeopardize the program, which was developed 30 years ago to provide SCS technical assistance without charge to farmers willing to follow scientifically developed conservation programs on their properties. I have always supported the program in every Agriculture Department appropriation bill in the 5 years that I've served in the Congress, because it replenishes our basic resource—the soil—for future generations.

"If there's to be a cutback in Federal expenditures, I believe it should be in the field of financing 'popularity' polls, and not in a service of vital importance to our farm population. The administration has also announced plans for a sharp cutback in agriculture research stations throughout the country, at the very time when we need to find new markets and uses for agriculture by-

products. We managed to secure a 3-month delay in this slash, but the administration has announced its intentions to put it into effect at the end of that time along with the further cutback in VA facilities. These are all the more reasons why the people have cause to challenge federally financed popularity polls, under the guise of 'research.'

#### COMMUNIST ACTIVITIES IN LATIN AMERICA

Mr. YOUNGER. 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. YOUNGER. Mr. Speaker, with all of the trouble we are having in Vietnam, we are completely losing sight of what is happening closer to home in Central and South America. It seems strange to me that for almost the past year, neither from the President nor the Secretary of State has any information been given out about Cuba and the training of the saboteurs in that country who are sent into the Latin American countries.

The story appearing in the Washington Star of March 5 is one of the first stories that I have seen recently in regard to Communist activities in any of the Latin American countries. I dare say that those saboteurs causing the difficulty mentioned were probably trained in Cuba.

The article follows:

#### LATIN AMERICA, 1965—PEIPING-LINE REDS IN GUATEMALA TURNING BOLDER

(By Jeremiah O'Leary)

GUATEMALA CITY, GUATEMALA.—Terrorists believed to be Peiping-line Communists are growing increasingly bolder in the 2-year war they have been waging against the military government of Col. Enrique Peralta Azurdia.

Their boldest move came recently when they took advantage of a national celebration to attack a convoy of Guatemalan troops as they passed under the Olympic Bridge overpass on one of the busiest streets in the capital.

Two soldiers were killed and four critically wounded when the terrorists dropped a fragmentation grenade into a crowded army truck on heavily traveled 10th Avenue in broad daylight. The government later said the terrorists also opened fire with a machine gun emplaced under the bridge.

By unofficial count, the deaths raised the number of persons slain by the terrorists in the last 2 years to about 80.

The government withheld all news of the attack until an army colonel issued a communique at the palace at 8 p.m. This reporter had arrived at La Aurora Airport about 2 hours after the attack and had put in a radio telephone call to the Star to tell about the attack hours before the formal announcement. Just as the reporter started to relate what had happened, the Guatemalan operator broke in to say there would be an interruption to change radio frequencies. And for the next 4 hours, the Tropical Radio Co. insisted that weather conditions had disrupted all service.

Guatemalan newspapers the next day said the army captured a machine gun at the overpass, seized numerous persons under preventive arrest, and described the government's action as a "suceso."

To many observers here, however, the Government's measures against the terrorists

generally are regarded as far from successful. In the last few weeks, since the new crisis over counterattacks by the United States against North Vietnam, the terrorists have become bolder. They took a potshot at an American military attaché here, but missed, soon after the United States bombed North Vietnamese bases.

Crudely painted signs have begun appearing on walls all over Guatemala City, reading, "Yankis—Fuera de Vietnam"—"Yankees, get out of Vietnam."

The Peralta government is under attack in two sectors—in the capital by an underground of about 1,000 antagonists and in the Izabal-Puerto Barrios jungle section of the Caribbean coastal region by an estimated 150 to 300 men. Government leaders believe that the guerrillas in the country and terrorists in the city take their lead from Castro Cuba, a bitter enemy of Guatemala, and from Peiping.

The known leader of the underground is a young, half-Chinese former Guatemalan Army officer named Marco Antonio Yong Sosa. He has admitted to a leftist Mexican magazine writer that his forces have carried out a number of political assassinations.

Ironically, Yong Sosa was trained in guerrilla operations by the U.S. Army at its Ranger training base in Panama.

Some observers believe he is tipped off by sympathizers in the army whenever a move is planned against him. Others point out that about 99 percent of the Guatemalan Army is made up of Indian troops. Yong Sosa's men also are Indians and it is said the troops are reluctant to fight against their own people.

The best estimate is that the Peralta government is far too strong to be toppled by the terrorists and guerrillas. But it is conceded that there is strong nuisance value to the attacks and that they cause political unrest in Guatemala.

#### ECONOMIC OPPORTUNITY PROGRAM MUST HAVE STATE COORDINATION

Mr. FUQUA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a resolution from the cabinet of Florida.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Speaker, the recently enacted Economic Opportunity Act is designed to eliminate the causes of poverty within these United States. The Governor and the cabinet of the State of Florida are anxious to cooperate in this program, to make its dreams a reality.

However, the Governor and the cabinet have been highly concerned that projects under this program, which are subject to approval by the Governor, have been negotiated directly by the Washington Office of Economic Opportunity and other Federal agencies having delegated responsibilities under the act, and local public and private nonprofit agencies in Florida, with no involvement of State agencies or officials.

Mr. Speaker, this is a very serious mistake. Florida has established within the office of the Governor a division of economic opportunity, staffed with competent professional personnel, to coordinate and assist in this program, and to bring the full resources of the State, when pos-

sible, to bear on the solution to these problems.

I urgently request that the Office of Economic Opportunity be made aware of the seriousness of this problem and that all such further projects be coordinated with our State officials. I call this to the attention of the Members of the Congress, to point out a problem which has arisen in my State, and may well be true of their particular State.

The cabinet of Florida felt so strongly about this matter that they have passed a resolution which sets forth their objection and recommendations. I sincerely hope they will be adhered to.

The resolution follows:

Whereas the Economic Opportunity Act of 1964 has been enacted into law; and

Whereas widespread interest in the programs and services made possible by this act is evidenced among State and local organizations and agencies in Florida, both public and private; and

Whereas the Governor of Florida and members of this cabinet have indicated their desire to cooperate with the Federal Government and assist in the planning and implementation of worthy projects and programs designed to eliminate the cause of poverty in this State; and

Whereas this cabinet has established within the office of the Governor a division of economic opportunity in which professional personnel are employed to provide information and technical assistance to local agencies and groups in connection with programs under the Economic Opportunity Act, and to arrange for the specialized resources of other State agencies to be brought to the aid of project planners at the State and local levels wherever possible; and

Whereas it is firmly believed that through the proper involvement of State agency personnel and other resources in the planning and operation of projects, more effective programs will result in the war on poverty; and

Whereas projects under the said Economic Opportunity Act which are subject to approval by the Governor of the State have been negotiated directly by the Washington Office of Economic Opportunity (and other Federal agencies having delegated responsibilities under the act) and local public and private nonprofit agencies in Florida, with no involvement of State agencies or officials; and

Whereas plans for the initiation of the said projects thus negotiated have been publicly announced to the Nation by Federal authorities prior to any consultation with or referral of information concerning the said projects to the Governor of the State; and

Whereas State and local tax moneys are involved as matching funds in some of the projects thus negotiated and announced to the Nation; and

Whereas the procedures described above whereby State officials and the established department of State government are bypassed in the negotiations and planning between Federal and local authorities appear to represent an established policy of the Washington Office of Economic Opportunity, and portend an even wider application on the part of the Federal Government into other Federal assistance programs: Now, therefore, be it

Resolved, That the Governor of Florida and members of this cabinet who hold direct responsibilities under the constitution and laws of Florida for the general oversight and management of the operating public agencies and programs in this State, including health, education, welfare, industrial development and planning, and resource conservation and development, do hereby object to and protest the course of action currently

being pursued by the Office of Economic Opportunity and related Federal agencies which results in the said officials and agencies of the State being bypassed and ignored in the negotiations having to do with activities and programs in their above stated respective areas of operational responsibility; and further be it

*Resolved*, That the said Federal agencies be requested to cease and desist from this policy and to pursue instead a policy of Federal-State cooperation in these programs of mutual interest and concern; and further be it

*Resolved*, That favorable consideration of projects referred to the Governor of Florida under provisions of section 209(c) of the Economic Opportunity Act, shall be conditioned hereafter upon the cooperation of both Federal and local authorities in affording the opportunity for appropriate State participation in the planning, development, and implementation of the said projects.

HAYDON BURNS,

*Governor.*

TOM ADAMS,

*Secretary of State.*

EARL FAIRCLOTH,

*Attorney General.*

RAY E. GREEN,

*Comptroller.*

BROWARD WILLIAMS,

*Treasurer.*

THOMAS D. BAILEY,

*Superintendent of Public Instruction.*

DOYLE CONNER,

*Commissioner of Agriculture.*

#### ARE BANKS SHIRKING THEIR SMALL BUSINESS FINANCING ROLES?

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a statement I made before a committee this morning concerning Small Business Administration loans.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, this morning I testified before a subcommittee of the House Appropriations Committee on the budget request for the Small Business Administration. Recently SBA was forced to curtail its lending activity because of a shortage of funds. One of the main reasons for this shortage was that banks had not participated in the SBA lending program as frequently as expected. On the other hand, while banks have not been supporting small business, the Small Business Investment Co. program has performed admirably in this area and the prospects for increased small business financing for this industry are bright.

#### AMERICAN BANKERS ASSOCIATION REFUSES TO ACCEPT THE BLAME FOR SMALL BUSINESS FINANCING PROBLEMS

Mr. Speaker, recently several trade publications reported that the American Bankers Association will oppose certain legislative goals of the small business investment company industry because it is alleged that some small businessmen told ABA they were unable to obtain financing from SBIC's. The ABA implication is that SBIC's are not helping small business.

Certainly, every small businessman who applies to an SBIC for a loan will

not be granted the financing. This is true in every type of lending operation.

The SBIC industry is not a finished product. There are still rough edges to be smoothed, but the future of this industry as a source of financing for small business is indeed bright.

Since the American Bankers Association has brought up the subject of small business financing, I think it would be both educational and extremely interesting to look into the records to find out who does supply the capital for small business operations.

At the present time there are some 700 small business investment companies in operation in the United States. Although the act setting up SBIC's was passed in 1958, it was not until late 1959 that a significant amount of companies were in operation. Since 1959 SBIC's have accounted for more than 15,000 investments in small business concerns. These investments total more than \$718 million.

The SBIC program was instituted because banks were not providing the financing needed for small business. If banks were doing the job in the small business area, we would not have an SBIC program today. A similar banker shortcoming led to the creation of the savings and loan industry. If banks had provided adequate funds for home purchasing, they would not be faced with the competition from savings and loans today.

These feelings toward banks and small business are not mine alone. The Small Business Administration for years has been trying to sell its seasoned loans to banks.

In addition, a concerted effort has been made by SBA to interest banks in participating with SBA in small business lending. Have their efforts been successful? In a December speech SBA Administrator Eugene Foley provided the answer when he said:

Banks have not participated in our loan guarantee program to the extent we had hoped they would, and in joint loans with SBA they provide an average of only 25 percent of the total financing.

Had banks taken an active interest in small business, we would not have been faced with the situation that developed this winter that saw SBA almost entirely depleted of lendable funds, thus causing a ceiling of \$15,000 on direct loans. Since SBA operates on a revolving fund basis, the amount of money it can have outstanding at any one time is limited. Its loan supply is determined by the degree of speed with which the loans are repaid. To establish a secondary market, SBA long ago tried to interest banks in purchasing certain seasoned loans so that the Agency would have the money available for loans at the present time rather than waiting for the full maturity period. In order to entice banks, SBA sold these loans on a 90-percent-guarantee-payoff basis. The guarantee included both principal and interest. For this guarantee the bank had to pay only one-half of 1 percent. They still received 5 percent interest on the purchased loan. That means that if SBA sold a loan to a bank and the small business concern defaulted on that loan SBA would re-

imburse the bank for 90 percent of the outstanding principal and interest of the loan.

Since the guarantee included the interest payments and provided a 90-percent payoff, the bank for all intents and purposes had a 100-percent guarantee as far as principal was concerned and stood to lose nothing in the event of a default.

SBA has also tried to interest banks in participating with the Agency in direct loans to small businesses and has gone as far as to offer to buy up the bank's portion of the loan on 24 hours' notice, again giving the bank almost complete protection. Even with these ironclad guarantees, the banks have not fulfilled their obligation to small business.

Recently in correspondence to SBA I asked them to evaluate banks' role in SBA's guaranteed lending program. This is the answer I received:

Very few banks have indicated any interest in the loan guarantee plan. For the first 4 months of fiscal 1964, there were 206 loans under the guarantee plan or about 5 percent of the total of 4,117 loans participated in or made directly by the Agency. The dollar volume was less than 5 percent of the total dollar volume of SBA's loans made in the financial assistance division.

For clarity, let me state again the two types of loan transactions that are involved here. The guarantee phase involves loans that are made directly to small businesses by banks with repayment guaranteed by SBA. In addition, loans that are made by both banks and SBA as partners are considered in this category. The other type operation we are talking about are loans that are made by SBA directly to small business and then sold to banks. I reported earlier that until this year only about \$8 million worth of these loans had been sold annually to banks. During the current fiscal year banks have purchased some \$22 million worth of loans from SBA. This increase was brought about by SBA's hiring of retired bankers to interest banks in the purchase plan. While this increase in loan purchases on the bank's part is admirable, it is still only a scratch on the surface of the \$700 million loan pool that SBA has outstanding. With a 90-percent guarantee on both principal and interest, there is no reason why banks should not buy up large pools of these loans. This, in turn, would free new funds for lending to small business by SBA. If this were done, it would not be necessary, as is the present case, for SBA to tell a small businessman that "we can only loan you \$15,000 because we are short of funds." In the event of a disaster, what little loan funds that remain in SBA would soon be depleted, even with the \$15,000 limitation.

There are nearly 14,000 commercial banks in the United States. But, on the other hand, there are less than 800 SBIC's. Commercial banks have billions of dollars to lend while the average SBIC has only some \$300,000 in beginning capital with which to make investments. Despite the dollar limitations and the limited number of SBIC's, this industry, as I reported before, has made more than 15,000 investments totaling \$715 million. A majority of these investments were

made in companies who turned to SBIC's because the local banker would not help them, and had it not been for the SBIC, many of these companies would not be in operation today. I need not tell you of the countless jobs that have been saved by this industry and the thousands of dollars in taxes that this industry has brought in both directly and indirectly.

I do not know what small businessmen have been telling banks about their experiences with SBIC's, but I assure you that for every small businessman who has a complaint against the SBIC program there are thousands who would strongly back the program to the fullest. I would like to cite an example to prove my point. In a small southern city an employee of a construction company decided that he would like to open his own construction firm. He had an engineering degree and several years' experience in the construction field. He went to numerous banks in his locality trying to borrow money with which to begin operations. He was turned down at every bank. But an SBIC in his area was willing to help. It invested \$50,000 in the new company, but that was only the beginning of the SBIC's assistance to this new firm. Because it was a new construction company, the president of the SBIC placed his personal guarantee, backed with his entire assets, including his home, as collateral for the bond. How many banks or bank presidents would have taken this step to help a small businessman?

This construction company is now in its third year of operation. At the end of the first year it was \$742.84 in the red; at the end of the second year, it had a before-tax profit of \$48,884; and this year it is anticipated that the company will turn a profit of some \$100,000. The company has 40 employees and during its 3-year period has had a payroll of \$375,000.

This construction company, which only 3 years ago was denied a bond and was unable to bid on certain projects because it had no previous construction record, is now actively solicited to bid on jobs all over the United States. Had it been up to the banks this company would not be in existence now. But, fortunately, the SBIC industry provided the happy ending to this tale.

The story of this construction company, I assure you, is not an isolated incident among SBIC's. I urge every Member of Congress to consult SBIC's in their States to find out how they are helping to aid small business. Listen to their success stories. You will find that there are numerous Cinderella stories in your own States and districts. After you have done this, then reconsider the American Bankers Association's position that SBIC's are not helping small business.

