HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 3, 1965

The House met at 12 o'clock noon.

The Rev. Father B. Thomas Zeisig, St. Raphael's Church, Bay Village, Ohio, offered the following prayer:

Dear God, bless today this Congress which labors and toils for the good of the Nation it serves.

Give to them moral and spiritual vision to build a better world. This vision or aid from you is most necessary in the trying times in which we live.

The world today demands so much, our efforts are being taxed at every turn, and yet our goals are ever increasing. Goals never dreamed about in the days of our fathers, but today a reality.

Help them to gain wisdom in all their endeavors, and to have the peace of the world as their own personal concern.

Today being a day of distinction for our country with the safe launching of Gemini—a day that our country will remember into the time of history—the event now taking place should launch this the 89th Congress into prayer.

Dear God, safety to those who operate and direct this space venture—to those who direct from these hallowed Halls let all of us give first the credit and knowledge due to Almighty God for this in His creation.

In our ventures let it be our prayer that we, being directors or operators never forget the wisdom, knowledge, and omnipresence of the Almighty. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On May 27, 1965:

H.R. 2998. An act to amend the Arms Control and Disarmament Act, as amended, in order to continue the authorization for appropriations.

H.J. Res. 436. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed; and

On June 2, 1965:

H.R. 1870. An act for the relief of Edward G. Morhauser;

H.R. 2354. An act for the relief of William L. Chatelain, U.S. Navy, retired;

H.R. 3995. An act to transfer certain functions of the Secretary of the Treasury, and for other purposes;

H.R. 6497. An act to amend the Bretton Woods Agreements Act to authorize an increase in the International Monetary Fund quota of the United States; and

H.R. 8122. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6755. An act authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes.

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

H.R. 7717. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two houses thereon, and appoints Mr. ANDERSON, Mr. SYMINGTON, Mr. STENNIS, Mrs. SMITH, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

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

S. 2054. An act to further amend the Peace Corps Act (75 Stat. 612), as amended, and for other purposes.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SILVER COINAGE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 199)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency and ordered to be printed:

To the Congress of the United States:

From the early days of our independence the United States has used a system of coinage fully equal in quantity and in quality to all the tasks imposed upon it by the Nation's commerce.

We are today using one of the few existing silver coinages in the world. Our coins in fact, are little changed from those first established by the Mint Act of 1792. For 173 years, we have maintained a system of abundant coins that with the exception of pennies and nickels is nearly pure silver.

The long tradition of our silver coinage is one of the many marks of the extraordinary stability of our political and economic system.

Continuity, however, is not the only characteristic of a great nation's coinage. We should not hesitate to change our coinage to meet the new and growing needs. I am, therefore, proposing certain changes in our coinage system—changes dictated by need—which will help Americans to carry out their daily transactions in the most efficient way possible.

There has been for some years a worldwide shortage of silver. The United States is not exempt from that shortage—and we will not be exempt as it worsens. Silver is becoming too scarce for continued large-scale use in coins. To maintain unchanged our high silver coinage in the face of this stark reality would only invite a chronic and growing scarcity of coins.

We expect to use more than 300 million troy ounces—over 10,000 tons—of silver for our coinage this year. That is far more than total new production of silver expected in the entire free world this year. Although we have a large stock of silver on hand we cannot continue indefinitely to make coins of a high silver content—in the required quantity—in the face of such an imbalance in the production of silver and the demand for it.

We must take steps to maintain an adequate supply of coins, or face chaos in the myriad transactions of our daily life—from using pay telephones to parking in a metered zone to providing our children with money for lunch at school.

The legislation I am sending to the Congress with this message will insure a stable and dignified coinage, fully adequate in quantity and in its specially designed technical characteristics to the needs of our 20th-century life. It can be maintained indefinitely, however much the demand for coin may grow.

Much as we all would prefer to retain the silver coins now in use, there is no practical alternative to a new coinage based on materials in adequate supply.

THE NEW COINAGE

I propose no change in either the penny or the nickel.

The new dime and the quarter—while remaining the same size and design as the present dime and quarter—will be composite coins. They will have faces of the same copper-nickel alloy used in our present 5-cent piece, bonded to a core of pure copper. The new dime and quarter will, therefore, outwardly resemble the nickel, except in size and design, but with the further distinction that their copper core will give them a copper edge.

This type of coin was selected because, alone among practical alternatives, it can be used together with our existing silver coins in the millions of coin-operated devices that Americans now depend upon heavily for many kinds of food and other goods.

THE HALF DOLLAR

Our new half dollar will be nearly indistinguishable in appearance from the present half dollar.

It will continue to be made of silver and copper, but the silver content will be reduced from 90 percent to 40 percent. It will be faced with an alloy of 80 percent silver and 20 percent copper, bonded to a core of 21 percent silver and 79 percent copper. The new half dollar will continue to be minted with the image of President Kennedy. Its size will be unchanged.

THE SILVER DOLLAR

No change in this famous old coin, or plans for additional production, are pro-

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posed at this time. It is possible that implementation of the new coinage legislation that I am proposing, greatly reducing the requirement for silver in our subsidiary coinage, will actually make feasible the minting of additional silver dollars in the future. Certainly, without this change in the silver content of the subsidiary coinage, further minting of the silver dollar would be forever foreclosed.

It is our intention that the new coinage circulate side by side with our existing coinage. We plan to continue the minting of our current silver coins while the new coinage is brought into quantity production.

The new coins will be placed in circulation some time in 1966.

In terms of the present pattern of coin usage, adoption of the new coinage will permit a saving of some 90 percent of the silver we are now putting into coins annually.

I want to make it absolutely clear that these changes in our coinage will have no effect on the purchasing power of our coins. The new ones will be exchanged at full face value for the paper currency of the United States. They will be accepted by the Treasury and by the Federal Reserve Banks for any of the financial obligations of the United States. The legislation I am proposing expressly recognizes the new coins as legal tender.

It is of primary importance, of course, that our new coins be specifically designed to serve our modern, technological society. In the early days of the Republic, silver coins served well because the value of a coin could only be measured by the value of the precious metal contained in it. For many decades now the value of a particular coin has depended not on the value of the metal in it, but on the face value of the coin. Today's coinage must primarily be utilitarian. The new coinage will meet this requirement fully, while dispensing with the idea that it contain precious metal.

It is, above all, practical. It has been specifically designed to function, without causing delays or disruptions of service, in coin-operated merchandising machines.

Furthermore, it is composed of materials low enough in value and readily enough available to insure that we can have as many coins as we need.

The legislation I am proposing also contains these additional recommendations:

OTHER AUTHORITY REQUESTED

First. As a useful precautionary measure, I request standby authority to institute controls over the melting and export of coins to assist the protection of our existing and our new silver coinage.

Second. I request authority to purchase domestically mined silver at not less than $1.25 per ounce.

Third. I am asking for authority to reactivate minting operations temporarily at the San Francisco Assay Office.

Fourth. As a safeguard for assured availability of the new coinage, I am asking for new contracting authority for the procurement of materials and facilities related to it.

Fifth. I propose the establishment of a Joint Commission on the Coinage, composed of certain Members of the Congress, the public, and the executive branch of the Government, to report to me later the progress made in the installation of the new coinage and to review any new technological developments and to suggest any further modifications which may be needed.

WHY THE SILVER CONTENT OF THE COINAGE MUST BE REDUCED AT THIS SESSION

These recommendations for revision of our silver coinage rest upon extensive study of the silver situation, and of alternatives to our present coinage, by both governmental and private specialists. The Treasury Department's comprehensive report, known as the Treasury Staff Silver and Coinage Study, is being released today as background to my recommendations. Its principal finding was that the supply of silver in the free world has become progressively incompatible with the maintenance of silver in all our subsidiary coins.

On the average, in the 5 years from 1949 through 1953, new silver production in the free world amounted to about 175 million troy ounces per year, while consumption amounted to more than 235 million ounces. There was an average deficit in those 5 postwar years of more than 60 million ounces of silver per year.

In the latest completed 5 years, 1960 through 1964, free world consumption of silver has averaged 410 million ounces annually, but new production has averaged a little less than 210 million ounces a year. The result has been an average annual deficit of about 200 million ounces. That is three times the average annual deficit in the 5 years from 1949 through 1953.

If no silver at all had been used for coinage there would have been a deficit in new production in free world silver during the last 5 years averaging over 40 million troy ounces, or some 1,370 tons, a year.

The gap between the production of silver and silver consumption is continuing to increase. In 1964 the silver production deficit swelled to over 300 million ounces—half again the 1963 figure. And in 1964, the use of silver in coinage and the use of silver for the arts and industry of the free world were each—taken separately—greater than new production.

There is no dependable or likely prospect that new, economically workable sources of silver may be found that could appreciably narrow the gap between silver supply and demand. The optimistic outlook is for an increase in production of about 20 percent over the next 4 years. This would be of little help. Further, because silver is produced chiefly as a byproduct of the mining of copper, lead, and zinc, even a very large increase in the price of silver would not stimulate silver production sufficiently to change the outlook.

Short of controls that are undesirable in a peacetime free society, there is no way to diminish the bounding growth of private demand for silver for use in jewelry, silverware, photographic film, and industrial processes. The one part of the demand for silver that can be reduced is governmental demand for use in coinage.

Most free world countries no longer use silver in their coins. A few—as we now propose—continue to make limited use of it. It is true that U.S. coinage does not currently depend upon new silver production, because for many years we have supplied silver for our coinage out of large Treasury stocks, which still amount to 1 billion troy ounces.

But—and this is the crux of the matter—at the present pace, this stock cannot last even as much as 3 years. We would them be shorn of our ability to maintain the coinage and, if there were no alternative to our present silver coinage, the Nation would be faced with a chronic coin shortage. That is why definitive action is necessary at this session of the Congress.

PROTECTION OF THE COINAGE

It is necessary for the U.S. Government to have large stocks of silver in addition to the quantity needed for coinage.

We need these stocks because our silver coins in circulation must be protected from hoarding or destruction. Protection of the silver coinage will continue to be a necessity since we plan for it to continue to circulate alongside the new coins. Our silver coins are protected by the fact that the Government stands ready to sell silver bullion from its stocks at $1.29 a troy ounce. This keeps the price of silver, as a commodity, from rising above the face value of our coins. This, in turn, makes hoarding or melting of the silver coinage unprofitable.

It is an additional protection for the existing coinage that I am requesting standby authority to institute controls over the melting, treating or export of U.S. coins.

It may be asked why we seek standby control authority since we retain a large stock of silver with which to protect our silver coins through operations in the silver market.

The answer is clear. Given the magnitudes by which demand for silver is outrunning new production, we must consider the possibility, however unlikely, that the silver stock we possess could itself require the support and protection that would be afforded by authority to forbid melting and export of our coins.

We believe our present stocks of silver to be adequate, once the large present drains from coinage are greatly reduced, to meet any foreseeable requirements for an indefinite period. However, prompt action on a new coinage will help us protect the silver coinage by freeing our silver reserves for redemption of silver certificates at $1.29 per ounce. Thus, we can assure that no incentive will be created for hoarding our present coins in anticipation of a higher price for their silver content.

There is the opposite, although in all likelihood short run, possibility that a fall in the price of silver might result from the enactment of this legislation

largely removing silver from our subsidiary coin. It is for the purpose of protecting silver producers from a precipitate drop in the price of silver resulting from the action of the Government that I am requesting authority for the Secretary of the Treasury to purchase any newly mined domestic silver offered to him, at the price of $1.25 per troy ounce.

THE SAN FRANCISCO ASSAY OFFICE

Coinage operations at the San Francisco Mint were ended in 1955. Legislation converting the mint to the San Francisco Assay Office was passed in 1962. As part of our efforts to overcome the coin shortage of the past year, coin blanks have been cut and annealed at the San Francisco Assay Office. Present law forbids full minting there. However, we will temporarily need the facilities of this plant to move into large quantity production of the new coinage and to continue production of existing coins until enough new small money is made to make certain we have adequate supplies. Consequently, I am asking for authority to reactivate minting operations at San Francisco on a temporary basis.

A new, fully modern mint is to be built in Philadelphia. However, it cannot be completed and in operation before late 1967. It is our expectation that when the new Philadelphia Mint's capacity is added to that of the Denver Mint, our coinage requirements can be met efficiently and economically. Consequently, no more than temporary authority to mint coins in San Francisco is recommended in the draft legislation I am sending to you.

WHY COMPOSITE COINS ARE RECOMMENDED

We have no choice but to eliminate silver, for the most part, from our subsidiary coinage. The question was: What would be the best alternative? After very thorough consideration of all aspects of this highly complex problem, we have settled upon the two types of composite, or clad, coins I have already described. These are 10-cent and 25-cent pieces with cupronickel alloy faces bonded to a solid copper core, and a new half dollar with outer and inner layers of differing silver-copper alloys.

This type of coin was found to be necessary if the new coinage is to be compatible with the existing silver coinage in all the 12 million coin-operated devices in use in the United States.

The convenience of using coins in automatic merchandising and service devices is a fact that, like the coins in our pockets and in our store tills, we take for granted. But if our coinage were suddenly to be such that it would not work in coin-operated devices, the public would be subjected to very great inconvenience and serious losses would occur to business with harmful effects upon employment.

The automatic merchandising industry is a large and growing part of our national economy. Last year, $3½ billion worth of consumer items were sold through 3½ million of these machines. On more than 30 billion separate occasions a consumer made a purchase by putting a coin in a machine. In growing numbers, factories, hospitals, and other places now depend upon automatic vending for the service of goods. A million and a half people now rely upon coin-controlled vending for at least one meal a day. The use of coin-operated devices is expanding rapidly, not only in merchandise vending, but also in a number of other services.

Six million of our coin-operated devices, including nearly all vending machines, have selectors set to reject coins or imitations of coins that do not have the electrical properties of our existing silver money. Highly selective rejectors are a necessity in these machines if they are to be a low-cost source of food and other goods and services. Otherwise, fraudulent use would soon make them costly.

The sensors in these machines are set to accept or reject coins on the basis of the electrical properties of our traditional coins, which have a high proportion of silver. To be compatible in operation with our existing coinage, therefore, our new coins must duplicate the electric properties of a coin that is 90-percent silver. No single acceptable metal or alloy does so. The composite coins, made of layers of differing metals and alloys, that I am asking the Congress to approve, are coins made to order to duplicate the electrical properties of coins with a high silver content. They are the only practical alternatives we have discovered to our present coinage.

Selectors exist that can handle coins with the widely varying electrical properties of, say, nearly pure silver and nearly pure nickel. But that is not enough. When the selectors are set to accept coins with greatly differing electrical properties, the selectivity of the mechanism declines and they will accept wrong coins and imitations. Unless the coins in use have very similar electrical properties, the coin-operated machines become subject to a high degree of fraudulent use. This would be costly to all concerned.

The future may bring selectors of a different kind able to accept coins of widely varying electrical properties while at the same time rejecting imitations and wrong coins. They are not available now. When and if they become available, our new coinage will work in them. On the other hand, if we now chose an incompatible coinage, there would be delays and interruptions lasting a year to 3 years in the services of these machines. This would impose heavy inconveniences upon the public and would cause business and employment losses in a large and growing industry.

In view of these considerations of public interest, we have concluded that our new coinage must without fail be able to carry out the technical merchandising functions of a modern coinage, working alongside our existing silver coinage. The new coins that I am recommending to you do this, and do it well, because they were specifically designed for the task.

The new half dollar was designed with the strong desire in mind of many Americans to retain some silver in our everyday coinage. We believe that by eliminating silver from use in the dime and the quarter, we will have enough silver to carry out market operations in protection of our existing silver coinage—and to make a half dollar of 40 percent silver content. It is clear and unmistakable that we would not have enough silver to extend this to the dime and quarter: they are heavily used, indispensable coins that we must have at all times in large quantity. We are convinced that we can include a 40-percent silver half dollar in the new coinage, but we cannot safely go beyond that. As a precaution, we intend to concentrate at first on getting out large quantities of the new quarter and dime before we embark upon quantity production of the new half dollar.

THE JOINT COMMISSION ON THE COINAGE

We believe the recommendations being made for a new coinage are sound and durable and in the best public interest. However, the installation of a new coinage is a matter so intimately affecting the life of every citizen, and so delicately related to the Nation's commerce, that it is impossible to be certain in advance that all problems have been foreseen, even by such a long and arduous process of research as has gone into the selection of the proposed new coins.

Consequently, I am including among my recommendations the proposal for a Joint Commission on the Coinage. It will be composed of the four officers of the executive branch most directly concerned with matters affected by the coinage—the Secretary of the Treasury, the Secretary of Commerce, the Director of the Budget Bureau, and the Director of the Mint; of four members representing the public interest, to be appointed by the President; of the chairmen and ranking members of the Banking and Currency Committees of the House and the Senate; of one Member each from the two Houses of the Congress, to be appointed by the Vice President and the Speaker of the House. The Commission will be appointed soon after the new coinage is issued. It will study such matters as new technological developments, the supply of various metals, and the future of the silver dollar. It will report as to the time and circumstances in which the Government should cease to maintain the price of silver. It will be directed to advise the President, the Congress, and the Secretary of the Treasury on the results of its studies.

THE COINAGE—CURRENT AND PROSPECTIVE

I am pleased to report to the Congress substantial progress toward overcoming the coin shortage the Nation has been experiencing. Greatly increased minting has eliminated the shortage of pennies and of nickels. We are still somewhat on the short side of the demand for dimes and quarters, but this deficit is rapidly being overtaken. A severe shortage of the half dollar continues, due to the popularity of the new 50-cent pieces bearing the image of President Kennedy.

I want to emphasize that we will continue to make the existing coins while the new ones come into full production, and that we contemplate side-by-side cir-

culation of the old and new coins for the indefinite future. There is no reason for hoarding the silver coinage we now use, because there is no reason for it to disappear.

We are gearing up for maximum production of the new coins as soon as they are authorized by the Congress. Supply of the materials for them is assured. Both copper and nickel are economical and available in North America. Their usage in coins will not add enough to overall employment of these metals to create supply or price problems.

In the first year after new coins are authorized, we expect to make 3½ billion pieces of the new subsidiary coins. That is a billion and a half more pieces than will be made of the corresponding silver coins in the current fiscal year.

In the second year after authorization of the new coinage, we expect to be able to double the first year's output of the new coins, reaching a production total of 7 billion pieces.

We expect in this way to avoid any new coin shortage in the transition to production of the new coins, and within a period of less than 3 years to reach a point at which we could if necessary meet total coinage needs out of production of the new coins.

I am satisfied that, taking into account all of the various factors involved in this complex problem, the recommendations that I am making to you are sound and right. Your early and favorable action upon the proposed legislation will make it possible to produce and issue to the public a coinage that will be acceptable, provide the maximum convenience, and serve all the purposes—financial and technical—of modern commerce. In considering this problem the needs of the economy and the convenience of the public have been placed ahead of all other considerations. They are the factors that have resulted in my recommendations to the Congress. I urge their approval at the earliest possible date.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 3, 1965.*

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 120]

Andrews, George W.	Evans, Colo.	Lindsay
Ayres	Fisher	Mathias
Bandstra	Fogarty	Michel
Blatnik	Fraser	Miller
Bonner	Fulton, Tenn.	Minshall
Bow	Fuqua	Morris
Brown, Ohio	Gilligan	Murray
Casey	Halleck	Passman
Chamberlain	Halpern	Powell
Cramer	Harvey, Ind.	Price
Cunningham	Hébert	Purcell
Dent	Holland	Resnick
Diggs	Karth	Roberts
Duncan, Oreg.	Keogh	St Germain
	Laird	Shriver
Sikes	Toll	Young
Skubitz	Willis	
Teague, Tex.	Wright	

The SPEAKER. On this rollcall, 382 Members have answered to their names, a quorum.

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

COMMITTEE ON RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow night to file certain reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FURTHER AMENDING THE REORGANIZATION ACT OF 1949

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 326, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4623) further amending the Reorganization Act of 1949. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Missouri [Mr. BOLLING] is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and pending that such time as I may consume.

Mr. Speaker, while there is considerable controversy, as I understand, over the bill which will be made in order by this resolution, I know of no opposition to the resolution and, therefore, reserve the balance of my time.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say at the outset that were the ranking member of the Committee on Rules, the gentleman from Ohio [Mr. BROWN] here today, and incidentally he also serves as ranking Republican member of the House Committee on Government Operations, I am sure this is one bill on which he would have exercised his prerogative to make his views known particularly when we undertake to consider the rule.

Because of my service with the gentleman from Ohio [Mr. BROWN] on this committee in years past, I know that probably there is no single act of Congress with which he has been associated of which he is more proud than this, considering the fact that he is thought of by many—and I believe rightfully so—as the legislative godfather of the Reorganization Act of 1949.

The older Members of this body will recall that the gentleman from Ohio served with distinction on the Hoover Commission on the reorganization of the executive branch.

I take this time to call to the attention of Members of the House that it is much to our regret, because of illness, that the gentleman from Ohio [Mr. BROWN] is not in our midst today. I further take this opportunity to assure the Members of the House that those of us who have undertaken to check with his office from day to day understand he is recovering, that he is feeling much better, and that he expects to be back with us sometime next week.

I also express what I am sure is the unanimous sentiment on both sides of the aisle—we join in wishing him a complete and speedy recovery. We sorely miss his wise counsel and legislative leadership. On occasions beyond number, he has exhibited his great capacity to winnow the kernel of legislative truth from the chaff of irrelevant and irresponsible proposals upon which this body is ofttimes called to act. His service in the Congress down through the years has been in the highest traditions of this body, and we hope and trust that his services to our beloved country will continue to be available for many years to come.

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

Mr. ANDERSON of Illinois. I yield to the gentleman from Missouri.

Mr. BOLLING. The gentleman is entirely correct in expressing the sentiments of all Members of the House in wishing our friend from Ohio [Mr. BROWN] a quick recovery and a quick return. I am certain that everybody on this side, as well as on the other side, joins in that sentiment.

Mr. ANDERSON of Illinois. Mr. Speaker, I shall not take much additional time under the rule. I believe the gentleman from Missouri has correctly stated the situation.

Let me say only that the point at issue today will not be whether the Reorganization Act of 1949 should be extended. There are very few acts of Congress which have met with more general approbation than this particular act.