#### EDUCATION INCENTIVE BILL

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. AYRES. Mr. Speaker, this is my 15th year in the House of Representatives and my voting record will show that I was never one to cast a vote for opposition's sake.

I am of the firm conviction that we can reach the President's avowed educational objectives by the passage of the education incentive bill that we propose.

Federal aid to education is not a new departure for Republican Members of Congress.

President Johnson reminded us of this in his education program message to the Congress. In support of his program he quoted the late Senator Robert A. Taft. I repeat the quotation that he used: "Education is primarily a State function, but in the field of education as in the fields of health, relief and medical care, the Federal Government has a secondary obligation to see that there is a basic floor under those essential services for all adults and children in the United States."

I would call your attention to the clear-cut demand of the late Ohioan for a "basic floor." Knowing the late Senator so well, I know that his concern was with those with the greatest basic need. This was the provision that his original bill would have provided. This is definitely what our bill will do—provide a basic floor in education.

Incidentally, I hope that the President will continue to read the statements of the late Senator Taft—but in their entirety.

Further proof of our nonpartisan attitude should be evident to all. We took the Ribicoff bill in its entirety and added it to our measure. Though the idea for tax aid for parents did not originate with Senator RIBICOFF, we found that his bill carried the best thoughts on the subject. We did not make any effort to rewrite these proposals but give the Connecticut Senator full credit for them.

This bill that we offer has not one loophole that would permit Federal encroachment.

I am a firm believer in our school system. Our school administrators, the Governors of our States do a good job. They are under the constant surveillance of parents who are quick to spot any deficiencies in administration or education. Every successful man is a product of a dedicated teacher.

Today we are suffering from the penalty of steamrollered legislation. The Republicans on this committee strived to correct the administrative errors that were evident to us, last session, in the antipoverty bill. We wanted to make a good bill out of it—one that would be of real assistance to the impoverished. I exposed a letter on the floor of the House that showed the administration was not prepared to effectively put this program into existence. This admission by a leading member of the Government did not deter the bill's passage. Now what do we see. Some of the leading proponents of the antipoverty program have become the greatest critics of it.

Some of the present administrators of the program seem to have peculiar ideas of a poverty level. They believe that it

is a charity program—and that charity begins at home. They forget that President Johnson said that \$3,000 in earnings by a family put that family in a poverty level. They first set their own level of poverty at \$25,000 a year and voted themselves salaries of that amount.

No wonder that the President found it necessary to increase his budget demands for this new agency by 50 percent.

I would remind the Director of this agency that he has well gone overboard with his overhead. Maybe it is time for him to come to the decision that this billion-dollar bureau might be entitled to a full time administrator.

Just this morning while reading the New York Daily News, I noticed that three New York television stations have started a series of telecasts to teach people to read and write. Estimates show, the newspaper declared that there are more than one-half million people in New York City who are functional illiterates—unable to even read street signs. While a good proportion are foreign born, a shocking number are of American birth. I wish to commend television stations WPIX, WNDT, and WNYC for inaugurating such a very important program. By the bill that we advocate here today, we hope that this work can be eliminated for the next generation.

This same paper carried a story about the work of the New York City antipoverty organization called mobilization for youth. In that story, the MFY Director, Bertram Beck, stated that his organization "has had more failures than successes in the 3 years of its existence." He pointed to job training as one of the failures. He said that most of the jobs secured for its trainees proved to be dead ends. He states that he is now turning to a program of improving such basic skills as reading and writing. I do note that Director Beck defends the mobilization for youth's activities in social action programs such as rent strikes but he does say that he is starting a program of screening personnel that should eliminate Communist infiltration.

I am a full supporter of giving every child in America every educational opportunity. By doing this, and only by doing this, can we have a true democracy. Technological advances of our own generation are showing the way by which American families of the future can enjoy the greatest standard of living known to man.

Every American child should be given the opportunity in sharing in this great future. This can only be done if we raise the potentials of those on the bottom of the economic level.

The 88th Congress, through the work of this committee, came to the aid of our institutions of higher learning by giving them funds for improved facilities. We created more loans and fellowships for these institutional scholars. We, also, made certain that medical, dental, and nursing students received improved training. We increased the opportunities for vocational training. The present budget has a request of \$1.1 billion to finance these programs. As you can

see, we firmly believe in full educational opportunities.

But, let us not forget those with the greatest need. We still have illiterates and semi-illiterates. What good are the great schools of the Nation unless we prepare all children with the proper learning habits.

Many fields are open today for the nonprofessional that will bring him a level of wages by which he can live well and enjoy not only the essentials, but the luxuries of modern day living.

Let us give priority to those with the greatest need. Far too many are unable to take advantage of the fine training programs that we have established because we have failed to form proper learning habits in children at the necessary early age level.

Let us indoctrinate our children with the established fact that if they learn well, they will earn well.

President Johnson, in his education program message to this Congress, pointed out the major educational tasks that confronted us. No. 1 was "to bring better education to millions of disadvantaged youth who need it most." In our measure we would really give priority to this great deficiency.

Let us not forget the effect that this action of ours can have on the morale of the educationally and socially deprived children. Most of them feel that no one has a real concern for their future. Our deep interest in them can give them the necessary incentive to improve their status in life.

The proposed Education Incentive Act is designed particularly to that area of the educational field that authorities state is most needful. This measure would see that Federal funds would be given directly to the States for distribution to school districts with the greatest concentration of educationally deprived children. The age range affected would be from 3 to 7 years, inclusive.

Other sections of the bill would give tax relief to those who now pay school taxes or who give financial assistance to college students.

I am indeed indebted to the most able Member, the gentleman from Missouri [Mr. CURTIS], for the excellent ideas that he developed for this act.

Mr. Speaker, certainly all of us who believe in equality of opportunity through education can realize that this bill would be a truly long stride toward that most desirous objective.

#### MASSACHUSETTS ATTORNEY GENERAL EDWARD W. BROOKE

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GOODELL. Mr. Speaker, last week the Washington Star carried an interesting article by David S. Broder on the attorney general of Massachusetts,

Edward W. Brooke. The career of this outstanding Negro attorney is becoming one of national significance. For that reason, I include the article in full at the conclusion of these remarks:

#### GOP INTEREST CENTERS ON BROOKE

(By David S. Broder)

More often than not, the solution to the most intractable-looking political problem is found, not through any agonizing ideological wrestle, but through the happenstance of an individual personality.

In the 1960 campaign, for example, the late John F. Kennedy—a liberal, labor-backed, Roman Catholic—appeared to have insoluble political problems in holding the solid South. But the availability of Lyndon B. Johnson as his running-mate immediately reduced them to manageable proportions.

At the moment, the thorniest of the Republicans' many difficulties is the Negro vote. Everyone in the party—from Dean Burch to Hugh Scott—has said the GOP must regain its traditional share of that vote, both North and South, if it hopes to win any future elections. But how do you convince Negroes the GOP is their friend, when the Democrats are in a position to claim the political credit for any civil rights legislation that passes Congress and any appointments of Negroes to Federal posts?

The answer for the GOP may lie in the obvious political availability of the distinguished Republican attorney general of Massachusetts, Edward W. Brooke. Brooke is identified—with a regularity that has become a little painful to him personally—as the highest-ranking elected Negro official in this country.

He is willing, not to say eager, to campaign next year for the seat now held by Republican Senator LEVERETT SALTONSTALL, should that splendid Yankee wish to close his political career at the age of 74.

At the moment, the odds are against Brooke's having that opportunity. SALTONSTALL gives no indication of quitting; on the contrary, he and his principal aids have been touring the State, repairing old political alliances.

Brooke has made it plain he will not challenge SALTONSTALL in a primary. And even if SALTONSTALL should retire, Gov. John Volpe, another Republican, might assert a claim to the Senate nomination that Brooke would feel honorbound to respect.

But national GOP leaders cannot help but daydream about the political dividends they could reap should Brooke wind up as their Senate candidate. On his record—he was the only Republican to win statewide office in 1962 and he led the ticket in 1964 with a record GOP plurality of almost 800,000 votes—Brooke would rate as a strong candidate against anyone the quarrelsome Massachusetts Democrats nominated. If elected, he would be the first Negro Senator since Mississippi sent Hiram Revels and Blanche K. Bruce to the Senate in the 1870's under the unrealistic politics of Reconstruction.

The symbolism of Brooke succeeding SALTONSTALL, the very embodiment of traditional upper-class Republicanism, would do more than a dozen manifestoes to dramatize the new doctrine of a Republican Party with its doors wide open to all.

Even as State attorney general, Brooke has become an asset to the national GOP. He has spoken recently in Washington, Baltimore, and Cleveland and has unfilled requests from Republicans in a dozen other cities—including Atlanta and Dallas. As a Senator, his usefulness to the party would, of course, be magnified.

SALTONSTALL has had a long and honorable political career, from his start as a Newton alderman in 1920 through three terms as Governor and more than 20 years in the Senate. No one is going to suggest—much less urge—that he retire.

But if Brooke is frozen into his present job for another 4 years, a good many Republicans will regard it as a magnificent opportunity lost.

#### ARMED FORCES EFFICIENCY?

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. ANDERSON of Illinois. Mr. Speaker, on January 4, 1965, President Lyndon B. Johnson in his state of the Union message said that in the last 4 years "we have built a military power strong enough to meet any threat and destroy any adversary. And that superiority will continue to grow so long as this office is mine—and you sit on Capitol Hill."

I have personally many times listened to Secretary of Defense McNamara repeat with computer-like precision the statistics which are used by this administration to support its frequent contention that it has brought America's Armed Forces to peak efficiency. Particularly, in the area of so-called counterinsurgency forces, this administration has repeatedly endeavored to convey the impression that the alleged prior neglect of the Eisenhower administration has been remedied. It must therefore come as a shock to the American public to read in the language of Peter Arnett, an associated press staff writer, in a story datelined Saigon, South Vietnam, that:

A flurry of new complaints came yesterday from U.S. servicemen in South Vietnam that they are fighting with shoddy weapons, shortages of ammunition, and a lack of equipment—although, they said, some items are for sale on Saigon's black market. One U.S. Army adviser said Soviet-made ammunition clips taken from the Vietcong are better quality than those sent from the United States. The American ones jam the U.S.-made weapon, he said.

Americans will perhaps recall that it has only been a few months ago that other reports filled the American press—reports that B-26 airplanes of World War II vintage were falling apart in combat in South Vietnam, and that there were other serious shortages of materiel.

The Defense Department in response to these latest reports of shoddy weapons in Vietnam said that "the complaints would be looked into."

Mr. Speaker, I suggest that these allegations of defective weapons and a shortage of defense materiel require more than a casual "looking into" by the Defense Department. The press has reported that a very secret Senate subcommittee hearing some months ago established the truth of earlier allegations of both a shortage of equipment and defective weapons in South Vietnam. The hearings must, indeed, have been very secret because I doubt that very many Members of the House of Representatives are even aware that such an investigation was made.

Mr. Speaker, I would publicly call upon the House Armed Services Committee to undertake a full and complete investigation of all of these charges. Particularly at a time when the United States has dispatched an additional two battalions of 3,500 U.S. marines to Vietnam, these troops and the American public are entitled to know that they are equipped with the very best weapons that money can buy. This Congress which in recent years has appropriated in excess of \$50 billion annually and more than 50 percent of our total budget for defense will be derelict in its duty if it does not promptly proceed without fear or favoritism to get to the root of these charges.

Mr. Speaker, I do not suggest any action that would jeopardize the security of our country. However, I do suggest that it would be false security for this administration or any other administration to hide behind secret hearings if the purpose is to avoid disclosure of past failures and past mistakes in the defense field. The security of our country is not a partisan matter, and in a free and open society the people are entitled to know the facts.

Mr. Speaker, I hope that the chairman of the House Armed Services Committee will promptly consider calling hearings on the subject matter of my remarks today, and to that end I have addressed a letter to him suggesting such a course of action as being in the best interest and welfare of our country.

**BRUTAL USE OF FORCE IN ALABAMA**

Mr. RYAN. 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 New York?

There was no objection.

Mr. RYAN. Mr. Speaker, today's newspaper accounts of the brutal use of force in Alabama are difficult to read. They are difficult because the events in Alabama yesterday make us realize that the freedom which we believed was guaranteed by the Constitution can be continuously assaulted by a policeman's club.

Mr. Speaker, let us make no mistake about the nature of yesterday's violence. This was a planned attack under the orders of a Governor of a State in the United States. This was nothing less than an official assault upon the Constitution. American citizens exercising their right to peaceful assembly and free speech were clubbed, tear gassed, and whipped. The Federal Government has an obligation to protect its citizens in the exercise of their constitutional rights. Yesterday it failed to fulfill its responsibilities.

Mr. Speaker, Governor Wallace's orders to the Alabama State police to break up the march from Selma to Montgomery were publicized in advance of the march. When I learned of these orders, I telegraphed the President of the United States yesterday urging that the Federal Government provide protection

through the presence of U.S. marshals or troops. The text of my telegram follows:

MARCH 7, 1965.

THE PRESIDENT,  
The White House,  
Washington, D.C.

The Constitution guarantees rights of free speech and peaceful assembly. Citizens seek to exercise these rights in a march from Selma to Montgomery. I understand Governor Wallace has ordered State police to prevent this peaceful march. I strongly urge that U.S. marshals or soldiers if necessary be sent immediately to protect citizens not only in their right to free speech and assembly but also in their right to register and vote.

WILLIAM F. RYAN,  
Member of Congress.

If Federal marshals or troops had been in Selma yesterday I doubt that this peaceful march would have been violently broken up; and American citizens who did nothing more than exercise their constitutional rights would not be in the hospital today.

The tragic events of yesterday cannot be undone. However, a recurrence can be prevented tomorrow when Dr. Martin Luther King plans another march from Selma to Montgomery.

Mr. Speaker, I call upon the President to order Federal marshals or, if necessary, Federal troops to protect those who will be marching tomorrow. The Constitution of the United States must be applied with equal force and effect in all the States of the Union. Nothing less than this principle is in question.

Mr. Speaker, we must also realize that underlying the struggle in Selma and other areas of the South is the question of the right to vote. Tomorrow I intend to introduce a new voting rights bill which will provide authority to the Federal Government to enforce the 14th and 15th amendments to the Constitution. We can wait no longer, Mr. Speaker, to secure liberty for all our citizens.

**CRITICISM BY NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE OF VOTE ON FUNDS FOR HOUSE UN-AMERICAN ACTIVITIES COMMITTEE**

Mr. RONCALIO. 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 Wyoming?

There was no objection.

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to insert at this point in my remarks a news release of the so-called national Republican congressional committee apparently written by the gentleman from California [Mr. BOB WILSON], chairman, or a Mr. Paul A. Theis, public relations director.

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

There was no objection.

The news release follows:

The Republican Congressional Committee charged that Representative TENO RONCALIO tried to cripple the House Un-American Activities Committee by voting to withhold

funds from the committee pending public "hearings" to "justify" its budget request.

The GOP committee noted that the House voted 332 to 58 on February 25 against a motion supported by the Congressman which would have held up \$370,000 in funds for the Un-American Activities Committee's work. The GOP group pointed out that HUAC members estimated that the so-called hearings would have delayed their investigation into subversive activities in this country at least 6 months.

"Fortunately," the Republican committee said, "the Congressman's vote was not decisive because the vast majority of House Members realized the importance of having a committee of Congress with powers to investigate subversive activities, whether they come from the far left or the far right. [The vote, however, was highly indicative of the type of Congressman now representing this district.]

"As Democratic Congressman EDWIN E. WILLIS, of Louisiana, chairman of the Un-American Activities Committee, stated on the House floor, the basic drive to abolish the House Un-American Activities Committee comes from the Communist Party and from Communist-front organizations. Unfortunately, Congressman RONCALIO's vote has lined him up with every subversive organization in the country which is trying to abolish the committee."

Noting that some Democratic Congressmen have protested against the Republican Congressional Committee calling attention to their House votes, the committee said: "When a man runs for Congress, he must expect to be held accountable for his votes in the Congress. That record should—and must be—available to the people of his district so they can judge his performance. That's the reason we are calling attention to just how the Congressman from this district votes on some of these controversial issues."

Mr. RONCALIO. Now, Mr. Speaker, I have been reading the New York City dailies with more than usual care to see if my Republican colleague, the gentleman from New York [Mr. LINDSAY], who voted as I did on this issue, received from this Republican committee this same alliance with subversion which it gave me in the papers of Wyoming.

I fail to find the above release in the New York area.

Can it be, Mr. Speaker, that an "aye" vote herein if cast by a Republican is an act of courageous leadership or of economy? But when cast by a Democrat it becomes an alliance with subversion? Surely not.

Could it be, Mr. Speaker, that all that has emerged from the great winter of discontent is a GOP advocacy of guilt by association? Surely not. Advocating a double standard? Anonymity to escape actionable libel? Surely not.

This release says my vote aligned me with subversion. My vote also aligned me with my Speaker, the gentleman from Massachusetts [Mr. MCCORMACK]; with the President of the United States when a Member of this body; with the majority leader of the Senate [Mr. MANSFIELD].

My vote aligned me on this issue with the senior Senator from New York, Mr. JAVRS, and with other Republicans of the non-Goldwater stripe.

The Republican minority leader, the gentleman from Michigan [Mr. FORD], I note by press items in the Wyoming papers, is to be a guest in my State for political meetings next week. I take this

opportunity to welcome the minority leader to Wyoming. I feel honored to be singled out so early in my term for such a visit.

In Wyoming, the minority leader will find Democrats and Republicans, but Americans all, who believe in fairplay and who fight hard, but fight fair, in the great arena of American political action.

I know that the minority leader believes in Americanism practiced, as well as Americanism mouthed—something that cannot be said for the authors of the above release.

#### THE ISSUE OF WAR OR PEACE SHOULD BE DISCUSSED

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an article.

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

There was no objection.

Mr. McCARTHY. Mr. Speaker, it is with reluctance as a freshman Member of the Congress that I rise to speak on this issue. The United States today is faced with a question of war or peace. But I have been disturbed as a Member of this body by the lack of debate on this vital question since the Congress is vested with the responsibility of declaring war.

There seems to be a climate of conformity and silence; that when there is an issue of war or peace, the only safe and patriotic course is to suspend debate and rally around the President. I seriously doubt if a debate would have any serious impact on the actions of Hanoi and Peiping. They will be influenced by other factors. But if this is a deterrent, perhaps the congressional debate on the issue of war and peace should be held in a closed session to which all members would be invited.

Mr. Speaker, I should like to call the attention of the Members to an incisive editorial by Mr. Walter Lippmann on this issue in the March 15 issue of Newsweek magazine.

The article is as follows:

#### CAN THE QUESTION OF WAR BE DEBATED? (By Walter Lippmann)

On March 1 at a meeting concerned with the education of scientists, the President interpolated a few remarks about Americans here at home who are debating his policy in Vietnam. The President showed himself so much annoyed at the "folks who don't understand" that he just barely stopped short of denying their right to disagree with him. He did go as far as to say that the wars of this century were "brought about" because the noninterventionists led the Kaiser, Hitler, and the Japanese to believe that they could move without American interference. If the President's version of history is correct, it follows that when there is an issue of war and peace, the only safe and patriotic course is to suspend all debate and rally around the President.

On a number of counts, I find this attitude very disturbing. For one thing, it amounts to saying that debate on the vital issues of war and peace gives aid and comfort to the enemy. Under such a rule, the American people would have had no right to debate the momentous question of whether in 1917 and in 1939 they should emerge from the isolationism which they had practiced since

Washington's Farewell Address and the declaration of the Monroe Doctrine.

This is an impossible rule of conduct for a free people. Today there is an issue in Indochina which cannot be left undebated, and it cannot be entrusted blindly to the President and Secretary Rusk and Secretary McNamara. In Indochina for the first time in our history we are waging a unilateral war against Asians on the mainland of Asia. In the Korean war, let us remember, we were the agents of the United Nations and were supported on the battlefields by contingents drawn from Europe and Asia. But what is going on now is a radical innovation in U.S. foreign policy.

How else but by debate are the great questions of war and peace—of isolation and intervention, and of military expansion onto the Asian continent to be decided?

#### A MAJOR FALLACY

There is an even more seriously disturbing aspect of the President's remarks. There is a major fallacy in the notion that conformity and silence will convince our adversaries that the United States will prevail and that they must yield. The fallacy is that the issues of war and peace are determined by the state of American opinion at home rather than by the balance of forces abroad. I realize perfectly well that in Hanoi or Peiping they may like to read Senator Church's speeches or even the dissents of an occasional journalist. But it is a great delusion to think that this has any decisive effect on what they do in Hanoi or Peiping. What they do will be determined by the realities as they see them in Asia and not by how they read the Gallup poll in the United States.

The state of American opinion at home, and the balance of dissent and consent within it, is very important. But assessing opinion must not be mistaken for the conduct of foreign policy. I sometimes wonder whether this mistake is not now being made, and if the reports of the polls are not being treated as more important than the hard intelligence we may have about southeast Asia.

#### A DANGEROUS SELF-DELUSION

There is a difference not only of degree, but a difference in kind, between the conduct of domestic American affairs and the conduct of foreign affairs. In domestic affairs, when a consensus of Americans has been worked out, the legislation will pass and the country will accept it. But in foreign affairs, a consensus of Americans does not settle anything. The adversary, the reluctant allies, the neutrals, do not participate in the American consensus, and it is, therefore, a dangerous self-delusion to suppose that because we at home are all agreed we can compel all the others to agree with us.

At the bottom of this self-delusion, if we search deeply enough, we shall find a visceral feeling that, as compared with foreigners, we are always right and never wrong. If therefore we are agreed among ourselves, none can withstand us because none should withstand us, and we shall and must prevail. This same visceral feeling has engendered the demand, which made a botch of the settlement of both World Wars, for unconditional surrender as the only victory which Americans can accept.

In expecting conformity and silence at this stage—when the great decisions of war or peace in Asia are still in the making—the President may evoke those visceral feelings which, if they are sufficiently excited, will make the whole business before him unmanageable.

#### CONSTITUTIONAL AMENDMENT ON APPORTIONMENT

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the

House the gentleman from Florida [Mr. FUQUA] is recognized for 1 hour.

Mr. FUQUA. Mr. Speaker, I ask unanimous consent 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 Florida?

There was no objection.

Mr. FUQUA. Mr. Speaker, I asked for this opportunity to address the House to present my views on a most controversial question and one on which I sincerely believe that the Congress should take some action. This regards the apportionment of our State legislatures on a strictly population basis, as the Supreme Court has ruled.

There are two major questions in my mind. No. 1, will the Congress allow the judiciary to usurp its constitutional power to make the law? No. 2, will the people of the individual and sovereign States be allowed to determine for themselves the form of State government that they will have? These are serious questions, and I believe they are basic constitutional questions which we have a duty to resolve.

Let me state emphatically that I recognize there are inequities. I do not stand here today to plead for gross malapportionment. I recognize that some States have not attempted to meet their own particular problems. However, it seems to me to be just as serious a problem to allow the judiciary to dictate the form of government each State must have and even to assume the power to apportion State legislatures as it sees fit, if the States adopt apportionment plans with which the Court does not agree.

We are proposing a constitutional amendment. It is my opinion that such an amendment is necessary and that the Congress has a duty to present such an amendment to the American people.

The amendment to which I refer is very simple. We state that one house of our State legislatures must be based on population, but in the other house other factors may be considered, providing the people so approve.

The provision, which I consider to be vital and fair to this proposal, is that the people of the individual States must approve in a referendum any such plan for that particular State. I think in this plan we have incorporated the checks and balances, the fairness which meets the problem squarely.

I would call to your attention that the general assembly of the States approved a resolution in December that called for an amendment which would permit one house of a bicameral State legislature to apportion on geography or other non-population base, providing this arrangement was approved by the people of the State in a referendum. This proposal has been endorsed by the American Bar Association.

Seventeen of our States were on record, as of March 2, calling for a constitutional convention to write a constitutional amendment on this line. The action of these States brought to 21 the total of States which, since 1962, have petitioned for a constitutional convention to

write some type of new amendment on the apportionment problem.

In addition, to this, the Senates of Alaska, California, Colorado, Maryland, North Dakota, Oregon, and Wyoming, and the House in Vermont, have asked for a constitutional amendment along these lines. The California Assembly memorialized Congress to submit an amendment along these lines.

This points to the concern which these State legislatures have for this question. It is a serious one, and one on which the Congress needs to take action.

This Nation was founded on the principle of self-government. It was founded on a system of checks and balances. If we do less than this amendment proposes, both of these principles suffer.

The decisions of the Supreme Court relative to the apportionment of State legislatures is the assumption of a new role of authority which strikes at the very heart of our system of separation of powers. When the Court first determined to undertake settlement of the legislative apportionment disputes of the States, some of the Court's own members warned against entering this "political thicket."

My purpose in speaking today is not to castigate the courts, nor its members. I have an honest difference of opinion with their decisions, and in making this determination, they left themselves open to criticism from the Congress.

Ours is the responsibility for making the laws which govern the land, and it is the responsibility of the judiciary to interpret them and pass upon their constitutionality. In this decision, it is my opinion that the Court has made law. This is not their proper place in our system of government.

In its decision, the Court has asserted a new and novel judicial power under which the Federal courts are encouraged to intervene in what is essentially a political question, heretofore uniformly entrusted to the States; and this right has been recognized time after time by the Court.

In reaching this decision, the Court found it necessary and expedient to ignore and reverse a long line of decisions holding that it had no such power as it now presumes to exercise.

In my opinion, dubious grounds were necessary to make this determination. It was necessary to ignore the 10th amendment which reads:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

For many years now the Supreme Court has been encroaching upon the powers of the States, without mention of the 10th amendment, which is just as binding on the law of the land as any other provision. It was established to set the limits of power of the Federal Government, and such decisions as this ignore this provision.

In arriving at its conclusion, the Supreme Court has virtually dictated the form of government which shall govern our States. No longer will the people of the individual States be able to look at

their own particular problems and determine the proper course of action. That decision has been made for them.

No matter whether it be Hawaii or New York, Arkansas, or Idaho, every State must be the same—its legislature apportioned by a new law promulgated by the courts and not the Congress.

The one-man, one-vote theory sounds good to the tongue, but it does not take into consideration very real and severe problems. There are economic factors; there are distance problems; there are ethnic factors and many more which go into the makeup of true representative government.

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

Mr. FUQUA. I yield to my distinguished colleague from California, who I might add has been very interested in this subject we have been talking about today.

Mr. BALDWIN. I want to commend the gentleman for bringing this subject before the House today, and congratulate him on his learned presentation.

On the thought of a one-man, one-vote proposition, is it not true that the bill would be brought before the House by the discharge petition now pending, as amended by the amendment agreed to by the author of the bill, would say that the apportionment would be approved by the people of the State, and that actually would be a more true application of the one-man, one-vote rule than any court decision as to any reapportionment because the Supreme Court is not elected by the people, whereas the bill proposed would actually provide that the people of the State would have the opportunity to determine how their State should be reapportioned?

Mr. FUQUA. The gentleman is correct.

I might add further to the gentleman's remarks that this does carry out the principle that the people must approve any reapportionment made by the State legislature and provides all the checks and balances to provide for majority rule in the State. No one State can necessarily act at the expense of another. This provides, I think, adequate protection in a democratic way. Our Founding Fathers intended that the people of the legislature are responsible to the people. The Court is not responsible to any electorate. I want to commend the gentleman.

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

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

Mr. WAGGONER. I thank the gentleman for yielding, and express my appreciation to the gentleman from Florida for bringing again to the attention of the House the matter of the apportionment and reapportionment of State legislatures. It is controversial, and has been, as it should be, the subject of much discussion in recent months here in Congress. At the outset you raised the question as to whether or not the Congress was going to sit idly by and allow the courts to usurp its powers. It is plainly evident that by its inaction the Congress is allowing this to happen.

The gentleman from California [Mr. BALDWIN] has just complimented the gentleman, and asked the question about the true intent of this constitutional amendment, and commented on the fact that the one-man, one-vote principle could be fairer under this proposed constitutional amendment than it is under the Court decision.

I should like to point out something that has been pointed out many times here before, that there are some here in Congress and some in the State legislatures all over this land who are being lulled to sleep by thinking that if they live in highly populated urban areas they are going to be the beneficiaries of increased power in local and Federal Government. Such is not the case, because if this one-man one-vote principle is applied to every elective office at every level of the government, State as well as Federal Government, we are going to find there will be no political office which is elective that will escape the application of this principle.

No matter how high the office might be or how small that office might be, in time if this rule is made to apply, people will lose their proportionate voice in government in that they will no longer have the right to rule their local government for themselves or even dictate its form.

But over and above this, I think everybody ought to be aware of the fact that the people who actually advocate and propose going along with the Court and oppose this amendment the loudest or the longest are those who in the end hope to destroy the Constitution of the United States and the U.S. Senate. Now you say it cannot happen because the Constitution provides that each State will have two Senators. That is true. But what is to keep one State from having more than two Senators or having weighted values placed on each Senator's vote so that the protection that the Constitution provides will in the end be destroyed so that some 15 urban areas in these United States will control every segment of government at every level.

The Congress by its inaction is letting the Court usurp its power. It is a deplorable thing that we are allowing the tripartite government that our Constitution provides for to be so disturbed and destroyed in the balance provided for by the Constitution as to the three branches of Government.

Mr. FUQUA. Mr. Speaker, I thank the distinguished gentleman from Louisiana for his contribution.

I might add that there are two basic questions involved. One is whether the Congress is going to assume the responsibility it has to make law instead of having that responsibility being usurped by the Supreme Court.

The second basic question is whether the people are going to have the opportunity to decide the type of representation they choose to have.

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

Mr. FUQUA. I am happy to yield to my distinguished colleague, the gentleman from Florida.

Mr. MATTHEWS. Mr. Speaker, first of all I want to congratulate my colleague from Florida. The gentleman is

rendering the Members of the House of Representatives a great service by presenting to us today the very excellent and outstanding address he has made on behalf of constitutional government. I also want to thank, along with my colleague from Florida [Mr. FUQUA], the gentleman from California [Mr. BALDWIN], and those many others of our colleagues who are day by day bringing to the attention of this House the fact that we ought to take some action to hold to these principles of constitutional government.

Again I thank my colleague and associate myself with the views he has expressed. I certainly join with him and our other colleagues in this fight for constitutional government.

Mr. FUQUA. I thank my colleague very much for his contribution and also for his support and encouragement in this fight to preserve some type of constitutional government and to have the opportunity for the principle of bicameral legislatures to continue working.

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

Mr. FUQUA. I am very pleased to yield to the distinguished gentleman from South Carolina [Mr. DORN].

Mr. DORN. Mr. Speaker, I rise to compliment my distinguished and able friend, the gentleman from Florida, for this timely presentation he has made to the House today. This is something which if the Supreme Court is allowed to get by with will destroy the very foundation stones upon which our government—local, State, and National—is based.

Mr. FUQUA. I thank the gentleman very much.

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

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

Mr. MORTON. I want to congratulate my colleague, the gentleman from Florida, also on this very fine presentation.

I want to associate myself entirely with his remarks. There is one point, I think, that might be added to this whole thing, that is relevant. That point is that there are many legislatures and general assemblies in America that predate the Congress of the United States and predate the Constitution of the United States. I refer to the State of Maryland. We have had a bicameral legislature and had it in effect nearly a century prior to the establishment of this Congress. Yet recently one of the Members of the other body referred to the one-man, one-vote principle as a traditional principle in America. I take the position exactly opposite to that. I feel that the tradition has been that factors other than the population factor have governed the apportionment of our general assemblies and State legislatures.

These other factors have contributed to the greatness of America just as much as has the population factor, when used as devices for apportioning our legislatures.