The point at issue will be found in the views of the minority, as very well set forth in those views which are a part of Report No. 184. The minority views suggest that an amendment to this act ought to be adopted, to provide for a 2-year extension rather than a permanent extension of the act. That is the only real point at issue today, as I understand it.

Perhaps because I have had the opportunity of serving under the chairman of this committee, the gentleman from Illinois [Mr. DAWSON], and the ranking Republican member, the gentleman from Ohio [Mr. BROWN], in years past, I do feel obliged to say that I agree with the Members of the minority who have said

it would be wise for us to preserve the right we have as a Congress to periodically, every 2 years, consider the question of the extension of the act.

Members will recall that in 1949 President Truman asked for permanent reorganization authority. The Congress at that time did not see fit to give him permanent authority, but passed the act for 4 years. Since that time the act has been renewed, on the average, about every 2 years.

I believe that during the times when the extension of the act has come up, the House has undertaken to review the act. On two occasions I can recall we made important amendments to the Reorganization Act.

I believe it would be poor policy indeed at this time for the Congress to give up the right which it now has under the Reorganization Act of 1949 to periodically consider the question of its extension.

I hope that during the general debate, when this issue will be presented, and, as I understand it, when the amendment is offered under the 5-minute rule, to provide for a 2-year extension rather than a permanent extension of the act, Members of this body on both sides of the aisle will consider the importance of adopting that amendment and then going on to approve the extension of the Reorganization Act.

Mr. Speaker, in concluding my remarks, let me merely reiterate this point: I do not think on the grounds of this consuming and inordinate amount of time on the part of Congress that we ought to give up the right we have heretofore had in considering the extension of this act on a periodic basis. I have studied the hearings reported this year and find they took a portion of 1 day, March 3, 1965. Under the rule we will spend about an hour of time in considering this matter today. It all seems to me a relatively small expenditure of time on our part, and it will be well worth the effort we ought to make today to retain our prerogative in considering the further extension of this act.

Mr. Speaker, at this time I yield 5 minutes to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to proceed out of order, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

POLITICAL SHAKEDOWNS IN THE REA

Mr. NELSEN. Mr. Speaker, the May 28 issue of the Washington Star contained a front page story by Walter Pincus indicating that the political arm twisters are at work again trying to pressure Federal employees into buying $100 tickets to the 1965 Democratic congressional dinner on June 24 at the National Armory. I include this article at this point in my remarks, along with a Washington Star editorial of June 1 commenting on these disclosures:

U.S. WORKERS TARGETS AGAIN

(By Walter Pincus)

Machinery to solicit political contributions from Federal employees again has been set in motion by Democratic Party officials given the job of selling $100 tickets to the 1965 Democratic congressional dinner on June 24 at the National Armory.

The aim this year, through mailings and personal contact, apparently is to get those employees who contributed last year during the presidential campaign to contribute again.

As part of their program, the Democrats again appear to be planning to push ticket sales within Federal departments and agencies—a practice that previously has stirred up criticism from within the Civil Service.

This year, however, it's the "salesmen" selected to do the pushing who appear disturbed.

"You have a choice—break the Justice Department's law or Maguire's law," one political appointee said Wednesday. He had just been made part of his agency's team to push sales of $100 tickets to the dinner to a list of his colleagues.

The "Justice Department's law" is a section of the Federal code which makes it illegal for one Federal employee to "directly or indirectly" solicit, receive "or * * * in any manner (be) concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever * * *" from another Federal employee. The penalties: a fine of not more than $5,000 or a sentence of not more than 3 years in jail or both.

"Maguire's law" refers to Democratic Party treasurer Richard Maguire, the man credited with setting up the machinery for systematic solicitation within Federal agencies.

The "in-house" salesmen, for the most part, are the agency's political appointees whose futures depend in large part on the good will of party officials.

In the past, the Federal law has pretty much been winked at. This year, however, the Justice Department is weighing a Federal Bureau of Investigation report to determine whether several officials of the Rural Electrification Administration violated Federal law in their promotion last year, of $100 tickets to the Democratic fund-raising gala.

The Civil Service Commission, after a preliminary inquiry into the matter last fall, determined the facts were such to warrant study for prosecution.

Despite the Justice Department inquiry, Democratic Party aids have begun to distribute lists of last year's contributors to Federal agencies to aid in selling this year's dinner tickets.

Officials at both the State and Commerce Departments reportedly not only have received such lists, but have discussed promotion of ticket sales with selected top staff members.

At the State Department, a meeting reportedly took place within the past week and the list of last year's contributors was broken down among a group of eight political appointee "salesmen." Their job was to keep to the "strictly political" jobholders, but to encourage them to again contribute to the party.

Reports that a similar meeting took place at Commerce could not be confirmed.

At one point in the State meeting, a suggestion that solicitation letters be sent to ambassadors overseas was vetoed.

Complementing the direct solicitation effort is a mailing to lists of contributors over the signature of Party Chairman John M. Bailey inviting the recipient to the dinner and enclosing a pledge card.

The card contains a code number that permits the dinner committee to identify a Government employee's agency and so seat him with his coworkers.

MILDER THAN 1964 EFFORT

This year's in-house solicitation appears to be much milder in its approach than was the effort made last year to sell gala tickets.

At that time, top agency officials scheduled cocktail parties to precede the event and agency "salesmen" went down their assigned lists asking fellow workers if they were coming to the party.

From the party, buses took those present to the gala where they all sat together—usually with the front row of their section filled with the highest ranking agency officials from the Secretary down.

How much actual "pressure" is involved in ticket sales? Some civil servants considered the very fact they received an invitation at home implied "pressure."

One agency salesman said the belief that President Johnson was the kind of politician who watched officeholder contributor lists was a form of "pressure."

NEW ELEMENT NOW

Adds a Democratic National Committee spokesman: "The biggest pressure came from repeated news stories that employees were being threatened as to what would happen if they didn't come through."

This year there appears to be a new element of resentment among the "salesmen." They have a fear that should someone report them—as happened in the REA case—no one, particularly party officials, could come to their defense.

Party officials who hand out contributor lists in no way violate the law. Only the Federal employee who approaches a colleague faces trouble.

MAGUIRE'S LAW

Well, the time for another of the Democrats' $100-a-plate fundraising dinners is once more drawing near. And once more the party hierarchy in Government offices all over town is revving up the machinery to put the arm on Federal employees for contributions—in clear violation of Federal law.

Thus far, as the Star's Walter Pincus noted the other day, the main complaints are coming from employees recruited to push the congressional dinner ticket sales. Their concern is understandable. For the Federal code is quite specific in making it a crime for any Federal employee "directly or indirectly" to solicit funds from another Federal employee "for any political purpose whatever." And while this is not a new provision, most of the ticket pushers are fully aware that the Justice Department is examining an FBI report on complaints which arose in connection with a similar party gala last year.

The trouble is, as one anonymous political appointee put it, that he and many of his colleagues are placed in a position of breaking either "the Justice Department's law or Maguire's law"—the latter referring to the solicitation plans reportedly set up by Richard Maguire, the Democratic treasurer.

There is no question, of course, about what action is called for here. "Maguire's law" ought to be repealed, fast, and no congressional action is required to do it. Legislation may well be desirable to encourage wider financial support of political candidates and their parties, possibly through tax credits or tax deductions. But in the meantime Federal employees should be protected against the pressures to give which are inevitably present under the sort of solicitation program which is now getting underway.

Mr. Speaker, I wish to publicly commend Mr. Pincus and his newspaper for

bringing these shocking political shakedowns into the open, and exposing them to public view. I believe it is a great public service.

As Members of this body know, similar complaints of illegal political fundraising solicitations by Federal officials were brought to me many months ago by Federal workers in the Rural Electrification Administration of the Department of Agriculture because I once served as REA Administrator.

After much badgering, the Civil Service Commission agreed to look into the charges and documentation which had been provided to me, and the very first Civil Service Commission investigation of its kind was begun. Finally, on October 8, 1964, I was advised that the Commission had found four REA officials to be "involved." Three of the officials are in excepted positions and one is in the classified service.

In the October 8 letter, the Commission's General Counsel also advised me that the results of the investigation were being turned over to the Justice Department for determination of possible criminal violations. I include the text of this October 8 letter at this point in my remarks:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., October 8, 1964.

Hon. ANCHER NELSEN,
House of Representatives.

DEAR MR. NELSEN: This is in response to your letter of September 22, 1964, concerning the investigation of alleged Hatch Act violations in the Rural Electrification Administration and your telephone calls of September 28 and October 1. As I told you on the phone, I was somewhat handicapped in my endeavor to obtain the information you wanted because of the hospitalization of Mr. Meloy, who was personally supervising the conduct of the investigation.

As you know, we conducted an investigation of the alleged Hatch Act violations in the Rural Electrification Administration. There are four individuals involved. One is in the competitive service and subject to our jurisdiction; the other three are in excepted positions and subject to the jurisdiction of the Department of Agriculture. In an effort to coordinate action we have notified the Secretary of Agriculture of our investigation. We have not been advised as to what they plan to do.

In addition, we have furnished the Department of Justice with a copy of our investigation. That Department has jurisdiction to determine whether to prosecute for violation of the criminal laws. It has been our practice in this kind of a situation to defer administrative action until the criminal aspects of the case have been fully explored.

I am not in a position at this time to express an opinion as to a violation of the Hatch Act by the employee who is subject to our jurisdiction. Under the procedure we follow such a decision is made initially only after a letter of charges has been served and the employee's answer has been considered.

Sincerely yours,
JOHN J. MCCARTHY,
Assistant General Counsel.

Mr. Speaker, in January of this year I inquired of the then Acting Attorney General as to the progress of the Justice Department consideration of the civil service findings. Mr. Katzenbach replied to my letter of January 12 on February 4 stating that the Federal Bureau of Investigation had been requested to investigate the facts in the case. This exchange of correspondence is included at this point in my remarks as a further documentation of the chronological development of this investigation:

JANUARY 12, 1965.

Hon. NICHOLAS DEB. KATZENBACH,
Acting Attorney General,
Department of Justice,
Washington, D.C.

DEAR MR. KATZENBACH: Enclosed you will find a copy of a letter which I received from the Assistant General Counsel of the U.S. Civil Service Commission under date of October 8, 1964, reporting on their investigation of alleged Hatch Act violations in the Rural Electrification Administration.

You will note that three individuals involved in this investigation are in excepted positions and subject to possible prosecution for violation of the Corrupt Practices Act.

You will note further that a copy of the Civil Service Commission investigation was furnished the Department of Justice.

As this point, I would be interested in knowing if your Department has determined whether to prosecute for violation of criminal laws and whether any report has been made to the Civil Service Commission of your consideration.

I am fully cognizant of the necessity for protection of the rights of individuals involved in such procedures, and at this point I am not asking that I be provided with a detailed report which would divulge the identity of the Federal employees involved. In the interest of protecting and fostering the merit system in Federal employment, however, I do feel that cases such as these should have prompt and expeditious consideration.

Thank you for your kind cooperation.

Sincerely yours,
ANCHER NELSEN,
Member of Congress.

FEBRUARY 4, 1965.

Hon. ANCHER NELSEN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN NELSEN: This will reply to your letter of January 12, 1965, with which you enclosed a copy of a letter to you from the Assistant General Counsel of the U.S. Civil Service Commission, referring to an investigation of alleged violations of the Hatch Act in the Rural Electrification Administration of the Department of Agriculture.

We have requested the Federal Bureau of Investigation to investigate the facts in this matter following which a determination will be made whether any violations of Federal criminal statutes relating to the solicitation of political contributions by Federal employees have occurred which would warrant prosecution. You are undoubtedly aware that in addition to possible criminal violations there are also involved possible administrative penalties, the imposition of which is within the responsibility of the Civil Service Commission and the employing agency.

Sincerely,
NICHOLAS DEB. KATZENBACH,
Acting Attorney General.

After a time lapse of almost 2 more months, I again contacted the Justice Department for a report. At the same time I addressed a letter to Chairman Macy, of the Civil Service Commission. My deep concern over the apparent lack of expeditious resolution of this case was expressed to both Attorney General Katzenbach and Chairman Macy. Acting Assistant Attorney General John Doar responded to my letter of March 26 on April 5, stating in part:

I have received the results of the FBI investigation into this matter. This report is being carefully reviewed by this Division and it is expected that this review will be completed in the near future.

I include my letters of March 26 and the Justice Department reply of April 5 at this point in my remarks:

MARCH 26, 1965.

Hon. NICHOLAS DEB. KATZENBACH,
Attorney General of the United States,
Department of Justice,
Washington, D.C.

MY DEAR MR. ATTORNEY GENERAL: This is with further reference to my letter of January 12 and your reply dated February 4, 1965, concerning the investigation of alleged violations of the Hatch Act and Corrupt Practices Act in the Rural Electrification Administration of the Department of Agriculture.

In your letter of February 4, you informed me that the Federal Bureau of Investigation had been requested to investigate facts in this case preliminary to a determination as to whether criminal violations had occurred which would warrant prosecution. It is evident that no such determination has yet been made, since no action has been taken by the Civil Service Commission within its responsibility of an administrative nature concerning violations of the Hatch Act in the classified service. It has been my understanding, and I am so informed, that it is Commission policy to defer its action in a case pending resolution of criminal aspects by the Department of Justice.

I am concerned that any possible delay in the handling of this case by the Department of Justice would be the cause of any default in the expeditious consideration of a matter so important to the preservation of the integrity of our Federal Civil Service.

I would hope that I would have your report on this matter in the very near future.

Sincerely yours,
ANCHER NELSEN.

APRIL 5, 1965.

Hon. ANCHER NELSEN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN NELSEN: In your letter of March 26, 1965, to the Attorney General you expressed concern over possible delay by the Department of Justice in handling the investigation of alleged violations of the Hatch Act and Corrupt Practices Act in the Rural Electrification Administration of the Department of Agriculture.

I have received the results of the FBI investigation into this matter. This report is being carefully reviewed by this Division and it is expected that this review will be completed in the near future.

I will keep you advised of any developments in this matter.

Sincerely,
JOHN DOAR,
Acting Assistant Attorney General,
Civil Rights Division.

MARCH 26, 1965.

Hon. JOHN W. MACY,
Chairman, Civil Service Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed is a copy of my letter to Attorney General Nicholas deB. Katzenbach concerning the current Justice Department consideration of alleged violations of the Hatch Act and Corrupt Practices Act in the Rural Electrification Administration of the Department of Agriculture.

I first made public reference to this situation back in 1961, and finally in 1964 was challenged by your Commission to provide documented evidence of my charges. This

I did, and a Commission investigation was instituted in June of last year. The results of this investigation were reported to me by the Commission's General Counsel by letter dated October 8, 1964.

Mr. Meloy reported that four individuals were found to be involved, one of whom was in the classified service and three of whom were in the excepted service. His letter goes on to state that final action by the Commission under its jurisdiction in the case would not be taken until all criminal aspects of the case had been determined by the Department of Justice.

More than 2 months have now elapsed since the Attorney General's advising me that the Federal Bureau of Investigation had been requested to look into the case. It is now going on 6 months since your General Counsel's advising me that the results of the Commission investigation had been referred to the Justice Department. It is now over 4 years since my having revealed this situation in a public statement.

The primary duty and responsibility of the Civil Service Commission being to maintain and protect the independence of our Federal merit system, I feel it incumbent upon me to impress you and your Commission of my concern over the lack of dispatch in the handling of this case. It would be my understanding that you would be in constant contact with the Justice Department in the interest of expediting the fair and just determination of this entire matter and that you are keenly aware of the significance of this case to the merit system employees throughout the Federal Government.

Sincerely yours,

ANCHER NELSON,
Member of Congress.

We are now in the first of June, and this is where the matter continues to lie 9 long months after the Civil Service Commission report showing involvement in possible violations of the Hatch Act and the Corrupt Practices Act. These investigations by the Justice Department and Civil Service Commission have turned into a long stall.

The Washington Star article shows clearly that failure to take corrective action has served as an open invitation to the money-hungry politicians in Federal jobs to go right ahead with their harassment and pressures on employees in the service of their Government.

Obviously, the best way to deter such activities is to take proper action against those who have already been found to have been engaging in political fundraising among civil service employees. I would hope the effect of these latest disclosures will be to awaken officials in the Civil Service Commission and the Justice Department to their responsibilities to protect our Federal workers from further shakedowns and arm twisting.

FURTHER AMENDING THE REORGANIZATION ACT OF 1949

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. HOLIFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4623) further amending the Reorganization Act of 1949.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4623, with Mr. SISK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. HOLIFIELD] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. ERLENBORN] will be recognized for 30 minutes.

Mr. HOLIFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 4623 was introduced at the request of President Johnson and, as reported by the Committee on Government Operations, would give permanent authority to the President to submit reorganization plans to the Congress.

Let me underscore that heretofore, except when the authority was granted for a 4-year period, we have granted this authority every 2 years for the past 32 years.

President Johnson considers this an essential tool for the reorganization of Government departments and agencies. Under the power which expired on June 1, President Johnson has submitted five reorganization plans in this current year, indicating that he intends to use this legislation to achieve efficiency and economy in the vast Federal establishment of Government.

Reorganization authority has been given to every President from Herbert Hoover to Lyndon B. Johnson. The present Reorganization Act was enacted in 1949. Under its terms the President may submit reorganization plans to Congress which will go into effect after 60 days unless either the House or the Senate vetoes the plan by simple majority vote.

Since 1949, this authority has been extended for intervals of 2 years with the exception that I mentioned of 4 years which was in the period of 1949 to 1953. In his message of February 3, 1965, to the Congress submitting the draft bill, President Johnson said:

> With only a few lapses since 1932, the authority generally similar to that conferred by the present Reorganization Act has been available to the Presidents then in office. The usefulness of the authority to transmit reorganization plans to the Congress and the continuing need for such authority to carry out fully the purposes of the Reorganization Act have been clearly demonstrated. The time has now come, therefore, to eliminate any expiration date with respect to that authority; the authority should be made commensurate with the responsibility of the President under the same statute.

There was general agreement in the committee on the extension of the present law. The only difference of opinion was on the length of the extension. In my judgment, the case was well made for permanent extension. Among other things, the Executive has been handicapped in times past in his effort to make reorganizations due to the failure of the Congress to promptly enact the necessary extensions, thereby causing periods when the law did lapse and his authority would not be available. We are in one of those periods now. For the last 2 days, since June 1, we have been in that period when there is no authority at this time for the President to send up plans. At other times that lapse occurred for a matter of several months. I might say, however, that this fault did not lie with the House inasmuch as we have always been diligent about the timely extension of the Reorganization Act and if there be any blame on the House it can only extend to the 2 days just past, because this is the only time the House has not acted before the expiration date.

It should be noted that in 1957 the Act lapsed from June 1 to September 4. In 1959 the act lapsed on June 1 and Congress did not reinstate the authority until April 7 of 1961, nearly 2 years later. In 1963, the act lapsed on June 1 and was not reinstated until July 2, 1964, more than a year later.

We have been informed by officials of the Bureau of the Budget that this continual uncertainty has had a severe effect on reorganization planning and has limited the advantages provided by the legislation.

I might say—and I hope my Republican friends are listening—that President Hoover endorsed permanent reorganization authority for the President, when he served as Chairman of the Commission that bears his name. Both the gentleman from Ohio [Mr. BROWN] and I were privileged to serve on that Commission under President Hoover and I can attest to the great ability of this past President of the United States; how earnestly he worked; he put in more hours on that Commission, I think, than any of the members including your present speaker. He recommended permanent reorganization power for the President because he realized that there would always be housekeeping improvements to be made in our very sprawling agencies of the Federal Government.

This is an authority that has been used for many years. It has proven its merits. Why the Congress should have to come in every 2 years and go through this ritual seems somewhat fruitless in my mind. If it were an untried piece of legislation, it would be different. However, we are talking about something that has proven its worth over the span of 3 decades.

So, Mr. Chairman, our committee reported out the bill giving permanent authority to the President. However, since our committee reported the bill, the other body has acted to extend the law for a period of 3½ years, until December 31, 1968, which coincides with the present President's term of office.

Now, Mr. Chairman, this is different from the permanent extension requested by the President and passed by the House Committee on Government Operations. Furthermore, as I have already stated, the present authority expired on June 1, just 2 days ago. In order, then, to prevent a further postponement of final action and in order to get the authority

back on the books as quickly as possible, it seems reasonable to agree to the 3½-year extension approved by the other body.

Therefore, Mr. Chairman, the majority members of the committee recede at this time from their position of giving permanent authority and accept the action of the other body which will, in effect, extend the period from 2 years to 3½ years, making it conterminous with the present President's term.

Mr. Chairman, an amendment to that effect will be offered at the proper time by the gentleman from Wisconsin [Mr. REUSS]. As has been said by my colleague, the gentleman from Illinois [Mr. ANDERSON], there is no argument about the extension of this act. All of us know that it is worthwhile. The argument, if there was an argument which existed at all, would be as to whether it should be extended for 2 years or made permanent.

Mr. Chairman, the majority of the Committee on Government Operations has accepted the 3-year 7-month extension of the other body, believing that this represents a reasonable compromise.

Mr. Chairman, I hope my friends on the Republican side of the aisle will recognize this.

There was a time, in 1949 to 1953, when we had a 4-year term and we had no trouble during that time. Therefore, I would anticipate no trouble during the 3½-year period of time.

Mr. Chairman, may I remind my colleagues that there are ample safeguards contained in the 1949 act and the prerogatives of the Congress are fully protected.

When a President submits a reorganization plan to the Congress, it is immediately referred to the Committee on Government Operations of both the House and the Senate for their study and consideration. Any Member of the House or Senate may file a disapproval resolution which is likewise referred to the Committee on Government Operations of either body. The committee will then hold hearings on the resolution, and it must do that within the span of 10 days. Thereafter, the plan is usually reported by resolution to the floor with a recommendation one way or the other.

If the committee does not report the resolution back within 10 days, the Member who filed the resolution of disapproval or any Member of the House who is opposed to the reorganization plan may move to discharge the committee from its consideration of the legislation. This motion only has to carry by a majority vote of those present and voting.

A motion reported by a committee or discharged by a committee may be called up by a Member at any time thereafter within the 60-day period.

Mr. Chairman, a reorganization plan is a privileged resolution I will call to the attention of the Members of the House. If the disapproval resolution is passed by a simple majority of either House, the reorganization plan cannot go into effect.

So I say that there are ample safeguards, that there is no delegation of authority to the President to legislate. There is authority delegated to him to send up a draft of legislation in the form of a reorganization plan.

But the legislative bodies control what they are doing with that plan. They can reject it or they can accept it by a simple majority vote of either House.

It is true that reorganization plans reverse the usual legislative procedure. But the Congress is well protected under the law and neither dilatory action by committees nor requirements for a constitutional majority can now prevent adverse congressional action on a plan.

The Committee on Government Operations has always carefully scrutinized the details and effect of all plans submitted by the President. The committee has, in the past, recommended to the House that plans be rejected because they were defective in the terms in which they were drawn or would not achieve the objectives of the Reorganization Act. As noted in our report on this bill, the committee has, in many instances, requested the opinions of the committees of the House where the departments or agencies concerned fell within their legislative jurisdiction but, of course, always reserving the right to make our own final judgment on a plan. On at least one occasion we rejected a plan, rewrote it as legislation, and recommended its passage by the Congress.

The Reorganization Act has worked well. It has proved its value in the results of eliminating duplication and improving methods of Government operation that have been established under reorganization plans. I urge that the basic Reorganization Act be extended.

Mr. ERLENBORN. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, at the outset let me state that the question before us is not a question of partisan, political nature. The real question before us is the basic question of the separation of powers; the constitutional creation of a government composed of three equal and coordinate branches of government.

The history of the reorganization legislation and the Presidential requests for plans for reorganization, I think, are interesting in the context of this debate. The reorganization procedure goes back to approximately 1932. I might state that the original plan or the original enactment of reorganization powers in the executive did have the feature of granting this power on a permanent basis, so that there is some legislative precedent for the bill now before us for a permanent granting of this power to the President. However, it is also interesting to note that the Congress did not wait long to remedy what it considered to be the mistake of granting this on a permanent basis. Within 7 months, after the original reorganization plans were granted they took away the feature of permanency and made the limitation 2 years.

From time to time subsequent to the original enactment reorganization powers were granted, but always on a basis of having the short termination date, usually a period of 2 years. During the war years these powers were extended on an emergency basis without limitation, the only limitation being that the powers would lapse 6 months after the termination of hostilities.

The act that we are now amending is the Reorganization Act of 1949, which is the result of the activities of the Hoover Commission. At the time it was enacted, the period of time that the powers existed was specified to be 4 years.

Since that time the Congress has extended these powers at 2-year intervals and, as has been mentioned before, on one or two occasions there have been lapse periods of time when these powers were not in force.

It is also interesting to note when I mention this is not a partisan political question, but really a question between the legislative and the executive branch of Government, that three Presidents have requested that this power remain permanent; first, President Truman in 1949, then President Eisenhower in 1953, and now President Johnson in 1965.

In addition, former President Hoover recommended that these powers be made permanent. However, the Congress has been jealous of its legislative prerogative and as yet has not seen fit to grant these powers on a permanent basis.

Let us also understand that the Reorganization Act does grant legislative authority to the Executive and there have been some fine constitutional questions raised as to the power of the Congress to do so. Let me state that in my opinion, this is, and there is no question but what it is, a grant of legislative powers to the Executive. However, there can be such a grant without it being an unconstitutional grant, and I believe the reorganization powers that have been granted to the President is a constitutional grant of the legislative powers because the act itself sets the guidelines under which the President can act.

This question has not per se been decided by the Supreme Court though some related cases have been.

In effect, we are, under the reorganization procedure, reversing the legislative process. The President is given the power to promulgate legislation. The President in doing so prepares a plan of reorganization within the limits of the law, that is the Reorganization Act, and submits this to the Congress. Under this procedure, the Congress is given the ordinary executive power of veto because this is the only power that we can exercise in the reorganization procedure.

Once the Executive has filed the reorganization plan, Congress has the power of veto for a 60-day calendar period which it can exercise or not as it sees fit. We do not have the other ordinary legislative powers, the power to amend and so forth.

Some have asked, since the power to veto has been made more liberal as the years have gone by, why is it not now possible to extend the reorganization powers on a permanent basis? I think we should recall that over the years the veto process has been changed considerably. At one time to override a presidential reorganization plan required a constitutional majority of both Houses acting together in concert. Later it was made within the power of one House acting with a constitutional majority to veto

a reorganization plan and most recently, and under the present law, either House of Congress, acting alone with a simple majority of those voting, can override or veto a reorganization plan.

But I point out to you that these substantive changes in the law have been tied to extensions of the power. If this power was made permanent in the President, it would then be very easy for the President to veto bills that contained such substantive changes. So that the periodic extension of the powers of this act gives the opportunity then to tie in one legislative enactment substantive changes that Congress deems necessary together with the extension, thereby giving the President a choice either of vetoing the bill and destroying his power, because the extension had not been signed into law, or of signing the bill into law which gives the extension power and also because Congress changes any substantive portion of the act that Congress may from time to time deem necessary.

It is not only that question that concerns us, the question of the method of overriding the plan or vetoing the plan. There are other substantive changes that have been necessary from time to time and the most recent and outstanding was the amendment that was adopted just last year by the Congress.

You may recall that President Kennedy submitted a plan for reorganization which incorporated the creation of a new executive department. This was the Department of Urban Affairs. At that time Congress balked and said it was never the intention of the Congress to grant to the Executive power either to abolish or create new departments. The power of the President under the Reorganization Act lapsed as a result of this dispute.

Congress in its wisdom last year, in extending the plan, also amended the Reorganization Act to specifically prohibit the creation or abolition of departments.

I believe it has been shown that the periodic extension gives to Congress power to make substantive changes in the act which are necessary.

Another objection to extending the act for a long period of time is the fact that within the act itself are specified rules which apply to the procedure for overriding or disapproving plans.

It is historically true that we adopt our rules on a 2-year basis. We do not adopt permanent rules in the House. Every 2 years the new Congress has an opportunity to reexamine the rules and to change the rules.

In effect, if we should extend this act without limitation, or extend it beyond the 2-year period, we would be adopting rules for a period beyond this Congress and binding future Congresses.

I believe it goes without saying that over the years there has been constant interaction among the three coordinate branches of Government—the judicial, executive, and legislative. At one time one was predominant and at another time another was predominant. I am sorry to say that at the present period in history I doubt if any political scientist or historian would say that the legislative branch of Government was predominant. Certainly the executive, since the early 1930's, has become stronger and stronger and has become a more predominant branch of our Government. In more recent years our Supreme Court and the judicial branch of Government has become stronger and stronger and in some instances, in my opinion, has entered into the legislative field.

The question before us really involves the power of the Congress, our power as an equal coordinate branch of the Government. We, the Congress, should be jealous of our constitutional prerogatives. We should guard with every effort we can put forth the rights we have as legislators.

I have no objection, nor does anyone of whom I know on the minority side, to the extension of this act. We feel that under the circumstances it has been a constitutional delegation to the President. But we do feel there should be periodic reexaminations of the use of this power of reorganization.

I understand, from the gentleman from California, that an amendment will be offered at the close of the debate in the Committee of the Whole to extend the act, rather than permanently, for a period of 3½ years.

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

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

Mr. HOLIFIELD. Does the gentleman not believe that this is a reasonable compromise between those who feel that 2 years should be the time limit and those who believe the act should be extended on a permanent basis?

Mr. ERLENBORN. I do not, for two reasons.

First is the fact that it would bind a future Congress, if we made the extension more than 2 years. Second, I believe a fatal error in picking this particular time—I believe it is really 3 years and 7 months—is that it would make the act expire on December 31, 1968. I believe that using this particular period of time, which the other body has and which the gentleman proposes in his amendment, would almost guarantee that the power would lapse, because it would lapse at a period of time when Congress would not be in session. The next session would begin in January of 1969. Therefore, the power would lapse, and it would take some period of months for Congress to extend the power.

Mr. HOLIFIELD. If the gentleman will yield further, I will say it is customary to extend acts some time before the expiration dates. There would be nothing to prevent our committee, which is a diligent committee, from extending the time prior to the expiration of the act.

Mr. ERLENBORN. I would say to the gentleman I understand from a reading of the hearings in the other body the purpose of the extension for this period of time was to make it coextensive with the term of the President, so when a new President came into office the new President could reexamine this power. I submit to the gentleman if the extension occurs in 1968, before the expiration of this time, the Congress will not know who the new President is. So this argument is no longer valid.

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

Mr. ERLENBORN. Yes. I yield to the gentleman from Illinois.

Mr. RUMSFELD. I want to commend and congratulate the gentleman from Illinois for this very fine presentation and analysis of this rather complex question. I certainly concur in much of what he has said. I quite agree with him that while the proposed 3½-year extension is a considerable improvement over a permanent extension, the 2-year extension, which he was discussing and which was discussed in great detail in the minority views, is certainly preferable. Again let me acknowledge the very thoughtful contribution which has been made by the gentleman from Illinois.

Mr. HOLIFIELD. Mr. Chairman, I have no further requests for time.

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. GURNEY].

Mr. GURNEY. Mr. Chairman, I would like to amplify on what the one gentleman from Illinois said about the other gentleman from Illinois. The previous speaker in the well [Mr. ERLENBORN] just made his first presentation in the House of Representatives as a new Member handling a rather technical question and problem, and in the almost unique situation for a freshman House Member, directing the debate on the Republican side as ranking committee Member I think he did a splendid job, and all of us should be proud of his performance as a new Member of the House.

Mr. Chairman, the issue here really is very simple and clear cut. It is, should the Congress make permanent the Presidential power under the Reorganization Act. I might add that at least that is the position at the moment, although, of course, it will be amended shortly, as the gentleman from California [Mr. HOLIFIELD] has pointed out.

Now, then, what is this power we are talking about, anyway? Well, of course, it is that the President may formulate and transmit plans for the reorganization of the executive branch of the Government which will go into effect unless the Congress vetoes the plan within 60 days. However, of course, the issue we are talking about here is not that at all, because we are all agreed that this is a good idea. What we are talking about is the power here of the President to legislate, because here in this Reorganization Act the President has a very unique power, that is, to legislate, which we, the Congress, have transferred to him and surrendered to him, if you will. The President has had this power under one form of legislation or another since 1932. Many plans have come down to the House and many have been approved. Some have been rejected. But now we ought to ask ourselves for a moment, is there any reason to make the power permanent or, for that matter, to extend it beyond the usual time of the 2-year period we

have been operating under for most of the period of the power since 1932.

I would like to point out to the House that there were only factors in the administration's presentation. First of all, there was a letter which the President sent to the Speaker of the House. Next there was one short hearing conducted before the committee. Actually, there was only one witness. I find nothing in the letter and nothing in the hearing that presents any valid reason whatsoever or, for that matter, any argument at all to show that it is necessary to make the power permanent or, for that matter, now to extend it beyond the custom we have been following of 2 years. As a matter of fact, in the hearings the witness was asked by one of the members:

In your opinion, Mr. Seidman, have these gaps inhibited your ability to function in this area?

He replied:

I think not my ability, but I think it has inhibited the President.

And then Mr. BROWN said: "Where did a President fail to function at that time?"

There was a short answer to that; and then:

What did a President want to do that he could not do, or didn't do?

And then the expert Government witness said this:

It is difficult for me to cite the specific examples, but I know there were ones.

Obviously, he did not know, and I would say and submit that since he was a Government expert witness and could find no examples that there really were no valid reasons. I would like to make the point that both the ranking minority Member here has made, as well as the chairman on the Democratic side handling the bill, that this is not a partisan issue. There is no administration issue or program at stake. It is not a Republican or a Democratic position.

It really is not an issue of States' rights as opposed to big Government. The real issue is that of the Congress of the United States, the House and the Senate, the real function and integrity of the Congress. We of the minority say that we should delegate our legislative function only temporarily. Our position is, of course, only for 2 years. I would submit that the Democrats and Republicans, liberals and conservatives, could well support this position if they wanted to.

It has been said again and again, and I certainly think it is true, and I think everyone on this floor would admit it, that the Presidency is the most powerful public office in the world today. The President has Executive order powers, and thousands of them have been promulgated since the beginning of the Republic. I think a good case could be made that there has been a lot of legislation here. Over in Vietnam and the Dominican Republic, we are engaged in the one place in a very heavy war and in the other place in a skirmish. The President of the United States actually has handled this almost entirely on his own. The Congress has not declared the war. And I do not quarrel with this, I do not quarrel with the President here. I think the President and the administration are doing an excellent job in these situations. I simply cite this as an example of the powers which the President has in this country. I would say that he really does not need any more power.

You know, when we were children we had a little poem that I sometimes use:

Little drops of water,
And little grains of sand,
Make the mighty ocean,
And build a mighty land.

I think it epitomizes very well our issue here. Since the founding of the Republic, certainly there has been a good deal of power transferred from the Congress to the President. More and more has the office become more powerful. That is the issue here today. I do not think we should transmit any more power at our expense.

The Republican, or minority, position is simply this. We say that the President ought to come back to the Congress every 2 years and remove this unique legislative power that we have delegated under this act. This will not in any way impede the President's mission. As a matter of fact, it will not impede the carrying out of his mission, whatever program he wants. It will not tie his hands. But I think it will serve to remind the President that the power that he has under this Reorganization Act is our power, that of the Congress of the United States, that we have transferred to him temporarily.

I would like to close these brief remarks by reading from the President's letter. If you will bear with me, I think this is fairly important. When the President sent up this bill to Congress, he had this to say in his letter. Speaking of his authority, he said:

From this authority will come benefits for the people whose Government this is.

The people expect and deserve a Government that is lean and fit, and—

And he goes on to explain it otherwise. Also he said:

Reorganization can mean a streamlined leadership, ready to do more in less time for the best interests of all the people.

I think the President had a good point to make when he talked about the people.

And, as a matter of fact, when we vote on this issue and when we vote for the Republican amendment or support the amendment that has been outlined on the other side of the aisle, I believe that what we should be concerned with, Mr. Chairman, are the people of the United States—because it is the people under the Constitution of this Government that delegated the lawmaking power, the legislative power, to this House of Representatives, to the other body and to the Congress of the United States and now in the Reorganization Act we have transferred and delegated and surrendered a part of this precious power to the President. I would say the least we could do here is to surrender this power for a limited period of time. Further, Mr. Chairman, I would say that the least we can do is have the President come back to the people through us, the Congress, and ask that the power be renewed from time to time.

Mr. Chairman, in closing I say that the people have a right to expect that this be done and certainly following the custom which we have followed for years and years of an extension of 2 years, makes all kinds of sense, and I would hope that enough Members on the Democratic side would support our Republican amendment to pass it.

Mr. RHODES of Arizona. Mr. Chairman, I rise as chairman of the Republican policy committee to report to this body the position of the policy committee on H.R. 4623.

The Reorganization Act of 1949 has demonstrated its effectiveness in promoting economy and efficiency in the executive branch of the Government. The act, therefore, should be extended.

H.R. 4623, the further amending of the Reorganization Act of 1949, however, is presently written in such a way as to threaten the prerogative of the Congress to review this legislation on a regular basis by making the extension of the act permanent.

The act itself constitutes a reversal of the constitutional procedure whereby the Congress enacts legislation which becomes law upon approval of the Executive. Under the Reorganization Act of 1949 the Executive is authorized to propose reorganization legislation subject only to a limited right of veto by the Congress.

The fact that this reversal of constitutional procedures provides for a more effective means of executive branch reorganization justifies the departure from normal procedure. To strip future Congresses of the right of legislative review of reorganization matters is, however, both unnecessary to the purposes of the act and unwise.

The entire legislative history of the act proves the wisdom of regular congressional review. The act has been amended a number of times since its original enactment. Future Congresses should continue to have the right to make such amendments when, in their view, they are needed.

We support the minority members of the Committee on Government Operations in their effort to amend the present legislation to provide for biennial review.

Mr. HOLIFIELD. Mr. Chairman, I have no further requests for time.

Mr. ERLENBORN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Reorganization Act of 1949 (63 Stat. 205), as amended, is hereby further amended by repealing subsection (b) thereof and by deleting the subsection designation "(a)".

AMENDMENT OFFERED BY MR. REUSS

Mr. REUSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REUSS: Strike all after the enacting clause and insert the following: "That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205; 5 U.S.C. 133z–3), as last amended by the Act of July 2, 1964 (78 Stat. 240), is hereby further amended by striking out 'June 1, 1965' and inserting in lieu thereof 'December 31, 1968'."

Mr. REUSS. Mr. Chairman, the authority granted by the 1949 Reorganization Act ought to be made permanent. This is the judgment of President Johnson. The permanency feature was also the judgment of the late President Herbert Hoover and the Hoover Commission. It was the judgment of President Truman and the judgment of President Eisenhower.

However, Mr. Chairman, we are confronted with this situation today. By a unanimous vote of the majority members of the Committee on Government Operations, this bill has been brought to the floor with the permanent reorganization power given to the President. By what I believe is a unanimous position of the minority members, the proposal was made that while the extension of the reorganization power is in the public interest, it ought to be extended for only 2 years. We are now faced with the following reality:

Unhappily, the existing reorganization power of the President expired on June 1, just 2 days ago. Since the Committee on Government Operations of the House reported out H.R. 4623 back in March of this year, the Senate has passed the bill, S. 1135, now on the Speaker's desk to extend the authority for 3½ years, until the end of December 1968. This will be the end of the first term of office of President Johnson.

Mr. Chairman, in order to avoid prolonging the period under which we are now suffering, where no authority to submit plans will be available to the President, and hence his ability to reorganize for purposes of economy and efficiency is seriously handicapped, I hope that this amendment will be adopted, and that we may then take from the Speaker's desk the identical Senate-passed bill and thus be in a position to send the combined Senate-House bill to the White House for signature.

I am well aware of the fact that a 3½-year extension does not cure all of the problems caused by the 2-year extension, but it is vastly preferable to the 2-year extension.

Mr. Chairman, I hope that this amendment will be adopted.

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

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

Mr. HOLIFIELD. As manager of this bill, may I say that I have consulted with the other members of the committee, the majority members of the committee, and they are in favor of the amendment offered by the gentleman. I see my worthy friend on his feet seeking recognition, so all I will say is that the majority side is in favor of the amendment as a reasonable compromise.

Mr. REUSS. I thank the gentleman, and hope that the amendment will be adopted.

AMENDMENT OFFERED BY MR. ERLENBORN

Mr. ERLENBORN. Mr. Chairman, I offer an amendment which I offer as a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. ERLENBORN as a substitute for the amendment offered by Mr. REUSS: Strike out all after the enacting clause and insert in lieu thereof the following: "That subsection (b) of section 5 of the Reorganization Act of 1949 (5 U.S.C. 133z–3) is amended by striking out 'June 1, 1965' and inserting in lieu thereof 'June 1, 1967'."

Mr. ERLENBORN. Mr. Chairman, the question now is going to be squarely presented to the Committee as to whether we want to extend this power for a 2-year period or for a 3½-year period. It was mentioned that the other body has chosen the 3½ years, and somewhat reluctantly the majority in the House is willing to go along.

I think there are some obvious defects in going along with the 3½-year period. First of all, I pointed out in my presentation before this means we are going to extend the rules of the House beyond the current Congress, that these rules will be applicable to the next Congress, somewhat contrary to our usual procedure.

Secondly, and I think more important, to understand why the 3½ years was adopted by the other body, you will have to read the text of the hearings that were conducted by the Government Operations Committee of the other body. It is also interesting to note that one of the most vocal opponents to the permanent extension in the Committee on Government Operations of the other body was the chairman of that committee, who was the sponsor of the bill at the request of the President. After these hearings were conducted the sponsor of the bill, chairman of the committee, found he could not go along with the President's request as he originally had done by introducing the bill, but he, together with others, devised a plan of extending this for 3 years and 7 months.

The purpose, as I explained it, is that it does coincide with the term of our present President. He could have requested this for another 4 years, but this coincides with the term of the next President so that we could consider this power in the light of the knowledge who our next President would be in each 4-year period.

I think they made some miscalculations. Since the Congress in 1968 no doubt will adjourn prior to the November elections and will not be again in session until January 3 of 1969, the extension of this power cannot be accomplished in 1968 prior to adjournment with the knowledge of the fact who the next President is going to be. And the same thing will be true for an extension of 4 years. So that the purpose of the gentleman in the other body of choosing this period of time, I think has been thwarted by their choosing of this period of time of 3 years and 7 months.

I think it makes much more sense for us to extend this for 2 years as my substitute amendment would do and then we could extend it for another 2 years, and that would bring us to June 1 of 1969 and at that time the new President would have been chosen and he would have been in office a few months, and this Congress would be in a better position to assess the necessity or the worthwhileness of extending the reorganization power to the new President.

So I think this expiration date of June 1 that we have, and extending in 2-year periods, would better accomplish the purpose of the gentleman of the other body who chose this awkward period of 3 years and 7 months. Therefore, I urge the adoption of my substitute amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. REUSS. Mr. Chairman, I rise in opposition to the substituted amendment.

I oppose the substitute amendment offered by the distinguished minority member [Mr. ERLENBORN], for one important reason.

The reorganization plan procedure, even if made permanent, is a very shy bird and a very frail reed. That is so because reorganizations can only be attempted under it in about 4 or 5 months of the average year. It will not work in the first month or two of congressional organization. It takes a 60-day waiting period, and no administration is likely to want to send up a reorganization plan toward the end of the session for the simple reason that 60 days is not likely to elapse before adjournment.

For this reason there have been serious gaps in our reorganization procedure. In recent years, in 1959 and 1960 and again in 1963, reorganization was impossible because Congress had neglected to renew the authority. Indeed, it is true today and for the first 2 days in June that there is on the books no reorganization authority. So President Johnson, President Eisenhower, President Truman, and President Hoover knew what they were talking about when they asked that this authority be made permanent. The 3½-year, end-of-the-presidential-term proposal, of the other body is not as good as making it permanent, but it is vastly better than cutting it back to 2 years, as the substitute amendment of the gentleman from Illinois would do.