I agree with the gentleman from Florida [Mr. MATTHEWS], who has pointed out that our entire system of government is well challenged by this

particular principle. We shall find that our natural resources will be managed by those people who know the least about them. We shall find that the areas into which America must grow will not be adequately managed, if we follow the course of one-man, one-vote.

Mr. FUQUA. I thank the gentleman from Maryland for his contribution, and particularly for pointing out the fact that his great State has contributed so greatly to this principle, even before the founding of this great Republic of ours. I appreciate his contribution in bringing this to the attention of the House.

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

Mr. FUQUA. I am happy to yield to the gentleman from North Carolina [Mr. KORNEGAY].

Mr. KORNEGAY. Mr. Speaker, I rise to commend the gentleman from Florida for bringing this matter up today. He has made a fine, an excellent, speech on the subject of apportionment and reapportionment.

This is a matter which is of great concern to me, as a student of the Constitution. I find myself in total disagreement with the decision of the Supreme Court rendered on June 15, and I certainly wish to associate myself with the remarks made by the gentleman from Florida.

Again I commend the gentleman for his timely and appropriate speech on the floor of the House today.

Mr. FUQUA. I thank the gentleman from North Carolina and particularly so because of the fact that he represents one of the great metropolitan areas of North Carolina—and, I might add, he represents his district very well. I appreciate the gentleman's interest in preserving a very fundamental belief which he has, which he shares with all of us—the need to preserve our constitutional form of government and the separation of powers among the three branches of our Federal Government.

Mr. KORNEGAY. I am, of course, very grateful to the gentleman for his kind remarks. It is true that my district is the most urban in my State of North Carolina. About 69 or 70 percent of my constituents are city dwellers. But they are also great believers in the wonderful Constitution of the United States of America. They realize there is much to be said for and great merit in our system and the fact that those who wrote the Constitution as well as those who framed the constitutions of the several States believed it not only proper but also wise, to provide, in a bicameral legislature, that one house could be based on factors other than strictly population.

There are many other factors which are important in the government of our people and in this Republic, such as geographical location, size, municipal and local governments—which are separate entities in themselves—various industries, agriculture and various other areas of human endeavor, which, while they may not be composed of people themselves, are entities deserving of consideration and which of necessity must be considered if we are to continue to operate as a democracy.

These are factors which should be taken into consideration in determining the districts which representatives, not only in State legislatures, but also, I remind the House, on school boards, city councils and all local boards and agencies, should represent.

There is just no telling, Mr. Speaker, where this theory or principle of one man, one vote will end. If this Congress does not do something to correct that tragic mistake made by the Court in June of last year we know not where it will lead. I am hopeful that something will be done because it must be done. The salvation of the country and the Constitution rest here in this body and the other body, the Congress of the United States.

I thank the gentleman very much.

Mr. FUQUA. I thank the gentleman from North Carolina.

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

Mr. FUQUA. I am happy to yield to the gentleman from Kansas.

Mr. DOLE. I commend the gentleman from Florida. I wish to point out an important fact, that this is not a partisan issue, this is not a sectional issue, this is not a philosophical issue. It is however the greatest domestic issue facing the 89th Congress.

I recognize and respect the right of the Court to its opinions. Certainly, their decisions of last June 15 represent, whether we like it or not, the law of the land.

However, the Constitution also provides certain remedies and ways to offset Supreme Court decisions. It is within this context that I would comment along with the gentleman from Florida. This is a highly important issue and a highly explosive issue in rural America, and again, a most important issue.

The Supreme Court's decision is based on the one-man, one-vote principle. This sounds good and, is difficult to argue with in some respects. Many States, including the State of Kansas, now have balanced representation in their State legislative bodies. We have in Kansas a State senate apportioned on a strict population basis. In our State house of representatives every one of our 105 counties has 1 representative and 20 additional seats are apportioned to more populous counties. So we have—and by and large most people in Kansas feel we have—a well-balanced State legislative system. We would like to keep it that way. That is why we are so concerned with the Supreme Court decision of last June 15. The Court states in effect that we cannot debase a man's vote. Each man's vote is entitled to the same weight as another man's vote. To carry this one ridiculous step further, perhaps the Supreme Court could choose the candidates, because some candidates are more effective than others, and members of the majority party or the minority party, as it may be, have more or less voice after their elections.

The one-man, one-vote argument holds little weight. Particularly in view of the Patman resolution—there will be an amendment to the Patman bill—it will provide the electorate must approve

any plan of apportionment. I certainly know of no better judge than the people of each State, and think their opinion would be far better than that of the Supreme Court, the only nonpolitical body within the American system.

The Court has gotten into a political thicket, a matter for political decisions, not Republican or Democrat decisions, but a matter of political decisions to be decided by each State. Again it is most important we recognize this is not a Republican issue or a Democrat issue or a liberal issue or a conservative issue but an issue which will ultimately affect everyone.

Let me say to the Members who indicate some reluctance in signing discharge petition No. 1 that once those who now are pushing the one-man, one-vote theory and support the Supreme Court's decision of last June 15 control our legislature, these same people, the urban dominated legislatures, will be redrawing congressional district lines. The point is that we do have a real interest in what happens on a State level. As was pointed out by the gentleman from North Carolina [Mr. KORNEGAY], it will not only work down the ladder but up the ladder.

Last week I appeared before a subcommittee in the other body and my closing remark was that by the action they take in the other body the seat they save may be their own. If we review the history of article V of the Constitution and the 14th amendment, it is reasonable to conclude for some that the U.S. Senate should be apportioned on a strict population basis and many people may have this already in mind. We can talk about the Federal system and the State's consent in article V, but the 14th amendment came long after article V in the Constitution. We all have a very direct interest in apportionment, and again I commend the gentleman from Florida for his statement.

Mr. FUQUA. Mr. Speaker, I appreciate the gentleman from Kansas making the point that it is not a party issue but an issue for those of us who believe sincerely in trying to do something that will preserve for the people themselves the right to determine the type of government and representation they should have in their State legislatures and, for that matter, in the Congress of the United States.

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

Mr. FUQUA. I yield to the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, I want to thank the gentleman from Florida for his lucid and forceful presentation and associate myself with his remarks and the remarks of the others who have spoken. Like the gentleman from North Carolina, I represent an urban area, the major urban area in my State, notwithstanding which I feel because of the constitutional principles at stake it would be wrong for our country for the Supreme Court to remain unchecked in this area and that it would be right for our country for the sovereign States to be permitted to have bicameral legislatures if that should be the choosing of the people of those several States.

I feel nothing can be right for my country which is wrong for our country.

I feel further that the interest of the people who live in rural areas in my State and in other States is important to all of us. I am concerned that our rural areas shall be properly represented in the State legislature, that their voice be heard and their interests be protected, and that all elements of our American public should be properly represented both at the State and Federal levels. Therefore I concur in the gentleman's comments and congratulate him on them.

Mr. Speaker, I thank the gentleman for yielding.

Mr. FUQUA. Mr. Speaker, I appreciate the comments of the gentleman from Alabama and his interest in this very important subject.

Mr. BURTON of Utah. Mr. Speaker, will the gentleman yield?

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

Mr. BURTON of Utah. Mr. Speaker, I should like to join my colleagues in commending the gentleman on an excellent presentation and to associate myself with his remarks.

The district I represent contains the second largest city in Utah, Ogden. During the campaign and since the campaign I have taken a strong stand that an amendment or legislation which would effectuate the wishes of the gentleman now in the well should be passed. Quite frankly there have been no demonstrators in the streets in Ogden, there have been no mass meetings calling for my scalp, to underscore the fact that this is not a political consideration.

I would like to call the attention of my colleagues to the fact that the other Representative, the gentleman from Utah [Mr. KING], who is not of my political faith, and who represents the largest city in Utah, Salt Lake City, has joined with me as I have with him and we have both introduced bills to effectuate this purpose. We have both signed the discharge petition that would effectuate this and as has been stressed already I think there is not any doubt in the minds of most Members that there are considerations other than people; and while people might be the most important element that should be represented, it is an accepted fact, at least it has been up to this point in American history, that there are regional and geographical considerations, there are economic and social considerations that need representation in legislative bodies, as well as people. If this were not the case how could the continued existence of the U.S. Senate be accepted?

Mr. Speaker, I thank the gentleman for yielding.

Mr. FUQUA. Mr. Speaker, I thank the gentleman for his contribution to the discussion today, and I appreciate his interest in trying to help preserve the existence of the bicameral legislature.

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

Mr. FUQUA. I am very happy to yield to the gentleman from Missouri who has been, likewise, very much interested in this subject and who only last week made some very interesting and penetrating

remarks on this floor on this same matter.

Mr. ICHORD. Mr. Speaker, I thank the gentleman from Florida for yielding. I want to commend him for taking this special order to discuss what I believe to be the greatest constitutional issue facing the American people in this century. The gentleman from Florida has long been interested in this cause and has made many valuable contributions to the fight for a constitutional amendment.

I would like to ask the gentleman from Florida whether any Member of the House—I should like to point out to the gentleman from Florida that I was absent on other business and was not able to hear the first part of the discussion this afternoon—referred to or read the editorial in today's Washington Post. Has this editorial been brought to the attention of the gentleman from Florida?

Mr. FUQUA. In reply to the gentleman, no, it has not been mentioned on the floor today.

Mr. ICHORD. Mr. Speaker, I would like to take this opportunity, then, to read this editorial from the Washington Post to the gentleman. To me it is very, very amusing. I read:

#### PERILOUS AMENDMENT ROUTE

Maryland's petition to Congress for a convention to amend the U.S. Constitution would scarcely be noticed if it stood by itself. But this is the 22d petition of this kind to be passed by State legislatures in connection with the politically explosive reapportionment issue. In six additional States the petition has been passed by one house of the legislature. If action is completed in these six States and six other States follow suit, Congress will presumably be under obligation to call a constitutional convention.

The Constitution is very specific on this point. Article V says that Congress "on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments." This amendment procedure has never been used, but once two-thirds of the States have taken the initial step Congress could call a convention by a majority vote, and it could propose amendments without limit—amendments which might or might not be subsequently ratified by three-fourths of the States without any direct approval by Federal authorities.

It seems inconceivable that Congress would let this happen. Yet the States are rushing toward the convention idea at a frantic pace. Of the 22 now on record, 18 have acted since last December. The remaining four had previously passed a stiffer resolution designed to summon a convention that would completely bar the courts from any decisions in the sphere of reapportionment.

In the circumstances Congress may be virtually compelled to offer a constitutional amendment of its own to allow the States some leeway in apportioning their senates along geographical and historical as well as population lines. Certainly that would be preferable to calling a wide-open constitutional convention. We are glad to note that the Senate Judiciary Subcommittee is conducting hearings on the problem and that the House Judiciary Committee intends to do so next month.

The chief difficulty arises from the fact that most of the amendments that have been offered are much too sweeping. If an amendment is to be adopted, in our opinion it should permit the States with bicameral systems to have only one house deviating from a strict apportionment according to

population. It should leave the door wide open to apportionment of both houses on the basis of population if the States want it that way. It should strictly limit the deviations that might be made from the one-man, one-vote formula in the interests of geography and adherence to county lines and it should require specific approval of such apportionment plans by the voters of the State.

Such a carefully limited plan would not amount to going back to the "rotten-borough system" which Senator DOUGLAS so vigorously deplored. Rather, it would merely allow the States some of the discretion that they have always exercised in shaping their own governments.

Mr. Speaker, I would point out to the gentleman from Florida that it appears the Washington Post, which has always been a great enemy of the constitutional amendment along the lines recommended by the gentleman from Florida, is having a change of heart. Perhaps they are becoming aware of just how moderate most of the proposals pending are.

I would like to say to the gentleman from Florida that there are many people within this body and outside of the House of Representatives and the Senate who really do not know just how far the Supreme Court went in the Colorado case. The Supreme Court in the Colorado case violated its own one-man, one-vote principle, because it said there that even though the people of Colorado had chosen to have one of its Houses based upon geography, even though they had voted by a vote of almost 3 to 1 in state-wide voting to have one of its Houses based upon factors other than population, they could not do so.

I would like it to be reemphasized to the Members of the House that most of the proposals which have been on file here in the Congress and which are now pending before the Judiciary Committee are indeed very mild. It is true that some of them are quite sweeping.

Mr. Speaker, the gentleman from Florida is working toward a constitutional amendment which will permit the people of Florida, the people of Missouri, the people of Illinois, the people of California, the people of New York to choose by a majority vote the form of government that they want; is that not correct, I will ask the gentleman from Florida?

Mr. FUQUA. The gentleman is very correct, and I appreciate his contributions, particularly the point of bringing to the attention of the House the fairness which this contains. To me this is democracy in action when you give the people the constitutional right they thought they had for so many years to determine for themselves the type of legislative body they wish and feel they want in their own individual States.

I very much appreciate the gentleman's contribution.

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

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

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I too want to associate myself with the remarks of the gentleman. I think it is fine that he should take this time to bring to the attention of the American people one of the greatest problems we have today. I, too, was

amazed when the Supreme Court took jurisdiction of this matter.

Recently I was in Williamsburg, and saw a historical movie there in which it shows the Governor of the new Virginia colony with a stroke of the pen dissolve the Legislature of Virginia because they were remonstrating against an edict of the King. That is what the Supreme Court of the United States did when it entered into this apportionment case. They in effect said they had the right to dissolve Parliament. When a court can dissolve our legislative assemblies, it is one of the worst things to happen in my time.

In Pennsylvania we have a constitution which says each county shall be entitled to one member of the legislature. The small counties that have one member of the General Assembly have problems born of scarcity of population, they pay their share of taxes and, because of the smallness of their population, they need that voice in the Pennsylvania legislature.

The Supreme Court has said the Pennsylvania reapportionment rule is unconstitutional within the meaning of the Federal Constitution, which of course is preposterous. In 1774 the people of Pennsylvania voted for that State constitution wherein they provided for one member from each county in the Pennsylvania House of Representatives.

I therefore think that the constitutional amendment of the gentleman from Texas [Mr. PATMAN] should move. I would like to have it move faster. I would not like to see the referendum feature attached to it. If that is put through requiring a referendum of the people, the big cities like Pittsburgh, Philadelphia, and the large urban centers, will out-vote us, and those who represent rural Pennsylvania will be out, as we are today.

Here is another admonition: The State under the reapportionment law should have a self-executing penalty. What has brought on our problems is this: We, the members of the State legislatures, and I was there for 17 years, closed our eyes to reapportionment laws because there were no teeth in them. The court took jurisdiction. We brought it on ourselves, and I say now that if we pass new reapportionment laws we should build into those laws a self-executing penalty.

I have studied the laws of all 48 States, and I think California has the best State reapportionment law of all. If the Legislature of California fails to reapportion every 10 years, as required, a commission is organized and it does the job. The courts do not do it. The commission is set up to reapportion if the legislature does not do it.

As I say, let us have this amendment the way it is, submit it to the States, then each State should put in a penalty clause so that every 10 years the job will be done and the courts will not take jurisdiction.

Mr. FUQUA. I thank the gentleman for his comments.

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

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

Mr. HALEY. Mr. Speaker, I want to associate myself with the remarks made by my distinguished colleague from Florida. Unless the Congress of the United States takes some action to stop the writing of laws and overriding of the Constitution by this alleged Supreme Court that we have, we are going to see gradually the entire concept of government as we have known it disappear. This alleged Supreme Court rules. I do not think it is a Supreme Court. I do not think there are enough legal brains over there from the standpoint of writing law to fill a pen with ink enough to dot an "i". I do not think we have enough people on that Court who are practical or who know anything about law.

This conclusion that with some strange reasoning they arrived at over there of one-man, one-vote only tells me and should tell this Congress, we must wake up and assert our responsibility. The one-worlders want to do one thing and one thing alone, they want to redefine, so to speak, the Senate of the United States.

If we are going to have one-man, one-vote based on representation, as they say we must, then why would the great State of New York have only two Senators and the States small in population, such as Alaska, have two.