So in conclusion, let me urge my Republican friends to join us in voting down the 2-year amendment for two good reasons. First, from the standpoint of party solidarity, I would hope that you would give the late President Hoover unstinted backing in his feeling that a 2-year limitation is unwise and unjust.

Secondly, as reasonable men, we Democrats have come here with a bill for permanent power. You Republicans have come here with a 2-year proposal. We now offer 3½ years. We ask you to go up by a year and one-half and we are willing to come down from infinity—from eternity—to 3½ years. As is said in the Bible, if my adversary will go with me a mile, I will go with him twain. We Democrats have come a long way from infinity. I hope Republicans, as reasonable men, will join us in voting down the 2-year substitute.

Mr. RUMSFELD. Mr. Chairman, I rise in support of the substitute amendment.

Mr. Chairman, as a member of this committee, I have heard the arguments of the gentleman from Wisconsin frequently raised in opposition to the 2-year extension and in favor of a 3-year extension—or a permanent extension—as was proposed by the majority party. I have heard the argument raised that this power has lapsed from time to time. The gentleman from Wisconsin just raised this point and indicated this was unfortunate, and that this unnecessarily restricted the Executive's opportunity to put forward reorganization plans. Yet, the years he cited, of course, were years when the Democratic Party was in the majority as they are in the majority now. I think the gentleman from Wisconsin would have to agree there was no reason in the world for this power to have lapsed this year. The Government Operations Committee considered this early in the year and it was considered in sufficient time to come out prior to the lapsing of this power this year.

It seems to me that the problem of lapsing could be easily overcome if the leadership wanted to have it overcome, if they wanted to schedule the extension for floor action, if they were seriously concerned about the disadvantage to the executive branch which the gentleman claims as a result of a lapse in the authority.

I am also aware that this power may have lapsed at times when the Republican Party was in control of the Congress.

To my knowledge, none of the lapses actually restricted the Executive from offering a reorganization plan.

I would add that the arguments the gentleman from Wisconsin has made in opposition to the 2-year extension could be applied with as much effectiveness and eloquence against a 3½-year extension which he now supports.

I certainly urge the Members of the House to support the proposal for a 2-year extension. I believe it would be a reasonable extension. It is similar to what we have done in the past.

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

Mr. RUMSFELD. I am happy to yield to the gentleman from Wisconsin.

Mr. REUSS. I thank the gentleman from Illinois.

I want to set the record straight on a couple of matters.

In the first place, there was testimony before the Committee on Government Operations that past lapses had in fact inhibited the reorganization process.

In the second place, it is true that those lapses did occur. It is only the rule of comity between this House and the other body which keeps me from saying now which body was responsible for those regrettable lapses.

Mr. RUMSFELD. I thank the gentleman.

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

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

Mr. REINECKE. Is it not also true that if this power lapses as of December 31, 1968, we could not possibly reinstitute the procedure until new committees of Congress had been formed and the committees could go to work, which would almost guarantee 1-month delay.

Mr. RUMSFELD. I thank the gentleman. This, of course, is a possibility. Let me emphasize that I support the extension of this reorganization authority. This procedure has worked well. I favor the 2-year extension. I oppose the permanent extension. If the 2-year extension fails it is my intention to support the 3½-year extension, not as the best solution, but as a considerable improvement over the proposed permanent extension.

Mr. GURNEY. Mr. Chairman, I rise in support of the Erlenborn amendment and move to strike the requisite number of words.

I should like to set the RECORD straight, in terms of the observation made by the gentleman from Wisconsin [Mr. REUSS] that there were reasons given in the testimony that the lapses inhibited the actions of a President. I thought I had made it clear in the well in my previous argument, that there was no such evidence at all.

The only evidence possibly shading on this point occurred when the Assistant Director of the Bureau of the Budget, Mr. Seidman, had completed his testimony. He gave nothing in this testimony to show this. He was asked a question by Mr. BROWN:

> What did a President want to do that he could not do, or didn't do?

That referred to when there had been lapses. Mr. Seidman said:

> It is difficult for me to cite the specific examples.

He did not know any. There was no evidence, actually.

It seems to me the issue is down to the fact that the majority obviously has discarded the argument that the power in the President ought to be made permanent. They recognize and adhere to the minority position that the power should be extended for a temporary time only.

We have operated under this Reorganization Act or one similar to it since 1932, some three decades. All during this time, except for one period of 4 years, as I understand it, we have always done so under 2-year extensions. Since we have operated so well and the thing has worked so well, as everybody has agreed, both Democrats and Republicans, why not continue to operate the program under 2-year extensions which have worked so well.

It seems to me that is the nub of the argument, instead of pulling some 3½-year rabbit out of a hat, which does not tie to anything or make any sense, really, at all.

I hope that the gentleman from Wisconsin might support our reasonable argument for a 2-year extension.

Mr. HALL. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I believe the substitute amendment is appropriate, and in support thereof I wish to make two points to the Committee. First, I have reasonable doubt that the Reorganization Act of 1949 should be extended on any basis. I believe there is considerable evidence that it is an erroneous delegation of the legislative power. I thought that an additional point was beautifully made by the ranking minority member handling this bill; namely that, once this power is extended interminably, the President will then have the veto power on further limitations that the Congress might send up. Third, I think we cannot agree to an outright appeal of the time limitation. I think it is a constitutional delegation of duty to us. Above all, much has been said here with eloquent pleas about the "twain," vis-a-vis the art of compromise by the gentleman from Wisconsin. "Twain" out in our part of the country—Missouri—means something else. It was a pseudonym for Samuel Clemens, the writer of "Huckleberry Finn," "Tom Sawyer," and other books. It really means 2 feet deep in measuring water in channels. However, we have to decide from whence we proceed when we make a compromise. We do not compromise with all of the walnuts in one boys basket, and then start dividing them. Mr. Chairman, what I am trying to say is compromise is not involved when we have already reversed the process of veto, between the legislative and the executive branches of the Government.

The second main point I wish to make in addressing this Committee of the Whole, is that according to Senate Joint Resolution 2, which was passed by this body, there is now a Special Committee on the Organization of the Congress. It is composed of 12 Members of this body and 12 Members of the other body. This is a completely bipartisan committee. If the weight of the evidence heard to this date has any substance whatsoever, it is that this question of reorganization should be strongly reconsidered. In fact, the restoration of legislative prerogative is being strongly considered by the committee now. I submit that this is no time to make this permanent or bind a successive Congress, namely, the 90th Congress; while the organization of the Congress, including its relations with other bodies and branches of Government, are being seriously undertaken. Therefore, I would strongly urge the Members to support the substitute amendment.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Illinois [Mr. ERLENBORN].

The question was taken; and on a division (demanded by Mr. ERLENBORN) there were—ayes 40, noes 75.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. REUSS].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. SISK, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee, having had under consideration the bill (H.R. 4623) to eliminate the expiration date for the authority of the President

to submit reorganization plans to the Congress, pursuant to House Resolution 326, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. This question is on engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Mr. ERLENBORN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ERLENBORN. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ERLENBORN moves to recommit the bill, H.R. 4623 to the Committee on Government Operations.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1135) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before December 31, 1968, a similar bill to the one just passed by the House.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

S. 1135

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205; 5 U.S.C. 133z-3), as last amended by the Act of July 2, 1964 (78 Stat. 240), is hereby further amended by striking out "June 1, 1965" and inserting in lieu thereof "December 31, 1968".

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

A motion to reconsider and a similar House bill (H.R. 4623) were laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

APPOINTMENT OF ADMINISTRATOR OF THE FEDERAL AVIATION AGENCY

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 407 and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 407

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7777) to authorize the President to appoint General William F. McKee (United States Air Force, retired) to the office of Administrator of the Federal Aviation Agency. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 407 provides an open rule with 2 hours of general debate for consideration of H.R. 7777, a bill to authorize the President to appoint Gen. William F. McKee, U.S. Air Force, retired, to the office of Administrator of the Federal Aviation Agency.

H.R. 7777 would authorize the President, acting by and with the advice of the Senate, to appoint General McKee to the office without affecting his status as a retired officer of the Air Force, subject to the provisions of the Dual Compensation Act.

The bill provides that General McKee, in the performance of his duties as Administrator of the FAA shall be subject to no supervision, control, restriction, or prohibition—military or otherwise—other than would be operative with respect to him if he were not a retired Regular Air Force officer.

The intent of Congress is expressed that the authority granted by enactment of this legislation is not to be construed as approval by the Congress of continuing appointments of military men to the office of Administrator of the FAA in the future.

Mr. Speaker, I urge the adoption of House Resolution 407.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from Indiana [Mr. MADDEN], House Resolution 407, if adopted, would provide for an open rule of 2 hours of general debate for the consideration of H.R. 7777, having to do with the appointment of the Administrator of the Federal Aviation Agency.

It seems to me, Mr. Speaker, that the history of this agency is rather interesting and, if I may, I might review it for a moment or two.

Mr. Speaker, going back to the days of the late President Roosevelt there were suggested certain reorganizations having to do with aviation, and continued on subsequently, and when we had a fine airplane, the C-47 which turned out to be the workhorse throughout the world, we had various agencies controlling the airlines at that time, the military, civilian, and otherwise. There were a number of accidents by the military- and civilian-operated planes. As a result the Congress in its wisdom decided that it would set up a separate agency and take these operations away from the Department of Commerce. As a result the Federal Aviation Agency was created back in about 1958. As I understand it, Congress at that time had some concern as to whether or not this agency might be controlled by the military.

So it wrote into this particular act a restriction that a person from the military could not be the head of the particular Agency. At that time General Quesada was the individual who was to be selected as the head of the Agency, a very distinguished, a very qualified individual. He could not receive his retirement after some 35 years in the service, and at the same time receive a salary as Administrator of FAA. He was a man of some means, and gave up his retirement, or resigned from it, and became a very distinguished head of the FAA. As I understand it, after he resigned as head of the FAA we restored his retirement status to him.

Mr. Halaby came in, and he is going to resign. We have General McKee, whom I understand from both the minority and majority reports, is a very capable individual. He is an Air Force general with some 35 years of service, and he apparently is not in the position to waive his retirement pay.

The opposition takes the position on the basis this would set a precedent; possibly the law itself should be changed if we are going to make this exception, and permit an individual to receive his retirement at the same time he handles this particular job. Those are the arguments for and against.

Mr. Speaker, as far as I am personally concerned, there are many retired generals in various capacities with private corporations, receiving large salaries, who are back here lobbying for legislation. If General McKee has earned his retirement, I think he is entitled to receive it. If he is as qualified as everybody states he is, and wants this position, I think he is entitled to receive the salary of that position.

Mr. Speaker, I support this rule.

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

Mr. SMITH of California. I yield to the gentleman from California.

Mr. YOUNGER. Mr. Speaker, I cannot find any printed hearings on this bill.

Is it customary for the Rules Committee to report bills on which there are no extended hearings?

Mr. SMITH of California. So far as hearings are concerned, I do not believe the Rules Committee has any custom on that. We have the report before us, and the bill, and that is what we rely upon.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7777) to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the Office of Administrator of the Federal Aviation Agency.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7777, with Mr. ZABLOCKI in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARRIS. Mr. Chairman, I yield myself 10 minutes.

It merely authorizes the President to appoint Gen. William F. McKee, U.S. Air Force, retired, to the office of Administrator of the Federal Aviation Agency.

I think it might be helpful to first review a little of the history of the Federal Aviation Act and then bring you up to date and thereby provide you with the information which makes this exception necessary.

The Civil Aeronautics Authority was established by the Congress in 1938. Prior to that time we had only a minimal program with reference to aviation. There was some partial authority which was granted under the old Air Commerce Act. But this new and fabulous mode of transportation became a reality, and the need for further regulation became a necessity. That is recognized by most everyone in all phases of the industry. So the Congress in the 1938 program established a five-man board, and an administrator to head the program, and called it the Civil Aeronautics Authority. But the program hardly got started when in 1940 President Roosevelt by a reorganization act established out of it or converted it to the Civil Aeronautics Board. That is what we have today, and we call it the CAB. At the same time the Air Safety Board was abolished. The administrative end of it was transferred to the Department of Commerce and it became the Civil Aeronautics Administration. Then the development of this mode of transportation really got underway. We saw what happened during World War II. The gentleman from California [Mr. SMITH] mentioned the old C-47 which became the workhorse and which was the real airplane at that time, and what a great achievement we accomplished in this country by its development and use.

Then during the war you know there were various planes that were developed to meet the requirements of our national defense. Many of those were put into commercial operation following the war. Of course, we had the old C-47, or DC-3, which was followed by the DC-4 with a four-engine operation.

From there on we began to develop other types of planes, until finally we hit the stage where the fast jets were coming into operation. Then commercial aviation really began to progress. As I said to the Rules Committee the other day, if the remainder of industry in this Nation could keep up with transportation in progress and development, as well as communications, this would be the greatest achievement toward a great society of which we could possibly conceive, because these two phases of our way of life have really provided this Nation with the most fabulous development that the mind of man can possibly conceive, in my judgment.

With these new innovations and new developments problems usually develop, and problems did develop. We had fast planes and then we had faster planes. Then we got to talking about planes faster than sound, jet planes traveling through the air so fast that the old control methods simply would not accommodate them. This brought on safety problems. Dangerous situations developed throughout the country. It was quite obvious that the air traffic control facilities we had during the 1950's simply would not accommodate this new development.

Out of all of this came a recognized fact, that we must do something about it. So President Eisenhower set up a special committee—a White House "Blue Stocking Committee," if I may call it so—to make a study, to investigate and go into the problem to see what we could do about it.

This committee was headed by a retired general of the Air Force, General Quesada. A great many Members know General Quesada. He was an outstanding Air Force general. He had an outstanding military record. I believe he was a West Point graduate prior to going into the Air Force. He had a long military career of I believe 30 years or more. He performed fine and recognized service for his country.

General Quesada had retired. He was retired as a lieutenant general.

General Quesada was given the responsibility of heading up this committee, called the Airways Modernization Board appointed by former President Eisenhower. This group did an excellent job in making a study of the program and what was needed to meet the developments we were experiencing. Out of that came a rewriting of the old Civil Aeronautics Act as to the administration and partly as to the Civil Aeronautics Board. This became known as the Federal Aviation Act.

The act applicable to the Civil Aeronautics Board itself was amended only slightly in 1958, but the other phases, the administration, were completely rewritten and modernized and brought up to date.

I give this background to explain that at the time we had this man assisting us. Who was the witness who testified for the bill, and who was helping to put it together? General Quesada. General Quesada did an excellent job. He was to be the first Administrator of the Federal Aviation Agency, the new agency coming into being.

As a retired general of the military, General Quesada was to take over—which he did—to operate that agency from the time the bill was passed in 1958 until he was replaced in 1961.

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

Mr. HARRIS. Yes indeed.

Mr. SPRINGER. The chairman does not want to leave the House with the impression that the crucial issue involved here is whether or not he was a civilian. I am sure you do not want to leave the House with the impression that General Quesada was a general at the time.

Mr. HARRIS. I will give the whole story so that the Members can have the benefit of it.

We had to bring together two systems of navigation control. The military, the Air Force, had developed a system of air control of its own. The commercial aviation industry and private flying had its own air navigation system. There were two separate programs going in their own directions. When these fast planes began to come into existence, then the two systems began to clash. It was obvious that the two systems could not continue to operate without endangering the lives of the people of the country. Consequently this new concept was to bring both into one controlled operation. It was decided under this proposed program, which was submitted downtown at the White House by the then President, to bring them under one control. However, we had to take some 14,000 to 15,000 military personnel out of the military and bring them into this agency, the Federal Aviation Agency. We had to merge them with some 12,000 to 14,000 civilian personnel of the existing aviation agency, which made a total number of 26,000 to 27,000 employees, both military and civilian, that had to be brought together and merged together as one unit and one operation under a civilian head. That was the Federal Aviation Agency.

So we brought all of these military personnel over from the Air Force and the Army. We had some in the Army, too. We brought them over and put them under the new Federal Aviation Agency. The question arose, Would bringing all of these thousands of military personnel over into a civilian agency raise problems? We had General Quesada, a retired military man, promoting the program. We had the question arise, Should we put a restriction on or should we give consideration and attention to being sure that this remained a civilian agency? It was generally considered that it should be a civilian agency and should be maintained as a civilian agency and therefore should be operated and

administered as such. General Quesada, in meeting that problem said:

What I am going to be—

And it is in fact what happened—

I am going to be named the first Administrator of the program. But in order to meet this I will tell you what I will do. I will just give up my retirement and resign.

And that is what he did. As such he technically met the provisions of the act that the head of the Federal Aviation Agency must be a civilian.

I might say that it did not mean too much to General Quesada because financially he was in a position to do so. I do not say he was a wealthy man, but he had no problems getting along so far as finances were concerned. That was 1958, in the latter part of the year. Within 1 year this Congress, with my support and that of the majority of the committee, reestablished his retirement status. We provided for it in a bill signed by the President of the United States on September 16, 1959.

We are not going to change a man's thinking, change a man's background and training just because he says, "I am going to give up my retirement" in order to serve in a position of this kind.

That is the brief history of it. General Elwood Quesada did do a magnificent job, in my judgment. He made a fine Administrator. There was no problem about control by the military. He did a good job and I upheld him as far as I could and I applauded him for the job that he did.

After he left another great Administrator was appointed who is now serving, Najeeb Halaby, who had some military background during the war. Later, he was an outstanding test pilot. He had had a lot of experience in the administrative field in the aviation industry with some of the largest companies in the United States. He has done a very good job in these 4 years, in my judgment, handling a very tough assignment.

Early this year he advised the President—it was in April of this year—that he wished to be relieved of this responsibility. It is my understanding that the President attempted to prevail upon him to stay. He told the President that he came here to stay 4 years, that he had long range plans and would like to proceed with those plans. The President accepted his statement and said that as soon as he could get somebody, he would be glad to do what had to be done. The President wanted to get someone who was an outstanding administrator, a man who had had experience in administering a program comparable to this program. At the same time he wanted a man who was knowledgeable in the fields of science and technology. He wanted somebody who knew something about the programs that we have underway, because one of the biggest problems in this country is the development of the supersonic plane. We are in competition on that plane with the British and the French. If they beat us to it, they will get the aviation business and the aviation industry in this country will be hurt. We have to recognize this.

The President had this in mind. The President was advised that there was a man, General McKee, who had 35 years of military service and was in a retired status. Today, he is Assistant Administrator for Management and Development, a prominent position, in NASA, serving in that great agency in connection with the development of some of these programs. The President decided that here is a man who would fill the bill; he would do the job. So he announced the appointment of General McKee. From this arose the question of the provision in the Federal Aviation Act stating that the head of the Agency must be a civilian.

Let me go back to what happened in the consideration of this problem when General Quesada was helping us rewrite the bill.

We said then that since General Quesada is going to be the first man to head the Agency and he has a military background, the next man, the Deputy Administrator would not be anyone with a military background. In other words, he must be a true civilian. We either must have the Administrator or the Deputy Administrator a true civilian. So, we provided the very first exception when the act was passed by this Congress. We set the precedent. We provided—and we wanted it and still want it as a civilian agency—that if the Administrator is to be a man with a military background and record, the Deputy Administrator must be a true civilian.

So, Mr. Chairman, what did the President do?

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. HARRIS. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, the President said, in carrying out that concept and philosophy, "Then I will name Dave Thomas as the Deputy." Dave Thomas is a true civilian and one of the finest, most knowledgeable people in the United States in this business. He is the man who is going to serve as Deputy Administrator

So, it seems to me, Mr. Chairman, we have a situation here that fits the bill. The President has asked for it. He has his responsibility. I, for one, believe that under the circumstances this is a reasonable request.

Mr. Chairman, in the report which is now before the members of the Committee of the Whole House on the State of the Union, at page 5 thereof, the members will see that the President's letter is included and I invite the attention of the members to page 5 of the report.

Mr. Chairman, there are some who are trying to make something out of this, some who say that it violates the spirit of the act. However, I have tried to give to the membership the history and the background in order to show how we started.

Mr. Chairman, this in no way in my judgment transgresses the spirit of the act any more than it did when we started.

Now, Mr. Chairman, General McKee is not a man of means. All he has in this world is his retirement which he has earned over the span of 35 years for himself and his family. He is in no position to just throw it away, resign his commission, and give it up. He told us that very frankly and candidly when he appeared before the committee.

Mr. Chairman, I believe there is some substance to this request and I ask my colleagues of this House to join me in giving our President the man he has selected whom he feels will do a good job and one who did perform a great job as Administrator of the Air Force itself when General LeMay placed him in charge for a period of several years at the time General LeMay was Chief of Staff.

Mr. Chairman, General McKee is a man who made a great record as the Administrator of the Air Force and who also has served in other administrative positions over civilian as well as military personnel during his career.

Mr. Chairman, I believe General McKee meets the criteria prescribed for this position. I believe it would be in keeping with the spirit of the act with this agency set up as it is. In my judgment it is going to continue to be a civilian agency. I, for one, am going to see that it is a civilian agency so long as I am here in the Congress.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I hope in these few minutes, without showing any derogation to the good chairman—who is a good chairman, the gentleman from Arkansas [Mr. HARRIS]—to see if I can cut through this maze of what has been said and what is contained in the report in an effort to see if I can tell the members of the Committee in simple terms what this is all about.

This is what the law says now, today. This is the law:

At the time of his nomination he shall be a civilian.

When we passed the act in 1958 I do not believe there was a section of the Federal Aviation Act as passed over which we spent more hours, had more disputes arise as to the wording of this particular section, with insistence, may I say, that the Administrator be a civilian. And may I say this did not come from my side, or the Eisenhower administration. In fact, I can confess there were more over on that side who were insisting this language be included in the bill than there were on my side. In fact, I believe it was almost unanimous on the Democratic side that this wording be included in the bill that "he be a civilian."

One of the reasons was when General Quesada came before the committee to testify, it was indicated he was going to be the Administrator of this agency, and the fact is he said "I expect to be nominated." This is all the more reason why the same men sitting here today insisted that this wording be put in the bill.

Let us see about General Quesada. General Quesada did not voluntarily say to the United States, "I will resign my commission." If you want to know what happened, the President sent his emissary down to our committee to find out whether he could appoint General Quesada without making him a civilian. The President got a very definite answer

that we would not change this law for General Quesada.