I wonder how this Court would rule if it had the opportunity to rule on the apportionment of votes within the United Nations. Within the United Nations, there are member nations with a population smaller than the population of my congressional district; and yet, these nations have the same vote that the United States has with its population of some 192 million people.

These things were written into our Constitution by our Founding Fathers for good reasons. They were written into the Constitution to protect minorities. Yet here this bunch of fumbling, bungling, so-called lawyers come along and rule to change what the Founding Fathers really intended to do and what our Constitution plainly states. If a State has no right to apportion one of its legislative branches on the basis of other than population, why is the Senate of the United States not supposed to follow that particular theory of reasoning?

I tell you that the Congress has sat here and allowed this bunch of people who call themselves Justices of the Supreme Court to write the laws, to rewrite the Constitution of the United States, and reach out for the power that really belongs to the people through this Congress. Unless you do something about reasserting the rights of the Congress—very soon, and I see one of my friends smiling—I predict that in a short time this will come true: you will have no power here in the Congress. When this happens you might as well be elected and stay home and send your vote up here with a rubberstamp and pass the various appropriation bills, because apparently that is all you will ever have a right to do.

That is what is going to happen in this country. Congress has allowed the Supreme Court to usurp powers given you, and today is telling you what today is the law of the land, against what we

have been following for nearly 200 years as basic law and philosophy of government in the United States.

I thank my colleagues for yielding.

Mr. FUQUA. I appreciate the gentleman's sentiments.

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

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

Mr. HUTCHINSON. I appreciate the gentleman's comments and the opportunity he has given the House to discuss this important matter at this time. Certainly, there is nothing more fundamental than the problem of the apportionment of Representatives. Certainly, there is a very great urgency upon this Congress to take action at this time. The people of the several States, almost every time they have themselves had the opportunity to vote on this issue, have decided against the principle of so-called one-man, one-vote. On every occasion when they have amended their own State constitutions, and a good many States have amended their State constitutions through the initiative and referendum, they have recognized the soundness of the principle of a balanced legislature.

That is the history of Michigan—my State. On every occasion the people have turned down at the ballot box the one-man, one-vote principle. Still the Supreme Court of the United States now says that any other considerations are unconstitutional. It is shocking and I cannot think of a stronger word to use—it is shocking that the Supreme Court of the United States should assert unto itself the power to determine the structure of the legislative branch of Government. Because if the Court has the power to determine the structure of the legislative body, why stop there? Perhaps it can also determine the structure of the executive branch.

The Supreme Court of the United States is uniquely the one branch in our Government of separated powers that is not politically answerable. There is not anything more fundamentally political than the structure of the representative branch of government in the States—our State legislatures. If the Supreme Court of the United States, which is not elected by the people and not answerable to them, has the power, as it says it has, to determine the very structure of the State legislative bodies, it follows that it will have the power and can assert the power to determine the structure of subordinate legislative bodies like city commissions and county boards of supervisors and the like. If that is the case, where does the political power of the United States then lie? Not in the people, but in the Supreme Court.

I might say to the gentleman that in a survey of the people of my district within the last month, I asked my constituency whether in view of the political powers now being asserted by the Supreme Court of the United States there ought to be some consideration given to a restructuring of the Supreme Court itself—perhaps by providing for the appointment of Supreme Court justices for fixed terms—maybe 12 years. I will state

on the record that my constituency, according to the returns in this poll, overwhelmingly supports the proposition that if the Supreme Court of the United States is going to continue to assert this great political power then the terms of office of its own membership should be limited as to time.

Mr. FUQUA. I thank the gentleman for his contribution and for his very pointed remarks.

Mr. Speaker, now, I would be the first to admit that inequities exist. However, the Federal judiciary was never intended to be an instrument of political power. It is a branch of the Government not chosen by the people, nor at any time is it answerable to them.

It is a fact, and a basic fact, that political power in our system was to be vested in the people and their elected representatives. Federal judges are not those representatives. Resolving of political questions is not their prerogative nor is it in their rightful power.

Judges, appointed for life, not answerable to the people, can mold the American political system. Who are these men? Just like you and I they are prone to make mistakes. They are subject to the same greatness and good, the same error in judgment that any other man is subject to. While I have the greatest of respect for our judiciary, I believe and feel they would agree that they are subject to human error.

Nothing would prevent a politically oriented court from "gerrymandering" districts to suit the ends of its party. The court might be sincere in believing this was a wise course of action; it might use all of the faculties at its command and still arrive at what could be an erroneous decision.

I do not believe that the Congress should leave in the hands of the judiciary the authority to determine legislative districts. We owe it to the people of the United States to place this power in their hands.

As I noted before, I realize that inequities exist, but what we are heading into is far worse than that of malproportioned legislatures. The courts must not be allowed to make the law.

We should not neglect every other single factor in determining our legislative apportionment, save population. This was not the basic premise in establishing our Federal Congress. It was not the intention of the founders of this land.

Only today have we suddenly discovered that basing one house on factors other than population is unconstitutional, arriving at the decision after one and three-quarter centuries. To arrive at this decision, we had to completely disregard other parts of the Constitution which are just as germane and just as important as those which the Court has strained in order to reach this decision.

This is not an idle question.

Those of us who believe that Congress should act do so with the sincere feeling that this is a basic and very profound constitutional question.

In our bicameral system of State legislatures, adopted by all but one of our States, one house is based on population and the other on factors other than pop-

ulation. There is another factor in the legislative process I would mention—the Governors of the States.

The Governor participates in the legislative process by veto or by threat of veto. He, too, is elected by a majority of the people and is in fact a third arm of the legislative process, working in concert with the House and the Senate.

Out of this consensus comes the law of our land. This has been our tradition, our heritage, and until now, our law.

As has been pointed out in this Chamber, the late Justice Frankfurter sounded the alarm in one of the initial cases when he pointed out in his dissenting opinion:

The Court today reversed a uniform course of decisions established by a dozen cases, including one by which the very claim now sustained was unanimously rejected only five years ago. \* \* \* Such a massive repudiation of the experience of our past in asserting destructively novel judicial power demands a detailed analysis of the role of this Court in our constitutional scheme. Disregard of inherent limits in the effective exercise of the Court's "judicial power" not only presages the futility of judicial intervention in the essentially political conflict of forces by which the relation between population and representation has time out of mind been and is now determined. It may well impair the Court's position as the ultimate organ of the supreme law of the land.

My distinguished colleague, the gentleman from Missouri [Mr. ICHORD], spoke on this same issue here last Monday. He pointed out a speech by the then Governor of California, who now serves as the Chief Justice of the Supreme Court, in which the Governor said:

Many California counties are far more important in the life of the State than their population bears to the entire population of the State. It is for this reason that I have never been in favor of restricting their representation to the State senate to a strictly population basis. It is for the same reason that the Founding Fathers of our country gave balanced representation to the States of the Union, equal representation in one House and proportionate representation in the other. Moves have been made to upset the balanced representation in our State even though it has served us well and is strictly in accord with the American tradition and the pattern of our National Government.

The reapportionment decisions of the U.S. Supreme Court have had an impact on virtually every State in the Union. The flow of court and legislative action begun by the Court's precedent shattering decision in Baker against Carr in 1962 was sharply accelerated by a group of June 1964 decisions in which the Court ruled that the one-man, one-vote principle must apply to each house in every State legislature.

During 1964, State and Federal courts declared the apportionment plans of 32 States to be unconstitutional. State legislatures reapportioned themselves in 10 States and the courts did the job for them in another 4 States. At the start of 1965, 24 States were under court order to reapportion before the next State legislature elections.

The State of Colorado presents an interesting study. Colorado voters approved a plan in 1962 which provided for house districts to be based on population and the senate on factors other than population, the same political system which

governs these United States. However, despite its overwhelming approval by the people of Colorado, the Supreme Court ruled this plan invalid. Here we find the people of a sovereign State overruled by the Court—a body not elected by them, not answerable to any body of electors.

There are those of us in this House who sincerely believe that a great constitutional question is at stake. Will the Supreme Court make the laws for this land or will it be the Congress? That is the question, the basic question, with which we are faced.

We seek to present to the people of the United States a constitutional amendment. We seek to allow them to determine the form of government which they desire. Certainly nothing could be more democratic.

We seek not to condone malapportionment. We recognize the problems which we are faced with. However, we feel that we have a right, and a duty, to provide the American people a choice of the type of legislature by which they will be governed.

It is our feeling that one house should be based strictly on population and the other house based on factors other than strictly population. This would preserve what has been a historic concept, one which we cling to in our Federal Government.

This is not an idle question. It is a basic question, one which will determine the course of our Government. This question should be clarified beyond reasonable doubt. If the people of this Nation want and believe in a government where one house of their State legislature is not based strictly on population, they should have that right. Conversely, if they do not want that type of State legislature, they have that right also.

It is not for the courts to make that determination. It is for the Congress, and other elected officials, answerable to the people, who have that right.

Let me again emphasize the amendment which we propose. It would allow for an individual State to pattern its government on the sound basis which forms the basis for our Federal structure. While one house would have to be based on population, as is our own U.S. House of Representatives, the other house could consider other factors.

The elected representatives of the people would have to come up with a plan. They know their State best; they know its problems. They would be checked by the Governor, elected by all of the people who could veto their proposal and thus generally would have a voice in the decision.

Then the plan would have to go to the people. Only after the people of the particular State had acted would it become the law.

It seems to me that this is the fair solution. We are placing this question squarely where it should be—with the people.

As you well know, Congress cannot pass a constitutional amendment. We can only propose. Then it will be up to the

individual States to either adopt or reject this amendment.

I urge that we give the American people this right. I urge that we bring this matter to the floor of the House. Let us debate the issue. Then let us make a decision based on the merits of the case. It is my feeling that this is our duty, for if the law of the land determining the makeup of our State legislatures is to be changed, let Congress make that change.

Let us not shirk this duty.

#### THE 20TH ANNIVERSARY OF THE CAPTURE OF REMAGEN BRIDGE

The SPEAKER pro tempore (Mr. ROUSH). Under previous order of the House, the gentleman from West Virginia [Mr. HECHLER] is recognized for 15 minutes.

Mr. HECHLER. Mr. Speaker, on March 7, 1945, a small band of American armored infantrymen and tankers surprised German defenders of a bridge across the Rhine River at Remagen, and crossed the bridge before it could be blown up.

In celebrating the 20th anniversary of this dramatic event, Mr. Speaker, I would like to underline the fact that the capture of this vital bridge crossing saved thousands of American lives and shortened the war in Europe by several months. Truly, it was a moment for history.

What occurred at Remagen bridge on March 7, 1945, is incredible, as we review the events today. By all odds, the bridge should have been destroyed, and in fact, the German defenders did make every effort to destroy it. When they fired the demolition charge, the bridge seemed to lift up from its foundations, and then miraculously fell back—severely damaged, shaken, but still standing. At this point, not knowing whether the bridge would hold them, the first American troops dashed across to establish a toehold east of the Rhine. On the night of March 7, we sent tanks across the shaky bridge.

Within 24 hours of the first crossing, 8,000 American troops and vehicles had crossed the bridge, which was worth its weight in gold. Then pontoon and trestle bridges were built by the engineers, while repairs were being made to the main bridge. The main bridge collapsed without warning on March 17, 1945, carrying to their deaths 28 American engineers who were working feverishly to strengthen the structure. But by this time, the pontoon bridges had been completed and were carrying traffic.

Mr. Speaker, the capture of the Remagen bridge is an epic of American courage and initiative. As several German generals remarked to me after the war, "It could have happened in no army but the American Army."

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

Mr. HECHLER. I yield to the gentleman.

Mr. ROUSH. Mr. Speaker, first I would like to compliment my colleague,

the gentleman from West Virginia [Mr. HECHLER] for calling the attention of the House and of the Nation to the fact that this day, or approximately this day does commemorate the crossing of the Rhine over the Remagen Bridge. The gentleman has distinguished himself by his book "The Bridge at Remagen," which accurately and colorfully records this historic event which was so instrumental in hastening the defeat of the powerful German army. The commander of that first tank which crossed the Remagen Bridge on that black night was Sgt. William J. Goodson, who resides in my district. It is in the recalling of the exploits of the few that we realize the extent of the contribution of so many during the years of World War II.

One extraordinary exploit took place 20 years ago this past Sunday. It was on that March 7 of 1945 that a handful of men captured the Remagen Bridge across the Rhine River. In so doing they eliminated the need for an assault crossing which would have cost thousands in casualties.

The backgrounds of the individuals who made up this handful blended into those of their fellow soldiers. The war years over they again blended into the background of their fellow citizens. One of these was employed in a furniture plant in his hometown. He returned from the war to pick up his peacetime operations. He married. He became the father of twins. He now works in a large industrial plant.

There are not many of his fellow workers, neighbors, and friends who realize William J. Goodson, of Pendleton, Ind., was one of this small group who were awarded the Distinguished Service Cross for the bravery they exhibited in this single act which contributed so much to shortening the war. There are few who know he was the commander of the first tank to cross the Remagen Bridge to establish that vital bridgehead.

There were 15 million Americans who were members of our Armed Forces during World War II. In recalling this one single hour in the life of one member of this citizens Army we realize again what extraordinary soldiers they were.

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

Mr. HECHLER. I yield to the gentleman from South Carolina [Mr. DORN].

Mr. DORN. Mr. Speaker, I, too, would like to commend my distinguished colleague for calling to the attention of the House the anniversary of this great military event in the history of our country—the capture of the Remagen Bridge across the Rhine. I want to also thank my distinguished and able colleague for bringing this remarkable feat to our attention and also for writing an outstanding book on the Remagen Bridge, titled "The Bridge at Remagen." I commend it to the attention of my colleagues and to all those interested in true military history.

I would like to remind the House that one of the first to cross the Remagen Bridge was John Grimball from Columbia, S.C., who is now a distinguished and able judge of the South Carolina circuit

court, whom we all love and admire. He was awarded the Silver Star Medal, Presidential Unit Citation, and the Distinguished Service Cross for taking a leading role in the crossing of the Remagen. Judge Grimbald is married to the former Caroline Gordon Belser, of Columbia, S.C., and is the father of five children. He was a member of the House of Representatives of the South Carolina General Assembly prior to his election as circuit judge in early 1960.

On the 10th anniversary of the Remagen crossing a group including Judge Grimbald met at the White House with former President Eisenhower. At that time it was generally agreed that one of the most stirring moments of World War II occurred during the crossing of the Remagen. The tanks were braced for the initial crossing and each man waited for the order. Suddenly the radio was heard amid complete silence in each tank. The order from the commanding officer was clear and to the point—"Lieutenant Grimbald, get to the bridge." For a moment there was a pause and Lieutenant Grimbald replied in a rich southern accent that could be mistaken by no one, "Sir, I'm already at the bridge."

Mr. Speaker, I thank the gentleman from West Virginia for yielding to me at this time.

Mr. HECHLER. Mr. Speaker, I appreciate the remarks of the gentleman from South Carolina as well as those of the gentleman from Indian [Mr. ROUSH]. There were 13 individuals who were awarded Distinguished Service Crosses, members of the combat engineers, the armored infantry, and tankers for this exploit on the 7th of March 1945.

Mr. FEIGHAN. Mr. Speaker, 20 years ago yesterday, on March 7, 1945, a small but valiant group of American soldiers took action to prevent the Germans from blowing up the strategic bridge at Remagen. That action, in the considered opinion of our top military leaders, saved the lives of many American soldiers.

For that heroic action under enemy fire 13 men were awarded the Distinguished Service Cross. One of the men taking part in that memorable action and winner of the DSC is Mr. Joseph Petrencsik, 12547 Firsby Avenue, Cleveland, who I am proud to say is one of my constituents.

Twenty years have passed since that battle at the bridge of Remagen. Two of the men who were honored for bravery there have passed on to their reward. We have not forgotten them, or those who are still with us. By recalling this day, we honor the memory of all those Americans who demonstrated outstanding bravery under fire and remind this generation of young Americans that our priceless heritage of freedom requires men of strong heart and courage to defend it. This has been true in every generation and today we see the truth of its meaning in the organized assault against human freedom which grips the world.