It was then that the President of the United States and Quesada yielded. Quesada said, "I will resign my commission to be Administrator." I think I am speaking the truth as to how this act was originally passed and why those words were put in the bill. From each side of the aisle insistence came that General Quesada resign his commission.

But that is not the problem that is involved here. It is the fact that he should be a civilian and ought to be a civilian. We decided that in 1958, and it is just as true in 1965 that he ought to be a civilian. So far the law has not been violated.

What is the nature of H.R. 7777? Mr. Chairman, this is a personal bill; it is nothing less than that. Directly involved here is changing the law for General McKee during the time he serves as Administrator of FAA. That is what this bill is about. It is a personal bill for General McKee—no more, no less.

May I come, now, to the question of why he should be a civilian: When the Federal Aviation Act was passed the Air Force had a considerable area of the sky which they sort of ruled as their own route. They did not file flight plans, they flew all over the sky. You had accidents with civilian planes crashing with Air Force planes. It was only by the formation of the Aviation Act that we could get the Defense Department to surrender enough of its power to make up the Federal Aviation Agency, combining what they did with the Civil Aeronautics Authority, which at that time did have charge of the safety of the skies as far as civilian aircraft were concerned.

We were afraid in 1958 of exactly what happened with General Quesada, and what is happening in this administration with General McKee. It has happened. There is no way in which we can prevent the President of the United States from nominating General McKee if he is a civilian any more than this Congress could prevent the nomination and I suppose final confirmation of General Quesada for General McKee reasons.

May I ask, is General McKee the only person in this country who can be found to do this job? Is he the only man who can administer the Federal Aviation Agency with grace, with dignity, and with confidence? I do not believe any of us believe that. But I think the issue here is whether or not you are going to violate the law or change the law in the way that this bill does, to allow a member of the armed services who is now in retirement and who could not be appointed under this act to be appointed. That is the simple issue with which we are faced.

Now let me say this. I have a high respect for General McKee. There is no issue about that. I am sure we had the same high respect for General Quesada in 1958. I would say General Quesada and General McKee are both men eminent in their field and both highly qualified and both greatly respected. That is not the issue. The issue is whether or not we are going to have a civilian administer this Agency.

My distinguished friend, the chairman of the committee, has said he does not think this violates the spirit of the act. Gentlemen, I do not know whether it violates the spirit of the act. But it violates the act—period. It is that simple and that is all there is to it.

Let us go over here to a part of this and I guess the committee felt so ashamed—at least I felt rather sad about it. This amendment was put in:

> It is hereby expressed as the sense of Congress that after General McKee leaves the office of Administrator of the Federal Aviation Agency, no additional appointments of military men to that office shall be approved.

Why did we not do that back when General Quesada was up for appointment? Because at that time we believed firmly that the man who had to administer this agency ought to be a civilian. I believe that just as firmly as I did when General Quesada was there and I believe it today. Gentleman, this is the issue as I see it. It is as simple as that. It is up to you to determine whether or not you are going to change this law in order for a military man to serve in a position where the law says that at the time of his nomination he shall be a civilian. Gentlemen, it is that simple.

The CHAIRMAN. The gentleman from Illinois has consumed 8 minutes.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Chairman and members of the Committee, I think it is extremely unfortunate that we are proceeding with a bill of this importance without the printed hearings. It is impossible to refer to a number of things that were referred to in the hearings which I would like to refer to and which if I mentioned them would probably be questioned and it might be said that it did not happen. I think it is unwise for the Congress to take up a bill of this size and of this importance without printed hearings.

As I mentioned when we were considering the rule, it does not seem to be in the best interests to do that.

You may think that we have all civilians in this Aviation Agency. I think it is well for us to know just who we do have in this Agency. I would like to give you some figures of just how many military men are already in this Agency. In the Ready Reserves there are 1,250. In the Active Standby Reserves there are 628. In the inactive standby there are 4,364. In other words, in the Agency including the enlisted men and noncommissioned officers and so forth there are 6,292. Of retired military men who are retired and on pension, there are 1,812 in the Agency.

So it is rapidly becoming a military organization.

Let me give some more figures. As of the present time there are 94 retired and active Regular officers who enjoy executive assignment in the FAA. General Grant is the incumbent Deputy Administrator. His permanent grade is a major general. The Federal Air Surgeon is Maj. Gen. M. S. White. The Associate General Counsel is Brig. Gen. Martin Menter, whose permanent rank is colonel. There are 15 colonels, 31 lieutenant colonels, and 20 majors drawing Air Force or Army retirement while working with this Agency. So we have already created pretty much a military organization.

In the hearings there was mentioned a number of times—and when we tried to find out the real motive for this appointment, we were referred a number of times to the fact that the President had a military purpose, but we were never able to get what the purpose was.

I believe all of us know of the Executive orders that were prepared during the Kennedy administration for preparedness. They were famous Executive orders.

I should like to read the Executive order in respect to the Aviation Agency. It is Executive Order No. 11003.

> By virtue of the authority vested in me as President of the United States, including authority invested in me by Reorganization Plan No. 1, 1958, it is hereby ordered as follows:
>
> Section 1. Scope: The Administrator of the Federal Aviation Agency (herein referred to as the Administrator), shall prepare national emergency plans and develop preparedness programs covering the emergency management of the Nation's civil airports, civil aviation operating facilities, civil aviation services, and civil aircraft other than air carrier aircraft. These plans and programs shall be designed to develop a state of readiness in these areas in respect to all conditions of national emergency including attack upon the United States.

If the military purpose of the President is with respect to the idea that he plans to issue some of these Executive orders—which can be issued, because we are still operating under the emergency clause of the Korean affair—the Executive orders can be issued at any time.

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

Mr. YOUNGER. I am glad to yield to the chairman.

Mr. HARRIS. I should like to call to the attention of the gentleman—I am sure he has not overlooked the fact, since I endeavored to explain it briefly in my statement a while ago—that the Federal Aviation Act of 1958 provides in section 302(c) for military participation. That is set up in the act. The purpose of the act was to serve military as well as civilian requirements. If the gentleman will read subsections (c) (1), (2), (3), he will find this is carrying out what the gentleman just said.

Mr. YOUNGER. I am perfectly aware of that. That was brought out a number of times in the hearings. That is why I am sorry the answers we had in the hearings are not available to the Members. I believe it is regrettable that our committee brings to this body a bill without the printed hearings available.

Mr. HARRIS. Will the gentleman yield further?

Mr. YOUNGER. I am glad to yield.

Mr. HARRIS. As the gentleman knows, there were only a few witnesses.

First was Mr. John Macy, Chairman of the Civil Service Commission. Mr. Hartramft, head of the AOPA and a fellow by the name of Mr. David Scott, who is head of the National Pilots Association,

appeared. General McKee appeared in executive session. Those were the only witnesses, and the gentleman has the benefit of all their statements.

Mr. YOUNGER. I have the benefit of them, but none of the Members of the House have the benefit of those hearings. In other words, following your argument, no committee would print the hearings before they bring a bill to the floor of the House, because the committee already heard them. It is a rather fallacious argument to present to this House.

Mr. HARRIS. Will the gentleman yield further?

Mr. YOUNGER. Yes.

Mr. HARRIS. If the gentleman thinks so, I have a transcript here which I will be glad to present to him.

Mr. YOUNGER. I do not want it.

Mr. HARRIS. Or I will present it to any other Member who might want to see it.

Mr. YOUNGER. I know. It is a very fine gesture and a good gesture. If you are of the opinion that we should bring bills to this House without printed hearings, then that is your opinion. However, I oppose that kind of procedure. I think the rules of the House state and the usually followed procedure is that committee hearings are printed. This thing of ramming bill after bill through the House here without following the usual procedure is something we ought to object to here in the legislative halls. I think there is too much of this thing going on already. I think if the President has in mind issuing any of these orders, which he may have, then the appointment of General McKee would be perfectly in order, but I believe that the House ought to have that information, and he ought to say to the House, "Yes, I intend to use him exactly to prepare this Federal Aviation Agency for military purposes." We ought to know that.

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

Mr. YOUNGER. Yes. I yield to the gentleman from California.

Mr. MOSS. Is it not true that our chairman—and I think you will agree with me he is a very fine chairman—acted under the specific direction of the committee? When it reported this bill he was instructed to proceed to take it to the Committee on Rules to obtain a rule to bring the bill before the House. At no time during the hearings of the Committee on Rules was any objection lodged against the granting of a rule, or statement made that it should be held in abeyance until such time as the committee hearings were printed. I am not disagreeing with the gentleman as to the need for having committee hearings and printing them but merely stating that to place the responsibility on the chairman and to charge that he has acted wrongly is totally in error.

Mr. YOUNGER. I did not do so.

Mr. MOSS. It is a shared responsibility, if there is any fixing of responsibility.

Mr. YOUNGER. Just a minute. You did not quote the entire resolution which brought this bill out. Will you quote the rest of it?

Mr. MOSS. I do not have the resolution before me, but I know that the instruction to the chairman was the usual instruction to take the usual steps.

Mr. YOUNGER. That is right.

Mr. MOSS. I do not recall any specific mention in any of these instructions on any occasion requiring that the chairman first see that the hearings were printed.

Mr. YOUNGER. I have been here for the same length of time as you have; that is, 13½ years, and all except two of them serving on this committee. I have seen the same resolution to bring out a bill and to proceed in the usual manner, but on all occasions we have had reports of the hearings printed.

Mr. MOSS. We have had reports, but I do not think the gentleman will contend that we have in each and every instance had printed hearings, because a little careful research might cause him to correct his statement. I do not believe he wants to leave that impression.

Mr. YOUNGER. Will the gentleman agree that we should not have printed hearings when we have a bill of this import?

Mr. MOSS. No. I agree we should have printed hearings, but let us take a little of the responsibility for it ourselves. You and I and the rest of the committee, too. If we feel they are so necessary, then let us direct the chairman, at the time we report the legislation, to see that the hearings are first printed.

Mr. YOUNGER. Do not blame me. I did not vote to bring this bill out. I voted against the bill. You are the one who voted to bring it out.

Mr. MOSS. I did, without apology, but I do not recall the gentleman's request for printed hearings.

Mr. YOUNGER. I am sorry, then. If hereafter that is the way the committee wants to function, that is all right. We will say each time that the hearings shall be published and printed before the bill goes to the floor.

Mr. HARRIS. Will my colleague yield to me?

Mr. YOUNGER. Yes. I am glad to yield to the chairman.

Mr. HARRIS. Would the gentleman vote for this bill if he had the hearings printed?

Mr. YOUNGER. No; I did not vote to bring the bill out. I am opposed to the bill. I am talking about a principle here, whether we want to hoodwink the Members of this body and not let them know what happened in the hearings. If we do that, then I say that this body is going to be nothing but a rubber-stamp for the executive department and I, for one, will not follow that kind of procedure.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, I would like to answer some of the questions that have been raised by my colleagues and try to throw some light on this subject. In 1958, when General Quesada was appointed, we had a former general in the White House and there were other generals in the Government. I happened to be a member of the committee at the time as was the gentleman who is chairman of the committee and who is handling this bill today. There were some fears in America that perhaps we were trying to "generalize" everything in the country. There was a provision written into the law that has been mentioned. We do not have a general in the White House today, or a former general.

Strange as it may seem, this gentleman that we are talking about did not apply for this job. He was not an applicant for the job. He was called by the President of the United States to the White House. He did not know why he was called until he was told. When he came there, the President asked him to take this job. Why did the President ask him to take this job? Because, in his opinion, he is the best qualified man in America today to do the job, in these trying times. I say to the Members of the House, representing all segments of America, do you want the second best man? The President said he was the best. And the men who advised the President—and I am not referring to one individual, because he had a committee—advised him that he was the best. Do you want the second best?

He did not apply for the job. The President picked him out after a lot of screening as the best man who could serve America today in this job.

It is rather significant that the vote in the committee was 23 to 8 to report out this bill. Anyone who has listened to the arguments against this bill should keep this in mind, that the vote was 23 to 8 by those who heard all of the testimony.

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

Mr. STAGGERS. I yield to the Chairman.

Mr. HARRIS. Is this not the only question here? If General McKee would resign his commission, relinquish his retired status, then he would serve without any objection on the part of anybody? Is that not true?

Mr. STAGGERS. That is right.

Mr. HARRIS. Therefore, the only question is this. This is the same man, the same mind, the same background, the same experience, and he could serve without any objection on anybody's part if he would merely resign his commission as a retired military officer.

Mr. STAGGERS. That is correct.

Mr. HARRIS. Consequently, does it not add up to this, that he would be required to take a substantial reduction in his income, which he has earned through 35 years, if that were to be done?

Mr. STAGGERS. That is true.

Mr. HARRIS. That is the simple issue, is it not?

Mr. STAGGERS. That is the only issue. If he resigned his commission, nobody here would contest his appointment. I would like to make this further statement. If he resigned his commission that would not change his basic qualities, or his basic character. He has

paid into this retirement fund as you and I have paid into our retirement fund. Do you think the Congress ought to say to either one of us, if we were offered an appointment, "If you give up your retirement, you may have the appointment?" This retirement protects his family. He testified before our committee that in educating his children it took most of his wealth.

Now, he is paying on his house. He has to pay on that but yet he would have to take a reduction in pay if he accepted this position.

Mr. Chairman, he is serving this country now.

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

Mr. STAGGERS. Yes, I would be glad to yield to the gentleman from Iowa.

Mr. GROSS. What is the present pay of the Administrator of the Federal Aviation Agency, or of the Director thereof?

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

Mr. STAGGERS. Yes, I yield to the gentleman from Arkansas.

Mr. HARRIS. Thirty thousand dollars a year.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, what is the retirement income of this gentleman?

Mr. HARRIS. If the gentleman from West Virginia will yield further, General McKees' retirement income is $14,808. Let us straighten this out. Under the Dual Compensation Act he is receiving as an Assistant Administrator for Management under NASA $24,500, plus his earned retirement of $14,808, which amounts to a total of $39,308. If he serves as Administrator of FAA he would receive $30,000 as Administrator and his participation in the retirement program would only be $8,404. Consequently, he would receive $38,404. Therefore, he would take an actual reduction as compared with what he is today receiving. The reduction would be $904 a year.

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

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

Mr. STAGGERS. Mr. Chairman, I would like to just state for the information of the gentleman from Iowa [Mr. GROSS], who just inquired about the salary involved here, that he and I both voted against and fought against this dual compensation bill.

Mr. Chairman, General McKee is receiving full retirement, and under that bill if he served with NASA, he could receive full retirement. However, under this bill, if he is appointed as Director of the Federal Aviation Agency, he will go back to the extent of $2,000 as the chairman of the committee stated, and then half of the rest of it.

But, Mr. Chairman, for the protection of his family, if something happens to him while he is serving in this capacity, they would be left out in the cold. I do not think that would be fair.

Mr. Chairman, the President has stated that General McKee has a vast wealth of knowledge in this field and that we should make use of it. This was done after the Civil Service searched for a qualified man and after that Commission came up with General McKee as the best qualified man for the place.

Mr. Chairman, I do not believe we want to take second best. That is the entire basis of my argument.

Mr. Chairman, the bill as written says:

> It is hereby expressed as the intent of the Congress that the authority granted by this Act is not to be construed as approval by the Congress of continuing appointments of military men to the office of Administrator of the Federal Aviation Agency in the future.

Mr. Chairman, it is my opinion that that language serves notice that this does not establish a precedent. As I previously stated, General Quesada was an exception. In 1959 they came back and passed Public Law 86–177 and gave to General Quesada his full retirement in 1959.

Mr. Chairman, we did that for General Quesada. Here we have a man who can serve and is serving our country and whom the President feels is the best qualified man to serve in this position, and I believe we ought to pass on this bill affirmatively and let it go on to the Senate.

Mr. Chairman, as I previously stated this bill came out of the Committee on Interstate and Foreign Commerce by a vote of 23 to 8.

Mr. SPRINGER. Mr. Chairman, I yield 7 minutes to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Chairman, I rise in opposition to H.R. 7777.

Mr. Chairman, there are many good reasons why this bill should be defeated.

Not the least of these reasons is that passage of H.R. 7777 would put a military man in control of an agency which Congress has specifically reserved for a civilian appointment.

There are many qualified and highly trained civilians available for the position as Administrator of the Federal Aviation Agency.

H.R. 7777 clearly circumvents the intent of the Federal Aviation Act of 1958 which states explicitly in section 301(b) that the Administrator shall be a civilian at the time of his nomination.

General McKee cannot be construed as a civilian in any sense of the word, so far as this appointment is concerned.

He is a retired general, and this bill would further enable General McKee to retain his military status and priviliges including a portion of his retirement pay.

It would seem to me that a man who has been a four-star Air Force General without a pilot's rating, while retaining military status and privileges, including partial retirement pay, is not a civilian.

To substantiate my belief that General McKee is not a civilian insofar as this appointment is concerned, is the fact that this legislation excludes this appointment from the provisions of section 301(b) of the Federal Aviation Act, a tacit admission that the sponsors of this appointment consider General McKee a military man rather than a civilian.

Why did Congress specify in 1958 that a civilian be appointed as Administrator of the FAA, and why should Congress not allow this circumvention of the law at this time?

This type of post, as most cabinet appointments, have traditionally been given to civilians. This is in line with the principles of our government where the military and civilian controls and responsibilities have been kept separate.

Those of us interested in civilian aviation seriously question the propriety of placing a retired general in this high administrative post.

There are many serious conflicts and problems arising continuously between civilian aviation and military, and I firmly believe that in the post of Administrator of FAA, we should have a civilian rather than a retired general.

Inasmuch as the law prohibits a professional military man from holding the post of Administrator of the FAA, and due to the tremendous importance of civilian aviation in this country, I respectfully urge the House to reject H.R. 7777.

My opposition to H.R. 7777 has nothing whatsoever to do with the qualifications or abilities of General McKee.

As stated in the minority views on this bill, if the principle involved were unimportant and we felt that an exception to the law would work no harm, General McKee is undoubtedly the man for whom the exception could be made.

On the contrary, however, I feel that the precedent set by such an exception to the present law would do great damage and we must therefore oppose the passage of H.R. 7777.

The restriction against military appointments to this civilian agency, was made for good reason. I urge my colleagues to reject H.R. 7777.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes tc the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Chairman, none of us who signed the minority views in connection with the appointment of General McKee raised any question whatsoever as to his qualifications to fill the position of Administrator of the Federal Aviation Agency. The fact is I think all of us feel that he is fully qualified, even though he does not know how to fly an airplane. It is not necessary and it is not one of the qualifications set forth under the terms of the act.

Mr. Chairman, there is much emotion involved here and a lot of things have been said in order to get away from the true issues involved. We know he will make $38,500 under the circumstances. But the issue involved is just one thing: Under the terms of the Federal Aviation Act, which is presently the law of the land, it states in mandatory language that the Administrator shall—and I emphasize the word "shall"—be a civilian.

General McKee does not enjoy that status. The mere fact that you remove him from the military retirement provisions and things of that nature still does not change the Federal Aviation Act. It seemed to many of us in the minority that the way to attack this problem is to amend the Federal Aviation Act, if that is what you wish to do, rather than amending it by indirection in connection with H.R. 7777.

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

Mr. DEVINE. I yield to the gentleman from Arkansas.

Mr. HARRIS. Perhaps I misunderstood the gentleman, but if he were to resign his retired status then he would meet the provisions the gentleman referred to?

Mr. DEVINE. That is correct.

Mr. HARRIS. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, it is with a great deal of reluctance that I feel constrained to oppose enactment of this private bill for General McKee to waive the provisions of existing law in order to permit him to serve as Administrator of the Federal Aviation Agency because, indeed, I recognize General McKee is a very competent, capable, fine administrator. He is the only nonflying four-star Air Force general. He must have something on the ball.

In this day and time when we have seen Supreme Court Justices appointed who do not have judicial experience; when we saw an Attorney General appointed who had never practiced law a day in his life; when we have a Secretary of Agriculture who has never farmed; an Architect of the Capitol who is not an architect, I suppose that a Federal Aviation Administrator who is not a pilot must be eminently qualified for the position. We have in this Agency a man by the name of Gordon Bain, a very capable expert on the subject of supersonics and who heads up the SST program in the Agency. One of the reasons given by advocates of this bill is that General McKee is quite knowledgeable in the supersonic field, and is needed to promote that development. I am sure that is a valid argument for bringing the general into the Agency, but does that necessarily justify changing the law so he can serve as Administrator of the whole Agency? Surely, he could make the same contribution to the SST development as an Assistant or Deputy Administrator.

Mr. Chairman, others who have preceded me in this debate have paid high tribute to the exceptional competence of General McKee as an administrative officer. On the basis of what I know about him, and the testimony given to our committee, I would put a full stamp of approval on their remarks. Certainly I do not question his ability to do an excellent job as Administrator of this far-flung Agency, and it is not on that ground that I feel compelled to oppose this legislation. My opposition is based purely and simply on the principle at issue: is this to continue to be a Government of laws and not of men? Are we to find men to fit the laws, or are we to make our laws to fit the man?

When Chairman HARRIS and his committee colleagues wrote the Federal Aviation Act of 1958, they wrote into the law that one of the qualifications to be possessed by the Administrator was that "at the time of his appointment he shall be a civilian." As if that language might not be sufficiently clear as to insure his being a civilian, and in order to nail it down, they emphasized the point by writing into the statement accompanying the conference report that the Administrator shall be a civilian "in the strictest sense of the word."

Now, Mr. Chairman, who is asking us to waive that restriction; none other than the very people who insisted that it be put into the law in the first place.

In asking us to waive this requirement, they are saying in effect that they really did not mean what they wrote into the original act. If you do not believe that, take a look at the majority report on this bill. Turn to page 3 and you will find this amazing statement:

> We are satisfied that a future prohibition against military men * * * is undesirable.

Are they saying that they were wrong in writing this stipulation into the organic law? Are they dissatisfied with the act as it stands? If that be true, it seems to me they should be trying to amend the act itself, instead of trying to get around its provisions by passing this type of bill.