I commend our colleague, KEN HECHLER, who himself was one of the

small group of courageous Americans at Remagen, for keeping alive the memory of his comrades in arms on that day when bold and resolute action by a few spared the lives of many.

#### RECENT VISIT OF ITALIAN ARTISTS TO WHITE HOUSE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. ROONEY] is recognized for 30 minutes.

Mr. ROONEY of New York. Mr. Speaker, I was highly privileged to be present when President Lyndon B. Johnson met with a group of visiting Italian artists in the White House on Friday, February 26, 1965.

The President's generous act of inviting the 120 visiting artists is indicative of both his great friendship for the Italian people and his warm regard for their sustained contribution to the art and culture of the world.

These artists arrived in New York City on February 25 on a good will tour, sponsored by the Italian-American Labor Council of which Luigi Antonini is president. Among the better known members of the group are Lucio Fontana, Aldo Matteotti, Gianni Dova, Countess Rossella Rossi Scotti, Adriana Zanoletti, Agemore Fabbi, and Bruno Rossi. While in New York the group will assist in a benefit for the Italian Hospital and the Polyclinic of New York. The group is comprised of the following artists:

Aimone Nino, Torino; Ajolfi Elia, Bergamo; Albertoni Filippo, Bologna; Ardigo Alessandro, Cremona; Arrigoni Sergio, Milano; Barscigliè Raffaele, Sorrento; Bartolini Dullio, Milano; Bergamo Renzo, Milano; Balansino Giovanni, Rescalda (Milano).

Benedini Gabriella, Milano; Bittanti Lidia, Cremona; Bianchi Luigi, Bologna; Boccato Angelo, Milano; Bocchini Mario, Cesena; Bollini Dino, Gallarate; Bonetti Antonio, Ferrara; Bosisio Carla, Milano; Boveri Fiorella, Biella; Budigna Luciano, Milano.

Cuglioni Ernesto, Roma; Calandri Mario, Torino; Callegari Duccil, Milano; Calvi Aldo, Milano; Carlino Silvana, Biella; Cappello Carmelo, Milano; Chicco Riccardo, Torino; Chiarelli Luigi, Milano; Ciucci Giovanni, Pisa; Colonna Ezio, Torino.

D'Anzi Giovanni, Milano; De Valle Beppe, Torino; Di Prata Oscar, Brescia; Dova Gianni, Milano; Dova, moglie di Gianni; Dobrodzek James, Roma; Ercole Marcello, Avezzano; Di Leo Adri, Roma; Falzoni Giulio, Milano; Fantuzzi Eliano, Roma; Fedeli Angela, Milano.

Felcini Egle, Roma; Flarer Franco, Padova; Fontana Teresita; Francesconi Giancarlo, Ravenna; Frattini Angelo, Varese; Frattini Vittore, Varese; Fabbri Agenore, Milano; Fabbri Caterina, Milano; Garino Piero, Torino.

Gastini Marco, Torino; Gastaldelli Giuseppe, Milano; G'amp'istone-Giovanini Pistone, Roma; Giangradi Gaetano, Ravenna; Greco Aldo, Torino; Guerrini Mario, Milano; Hoehs Liselotte, Vene-

zia; Lando Landix; Lisimberti Idelbene, Milano; Longaretti Trento, Bergamo.

Guidotti Ferruccio, Bergamo; Ludovisi Felice, Roma; Mazaroli Ricciotti, Ravenna; Masetti Germano, Ronchi dei Legionari; Macciani Buti Ada, Milano; Monti Augusto, Milano; Magnani Luigi, Roma; Malerba Aldo, Milano; Maderni Giuseppe, Bergamo; Matteotti Aldo, Milano.

Marussi Garibaldo, Milano; Milani Milena, Milano; Mirabella Saro, Roma; Monty Nancy, Roma; Monti Rolando, Roma; Miele Franco, Roma; Nastasio Alessandro, Milano; Onofri Guido, Ravenna; Origgi Roberto, Como; Morello Vittorio, Padova.

Panigati Amalia, Milano; Paulucci delle Roncole Enrico, Torino; Palozzi Gaetano, Sulmona; Poggiali Giulio Vito, Roma; Pozzi Pippo, Biella; Ranzi Angelo, Ravenna.

Ramella Giorgio, Torino; Rigamonti Luigi, Milano; Robaudi Mario, Milano; Rock Adami Tomaso, Firenze; Rosal Bruno, Firenze.

Rosa Peter, Milano; Rossello Mario, Milano; Rossello Anna, Milano; Rossi-Scotti Luigi, Montepetriolo, Perugia; Rossi-Scotti Rossella, Montepetriolo, Perugia (nata Pietra Giovanna); Russo Antonio, Roma; Russo Giuseppe, Torino; Rufini Inga, Perugia; Ricci Dante, Roma.

Sambonet Roberto, Milano; Salvietti Antonio, Varese; Spigai Max, Roma; Scuderi Riccardo, Milano; Sidoli Arnoldo, Milano; Scanavino Emilio, Genova; Soffiantino Giacomo, Torino; Sarri Sergio, Torino; Sodo Francesco Vittorio, Lecce; Santi Armando, B'ella.

Sgarzi Umberto, Bologna; Salvatore Anna, Roma; Sarra Manlio, Roma; Simone Dante, Roma; Tanzi Gaetano, Roma; Tirinnanzi Nino, Roma; Tresich-Maderni Erminia, Bergamo; Siniscalco Mario, Roma (Sinisca); Tarantino Giuseppe, Torino.

Tenconi Sandra, Milano; Stella Maria, Milano; Marzorati/Volonté Rosanna, Como; Platinetti Fulvio, Biella; Flora Attilio, Milano; Giorelli Cecilia, Casale Monferrato; Villa Anita, Sesto S. Giovanni, Milano; Liuzzo Bepi, Udine; Semeraro Piero, Pisa.

Pirovano Ernesto, Milano; Gajani Giovanni, Milano; Ruggeri Giovanni, Milano; Pin Giuseppe (Giupin in arte), Milano; Vivaldi Italo, Roma; Vangelli Antonio, Roma; Viano Luigi, Torino; Zanoletti Adriana, Milano; Zanoletti Guido, Genova; Ghita Hussar, Milano; Riso Ventura, Milano.

I was particularly gratified that the President in welcoming the group stressed the magnificent contribution which the Italian people and Americans of Italian descent have made continuously to the artistic and cultural life of mankind. I think it was most fitting that these visitors should hear from our President the degree of importance which he and the American people attach to the contribution which Italian artists have made in all fields of art and culture.

Mr. Speaker, I include the President's remarks on this occasion.

REMARKS OF THE PRESIDENT TO A GROUP OF ITALIAN ARTISTS IN THE DIPLOMATIC RECEPTION ROOM, FEBRUARY 26, 1965

The President: Mr. Ambassador, Congressman ROONEY, ladies and gentlemen: I am so pleased to welcome you to the White House this morning. I am so happy that you could come and visit our people and our country. I have had many memorable visits in Italy. I have been there some half dozen times and the thing that I could wish most for you would be that you would be received in America with the friendship and hospitality equivalent to that given me when I visited your country.

Your country and mine are fortunate to have the relationship between the United States and Italy in the able and distinguished hands of your great Ambassador.

He told you of the many great and constructive accomplishments and contributions of Americans of Italian descent.

I hope that all of you have observed and have had a chance to meet one of my good friends who is an Italian of American descent—Mr. Jack Valenti. And if you don't think he is familiar with all the attributes and good qualities of the Italians, why you just don't know Valenti.

So we welcome you this morning as a trusted ally and great friend of the American Nation. But as artists I also welcome you as citizens of our common civilization and as men and women trying to express the common experience of the human race.

Before my country was ever born the great artists of your country were creating works which had a profound impact on the life of Western civilization. The modern world was born in Italy and much of American accomplishment is based on the ideas and the creations which have come to us from Italy.

So I am always very glad to meet with and to visit with and to talk with the artists. Two of my favorite paintings which hang in my bedroom at the ranch are by Antonini and are paintings of the "Italian Farm Boy" and "Italian Farm Girl."

It is only the freeman who can dare to strike away the bonds of conventions and the claims of the ideology in order to express the world as he sees it. It is only when men and women are free can they shape the intensely personal vision which is the heart of the artistic enterprise. So I am sure that you would agree with me that the artists have a very high personal stake in the defense of freedom.

And so I would remind you that all the rest of us have a very high stake in seeing that you remain free so that we may learn and so we may receive pleasure and so we may be greatly enriched by all you do.

The rebuilding of postwar Italy has truly been a miracle. But it would have been equally a miracle if the arts had not flourished in modern Italy. For your country in good times and in bad has always been among the leaders in creativity and in thought and I want each of you to know how very grateful we are for the rich inheritance that we have received from Italy and how glad we are to see you here, knowing that Italy will continue to enrich the life of man in the future as it has in the past.

I am so happy that Congressman ROONEY, who has visited your country many times too could be here with me this morning to receive you, because we hope that this trip of yours will be only one of many of your countrymen who come to see our country.

We truly believe that if we can learn to know each other better we are more likely to live in peace together.

#### CRISIS OF SMALL BUSINESS

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman

from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MOORE. Mr. Speaker, last Wednesday the President laid before the House his message on cities—a philosophical discourse on the degradation, cruelty, and misery found to exist in our urban areas. Many ill-defined problems and even more vague solutions were set forth. The task is described as putting—and I quote—"the highest concerns of our people at the center of urban growth and activity." The problems we are told—and again I quote—"call for beauty and nature, recreation, and an end to racial discrimination."

Mr. Speaker, it is all very well to talk of the good life, and the need to revitalize our cities. One understands the political amenities of these things. Quite obviously, however, the President has failed to recognize or appreciate the critical problems of one of the most vital segments of our metropolitan areas. To have omitted, utterly, what surely is one of the central problems of urban life—the crisis of small business—is shocking. I am appalled at the total omission of all reference to the problems of businesses—and particularly small businesses—in our cities.

Four and one-half million small businesses, representing 95 percent of America's total business population, are today faced with a multitude of vexing problems which challenge their very existence. These small businesses are the very heart of urban vitality. They provide revenue, they provide employment, to mention only two contributions, without which no city can exist. Yet, these businesses disappear in ever-increasing numbers before the onslaught of neighborhood decay, urban renewal, shopping center construction, and other equally disruptive forces, or destructive changes in urban areas.

The House Small Business Committee, recognizing the seriousness of the situation, began in the last Congress a series of hearings to study these critical problems. Some of us recall that as recently as last November, the Honorable Eugene B. Foley, SBA Administrator, had some very cogent words on this subject. He described the small businessman in the central city as being caught in a "pattern of urban deterioration and revolution, a revolution in population, a revolution in merchandising, a revolution in shopping habits, a revolution in transportation."

Apparently, Mr. Johnson is unaware of, or indifferent to this situation. It would be expected that he would have shown himself cognizant of this deterioration and revolution, even if he did not choose to propose specific remedies. But, I have searched his message in vain for any consideration or mention of the "forgotten man"—Mr. Small Business.

Mr. Speaker, I am happy to say that the Republican members of the House Small Business Committee—and I can speak only for them—will continue, with

even greater dedication, their efforts in behalf of the Nation's small businessmen. I hope the indifference of the President will not deter or debar my colleagues of the majority from joining us in these efforts.

#### THERE'S GOOD NEWS TONIGHT

Mr. SCHISLER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PEPPER. Mr. Speaker, most of us, I am sure, recall with keen satisfaction and delight one of the great commentators of our country, Mr. Gabriel Heatter. Who can ever forget that inimitable voice of his, his warm spirit, and his dramatic presentation of the news and that expression of his we heard so often, "There's good news tonight."

I am proud to say he is now, and has for some years been a resident of my district. He is a distinguished citizen of the Greater Miami area, still a dramatic and inspiring commentator now on television.

He is a man of warm heart, brilliant mind, deep humanitarian interest, great vision, and great faith. He is, indeed, a great American and a charming gentleman. I am pleased to offer one of his recent broadcasts about the Great Society to which President Johnson has dedicated himself and our Government. I believe all who read this RECORD will not only be delighted but inspired by it:

If you meet a man coming down the street talking to himself loud enough for you to hear—please don't be alarmed. It's only me. One of my bad habits is to keep up a running argument with a man I call Mr. History. He is always telling me how many things can't be done—and I am telling him he can be as wrong as I can.

Right now we are arguing about Lyndon Johnson's Great Society. I am saying it can and will and must happen. And that impudent fellow, Mr. History, keeps telling me I am a dreamer. Only a few hours ago I seemed to hear him say there has never been a Great Society; no one ever won a war on poverty; he is giving me that old cliché, about the rich getting richer and the poor getting children.

And I am telling him, do you remember the day a man named Franklin Roosevelt said we have nothing to fear but fear itself? Tell me, Mr. History, have you ever known a few words to electrify people so much—to new hope; you thought they were just words just as you think Johnson's Great Society is nothing but words—you were wrong in F.D.R.'s time—you are just as wrong now.

Of course, I will admit there are times when history's facts and figures overwhelm me. As when I claim Johnson will not be rushed or pushed into a major war and history replies, you have a short memory. Woodrow Wilson had the same determination to keep out of war. It was his ticket when he ran for reelection. But Germany forced his hand and he had to fight. What makes you think it can't happen to Johnson.

And then he argues with me at night—when I am trying to sleep—only last night he said do you remember F.D.R.'s promise—no

American boys would be sent to fight on foreign soil—and how soon after we were on our way to fighting World War II on foreign soil? He certainly has his facts and figures, but I said you overlook one very important fact—there was no atomic bomb when either Wilson or F.D.R. had to go to war. There is one today and its just about the most powerful argument peace ever had, so just hold your horses, Mr. History, before you decide about Johnson. The bomb can make all the difference.

After all, what is a Great Society. A war to end poverty, a war to provide equal opportunity for all children for an education; a job for everyone willing to work. Why should that sound impossible? The fact that we have a President who dares to dream it and believe it is a good sign it can happen.

I remember a day in Washington in 1929 when a man was pointed out to me and someone said, "There goes a millionaire; take a good look at him, you may never see another before long." I don't know of any computer smart enough to count all we have today. Nor do I know of any computer who would ever dare predict today's figures on employment, on personal income, on cars, on the number of people forced to diet because we have too much food. How about that, Mr. History, and one thing more, how many people would have wagered cash on a civil rights bill coming when it did?

I don't know how long it will take to bring about a Great Society but every dream must have a beginning. The beginning has come. I may not be around to see it, but the fact that we dare to plan for it, work on it, gives me my great hope. I would rather lose out relying on hope than on what cynics and it-can-never-be-done boys call being realistic.

And so a man named Lyndon Johnson sets out on a long, lonely road where no man has traveled before, carrying a banner with a strange device—the Great Society. As Lincoln traveled that same road with his Emancipation Proclamation. As Woodrow Wilson did with his banner marked peace. As Franklin Roosevelt did with his reading, "we have nothing to fear but fear itself." As John F. Kennedy did with his marked no atomic testing. Now it's Lyndon Johnson.

It's a long, hard climb. The days are short, the nights are long. The road is rough and hard and the climb is always up. They pass landmarks of others who tried and failed. There is very little encouragement along the way. There is always someone to tell you, "Remember others tried; they never made it; better turn back." But Johnson is a humble man. I expect he will keep going.

For while he will climb for himself and millions of fellow human beings, there will be one other who will walk beside him.

The spirit of a man who was—John F. Kennedy. He and Johnson must have talked often about Kennedy's dream. He didn't call it a great society—he called it peace. And Lyndon Johnson must have known how John Kennedy set the hearts of millions on fire with his banner—"peace in a world made dark by atom bombs." Lyndon Johnson was there when blind fate struck Kennedy down—the youth who dared.