I offered an amendment in committee that would do that very thing, change the act, to take out this limitation and permit appointment of military men subject to the confirmation of the Senate. It did not get enough votes to count. I hope I am going to be able to offer it again here on the floor of the House, and I hope Members of this House will look at it just a little bit more seriously and will deal just a little bit more openly with the American people than we did in committee. While I do not advocate military men as heads of this agency, if the President is going to continue to send appointments of military men and ask the Congress to waive the requirements of law in each instance, then we might as well face the issue squarely, remove the stipulation, and leave it wide open for the President.

I have heard the chairman make the point that if General McKee were to resign his ties with the military, he would become qualified. Of course, he would. That was the very purpose of putting this protective requirement into the act in the first place, because so long as a man continues to have ties with the military, he has obligations to the military.

Now, as far as I am concerned, the dual compensation issue which has been raised is purely a side issue. I am not interested in that. As far as I am concerned, General McKee has put in 35 long, hard years of service in order to earn his retirement, and he is entitled to get it. That does not concern me at all with regard to this bill.

But, Mr. Chairman, we searched in vain for the special qualifications that General McKee possesses which would justify the extraordinary procedure of waiving the requirements of law in order to permit his appointment. Not one witness came up with anything specific. They dealt in generalities. They pointed out that he is an expert in the field of supersonics and his skills are needed because we are going to have to develop supersonic transports within the next few years. Conceding his special skills in that area, why not take him into the aviation agency and assign him to work exclusively on supersonics?

Mr. Chairman, let me read to you from the Senate minority report on the companion bill to H.R. 7777:

> At this moment, 94 retired and active Regular officers enjoy executive assignments in the Federal Aviation Agency.
>
> General Grant is the incumbent Deputy Administrator.

Let me pause just a minute to state that the name of General Grant brings to mind the observation that one of General McKee's very special qualifications is the fact that he comes from the good old Confederate State of Virginia. But after all, he is still a military man, and the law says a military man cannot be appointed to this position. Why, even if the beloved, revered, competent, able Gen. Robert E. Lee were a candidate for this position I would still have to vote against his nomination, so long as the law disqualifies military men for the place.

I read further:

> The Federal Air Surgeon is Maj. Gen. M. S. White. The Associate General Counsel is Brig. Gen. Martin Menter (whose permanent rank is colonel). There are 15 colonels, 31 lieutenant colonels, and 20 majors drawing Air Force or Army retirement while working in this Agency. There are three Navy captains, nine Navy commanders, one Marine colonel, and two Marine lieutenant colonels in the same category. Yet, this is a civilian agency in whose very creation Congress wrote exceptional safeguards against domination by active and/or retired military officers.

Mr. Chairman, I feel that the bill should be defeated. However, if it is the wish of the Congress that General McKee be made qualified to serve as administrator, we should have the courage to change the basic law so as to remove the military disqualification.

Mr. SPRINGER. Mr. Chairman, I yield myself 2 minutes.

I wish to pay tribute to the distinguished gentleman from Mississippi [Mr. WILLIAMS], who has served so long as the ranking member of his party on the Subcommittee on Transportation and Aviation and who is the outstanding expert in this Congress as of now. He stood for principle in 1958 when this act was written. He has not changed his principles in 1965.

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

Mr. SPRINGER. I yield to the gentleman from Missouri.

Mr. ICHORD. I am up against two conflicting principles here. As a civilian pilot, I do not believe that the agency should be headed by a military man. But if I support the amendment, I am up against another principle, that I believe we are setting a very poor precedent if we in reality amend the law in this way.

Mr. SPRINGER. Does the gentleman refer to the amendment of the gentleman from Mississippi?

Mr. ICHORD. Yes.

Mr. SPRINGER. If the gentleman from Missouri has the impression that I endorse the amendment, I do not. I would not vote for it nor support it.

I believe the law was good in 1958 when it was passed. I believe it is good law

today. I did not mean to leave the impression that I support the gentleman's amendment.

I did say the gentleman stood by the position that the administrator ought to be a civilian in 1958. It is my understanding, from what the gentleman said to the committee, that he is still in favor of a civilian to head up the Federal Aviation Agency.

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

Mr. SPRINGER. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. Let me say to the gentleman that I do not advocate the removal of this requirement that the Administrator be a civilian. What I do advocate is sticking to it, but if we are not going to stick to it, then I suggest we should be honest with the American people and take it out of the law.

I quite agree with the gentleman. As a matter of principle I am opposed to it, also. Since it appears we are going to make a practice of waiving the law whenever the President desires to appoint a military man, it seems to me that the requirement in the law is not worth the paper on which it is written, anyway.

I thank the gentleman.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, I voted in 1958 for the language requiring a civilian Administrator for this agency, and I voted in conformity with the sense of the report—a civilian in the strictest sense of the word.

Immediately the President sent the nomination of a man who had just resigned his commission to the other body for confirmation as the Administrator of that agency. I did not thereby achieve my objective, and I can see no substantive difference between the man who can afford to resign his commission and qualify, knowing full well that we will give it back to him less than a year later, and the one who forthrightly comes before us, as General McKee did, and says:

> I cannot afford to give up the protection that my commission gives to my family after 35 years of military service.

I think there is a distinction without much difference. I think that there is a lot of noise being made here in protest that looks at the form and not at the substance of the argument. I am not enthused about joining in setting aside this provision of law, but my President has told me and his principal adviser, a man long in career service, has told me that this is an eminently qualified individual. Using the rights of the Congress, we have the full opportunity to examine into the qualifications and determine whether or not a waiver should be granted. I have heard nothing in debate to convince me that it should not be granted. As a matter of fact, in 1958 we were somewhat ambiguous when we drafted the language of this statute, because we first said that the Administrator should be a civilian at the time of his appointment, but we went on to say, in talking about the Deputy Administrator, that:

> Nothing in this act or other law shall preclude appointment to the position of Deputy Administrator of an officer on active duty with the armed services, except that if the Administrator is a former regular officer of any one of the armed services, the Deputy Administrator shall not be an officer on active duty with one of the armed services.

Now, clearly we were being ambiguous. Clearly we were being inconsistent. We said he must be a civilian in the strictest sense of the word, but if he was not—if he was not—then his Deputy had better be one. So we did not intend what we said when we required that he be a civilian.

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

Mr. MOSS. I will be very happy to yield to my chairman.

Mr. HARRIS. Is it not also true at the very time we wrote the act, when we said, "he shall be a civilian" and used the language referred to by our esteemed colleague, the gentleman from Mississippi [Mr. WILLIAMS], a moment ago, that we had the military officer sitting in front of us saying that he was going to be the first Administrator of the act; and it was knowing that he was going to be the first Administrator which caused the committee to write this language that the gentleman referred to, recognizing the fact that we were going to have a military man to head up the agency?

Mr. MOSS. That is precisely correct. I do not think there was a doubt in the mind of a single member of the committee but that President Eisenhower would submit in nomination the name of General Quesada as the first Administrator. Notwithstanding that fact, we acted and, as I say, ambiguously, to see that if it happened, then the deputy had to be a civilian. So there was not this great clarity and this finely delineated principle that has been referred to here in the discussion this afternoon. Really, the question is are we going to permit one man to serve because he could afford to resign his commission for about 9 months and then deny the same privilege to another man when both are well qualified, and I think equally qualified. I will grant that one of them is not a pilot, but then I am not a lawyer, and yet I do not come here to this well with any feeling of inadequacy as a legislator.

I do not think you have to fly a plane to administer a program.

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

Mr. MOSS. I am happy to yield to my colleague from California.

Mr. MILLER. I just want to say that General McKee had hardly taken off his uniform before he was appointed Deputy Administrator for Administration of NASA, one of the highest ranks in that agency. Here is a man who has had a wealth of experience in the field of administration. His work in the Air Force was known because he was a fine administrator. I think we are going between tweedle dee and tweedle dum if we sacrifice a man of proven ability just because of some technicality.

Mr. MOSS. In serving with NASA, as he does at this time, and as he may legally continue to do on into the future, General McKee will make more money, draw more in total sum from the Government than he would by accepting the position of Administrator of the Federal Aviation Agency. As a matter of fact, there is nothing persuasive in this argument that he is going to draw retirement because if he had accumulated 35 years of service in civilian industry and been on retirement, we would not ask him to put it aside and make that sacrifice in order to take on responsibilities with the Government. We are going to pay the Administrator's office the same, regardless of who occupies it. That is all that is going to be charged to the budget of the Federal Aviation Agency.

Mr. MILLER. Mr. Chairman, if the gentleman will yield further, I would like to say that in this case, I hope the bill prevails, but that the Federal Aviation Agency, if it does, will be the gainer and NASA will be the loser.

Mr. MOSS. In context with history as it is evolving since we drafted the act in 1958, I think we would be far more consistent to approve this legislation than we would be to reject it.

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

Mr. MOSS. I am happy to yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Chairman, it seems to me that we should consider what is said in the letter to the chairman of the committee:

> General McKee possesses the qualities essential for a top policymaker in the administration. In addition, his experience in the past year in examining, analyzing, and evaluating the program of the Space Agency in advanced science and technology will certainly be of considerable benefit in his discharging the duties of the FAA Administrator.

We must also keep in mind that for 9 years General McKee had command and management responsibilities in the Air Materiel Command and directed the work of more than 150,000 civilian employees engaged in aviation occupations and professions, in this country and abroad.

We also know that in this particular position one of experience and one possessed of the broadest qualifications is necessary in connection not only in the field of outer space from a civilian angle but from a military angle. And I say this as former chairman of the select committee some years ago from which came the bill establishing NASA; that we must never lose sight of the importance of outer space, not only from a civilian angle but particularly from a military angle.

General McKee certainly possesses all the qualifications from a civilian angle. He has retained the civilian state of mind during the years that he served in the Armed Forces. He certainly possesses profound qualifications from the military angle.

It seems to me that no matter who is President, whether he is elected as a Republican or a Democrat, if he thought

that some particular person was especially qualified to fill a particular position, the Congress of the United States ought to accept the President's judgment and cooperate with him.

Mr. MOSS. I agree with the distinguished Speaker.

Mr. KEITH. Mr. Chairman, I rise in opposition to H.R. 7777 which would permit the appointment of a retired Air Force general officer to the post of Administrator of the Federal Aviation Agency.

The Federal Aviation Act of 1958 is most explicit on this question. Section 301(b) provides:

At the time of his nomination (the Administrator) shall be a civilian.

An exception was made for the first Administrator, General Quesada. Even in that case, however, the nominee had been out of active service for 7 years and was willing to sever all ties, with the military.

Now, on the question of the third nominee for this position, we are asked to make another exception. However, in this case, General McKee will be permitted to retain his military status while serving as Administrator.

Mr. Chairman, the Congress wisely put this limitation in the act of 1958. It did not want this vital Agency, which must regulate all of civil aviation, to be headed by a military man. It provided that the Deputy Administrator may be military. He can advise the Administrator on the military aspects of any problems.

In my review of the testimony on this bill, I have failed to turn up one exceptional reason why the Congress should again waive the requirement it imposed in 1958. General McKee is an outstanding military officer and certainly has a distinguished record of 35 years with the Air Force. He is now doing a very important job for NASA. I do not feel, however, that it has been demonstrated that he is the only man qualified for the FAA post.

I urge my colleagues to hold to the limitation that was put into the law in 1958 and to reject H.R. 7777.

Mr. ROGERS of Florida. Mr. Chairman, the very fine job done by outgoing Federal Aviation Administrator Najeeb Halaby deserves praise from everyone concerned with the Nation's airlines.

Recognition of Administrator Halaby's distinguished record is seen in the recent award given him at the Aviation/Space news conference held in Albuquerque, N. Mex. Upon receipt of the Monsanto Aviation Safety Award, Halaby offered some of his thoughts, drawn from closehand experience, on air safety.

But even though air safety has become a mark in Administrator Halaby's fine record, he also is deserving of recognition for his policy of forethought in anticipating the future growth of aviation in America. Airport planning, for example, has kept pace with the needs of growing towns and cities across the Nation.

Efficiency in the administration of FAA regulations ranks among Najeeb Halaby's accomplishments also.

And I can say as a Member of Congress that under Najeeb Halaby the Federal Aviation Agency's service to the Nation and cooperation with the Congress has been maintained at a high level.

Other Members I am sure, along with his colleagues in Government and many friends in industry, join me in wishing him well in future endeavors.

Mr. CLEVELAND. Mr. Chairman, the law specifically states that at the time of his appointment, the Administrator of the Federal Aviation Agency "shall be a civilian." This bill, H.R. 7777, would enable an exception to be made so that the President may appoint Gen. William F. McKee of the U.S. Air Force, retired, to the Administrator's post.

Although I do not know him personally, every report I have concerning General McKee is highly favorable. That he is a distinguished officer, however, is beside the point. The policy of civilian control was clearly established for excellent reasons when the FAA was brought into existence by the Congress. That principle would be violated by this legislation. This bill would establish a clear precedent for the future. In the face of this fact, I cannot understand why the President is presenting Congress with the name of a career military officer.

Problems concerning the use of airspace are growing in complexity. Great interests are at stake, commercial and private as well as military. The reasons for insuring the civilian control of the FAA are, if anything, greater today than they were in 1958 when the FAA was created.

So, for reasons that have nothing to do with the personality of the outstanding officer who has been designated, I oppose this bill. There is absolutely no overriding or compelling reason for either the President or the Congress to overturn carefully established policy in this arbitrary manner.

Mr. WHITENER. Mr. Chairman, I have the highest regard for Gen. William F. McKee and know of no finer military officer in our country today. I know that he is possessed of all of the abilities requisite to doing a splendid job as Administrator of the Federal Aviation Agency. My vote against H.R. 7777 should not in any way be construed as an expression of any lack of confidence in the general.

Mr. Chairman, my vote against this legislation is based upon the firm conviction that the Congress acted wisely when it provided that the Administrator of the Federal Aviation Agency should be a civilian. Had General McKee resigned his military commission as General Quesada did when he was made Administrator of the FAA, I would heartily approve his accepting the position as Administrator. I do not believe, though, that it is proper for this gentleman to receive the pay to which he is entitled as a retired officer of the Regular Air Force and at the same time receive the compensation as Administrator of the Federal Aviation Agency.

It is for these reasons that I reluctantly voted against the legislation.

Mr. SCHMIDHAUSER. Mr. Chairman, in listening carefully to the thoughtful debate of the Members of the House of Representatives on this proposed exception to the original action of Congress which provides that the office of head of the Federal Aviation Agency shall be filled by a civilian, I have not heard a single criticism of the purposes and the provisions of the original enactment. I feel that the decision of the Congress in this original enactment was sound. I, therefore, stand in opposition to the proposed exception to this well-designed congressional act and its purposes.

I want to make clear that this in no way reflects a criticism on my part of the career and services of General McKee, but it does reflect my conviction that in all of the numbers of people in the population of the United States, it is my belief that the President could have found someone qualified for Administrator within the intent of the original act of Congress.

Mr. HARRIS. Mr. Chairman, I have no further requests for time.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 7777

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 301 (b) of the Federal Aviation Act of 1958 (49 U.S.C. 1341(b)), or any other provision of law, the President, acting by and with the advice and consent of the Senate, is authorized to appoint General William F. McKee (United States Air Force, retired) to the office of Administrator of the Federal Aviation Agency. General McKee's appointment to, acceptance of, and service in that office shall in no way affect any status, rank, or grade he may occupy or hold in the United States Air Force or any component thereof, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade: *Provided,* That so long as he holds the office of Administrator of the Federal Aviation Agency, he shall receive the compensation of that office at the rate specified in the Federal Executive Salary Act of 1964 (title III of the Act of August 14, 1964, Public Law 88-426) and shall retain the rank and grade which he now holds as an officer on the retired list of the Regular Air Force, and shall in addition continue to receive the retired pay to which he is entitled by law, subject to the provisions of the Dual Compensation Act (the Act of August 19, 1964, Public Law 88-448).

SEC. 2. In the performance of his duties as Administrator of the Federal Aviation Agency, General McKee shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were not an officer on the retired list of the Regular Air Force.

SEC. 3. It is hereby expressed as the intent of the Congress that the authority granted by this Act is not to be construed as approval by the Congress of continuing appointments of military men to the office of Administrator of the Federal Aviation Agency in the future.

Mr. HARRIS (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. WILLIAMS

Mr. WILLIAMS. Mr. Chairman, I offer an amendment in the form of a substitute.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS: On page 1, line 3, strike out all after the enacting clause and insert in lieu thereof the following: "That the second sentence of section 301(b) of the Federal Aviation Act of 1958 is amended by striking out 'shall be a civilian and'."

Mr. WILLIAMS. Mr. Chairman, the purpose of this amendment obviously is to remove the requirements contained in the Federal Aviation Act to the effect that the Administrator of this Agency be a civilian. This is the only way we can meet this issue head on. It is being frank with the American people and the aviation community.

Mr. Chairman, I do not advocate the appointment of military men to this position; nonetheless, since it is obvious it is going to be done anyway, I feel that we should be straightforward and honest with the American people. It is with that in mind that I offer this amendment as a substitute for the bill.

Mr. Chairman, if this is to be a government of laws and not a government of men, let us keep it a government of laws. My substitute amendment is the only way we can cope with this problem within that principle.

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

Mr. WILLIAMS. Surely.

Mr. HARRIS. Is it not true that what the gentleman's amendment would do, if adopted, would be to remove the provision under the present law that says—speaking of the Administrator—"he shall be a civilian and"?

Mr. WILLIAMS. That is exactly right.

Mr. HARRIS. If the gentleman will yield further, that is all the gentleman's amendment does?

Mr. WILLIAMS. Yes. Of course, that accomplishes the purpose of your bill, because if this language were adopted, General McKee would be immediately eligible for the appointment, notwithstanding the fact that he is a professional miliary man. This would be consistent with the language which I read a moment ago from the majority report which says:

We are satisfied that a future prohibition against appointments of military men is undesirable.

Mr. Chairman, this is in conformity with that principle as expressed by the majority of the committee and I feel quite frankly that this should be done rather than to permit the law to be flouted to accommodate specific individuals.

Mr. HARRIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not believe it would be in the best interest of the Nation to remove this provision. I do not believe it could be done without creating a lot of adverse feelings in the minds of some segments of the aviation community.

Mr. Chairman, as I mentioned earlier, there appeared before the committee at the time of the hearings the president of the Aircraft Owners & Pilots Association who did not oppose providing this exception. He told the committee that at the time he appeared and he did not oppose providing the exception, but he did ask that we include this language, which we did, in the report.

It is hereby expressed as the intent of the Congress that the authority granted by this act is not to be construed as approval by the Congress of continuing appointments of military men to the office of Administrator of the Federal Aviation Agency in the future.

I do not feel that this exception under the circumstances that were brought to us is in any way contrary to the precedent that has been set, and to the history of this act.

Let me again remind you that when this new Agency was set up and established we brought together a merging of some 15,000 military people with some 14,000 civilian people in the Civil Aviation Administration, which together became the Federal Aviation Agency. We brought together these two categories of employees to operate this huge, important, responsible Agency, which in my judgment has done an excellent job during these last several years.

For the last 7 years we have had the Federal Aviation Agency as we have it now. We did attack this problem at that time. It is true, as the gentleman from California [Mr. Moss] mentioned a moment ago, that we went beyond the provision that the Administrator at the time of his nomination shall be a civilian, and we provided then—I want to reemphasize and read this to you, so far as the Deputy Administrator is concerned:

Nothing in this act or other law shall preclude appointment to the position of Deputy Administrator of an officer on active duty with the armed services—

We provided that, recognizing the fusion of these two groups. We did not stop there. We went further, and I would emphasize this as a matter of policy—I think it is just as honest as you can present it—

except that if the Administrator—

Recognizing there was going to be an Administrator who was an officer—

if the Administrator is a former regular officer of any one of the armed services, the Deputy Administrator shall not be an officer on active duty with one of the armed services, or a retired regular officer, or a former regular officer of one of the armed services.

It has been referred to by my colleague that the military was being established in it. The very next section in the act, 302(c) provides for military participation. I will not take the time to read it, but (c) provides that in the interest of national defense we shall use these military men in the operation of this Agency.

The act itself provided for this kind of administration and, in my judgment, we have seen during these 7 years an agency operate with military personnel in the background who have had the experience and who have come over to the Agency as civilian employees and who do an excellent job.

We have tried since then to provide a fusion of the retirement for this particular group where they would get the benefit of the previous military experience. But we could not bring it together without interfering with the regular established military retirement pay. So they are now in the category so far as their retirement status is concerned, part military and part civilian. Let us not upset this balance here. I believe we have a good principle going and a good agency operating. Let us keep it that way.

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

Mr. Chairman, I was disturbed a little while ago to hear the gentleman from California [Mr. Moss] say that when Congress enacted the law now sought to be amended that the members of the Committee on Interstate and Foreign Commerce knew that a military man would be appointed to the office. I am surprised that all Members of the House were not made acquainted with this fact.

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

Mr. GROSS. I yield to the gentleman.

Mr. MOSS. The daily papers both in the morning and evening editions were full of the information at the time, and I know the gentleman pursues them diligently.

Mr. GROSS. That may be. I pursue the work of all committees as diligently as I can. And that takes us right back to the lack of printed hearings on this bill. I have served on several committees in Congress and I never heard a motion made in any of those committees, when a bill was reported to the floor of the House, that the hearings be printed. That has been done automatically on any committee on which I have served. Perhaps I have not served on the right committees—I do not know.

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

Mr. GROSS. I yield briefly to the gentleman.

Mr. HARRIS. I would not want the House to get the impression that we are not having the hearings printed. It was only a few days ago when Mr. Macy and the other three witnesses referred to appeared. The hearings are in process of being printed. It was a very short hearing. Only a statement from Mr. Macy and Mr. Hartranft, Jr.—a very short statement. Mr. Scott and General McKee himself who made an informal visit to the committee. It lasted about an hour. There is no question about the hearings being printed. They are being printed.

Mr. GROSS. The fact remains that the hearings are not available. Now, I wonder what we would be doing in setting up the head of an agency with a $38,404 a year paycheck. As the gentleman from Mississippi [Mr. WILLIAMS] has said, he would be the third highest paid man in the Government. What

will be the reaction of the rest of the officials of Government if Congress approves putting a man in an administrative agency at $38,404 per year—what amounts to a salary greater than any other individual in Government with the exceptions only of the President and Vice President. Just what kind of situation are you creating today if you do this—if you pay this appointee more than Cabinet officers and others? I would point out in passing, for whatever it may be worth, that when General Eisenhower retired as President it was made plain by the Congress that he could take one retirement or the other but not both. He could take either the retirement provided for a former President of the United States or he could take his military retirement, but not both.

I join with the gentleman from Illinois [Mr. SPRINGER] in asking this question—in a nation with 190 million population, is this retired general the only man who can administer the Federal Aviation Agency? Is this what you are saying here today?

And what are you saying, if you change this law, to the civil servant of this Government who goes back to work after having retired? That individual, the retired class act employee on going back to work for the Government, must sacrifice his retirement.

Let us be fair. If you are going to open the door for the purpose of permitting dual compensation for this retired general, then you should permit dual compensation for every class act employee who retires and then goes back to work for the Federal Government.

Let us be fair. Let us be honest with all.

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

Mr. GROSS. I am glad to yield to the gentleman from Mississippi.

Mr. WILLIAMS. The gentleman wanted to know about the qualifications of General McKee. I readily concede the general's administrative qualifications, as I am sure the gentleman from Iowa does.

Mr. GROSS. I do not question his administrative qualifications.

Mr. WILLIAMS. Of course. Does it not seem rather peculiar to the gentleman that out of the hundreds of flying generals there are in the Air Force, the President should have picked the only nonflying, four-star general in the Air Force to head the flying agency for the country?

Mr. GROSS. Yes. I would say that does seem strange, indeed.

Mr. Chairman, this is special privilege legislation. It is an outright violation of a principle established by Congress. It is wrong and it ought to be defeated.

Mr. MOSS. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

The gentleman from Iowa makes a great "to do" about the fact that there would be a payment of a salary set by law for the Director of the Federal Aviation Agency plus a portion of the retirement to which he is entitled as a retired officer of the military services of the United States.

The retirement pay for an officer returning to work for the Government is set by law. This Congress, not the President, laid down the policy that a military officer could go to work for the Government in a civilian capacity and draw a portion of his retirement pay while serving on full salary for the Government. It is not a case of any confusion with the situation of the former President of the United States, who was given the opportunity to elect which retirement he would accept.

At the present time, as I pointed out in my remarks earlier in the debate, the general now draws a salary as an adviser to the National Aeronautics and Space Administration, and his retirement, which is greater than he would draw under the provisions of the legislation proposed here today.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS].

The amendment was rejected.

AMENDMENT OFFERED BY MR. YOUNGER

Mr. YOUNGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNGER: On page 2, line 21, after section 3, strike out the balance of section 3 and insert, "It is hereby expressed as the intent of the Congress that the authority granted by this Act is not to be construed as approval by the Congress of continuing appointments of military men to the office of Administrator of the Federal Aviation Agency in the future. It is hereby expressed as the sense of the Congress that after General McKee leaves the office of Administrator of the Federal Aviation Agency no additional appointments of military men to that office shall be approved."

Mr. YOUNGER. Mr. Chairman, if we had the printed hearings to which reference has been made, to refer to, we would find that a great deal was said about a resolution which was passed for the appointment of General of the Army George C. Marshall to the office of Secretary of Defense, a very similar case.

I may say that this bill was drawn very carefully, and drawn almost verbatim to the bill which was passed on behalf of General Marshall, until the final clause. Then it is all changed.

By the vote just now the Members of the Committee have said that they want to continue the act which provides we must have a civilian as administrator. If Members will read section 3 of the bill before the Committee, they will find there is not any prohibition.

What is left out of the bill is the clause which was in the Marshall bill. It is in the committee report but not in the bill. It was in the Marshall bill. This is what it says:

It is hereby expressed as the sense of Congress that after General Marshall leaves the office of Secretary of Defense, no additional appointments of military men to that office shall be approved.

That is in the committee report. It was signed by the majority of the committee. It is the belief of the committee. You have now expressed your will that that is the sense of Congress that we should not have military men in that office. All I am adding to this bill is that one clause:

It is hereby expressed as the sense of the Congress that after General McKee leaves the office of Administrator of the Federal Aviation Agency, no additional appointments of military men to that office shall be approved.

I think if we mean what we say, then we ought to express it.

AMENDMENT OFFERED BY MR. WILLIAMS

Mr. WILLIAMS. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Mr. WILLIAMS offers the following amendment as a substitute for the amendment offered by Mr. YOUNGER: On page 2, line 21, strike out all of section 3 through line 25, and insert in lieu thereof the following:

"Except when the President elects to nominate a military man, it is hereby expressed as the intent of the Congress that the authority granted by this Act is not to be construed as approval by the Congress of continuing appointments of military men to the office of Administrator of the Federal Aviation Agency in the future."

Mr. WILLIAMS. Mr. Chairman, I confess that this substitute amendment is offered somewhat facetiously. The amendment is offered simply to point up what we are doing today. We march uphill by saying we will not permit the President to appoint a military man, and then we promptly march downhill and say, "Yes, except that whenever the President wants a military man, we will accommodate him with special legislation."

As I say, I offer this amendment purely facetiously and simply for the purpose of pointing up the devious manner in which we are circumventing the law.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The CHAIRMAN. The question is on the amendment of the gentleman from California [Mr. YOUNGER].

The amendment was rejected.

Mr. SPRINGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hope that in whatever I have said here today it can be construed that I was trying to speak in the public interest. I did not believe in 1958, when General Eisenhower sent or wanted to send down to this committee a change in the law, that it should be changed. I did not believe it should be changed for General Quesada, and we did not change it. I have never tried to introduce politics into debate, and I hope I am not today, but I will say in respect to those men in 1958 who stood firmest for no change in the law, that they came from my distinguished colleagues on this side of the aisle. Most of them did. Not all of them but most of them came from this side of the aisle. In fact, out of all those who sit in the subcommittee and in the committee I do not recollect a single member on this side of the aisle who would have voted to waive this law at the time that General Quesada was mentioned as the first Administrator of the Federal Aviation Agency.

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

Mr. SPRINGER. I yield to the chairman.

Mr. HARRIS. Mr. Chairman, I want to concur in the gentleman's statement that this should not be considered a political matter. I certainly would not imply—and if I have I did not intend to—at any time during this debate that the gentleman from Illinois or anyone else was approaching this from the standpoint of politics. I will say to the gentleman that in 1958 there was no request for anything; we were just told, as the gentleman has mentioned, by General Quesada that he would resign his retired commission. Then everybody was satisfied that that would meet not only the letter but the spirit of the law. Of course, the gentleman knows what resulted.

Mr. SPRINGER. Mr. Chairman, my understanding is slightly different from that of the chairman. I do not intend to contradict him. The facts may have been as he has suggested. But it was my impression that General Eisenhower did send an emissary down here; at least, he came to see me and he talked to two or three Members on that side of the aisle. When he asked if we would change the law for General Quesada, I think the President of the United States got a very firm answer in 1958 that we would not change the law for General Quesada and that if he wanted to serve in that capacity he was going to have to serve in a civilian capacity.

Mr. HARRIS. Mr. Chairman, will the gentleman yield for one further comment?

Mr. SPRINGER. I yield.

Mr. HARRIS. The gentleman supported the bill just 1 year later restoring General Quesada's commission, did he not?

Mr. SPRINGER. That is an entirely different matter and if the matter came up, after General McKee had resigned his commission and served as a civilian, I am not going to say now that I would do that, although I supported it for General Quesada. But I did it after he had served in the capacity of a civilian. That is exactly the issue today. I do not believe we ought to have a law over which this committee has spent weeks of time and decided to keep the President of the United States from appointing a man who was either a member of the Armed Forces or who was in a retired capacity, and change it at will. That is the issue with which we are faced today.

I hope this will not be based upon any political loyalty, but that it will be based upon principle. I believe we are right and I believe the American people are entitled to no less than that.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ZABLOCKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7777) to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the office of Administrator of the Federal Aviation Agency, pursuant to House Resolution 407, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the "ayes" appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 228, nays 137, not voting 68, as follows:

[Roll No. 121]

YEAS—228

Abbitt	Fascell	Leggett
Adams	Feighan	Long, Md.
Addabbo	Flood	Love
Albert	Foley	McDowell
Anderson, Ill.	Ford, William D.	McFall
Anderson, Tenn.	Fraser	McGrath
Ashley	Friedel	Macdonald
Ashmore	Gallagher	Machen
Aspinall	Garmatz	Mackay
Ayres	Gathings	Madden
Barrett	Gettys	Mahon
Beckworth	Giaimo	Mailliard
Bennett	Gibbons	Marsh
Bingham	Gilbert	Matsunaga
Blatnik	Gonzalez	Matthews
Boggs	Grabowski	Meeds
Boland	Gray	Miller
Bolling	Green, Pa.	Mills
Brademas	Greigg	Minish
Brooks	Grider	Mink
Brown, Calif.	Hagan, Ga.	Mize
Burke	Hagen, Calif.	Moeller
Burleson	Halpern	Moorhead
Burton, Calif.	Hanley	Morgan
Byrne, Pa.	Hansen, Idaho	Morrison
Byrnes, Wis.	Hansen, Iowa	Moss
Cabell	Hansen, Wash.	Murphy, N.Y.
Callan	Hardy	Natcher
Callaway	Harris	Nedzi
Carey	Harvey, Mich.	Nelsen
Cederberg	Hathaway	Nix
Chelf	Hawkins	O'Brien
Clark	Hays	O'Hara, Ill.
Clawson, Del	Hechler	O'Hara, Mich.
Cohelan	Helstoski	Olson, Minn.
Colmer	Henderson	O'Neal, Ga.
Conable	Holifield	O'Neill, Mass.
Conte	Horton	Patman
Corman	Hosmer	Patten
Craley	Howard	Pepper
Culver	Hull	Perkins
Curtin	Hungate	Philbin
Daddario	Huot	Pickle
Daniels	Irwin	Pirnie
de la Garza	Jacobs	Poage
Delaney	Jarman	Pool
Denton	Jennings	Price
Dingell	Joelson	Race
Dole	Johnson, Calif.	Randall
Dorn	Johnson, Okla.	Redlin
Dow	Jones, Ala.	Reifel
Dowdy	Jones, Mo.	Reinecke
Dulski	Karsten	Reuss
Dwyer	Karth	Rhodes, Pa.
Dyal	Kee	Rivers, Alaska
Edmondson	Kelly	Rodino
Everett	King, Calif.	Rogers, Colo.
Evins, Tenn.	King, Utah	Rogers, Fla.
Fallon	Kirwan	Rogers, Tex.
Farbstein	Kornegay	Roncalio
Farnsley	Krebs	Rooney, N.Y.
Farnum	Landrum	Rooney, Pa.
		Roush
Roybal	Stafford	Tunney
Satterfield	Staggers	Tupper
St. Onge	Steed	Tuten
Scheuer	Stratton	Udall
Scott	Stubblefield	Ullman
Secrest	Sweeney	Van Deerlin
Selden	Taylor	Vanik
Senner	Teague, Calif.	Vivian
Shipley	Tenzer	Walker, N. Mex.
Sickles	Thomas	White, Idaho
Sisk	Thompson, La.	White, Tex.
Smith, Calif.	Thompson, N.J.	Wolff
Smith, Iowa	Thompson, Tex.	Zablocki
Smith, Va.	Trimble	

NAYS—137

Abernethy	Ford, Gerald R.	Ottinger
Adair	Fountain	Pelly
Andrews, Glenn	Frelinghuysen	Pike
Andrews, N. Dak.	Fulton, Pa.	Poff
Ashbrook	Goodell	Quie
Baldwin	Green, Oreg.	Quillen
Baring	Griffin	Reid, Ill.
Battin	Griffiths	Reid, N.Y.
Belcher	Gross	Rhodes, Ariz.
Berry	Grover	Robison
Betts	Gubser	Roosevelt
Bolton	Gurney	Rosenthal
Bray	Haley	Roudebush
Brock	Hall	Rumsfeld
Broomfield	Hamilton	Ryan
Broyhill, N.C.	Hanna	Saylor
Broyhill, Va.	Harsha	Schisler
Buchanan	Hicks	Schmidhauser
Burton, Utah	Hutchinson	Schneebeli
Cahill	Ichord	Schweiker
Carter	Johnson, Pa.	Skubitz
Clancy	Jonas	Slack
Clausen, Don H.	Kastenmeier	Smith, N.Y.
Cleveland	Keith	Springer
Collier	King, N.Y.	Stalbaum
Conyers	Kunkel	Stanton
Cooley	Langen	Stephens
Corbett	Latta	Talcott
Curtis	Lennon	Thomson, Wis.
Dague	Lipscomb	Todd
Davis, Ga.	McCarthy	Tuck
Davis, Wis.	McClory	Utt
Derwinski	McCulloch	Vigorito
Devine	McDade	Waggonner
Dickinson	MacGregor	Walker, Miss.
Downing	Mackie	Watkins
Duncan, Tenn.	Martin, Ala.	Weltner
Edwards, Ala.	Martin, Mass.	Whitener
Edwards, Calif.	Martin, Nebr.	Whitten
Ellsworth	May	Widnall
Erlenborn	Monagan	Williams
Findley	Moore	Wilson, Bob
Fino	Morse	Wilson, Charles H.
Flynt	Morton	Wyatt
	Mosher	Wydler
	O'Konski	Younger
	Olsen, Mont.	

NOT VOTING—68

Andrews, George W.	Fisher	Murphy, Ill.
Annunzio	Fogarty	Murray
Arends	Fulton, Tenn.	Passman
Bandstra	Fuqua	Powell
Bates	Gilligan	Pucinski
Bell	Halleck	Purcell
Bonner	Harvey, Ind.	Resnick
Bow	Hébert	Rivers, S.C.
Brown, Ohio	Herlong	Roberts
Cameron	Holland	Ronan
Casey	Keogh	Rostenkowski
Celler	Kluczynski	St Germain
Chamberlain	Laird	Shriver
Clevenger	Lindsay	Sikes
Cramer	Long, La.	Sullivan
Cunningham	McEwen	Teague, Tex.
Dawson	McMillan	Toll
Dent	McVicker	Watts
Diggs	Mathias	Whalley
Donohue	Michel	Willis
Duncan, Oreg.	Minshall	Wright
Evans, Colo.	Morris	Yates
	Multer	Young

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Rivers of South Carolina for, with Mr. Yates against.

Mr. Casey for, with Mr. Passman against.

Mr. Duncan for, with Mr. Long of Louisiana against.

Mr. Rostenkowski for, with Mr. McEwen against.

Mr. Fulton of Tennessee for, with Mr. Chamberlain against.

Mr. Keogh for, with Mr. Cramer against.
Mr. Hébert for, with Mr. Whalley against.

Until further notice:

Mr. Bonner with Mr. Halleck.
Mr. Young with Mr. Brown of Ohio.
Mr. Donohue with Mr. Bates.
Mrs. Sullivan with Mr. Shriver.
Mr. Sikes with Mr. Arends.
Mr. Dawson with Mr. Minshall.
Mr. St Germain with Mr. Cunningham.
Mr. Cameron with Mr. Bell.
Mr. Celler with Mr. Lindsay.
Mr. Kluczynski with Mr. Bow.
Mr. Murphy of Illinois with Mr. Michel.
Mr. Teague of Texas with Mr. Laird.
Mr. Fogarty with Mr. Mathias.
Mr. Pucinski with Mr. Harvey of Indiana.
Mr. Annunzio with Mr. Evans of Colorado.
Mr. Dent with Mr. Bandstra.
Mr. Fisher with Mr. Fuqua.
Mr. Herlong with Mr. Morris.
Mr. Murray with Mr. Purcell.
Mr. Willis with Mr. George W. Andrews.
Mr. Watts with Mr. Wright.
Mr. Powell with Mr. Toll.
Mr. Diggs with Mr. Resnick.
Mr. Multer with Mr. Clevenger.
Mr. McMillan with Mr. Roberts.
Mr. Pucinski with Mr. McVicker.
Mr. Holland with Mr. Gilligan.

Mr. THOMPSON of New Jersey, Mr. RONCALIO, and Mr. TUPPER changed their vote from "nay" to "yea."

Mr. GERALD R. FORD. Mr. Speaker, I am informed that the gentleman from Indiana, Mr. RALPH HARVEY, was recorded. The gentleman from Indiana is in the hospital and there must be some error.

The SPEAKER. His name will be taken off the rollcall.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

PROGRAM FOR THE BALANCE OF THE WEEK AND FOR NEXT WEEK

Mr. GERALD R. FORD. 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. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT] as to the program for the balance of this week and the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished Republican leader yield to me at this point?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the gentleman I would advise that we have completed the legislative program for this week. It will be my purpose to ask unanimous consent to go over after announcing the program for next week.

Mr. Speaker, the program for next week is as follows:

Monday is Consent Calendar Day.

There are nine suspensions as follows:

H.R. 8147: Exemption from duty for returning residents.

H.R. 5842: Amending the Lead-Zinc Small Producers Stabilization Act of October 3, 1961.

H.R. 1771: 5-day week for postmasters.

H.R. 2263: Correctional Rehabilitation Study Act of 1965.

H.R. 3157: Spouses' annuities under Railroad Retirement Act of 1937.

H.R. 7042: Use of additives in confectionery.

H.R. 7954: Implementing the Convention for the Safety of Life at Sea, London—1960.

H.R. 5280: Balance of payments voluntary agreements.

S. 1796: Assistance for disaster victims.

Mr. Speaker, these bills may not necessarily be called in the order in which they have been announced.

For Tuesday there is scheduled the 1966 Legislative Appropriation Act and,

H.R. 7105, extension of the Export Control Act.

Wednesday and the balance of the week the program is as follows:

H.R. 8464: To provide a temporary increase in the public debt ceiling for the period July 1, 1965, to June 30, 1966.

H.R. 8439: Authorizing certain construction at military installations, and for other purposes.

H.R. 7847: SBA authority to lend to SBIC's and State and local development companies.

H.R. 5306: Interest rates on foreign official time deposits.

Mr. Speaker, of course, this announcement is made subject to the usual reservation that conference reports may be brought up at any time and that any additional program may be announced later.

Mr. GERALD R. FORD. I thank the gentleman.

ADJOURNMENT TO MONDAY, JUNE 7, 1965

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

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

There was no objection.

AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION FOR RESEARCH AND DEVELOPMENT, CONSTRUCTION OF FACILITIES, AND FOR ADMINISTRATIVE OPERATIONS

Mr. MILLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? The Chair hears none, and appoints the following conferees: Messrs. MILLER, TEAGUE of Texas, KARTH, HECHLER, MARTIN of Massachusetts, and FULTON of Pennsylvania.

SUCCESSFUL MANEUVER OUTSIDE GEMINI CAPSULE

Mr. MILLER. 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 California?

There was no objection.

Mr. MILLER. Mr. Speaker, I am very glad to announce to the House that astronaut Major White left the capsule and was out of it for about 10 minutes. I believe the time has not been verified as yet. However, he has returned to the capsule that is orbiting the earth. It has been closed and repressurized and they are continuing on their flight.

Mr. Speaker, I have every confidence and I am sure the hopes of all of us go with the astronauts for the next 3 days.

Mr. Speaker, if we can recover this one as successfully as we recovered the last one, it will represent one of the great milestones in the history of the conquest of space.

THE CLERK AUTHORIZED TO RECEIVE MESSAGES AND THE SPEAKER AUTHORIZED TO SIGN ANY ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

PATMAN INTRODUCES ADMINISTRATION COINAGE BILL—TO RECEIVE PROMPT CONSIDERATION BY BANKING AND CURRENCY COMMITTEE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the President, a few moments ago, transmitted to the Congress a message on our coinage. Immediate solution of our coinage and silver problem is of the utmost importance and of particularly keen interest to all Americans. For these considerations, I feel it is not only appropriate, but absolutely necessary, that legislation be immediately introduced to accomplish the recommendations of the administration. Therefore, today I am introducing this legislation, and I assure every Member of the House that it will receive immediate consideration by your Banking and Currency Committee, of which I am chairman, and which has jurisdiction over this proposal.

For the convenience of the Members, the text of the bill and a section-by-section analysis prepared by the Treasury Department follows:

H.R. 8746

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Coinage Act of 1965."

TITLE I

SECTION 1. (a) The Secretary of the Treasury is authorized to cause to be minted and issued the following coins:

(1) A half dollar or fifty-cent piece which shall be composed of an alloy of 800 parts of silver and 200 parts of copper per each one thousand parts by weight clad on a core of a silver-copper alloy of such fineness that the composition of each coin shall be 400 parts of silver and 600 parts of copper out of each 1,000 parts by weight.

(2) A quarter dollar or twenty-five-cent piece and a dime or ten-cent piece each of which shall be composed of an alloy of 75 percent of copper and 25 percent of nickel clad on a core of pure copper.

(b) The cladding alloy used for the outside layers of such coins shall comprise not less than thirty per centum of the weight of each coin. Such coins shall be of the same diameter, respectively, as the coins of the United States of corresponding denominations current at the time of enactment of this Act.

(c) The weight of the half dollar provided for herein shall be 11.50 grams, of the quarter dollar 5.67 grams and of the dime 2.268 grams.

SEC. 2. Subject to the requirements of section 1, the methods of manufacture of the coins therein provided, the wastage allowances, and the allowable deviations in the metallic percentages and weights, shall be as determined by the Secretary of the Treasury. Such coins shall be subject to the laws pertaining to the designs and inscriptions on coins of the United States.

SEC. 3. All coins minted pursuant to the provisions of this Act shall be legal tender for all debts, public and private, public charges, taxes, duties and dues.

SEC. 4. Nothing herein contained shall be deemed to prohibit the continued minting of coins of the United States authorized by law at the time of enactment of this Act.

SEC. 5. Whenever in the judgment of the Secretary of the Treasury such action is necessary to protect the coinage of the United States, he is authorized under such rules and regulations as he may prescribe to prohibit the exportation, melting or treating of coins of the United States.

SEC. 6. The Secretary of the Treasury is authorized to sell on such terms and conditions as he may deem appropriate, at not less than the monetary value thereof, any silver of the United States in excess of that required to be held as reserves against silver certificates.