So he will be marching for him; for all his unrealized dreams and as he climbs and suffers, somewhere along the road I am certain he will pause and say this is for the world; for all living men and one who will not see it but one who somewhere will know about it, just as all who pass on, I am certain, know what we the living have done with the legacy they gave us.

There is a wonderful song which goes, "It's a good day." All around me I hear about the danger of war; the mess we are all in. I remember worse—much worse—and I remember much which never happened. It's a good day to know you have a heart filled with hope and if you can't feel hope, broth-

ers and sisters, what can you feel and what are you waiting for?

The poor ye always shall have with you is not a promise of doom but rather a reminder to those of us who can help and must not forget. When in all the history of time was there enough of everything which goes to make up living that it was possible to do away with poverty as it is now—and when was it more possible for the Government to take over the fight on cancer, stroke, and heart disease. It never happened before? Many things never happened before. When did tens of millions of Americans have what they have now?

#### THE ENVIRONMENT AND MAN

Mr. SCHISLER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PEPPER. Mr. Speaker, it is my privilege to bring to the attention of this House a fine and outstanding speech which has been brought to my attention by the Honorable John T. Connor, Secretary of Commerce. This is a speech delivered by Dr. J. Herbert Hollomon, Assistant Secretary of Commerce for Science and Technology, at the dedication of the computing center at the University of Miami, Coral Gables, Fla., January 25, 1965. I feel that the university is taking a great stride forward in developing such facilities on its campus and I also enclose copies of my letter to Dr. Hollomon and his remarks for their insertion in the RECORD:

MARCH 1, 1965.

Dr. J. HERBERT HOLLOWOM,  
Assistant Secretary of Commerce,  
Washington, D.C.

DEAR MR. HOLLOWOM: You will please accept my regrets for my tardiness in thanking you for your letter of January 22 enclosing copy of your address at the dedication of the new computing center at the University of Miami on "The Environment and Man."

This is an excellent address and I am inserting it in the CONGRESSIONAL RECORD.

I hope you can visit Miami often.

Believe me,

Very sincerely yours,

CLAUDE PEPPER,  
Member of Congress.

#### THE ENVIRONMENT AND MAN

They say a fish is unaware of the water, that it lives its life cycle out in total ignorance of the environment which sustains it. To a certain extent, this is also true of the human species. We are unaware of our physical environment, unless it prevents us from doing something, or unless it threatens our present way of life.

It is obvious that the environment is crucial to man's existence. One might ask, then, what value there is in making such an observation. There is value to the extent that it encourages us to examine the implications of this truth. As an individual, man is completely dependent upon his physical environment. It determines, first of all, that life is possible, in the sense that life as we know it is not possible on most other planets. The environment also affects man's health, his safety, and his sense of well-being. When we deleteriously alter the balance of the environment, through poor sanitary practices,

industrial usage, or weapons testing, for example, this can redound to our detriment. Fortunately, we also have the capacity to effect beneficial changes in the environment.

Society is also greatly influenced by the environment. It has determined, to a large extent, the places on the globe where man would live. It has determined the type of economy, the type of society he would have. The evolution of societies from an economy based on the gathering of food, to an economy based on agriculture and to one based on trade is largely influenced by the physical environment. Today, when we would like to think that man is the master of his destiny, the economy of the most technologically sophisticated nation is significantly affected by the environment. In a complex, interdependent society such as ours, farming, fishing, recreation, transportation, construction, marketing—activities that represent significant portions of our total national output—are all extremely dependent upon environmental forces.

The environment, of course, is a single entity, a unified system. Yet, in some respects, we act as though it consisted of a number of very distinct and separate areas, with only a slight relationship between them. Our classification of scientific disciplines reflects the fragmented approach we sometimes take toward study of the environment. There is meteorology, aeronomy, oceanography, space physics, geodesy, hydrology, geophysics, and many others. The overall approach is reflected in the name of your school here, the School of Environmental and Planetary Sciences. This approach is absolutely necessary if we are ever to achieve full understanding and some degree of control over environmental processes.

The technical problems in the space program have awakened us to the need for studying the atmosphere from the ground all the way up to near space. There really are no arbitrary, limiting levels in between. The pesticide problem which we are now moving to face, has shown us the inherent dangers of treating one aspect of the physical environment in isolation, without regard for consequences in other parts. The challenge of producing long-range weather predictions has brought us up against many interdisciplinary problems, such as the air-sea interaction. We need the knowledge of several fields if we are to obtain a better understanding of the ocean as a great heat engine, driving our atmospheric circulation all over the world, storing heat from the sun in one location, then moving with the currents, and releasing it to the atmosphere somewhere else. Our concern for natural resources forces us to look at many aspects of the environment. For example, water resources affect agriculture, forestry, mining, reclamation, river transportation, electrical power, flood control, etc. Management of water resources requires knowledge of the structure of the earth, the water cycle, weather conditions, and many other areas.

Because of the complex and interdependent relationship between the environment and society, still other frames of reference must be used. The solution of the air pollution problem, for example, involves economic, social, political, and legal considerations. These are all over and above the purely technical elements in the problem. In fact, it is almost a certainty that once a determination is made to keep air pollution below a certain level, the technical aspects of the problem will soon give way before a concentrated research assault. The really difficult part of these problems involves trading off such values as the need of a community to have an industrial base in its economy, the harmful physical and social effects of pollution, the high cost of abating these effects, the level of pollution that might be tolerated, and obtaining a broad

consensus which will permit effective regulations to be enacted.

To deal successfully with the environment as a whole, there are a number of things we must do. First, we must recognize that many Federal agencies need information on the environment. The Department of Health, Education, and Welfare, for example, has a public health interest in clear air and in water pollution. It recently announced plans to establish a major research laboratory to deal with environmental health problems. NASA has needs coming out of its space programs. The Departments of Agriculture and Interior are concerned with social and economic benefits which are dependent upon the environment. The Department of Defense has a great interest in the environment, particularly as a factor in global military systems. The Department of Commerce has extensive environmental research and service programs in the Weather Bureau, the Coast and Geodetic Survey, and the Central Radio Propagation Laboratory of the National Bureau of Standards. We are presently looking at ways to make our total activities in this field more effective, incidentally.

Yet, in spite of the broad involvement of the Federal Government with all aspects of the environment, there is no national focus to provide support for the information needs of Federal agencies. There are interdepartmental committees dealing with oceanography and with atmospheric sciences, for example, but a broader view of the entire problem is lacking.

Technologically, there have been two developments in recent times which should permit great strides in further understanding of the environment. High-speed, large-capacity computers now enable us to tackle such problems as simulation of the entire atmosphere. The use of space satellites now gives us a truly global view of world weather. As these tools are extended in capability, we should expect marked progress in analyzing and interpreting global weather data.

The use of satellites is a constant reminder that the environment does not pay any attention to national boundaries. Pollution, radioactive fallout, drought, flooding are subject to the laws of nature as much as to the efforts of man. The world weather system will demonstrate that a global approach to weather forecasting is to the advantage of all nations that participate. An approach based on the premise that there is an American atmosphere or a Soviet atmosphere or a Danish atmosphere, is both unrealistic and ineffective.

As a consequence, we have been forced to develop new mechanisms for international cooperation in the collection and exchange of data. These mechanisms benefit the technically sophisticated nations by giving them more complete coverage of the world's atmosphere. They benefit the less developed nations by making available to them some of the techniques and facilities of the industrialized countries. Inevitably, this type of exchange leads to cooperation in other areas, and thus becomes an instrument of our foreign policy, serving the national objective of increased cooperation among all nations at all levels of endeavor.

There is a different kind of challenge involved in educating people to the need for equitable and effective regulation of industrial, commercial, and urban practices which contaminate the air we breathe and the water we use. If this concept is accepted by the public, I am convinced that there will be little problem in winning public support for the basic research which is needed to backstop regulatory policy.

Research aimed at a better understanding of the environment can be amply justified in terms of man's intellectual need to learn more about the world he inhabits. On a more practical level, however, we can look

forward to real benefits for the economy and for human safety and well-being. Hurricanes offer an excellent illustration of this idea. This time and this occasion are particularly appropriate for some mention of what we may expect in hurricane work. The time is right, because we are at the end of a year which saw more hurricanes strike the U.S. mainland than any time since 1933.

The occasion is very appropriate because the building housing the computing center of the university also houses the Weather Bureau's hurricane research laboratory, and its principal hurricane warning center. The State of Florida was struck by three hurricanes last year, in addition to receiving the end effects of a fourth hurricane and one other severe tropical storm. Thus, your interest in hurricanes is well grounded, both intellectually and practically.

What may we reasonably expect to get out of an increased effort on hurricanes? One way of approaching this question is to look at the losses caused by tropical storms. During the period 1955 to 1962 an average of 100 lives were lost each year due to tropical storms. Property damage in the first 5 years of the 1950's averaged more than \$200 million per year. Last year, a very severe year, property damage in the United States totaled more than a half billion dollars.

It is probably completely unrealistic to hope that these losses can all be eliminated someday. However, there is every reason to believe that loss of life can be reduced. Hurricane Audrey, in 1957, took more than 500 lives when it struck the Gulf coast. Hurricane Hilda, in 1964, hitting the same general area, took 36 lives, and this was the worst killer storm of the year. A combination of improved warning services by local authorities, and improved forecasting and tracking through better technology, can be credited with helping to avert what might have been a major human disaster. Property is perhaps less susceptible of protection than human life. It is clear, nevertheless, that improved warnings and better forecasting and tracking will reduce property losses when protective measures are taken.

We should take all possible action to perfect the communications and educational system by which we utilize our capability for tracking and predicting the course of hurricanes, and for warning people of danger. This is a basic step, and I do not see how it would fail to achieve beneficial results.

Significant improvements have been made in recent years, in both the accuracy and the timeliness of hurricane warnings. This has been due, partly, to the use of powerful coastal radars, giving continuous coverage for about 200 miles out to sea. In addition, more effective use of reconnaissance aircraft to track and observe the movement of the hurricane eye, and to measure changes in wind velocity has greatly added to the data on which forecasts are based.

We now have reached the point, in my view, where it is reasonable to anticipate a major improvement in our ability to predict the course of hurricanes. If a determined and adequately supported effort is made in the field, I further believe that this could come about within the next 5 years, even if there is no dramatic improvement in theory or in technology.

To do this, we need a great deal more data than we are now obtaining, both geographically and in terms of the characteristics of the hurricanes themselves. Large, important areas of the Atlantic Ocean are blind regions to us during the important summer and fall seasons. In addition, we need more data on the actual state of being of a hurricane: air temperature, wind velocity, humidity, ocean temperature, etc. In short, we must be able to obtain almost as much data as we would have if we were making laboratory studies.

Our ability to predict the course of hurricanes must be based on knowledge of the basic physics of hurricanes and severe storms. Improved mathematical models of hurricanes must be available if we are to simulate the behavior of hurricanes. Improved models, of course, will require more and better data.

Ultimately, any discussion of this type comes to the question of modification of hurricanes. As you know, we are engaged in some joint experiments with the naval weather service involving the seeding of hurricanes. We have been testing certain physical hypotheses on the nature of the energetics of hurricanes. New techniques of massive pyrotechnic seeding, developed by the Navy, may put us in a position to effect significant changes in the energy release of hurricanes. Because of the natural variability of hurricanes, the results of two such experiments on hurricanes have been inconclusive. On the other hand, similar experiments on small tropical cumulus clouds have yielded encouraging results. In the long run, a much larger research and development effort would be required to make a serious attack on this problem. If we are ever to modify the course of hurricanes in a controlled manner, it will be necessary to understand the causes of motions of hurricanes. It will be necessary to be able to model them. It will also be necessary to be able to predict their courses accurately, so that any attempts at modification can be isolated in terms of the specific actions we take to change the behavior of the course of the storm.

Putting aside, for the moment, this particular problem, I believe that the short-term prospects for major advances in prediction and warning are excellent at this time.

We have entered an age in this country, perhaps without being fully aware of it, when massive scientific and technical programs are undertaken in order to achieve some social benefit. The atomic energy program, the research programs in public health, the space exploration effort, are examples of what I have in mind. I suggest that the next great technical undertaking by the United States may be in the field of the physical environment. It is an area in which the frontiers of the unknown are constantly expanding. It is a field in which we must have a vital interest in order to protect our health and well-being. It is also a field in which the economic potential is almost limitless.

Finally, it is a field in which the States can play a particularly significant role. Cooperation with other States in the regulation of harmful practices, and the funding of research are both fruitful areas for consideration by State governments. This would be a healthy development in the political life of the country.

Fortunately, there is more than enough for everyone to do. This summer, two bureaus in the Department of Commerce—the Coast and Geodetic Survey and the Weather Bureau—will join with MIT, Woods Hole Oceanographic Institute, the University of Rhode Island, and the University of Miami in research studies of the Gulf Stream.

This same community of interest, uniting Federal and local institutions, is seen in the computing center which we are dedicating today. This type of cooperative quest for knowledge reflects great credit upon science and upon the Nation.

#### CONCURRENT RESOLUTION OF GENERAL ASSEMBLY OF IOWA ON CLOSING OF CERTAIN VETERANS HOSPITALS

Mr. SCHISLER. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. HANSEN] may extend his

remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, a large number of my constituents in the Seventh Iowa District have communicated to me their concern about the proposed closing of certain veterans' hospitals. In support of these good people I have received House Concurrent Resolution 4 passed by the General Assembly of the State of Iowa. I ask that each of my colleagues scrutinize its content as it reflects the general feelings of the people of the State of Iowa and the Seventh District.

#### HOUSE CONCURRENT RESOLUTION 4

Whereas there is an immediate and continuing need for caring for veterans; and

Whereas there is an existing facility known as the Veterans' Administration domiciliary, located at Clinton, Iowa; and

Whereas this existing facility has been maintained properly and is at present housing more than 600 veterans; and

Whereas said facility could be continued and even expanded at minimum costs to meet the needs for veteran care; and

Whereas the Veterans' Administration has announced plans to close the said domiciliary at Clinton, Iowa: Therefore be it

*Resolved by the house (the senate concurring),* That the Veterans' Administration is respectfully requested to continue the operation of the domiciliary at Clinton, Iowa, with its suitable facilities and desirable location for the permanent care of veterans; be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States, the President of the U.S. Senate, the Speaker of the House of Representatives of Congress, the Iowa Members of the U.S. Senate, the Iowa Members of the House of Representatives of Congress, and the Veterans' Administration.

We, Vincent B. Steffen, speaker of the House of Iowa, and William R. Kendrick, chief clerk of the house, hereby certify that the above and foregoing resolution was adopted by the house and senate of the 61st general assembly.

WILLIAM R. KENDRICK,  
Chief Clerk of the House.  
VINCENT B. STEFFEN,  
Speaker of the House.

#### 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. DORN, for 60 minutes, on Thursday, March 11.

Mr. HARRIS, on March 15, for 15 minutes.

Mr. ROONEY (at the request of Mr. ALBERT), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. MILLER, for 45 minutes, on Thursday, March 11.

Mr. DOLE (at the request of Mr. SKUBITZ), for 1 hour, on March 10; to revise and extend his remarks and to include extraneous matter.

#### EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL

RECORD, or to revise and extend remarks was granted to:

Mr. MADDEN on the 25th anniversary ceremony of the Katyn Forest massacre, and to include extraneous matter.

Mr. BROOKS and to include a speech by Mr. MCCORMACK.

Mr. ROONEY of New York (at the request of Mr. ALBERT) to revise and extend remarks made under special order today and to include extraneous matter.

(The following Member (at the request of Mr. SKUBITZ) and to include extraneous matter:)

Mr. HUTCHINSON.

(The following Members (at the request of Mr. SCHISLER) and to include extraneous matter:)

Mr. BRADEMAs.

Mr. RANDALL.

Mr. ULLMAN.

#### ADJOURNMENT

Mr. SCHISLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 45 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 9, 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:

704. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 4, 1964, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study of Waikiki Beach, Oahu, Hawaii, authorized by the River and Harbor Act approved July 3, 1930, as amended and supplemented (H. Doc. No. 104); to the Committee on Public Works and ordered to be printed with two illustrations.

705. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report of plans for works of improvement which have been prepared under the provisions of section 5 of the Watershed Protection and Flood Prevention Act, as amended, as follows: Big Slough, Ark.; Minersville, Utah; Rock Creek, Kans.; Rock Creek, Nebr.; Spring Creek, Nebr.; Vanar Wash., N. Mex. and Ariz.; Willow Creek-Park River, N. Dak.; pursuant to 16 U.S.C. 1005; to the Committee on Agriculture.

706. A letter from the President, Board of Commissioners, District of Columbia, transmitting a report on the legislative program of the Commissioners for the year 1965; to the Committee on the District of Columbia.

707. A letter from the Assistant Administrator for Administration, Agency for International Development, Department of State, transmitting a copy of the Agency's reply to the Comptroller General relative to a report transmitted November 24, 1964, on loss of interest on U.S.-owned foreign currencies in the Republic of China (Taiwan); to the Committee on Government Operations.

708. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands"; to the Committee on Interior and Insular Affairs.

709. A letter from the Chairman, Federal Communications Commission, transmitting

a draft of proposed legislation entitled "A bill to amend subsection (b) of section 214 and subsection (c) (1) of section 222 of the Communications Act of 1934, as amended, in order to substitute the Secretary of Defense (rather than the Secretaries of the Army and the Navy) as the person entitled to receive official notice of the filing of certain applications in the common carrier service"; to the Committee on Interstate and Foreign Commerce.

710. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation entitled, "A bill to amend section 202(b) of the Federal Power Act with respect to the interconnection of electric facilities"; to the Committee on Interstate and Foreign Commerce.

711. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Power Act to prohibit abandonment of facilities and service without the consent of the Federal Power Commission"; to the Committee on Interstate and Foreign Commerce.

712. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes"; to the Committee on the Judiciary.

713. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to amend the Internal Revenue Code of 1954 to remove tax barriers to foreign investment in the United States, to make certain technical amendments, and for other purposes"; to the Committee on Ways and Means.

714. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report of plans for works of improvement which have been prepared under the provisions of section 5 of the Watershed Protection and Flood Prevention Act, as amended, as follows: Badger Creek (supplemental), Iowa; Ketchepedrakee Creek, Ala.; South Anna River, Va.; Twin-Rrush Creek, Ind.; Walter's Creek, Iowa; pursuant to 16 U.S.C. 1005; to the Committee on Public Works.

#### 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. POWELL: Committee on Education and Labor. H.R. 2362. A bill to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools; with amendment (Rept. No. 143). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MILLS:

H.R. 5916. A bill to amend the Internal Revenue Code of 1954 to remove tax barriers to foreign investment in the United States, to make certain technical amendments, and for other purposes; to the Committee on Ways and Means.

By Mr. ADAIR:

H.R. 5917. A bill to amend title 38 of the United States Code in order to prescribe the number of hospital beds which must be operated by the Veterans' Administration; and to require the Administrator of Veterans' Affairs to give public notice 6 months in advance of any proposed closing or relocation

of any veterans facility; to the Committee on Veterans' Affairs.

By Mr. BROWN of California:

H.R. 5918. A bill to amend the Labor Management Relations Act, 1947, to make it unlawful for any employer to require any employee to agree to assign patents to him as a condition of employment; to the Committee on Education and Labor.

By Mr. BURTON of Utah:

H.R. 5919. A bill to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

By Mr. CLEVELAND:

H.R. 5920. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

H.R. 5921. A bill to amend the Internal Revenue Code of 1954 to provide that for estate and gift tax purposes the value of stock in an open-end investment company shall be its redemption price; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H.R. 5922. A bill to provide for the issuance of a special postage stamp to commemorate the 100th anniversary of the founding of the University of Kansas; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 5923. A bill to implement further the constitutional right to bail by authorizing in appropriate cases the release on a personal recognizance of persons otherwise eligible for bail; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 5924. A bill to amend the Internal Revenue Code in order to provide the death penalty for the sale of narcotics to children; to the Committee on Ways and Means.

By Mr. FOLEY (by request):

H.R. 5925. A bill to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GREEN of Pennsylvania:

H.R. 5926. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 5927. A bill to amend title II of the Social Security Act to provide that the unmarried child of an insured individual, after attaining age 18, may continue to receive child's insurance benefits until he attains age 21 if he is a full-time student; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 5928. A bill to amend title 10, United States Code, to provide medical care for certain members of the Armed Forces who are entitled to retired or retainer pay, or equivalent pay, and who served on active duty for at least 90 days during time of war or conflict, and their dependents; to the Committee on Armed Services.

H.R. 5929. A bill to amend title 10 of the United States Code with respect to military retired or retainer pay and to deductions therefrom for the provision of survivor annuities; to the Committee on Armed Services.

By Mr. HANLEY:

H.R. 5930. A bill to promote a more adequate national program of water research; to the Committee on Interior and Insular Affairs.

H.R. 5931. A bill to amend the Civil Service Retirement Act to provide for the adjustment of inequities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5932. A bill to amend the Civil Service Retirement Act, as amended, to provide for the recomputation of annuities of certain retired employees who elected reduced annuities at the time of retirement in order to provide survivor annuities for their spouses, and for the recomputation of sur-

vivor annuities for the surviving spouses of certain former employees who died in service or after retirement; to the Committee on Post Office and Civil Service.

H.R. 5933. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the tax on club dues for non-profit hunting and fishing clubs; to the Committee on Ways and Means.

By Mr. JONES of Missouri:

H.R. 5934. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide uniform provisions for crop liens, interest on unpaid marketing quota penalties and the persons liable for such penalties for all commodities for which a marketing quota program is in effect; to the Committee on Agriculture.

By Mr. KING of New York:

H.R. 5935. A bill to amend the Internal Revenue Code of 1954 to provide increased tax incentives for individuals and corporations that manufacture or produce goods for export; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 5936. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

By Mr. McGRATH:

H.R. 5937. 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. MORRISON:

H.R. 5938. A bill to repeal the provisions of law relating to the fixing by the Postmaster General, with the consent of the Interstate Commerce Commission, of rates of postage on fourth-class mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MORSE:

H.R. 5939. A bill to amend the Civil Service Retirement Act to authorize retirement without reduction in annuity of employees with 20 years of service involuntarily separated from the service by reason of the abolition or relocation of their employment; to the Committee on Post Office and Civil Service.

By Mr. NEDZI:

H.R. 5940. A bill to amend title 10, United States Code, relating to the membership of Members of Congress in the Reserve components of the Armed Forces; to the Committee on Armed Services.

By Mr. OLSEN of Montana:

H.R. 5941. A bill to limit the use of temporary employees in the postal field service; to the Committee on Post Office and Civil Service.

H.R. 5942. A bill to amend title 39, United States Code, to provide parking space for the automobiles of patrons and postal employees at postal installations; to the Committee on Post Office and Civil Service.

H.R. 5943. A bill to amend the Internal Revenue Code of 1954 to provide for the refund to States of certain taxes on distilled spirits and wine destroyed by fire, casualty, or act of God; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 5944. A bill to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PELLY:

H.R. 5945. A bill to grant civil service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

H.R. 5946. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

H.R. 5947. A bill to amend the Annual Sick Leave Act of 1951 to prevent loss of annual leave by employees in certain cases, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5948. A bill to prevent the use of stop-watches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

H.R. 5949. A bill to provide additional compensation for employees in the postal field service required to qualify on scheme examinations; to the Committee on Post Office and Civil Service.

H.R. 5950. A bill to amend the Tariff Act of 1930, as amended, to provide for the duty-free entry of limestone, when imported, to be used in the manufacture of cement; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 5951. A bill to amend the act authorizing association of producers of agricultural products, approved February 18, 1922; to the Committee on the Judiciary.

H.R. 5952. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 5953. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROBISON:

H.R. 5954. A bill to authorize a 3-year program of grants for construction of veterinary medical education facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 5955. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. SKUBITZ:

H.R. 5956. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5957. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Virginia:

H.R. 5958. A bill relating to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.R. 5959. A bill to amend title 38, United States Code, to provide a program of death indemnification for persons serving in combat zones; to the Committee on Veterans' Affairs.

H.R. 5960. A bill to amend title 38 of the United States Code to eliminate the differential between the wartime and peacetime rates of disability and death compensation; to the Committee on Veterans' Affairs.

H.R. 5961. A bill to amend title 38 of the United States Code to provide a program of insurance for members of the Armed Forces who are unable to obtain commercial insurance at standard rates because of being assigned to duty in a combat zone or performing extra hazardous duty; to the Committee on Veterans' Affairs.

H.R. 5962. A bill to amend title 38 of the United States Code in order to extend to certain veterans who served in the Mexican border conflict the benefits enjoyed by veterans who served during periods of war; to the Committee on Veterans' Affairs.

By Mr. WATTS:

H.R. 5963. A bill to amend the Tariff Act of 1930 with respect to the rate of duty on buckles and buckle slides specifically de-

signed for use with ski bindings; to the Committee on Ways and Means.

By Mr. O'HARA of Illinois:  
H.J. Res. 367. Joint resolution to authorize the President to designate the week of May 2 through May 8, 1965, as "Professional Photography Week"; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:  
H.J. Res. 368. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. CLEVELAND:  
H. Con. Res. 345. Concurrent resolution to establish a Joint Committee on the Organization of the Congress; to the Committee on Rules.

By Mr. EDMONDSON:  
H. Con. Res. 346. Concurrent resolution declaring the sense of Congress on the use of a Great White Fleet and a Joint Task Force for Peace in support of American foreign policy; to the Committee on Armed Services.

By Mr. TEAGUE of Texas:  
H. Res. 257. Resolution authorizing the printing of certain matter as an addendum to House Document No. 39 of the 89th Congress; to the Committee on House Administration.

**MEMORIALS**

Under clause 4 of rule XXII, memorials were presented and referred as follows:

75. By Mr. OLSEN of Montana: Resolution of the Legislature of the State of Montana calling for an amendment to the Taft-Hartley Act to abolish that part of said act dealing with right-to-work laws; to the Committee on Education and Labor.

76. Also, resolution of the Legislature of the State of Montana expressing support for the U.S. commitment of assistance to the Republic of Vietnam and further expressing support for recent U.S. military action against bases in North Vietnam; to the Committee on Foreign Affairs.

77. Also, resolution of the Legislature of the State of Montana requesting the Congress of the United States to study the need to regulate forecasting of election results on election day by news media; to the committee on House Administration.

78. Also, resolution of the Legislature of the State of Montana requesting the Federal Government to construct an air facility near Glacier National Park which would be capable of accommodating the most modern aircraft; to the Committee on Interstate and Foreign Commerce.

79. By the SPEAKER: Memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States relative to urging passage of legislation extending the Sugar Act, to

protect the future economic stability of our domestic beet sugar industry and to allow an immediate increase in domestic quotas; to the Committee on Agriculture.

80. Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States relative to requesting the study of the need to regulate forecasting of election results on election day by news media; to the Committee on House Administration.

81. Also, memorial of the Legislature of the State of Missouri, memorializing the President and the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States relative to reapportionment; to the Committee on the Judiciary.

**PRIVATE BILLS AND RESOLUTIONS**

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:  
H.R. 5964. A bill for the relief of Mrs. Sonia Pinto Querub and her minor son, Isaac Albert Pinto; to the Committee on the Judiciary.

By Mr. CELLER:  
H.R. 5965. A bill for the relief of Giuseppe Piscitelli; to the Committee on the Judiciary.

By Mr. COLLIER:  
H.R. 5966. A bill for the relief of Eugenia Rallis; to the Committee on the Judiciary.

By Mr. CONABLE:  
H.R. 5967. A bill for the relief of Antonio Di Cesare; to the Committee on the Judiciary.

H.R. 5968. A bill for the relief of Maria Rosa Maddalena; to the Committee on the Judiciary.

By Mr. ELLSWORTH:  
H.R. 5969. A bill for the relief of Dr. Raul R. Morfi; to the Committee on the Judiciary.

By Mr. KEOGH:  
H.R. 5970. A bill for the relief of Marjorie and Norman Knight; to the Committee on the Judiciary.

By Mr. McDADE:  
H.R. 5971. A bill for the relief of Mildred L. Becker; to the Committee on the Judiciary.

By Mr. MORRIS:  
H.R. 5972. A bill for the relief of Demetre Drokolpuolos and his wife, Irene Drokolpuolos; to the Committee on the Judiciary.

By Mr. OLSEN of Montana:  
H.R. 5973. A bill for the relief of Edwin F. Hower; to the Committee on the Judiciary.

By Mr. POOL:  
H.R. 5974. A bill for the relief of Irene Mitchakes (also known as Irene Mitsakis); to the Committee on the Judiciary.

H.R. 5975. A bill for the relief of Mrs. Haia Cervonogura Wolfe; to the Committee on the Judiciary.

By Mr. PUCINSKI:  
H.R. 5976. A bill for the relief of Efstathios Gazis; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:  
H.R. 5977. A bill for the relief of Mrs. Luz Quilano Maynard; to the Committee on the Judiciary.

By Mr. RYAN:  
H.R. 5978. A bill for the relief of Rexy L. Barrato; to the Committee on the Judiciary.  
H.R. 5979. A bill for the relief of Araceli Fuerte Ocampo; to the Committee on the Judiciary.

By Mr. SCHEUER:  
H.R. 5980. A bill for the relief of Dudley Fitzroy Findlay; to the Committee on the Judiciary.

H.R. 5981. A bill for the relief of Ena Gill; to the Committee on the Judiciary.

H.R. 5982. A bill for the relief of Obert Henry; to the Committee on the Judiciary.

By Mr. TOLL (by request):  
H.R. 5983. A bill for the relief of Antonio Firetto (also known as Frank Menfi and Paul Manfi); 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:

122. By Mr. HOSMER: Petition of Howard W. Heber, Lakewood, Calif., requesting enactment by Congress of legislation to establish the qualifications of voters by prohibiting any citizen who has not paid at least \$1,000 in Federal individual income tax for the year prior to an election of President of the United States, Vice President of the United States, and Members of Congress, from voting in an election of the above-named officials; to the Committee on House Administration.

123. By the SPEAKER: Petition of the Board of Supervisors, County of Hawaii, Hilo, Hawaii, petitioning consideration of their resolution with reference to the Congress continuing to maintain the operation of the Kilauea Military Camp; to the Committee on Armed Services.

124. Also, petition of the vice president, United Irish Societies of San Francisco, Calif., petitioning consideration of their resolution with reference to the unification of Ireland; to the Committee on Foreign Affairs.

125. Also, petition of Forty-Niner Young Republicans of California State College, Long Beach, Calif., petitioning consideration of their resolution with reference to expunging the proceedings of impeachment against Andrew Johnson, 17th President of the United States, from the permanent Record of the Congress; to the Committee on House Administration.

**EXTENSIONS OF REMARKS**

**Products of Progress Exposition To Be Held in South Bend, Ind.**

**EXTENSION OF REMARKS**

**HON. JOHN BRADEMAS**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1965

Mr. BRADEMAS. Mr. Speaker, I would like to congratulate the Council of

Engineering and Technical Services of St. Joseph Valley in my Indiana congressional district for its initiative in sponsoring an exhibition of our local products and services.

The Products of Progress Exposition, to be held from March 12 to 14, represents an effort to promote a greater awareness of the technical excellence of industries and organizations in north central Indiana and southwestern Michigan. The exposition will feature exhibits by local firms and will emphasize the vast scope

of engineering and technical activity in that area of the country. The exposition, which will be held on the campus of the University of Notre Dame, is expected to attract from 25,000 to 30,000 people.

In addition to displays of products manufactured by and technical services available from individual firms and organizations, the exposition will offer exhibits by technical societies and educational institutions. Products of Progress will thus present a concentrated picture of the range and excellence of local technical and engineering skills and products.