SEC. 7. The Secretary of the Treasury is authorized and directed to purchase at the price of $1.25 per fine troy ounce silver mined after the date of enactment of this Act from natural deposits in the United States or any place subject to the jurisdiction thereof and tendered to a United States mint or assay office within one year after the month in which the ore from which it is derived was mined. The bullion fund provided by section 3526 of the Revised Statutes, as amended (31 U.S.C. 335), may be used for such purchases.

SEC. 8. In order to expedite acquisition of essential equipment, patents, patent rights, technical knowledge and assistance metallic strip and other materials necessary to assure the prompt and continued availability of materials required to produce an adequate supply of the coins provided for herein, the Secretary of the Treasury, during such period as he may deem necessary, is authorized, without regard to the provisions of section 3528 of the Revised Statutes, as amended (31 U.S.C. 340), or any other law, to enter into contracts upon such terms and conditions as he may deem appropriate and in the public interest, for the acquisition or transportation of such equipment, patents, patent rights, technical knowledge and assistance, metallic strip, or other materials.

SEC. 9. (a) The Act of September 3, 1964, Public Law 88-580, is amended to read as follows:

"Notwithstanding section 3517 of the Revised Statutes (31 U.S.C. 324), all coins minted from the date of enactment of this Act shall be inscribed with the year of the coinage or issuance unless in the judgment of the Secretary of the Treasury such inscription is likely to contribute to a shortage of coins, in which case the particular coins involved may be inscribed with the last preceding year whose date has been inscribed on coins of the same denominations."

(b) Section 3550 of the Revised Statutes (31 U.S.C. 366) is repealed.

SEC. 10. The first sentence of section 3558 of the Revised Statutes, as amended (31 U.S.C. 283), is amended to read as follows:

"The business of the United States assay office in San Francisco shall be in all respects similar to that of the assay office of New York except that until such time as the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins, its facilities may be used for the production of any coins of the United States authorized by law."

SEC. 11. Section 4 of the Act of August 20, 1963 (31 U.S.C. 294) is amended by striking of "$30,000,000" and inserting in lieu thereof "$45,000,000."

SEC. 12. Section 3 of the Act of December 18, 1942 (31 U.S.C. 317c) is amended by striking out "minor" each place it appears in such section. Section 9 of the Act of March 14, 1900 (31 U.S.C. 320) is hereby repealed.

SEC. 13. Section 3528 of the Revised Statutes, as amended (31 U.S.C. 340), is amended (1) by striking out "this Act," in the first sentence and inserting in lieu thereof "law,"; (2) by striking out "minor" each place it appears in such section; and (3) by striking out "$3,000,000" and inserting in lieu thereof "$30,000,000."

SEC. 14. Section 485 of the Act of June 25, 1948 (18 U.S.C. 485) is amended by striking out "the gold or silver coins" and inserting in lieu thereof "gold, silver, silver-clad, or cupronickel-clad coins."

SEC. 15. The Secretary of the Treasury is authorized to issue such regulations as he may deem necessary to carry out the provisions of this Act.

SEC. 16. Whoever knowingly violates any of the provisions of section 5 hereof or of any order, rule, regulation or license issued pursuant thereto shall, upon conviction, be fined not more than $10,000 or imprisoned not more than five years, or both. In addition, there shall be forfeited to the United States any coins exported, melted, or treated in violation of this Act or any order, rule, regulation or license issued hereunder, or any metal resulting from such melting or treating of coins. Such coins or metal may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure or condemnation of property imported into the United States contrary to law.

TITLE II

SECTION 1. The President is hereby authorized to establish a Joint Commission on the Coinage to be composed of the Secretary of the Treasury as Chairman; the Secretary of Commerce; the Director of the Bureau of the Budget; the Director of the Mint; the chairman and ranking minority member of the Senate Banking and Currency Committee; the chairman and ranking minority member of the House Banking and Currency Committee; one Member of the House of Representatives to be appointed by the Speaker; one Member of the Senate to be appointed by the President of the Senate; and four public members to be appointed by the President, none of whom shall be associated or identified with or representative of any industry, group, business or association directly interested as such in the composition, characteristics, or production of the coinage of the United States.

SEC. 2. No public official or Member of Congress serving as a member of the Joint Commission shall continue to serve as such after he has ceased to hold the office by virtue of which he became a member of the Joint Commission. Any vacancy on the Joint Commission shall be filled by the choosing of a successor member in the same manner as his predecessor.

SEC. 3. The Joint Commission shall study the progress made in the implementation of the coinage program established by this Act, and shall review from time to time such matters as the needs of the economy for coins, the standards for the coinage, technological developments in metallurgy and coin-selector devices, the availability of various metals, renewed minting of the silver dollar, the time when and circumstances under which the United States should cease to maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system. It shall, from time to time, give its advice and recommendations with respect to these matters to the President, the Secretary of the Treasury, and the Congress.

SEC. 4. There are authorized to be appropriated to remain available until expended, such amounts as may be necessary to carry out the purposes of this title.

SECTION-BY-SECTION ANALYSIS OF THE BILL

TITLE I

Section 1 authorizes the minting and issuance of a new series of coins in denominations of 10, 25, and 50 cents which will be manufactured from composite metals containing three layers. In the case of the 50-cent piece, the outside or cladding layers

would be composed of an alloy of 80 percent silver and 20 percent copper and the core of a silver-copper alloy of such fineness that the overall composition of each coin would be 40 percent silver and 60 percent copper. The 10- and 25-cent coins would consist of cupronickel (75 percent copper, 25 percent nickel) clad on a core of pure copper. Section 1 also prescribes the proportionate amounts of core and cladding alloys in the coins, the weight of each coin and that such coins are to be of the same diameter as the current coins of the United States of corresponding denominations.

Section 2 authorizes the Secretary of the Treasury to determine the methods of manufacture of the new coins, the wastage allowances, and the allowable deviations in the metallic percentages and weights. It provides also that such coins shall be subject to existing laws pertaining to the designs and inscriptions on U.S. coins.

Section 3 provides that the coins shall be legal tender. While existing statutes governing legal tender are broad enough to cover the new coins, an express provision in the new bill is deemed desirable to eliminate any possible doubt.

Section 4 provides continuing authority for the coinage of coins authorized by provisions of existing law. This will enable the continued production of present coinage to the extent necessary to assure the production of ample supplies of coins during the period of transition to the new coinage.

Section 5 gives standby authority to the Secretary of the Treasury to prohibit the exportation melting or treating of U.S. coins when necessary to protect the coinage.

Section 6 provides for sales by the Treasury of silver in excess of that required to be held against silver certificates at prices not less than the monetary value. This will clarify the authority of the Treasury to make sales of such excess silver under appropriate conditions.

Section 7 authorizes the purchase of newly mined domestic silver by the Treasury at the price of $1.25 per fine troy ounce. This will protect silver producing industries against any precipitate drop in the price of their product which might result from the change in U.S. coinage alloy. Silver purchased under this provision can be used in coinage at values not less than $1.29+ per fine troy ounce. Section 7 also authorizes the use of the bullion fund for the purchase of silver.

Section 8 authorizes the Secretary, for as long as he deems it necessary, to procure, on terms deemed appropriate and in the public interest, any materials, technical knowledge and assistance, equipment, patents, transportation services, etc., necessary to assure prompt and continued availability of materials required for the new coinage without regard to any laws requiring advertising and competitive bidding or imposing other restrictions on the negotiation of contracts for the purchase of property by the Government.

Section 9 directs that coins minted after enactment of this act shall bear the year of the coinage or issuance unless the Secretary of the Treasury determines that this is likely to contribute to a coin shortage. In this event, the particular coins involved may be inscribed with the last preceding year whose date appeared on coins of these denominations. This section would also repeal an obsolete provision of law requiring that the obverse working dies at each mint be destroyed at the end of each year.

Section 10 authorizes use of the San Francisco Assay Office for coinage on a temporary basis until such time as the Secretary of the Treasury determines that the facilities at the mints are adequate for the production of ample supplies of coins. It is anticipated that during the period of transition to the new coinage the mints' production load will be particularly heavy and additional facilities will be needed. Use of the San Francisco Assay Office is the most expeditious way of providing these. Section 10 also authorizes permanent use of the San Francisco Assay Office for refining gold and silver bullion. This will also contribute to the efficiency of operations at the mints and assay offices.

Section 11 increases the maximum amount authorized to be appropriated for the construction of the new mint at Philadelphia from $30 million to $45 million. Additional funds will be necessary to provide equipment and facilities for the new coinage.

Section 12 will authorize and provide financing for the melting of any worn and uncurrent U.S. coins, including the new cupronickel-clad and silver-clad coins, received in the Treasury and the sale or recoinage of the resulting metals. The section also repeals an act which requires recoinage of all worn and uncurrent subsidiary silver coins received in the Treasury.

Section 13 authorizes use of the minor-coinage metal fund and the minor-coinage profit fund (to be renamed the coinage-metal fund and the coinage-profit fund) for the purchase of metals for the coins provided for in the act and for certain expenses incurred in such coinage; namely, the wastage and cost of distribution of the coins. It also raises the amount available in the coinage-metal fund from $3 million to $30 million. This increase in amount is necessary because after enactment of the bill this fund will be used for the purchase of metals used in coinage of all denominations whereas at the present time it is used only for metals for 1- and 5-cent coins.

Section 14 amends one of the counterfeiting laws so as to make it applicable to the new cupronickel and silver-clad coins on the same terms and conditions as it is now applicable to the subsidiary silver coins. It is not necessary to amend any of the other counterfeiting laws since these will be applicable by their terms to the new coins.

Section 15 is a general provision authorizing the Secretary of the Treasury to issue regulations that may be necessary to carry out the provisions of the act.

Section 16 provides penalties for violations of any regulations issued under section 5 of the act, prohibiting the export, melting, or treating of U.S. coins. The penalties would be forfeiture and imprisonment up to 5 years or a fine up to $10,000, or both.

TITLE II

Section 1 provides for the establishment of a Joint Commission on the Coinage, composed of four executive officials, six Members of Congress, and four public members to be appointed by the President. The public members shall not be representatives of any group having a direct interest in coinage.

Section 2 provides that the executive and congressional members shall cease to serve on the Joint Commission after leaving their public office, and provides for the filling of vacancies on the Commission.

Section 3 provides that the Joint Commission shall study the progress made in the implementation of the coinage program established by the act. It shall review and give its advice and recommendations from time to time to the Congress, President, and the Secretary of the Treasury on such matters as the needs of the economy for coins, the standards for the coinage, technological development in metallurgy, the availability of various metals, renewed minting of the silver dollar, the time when and circumstances under which the United States should cease to maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system.

Section 4 authorizes the appropriation of such amounts as may be necessary for the expense of the Joint Commission.

J. K. WADLEY A GREAT HUMANITARIAN AND PHILANTHROPIST

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, on Wednesday evening, May 26, 1965, in Dallas, Tex., a great humanitarian and philanthropist, Mr. J. K. Wadley of Texarkana, was accorded recognition by the Leukemia Society. Known as the De Villiers Award, this distinction came to Mr. Wadley for a lifetime of good works. At 88 years of age this great gentleman is the prototype of the American success story, enriched by strong currents of deep-felt compassion and generous concern for others. The Texarkana Gazette has performed a public service by reporting the inspiring story of Mr. Wadley's life, set forth below, together with an editorial from the same newspaper:

LEUKEMIA SOCIETY'S HIGHEST AWARD WON BY J. K. WADLEY—PRESENTATION WEDNESDAY NIGHT

J. K. Wadley, Texarkana philanthropist who with his late wife made possible the establishment of Dallas famed Wadley Research Institute and Blood Bank, will receive the highest national award of the Leukemia Society, Inc., at a testimonial dinner in Dallas on Wednesday, May 26.

Mr. Wadley is one of five nationally prominent people singled out this year for the society's new De Villiers Award for humanitarian service in the crusade against leukemia. Others are Former Astronaut John Glenn, Industrialist Pierre S. duPont, Nassau County, N.Y., District Attorney William Cahn, and Baltimore Comptroller Hyman Pressman.

The award will be presented to the 88-year-old businessman-lumberman-humanitarian at a dinner at 7 p.m. in the Sheraton Dallas Hotel. It will be presented by Dr. Joseph M. Hill, director of Wadley Research Institute and Blood Bank and a member of the medical advisory committee of the Leukemia Society, Inc.

Also present at the award dinner will be Martin I. Hassner, national director of the society; Mrs. Edie Martin, regional director; Debs Hensley of Dallas, national LSI board member; trustees of Wadley and the society's Greater Dallas chapter, supporters of Wadley and the Leukemia Society, and others who have helped the two organizations in the fight against leukemia, and members of Mr. Wadley's family.

The De Villiers Award is named for Mrs. Antionette de Villiers of New York City, who established the De Villiers Foundation out of which grew the Leukemia Society, Inc. Other presentations of the award, instituted this year, are being made during May and June.

Mr. Wadley joined his wife, who died earlier this year, in making the original gift to establish Wadley Research Institute and Blood Bank in 1951. The gift was presented in memory of the couple's only grandson, Keener Bob Moseley, who had died of leukemia several years prior to that.

Through the years, Mr. and Mrs. Wadley have given a total of more than one and a quarter million dollars to the Dallas institute, which has grown to encompass the Southwest's largest leukemia patient service, an internationally known scientific research institute, the South's major regional blood bank, and a postgraduate teaching institute, affiliated with Baylor University, that has

granted more Ph. D. degrees than any other school in north Texas.

Mr. Wadley, and his wife, Susie L. Wadley, before her death, have maintained a consistent interest in the institute and its efforts against leukemia, the cancer of blood.

In addition to their philanthropies on behalf of Wadley and the leukemia crusade, Mr. and Mrs. Wadley also made possible a 200-bed, $3½ million Wadley Hospital in Texarkana and have contributed generously to the Southwestern Baptist Theological Seminary in Fort Worth, Baylor University in Waco, the First Baptist Church in Texarkana, and many other community, civic, and religious organizations.

Born April 1, 1877, in Arkadelphia, Ark., and educated in public schools in Arkansas, Texas and Louisiana and at the University of Georgetown (now Southwestern) in Georgetown, Mr. Wadley has been successful in the lumber, oil and gas, and mining businessses.

He began his business career at the age of 17 with the William Buchanan interests, which operated large sawmills, manufacturing plans, and other companies in the Southwest, and the Louisiana and Arkansas Railroad. He began as a telegraph operator and office assistant for the railroad and, by age 20, had risen to become auditor and assistant treasurer for the Buchanan companies.

At 24 Mr. Wadley went into business for himself, organizing the Porter-Wadley Lumber Co. at Cotton Valley, La., in 1904. Later he organized the Alexandria Lumber Co. and Long Pine Lumber Co. at Alexandria.

In 1919 he began extensive operations in the oil and gas development in northwest Louisiana and conducted extensive wildcat operations in oil-producing States from Alabama to Utah. He entered the gold mining field in California, Arizona, and Nevada in 1932.

Mr. Wadley has had extensive holdings in various hotels, formerly owning the Washington-Youree Hotel in Shreveport as well as substantial interest in the Hilton Hotels chain.

He has been a director of the Texarkana National Bank for more than 30 years and is a former director of the Commercial National Bank of Shreveport.

Mr. Wadley joined the First Baptist Church of Texarkana, Tex., in 1901, and has been a deacon there since 1910. He was Sunday school superintendent for 15 years.

For many years Mr. and Mrs. Wadley provided financial help to many young boys and girls, enabling them to receive educations at various denominational schools, seminaries, and medical schools.

An active golfer, he is formerly president of the Arkansas and Texas Golf Associations, and former director of the U.S. Seniors Golf Association, and the Western Seniors Golf Association.

He holds an honorary doctor of laws degree from Baylor University.

In 1958 Mr. Wadley received the C. E. Palmer Achievement Award for outstanding contribution to the development of civic, social and cultural, and religious life in Texarkana.

He and Susie Lee Crowell were married on September 25, 1901. Their two daughters are Mrs. Elloine Wadley Moseley of Dallas, and Mrs. Emily Wadley DeWare of Santa Barbara and Palm Springs. A granddaughter, Mrs. William Lee Sinclair, lives in Texarkana.

RICHLY DESERVED RECOGNITION

Wednesday night was a great night for Texarkana in Dallas. The citizens of that great city assembled 500 strong to pay tribute to our beloved J. K. Wadley for the work he has done in the search for a cure for the dread disease, leukemia.

His establishment of the J. K. and Susie L. Wadley Research Institute and Blood Bank in Dallas was the basis for his having received the deVilliers Award, which is national recognition of his contribution to the fight against leukemia.

Although a cure for this disease (cancer of the blood) has not been achieved, great progress has been made and the lives of many victims have been lengthened considerably by the knowledge that has been gained through research at the Wadley Institute. Two children stricken with leukemia early in life have now passed their 10th birthdays and on Mr. Wadley's 88th birthday, they sent him a huge birthday card in which they not only sent greetings to him but thanked him for making their 10th birthdays possible.

Many profound statements were made at the testimonial dinner for Mr. Wadley but none was more touching than that by Dr. Eduardo Uribe Guerola of Mexico City who said that it was Mr. Wadley's great love for humanity that prompted him to do all of the things he has done to relieve suffering and to find a cure for a fatal disease.

There were many Texarkanians at the testimonial dinner in Dallas, which in itself was a great tribute to Mr. Wadley. It was Christ Himself who made the profound and somewhat rueful statement that "a prophet is not without honor save in his own country."

We are glad to observe day by day how much Texarkana appreciates the work of Mr. Wadley and his late beloved wife, and we know that our people will learn to appreciate them even more as the years go by and more and more of their objectives are realized.

RECOMMENDATIONS OF THE TREASURY ON NEW COINAGE

Mr. WHITE of Idaho. 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 Idaho?

There was no objection.

Mr. WHITE of Idaho. Mr. Speaker, the message that has just been received from the President of the United States has to do with the recommendations of the Treasury Department with respect to the new coinage that we will be asked to consider in the next few days.

Mr. Speaker, I would like to bring to the attention of the House that under the Constitution of the United States the coinage of money and the regulation of the value thereof is the direct responsibility of the Congress. I would also like to bring to the attention of the House that the Treasury Department has had this under consideration for 2 years.

And, Mr. Speaker, after the appointment of our new Secretary of the Treasury on April 1, it has taken him 2 months to come to a decision on the silver situation.

Mr. Speaker, with this recent history it would seem to me that it would be improper if the Congress of the United States were persuaded to pass this legislation within a 2- or 3-day period, which may be requested by the executive branch of the Government.

Therefore, Mr. Speaker, I would like to ask the Members of this body to pay particular attention to what will be said here this afternoon with respect to this message and any comments that I may have.

Further, Mr. Speaker, I would like to have any Members who are interested to take part in that special order.

NO ROOM AT THE TOP FOR DISUNITY IN FISCAL POLICY

Mr. VANIK. 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. VANIK. Mr. Speaker, on Tuesday, June 1, Federal Reserve Chairman William McChesney Martin, in an address before the Columbia University alumni, directed attention to "the disquieting similarities between our present prosperity and the fabulous twenties."

The voice was that of William McChesney Martin, but the words were the warmed-over utterances of former Treasury Secretary George Humphrey who promised a recession which would "curl our hair." Apparently the two gentlemen are still in intimate counsel.

Mr. Martin failed to tell us whether he was stating official policy of this Government, official policy of the Federal Reserve System, or his personal brand of "open market" opinion.

Mr. Martin certainly understood the effect of his statement and must accept full responsibility for confidence irreparably destroyed. His is the power to make good his prophecy.

Perhaps the administration will now recognize that there is no room at the top for disunity in fiscal policy. The place for dissident points of view is outside of the Government. Mr. Martin makes a first-rate case for Mr. PATMAN's bill—but it may be already too late.

TRIBUTE TO THE HONORABLE BILLIE FARNUM

Mrs. GRIFFITHS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, every senior Congressman is always happy to see freshman Congressmen do well and I am sure that pleasure is doubled when the Congressman who does well is one from your own State. It is a pleasure for me to draw the attention of the House to an editorial written by Harold Fitzgerald, owner and publisher of the Pontiac Press, concerning the work of BILLIE FARNUM, the freshman Congressman from Michigan's new 19th District:

NEW CONGRESSMAN

This general area can rejoice over the promising early start of our newest Congressman in Washington, BILLIE FARNUM. His baptismal weeks have been fruitful.

District of Columbia newcomers are inevitably thumbed to the sidelines and bluntly

advised to be seen and not heard. Our newest Representative hasn't committed the indiscretion of flying in the face of congressional precedent, but in the early business of being seen he has created a very favorable image. FARNUM is quietly on the job to a much greater extent than the traditional beginners although he has never transgressed by challenging historical procedures.

He already graces the Appropriations Committee which is a major achievement for a yearling. This highly coveted spot customarily comes after meeting preliminary tests. Washington newspapermen say that the Michigander has handled himself very creditably and that this district can be proud of his first months of quiet but effective service.

There are monumental problems at hand and more lie ahead. The Press is happy to report on the early showing of this fledgling statesman.

INDUSTRY SHOULD SHARE PART OF RESPONSIBILITY IN CLEANING UP AIR AND WATER POLLUTION AND WASTE TREATMENT PROBLEMS

Mr. McCARTHY. 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. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, only a few weeks ago the House passed the 1964 Clean Water Act without a dissenting vote. This bill provides more help to communities faced with serious problems of water pollution. It was my privilege to be a member of the Public Works Committee which listened to the many witnesses testifying on this bill. It was apparent that this bill—while a big step forward—is only part of the solution to this problem.

While it is evident that various municipalities and States are faced with a huge task in cleaning up air and water pollution and waste treatment problems, I believe that industry must share part of the responsibility. In Erie County alone, more than 1 million tons of air contaminants is ejected yearly. Industry accounts for 85 percent of this type of pollution. The same story is true for water pollution—here the main culprits are the municipalities.

I believe that various industries in my district are cognizant of these problems and are now making attempts to correct this situation. But I am afraid this is not enough action to really stem the tide of air and water pollution.

In keeping with my strong interest in attacking these problems, I am introducing today a bill to amend the Internal Revenue Code of 1954 to encourage industry to install more air and water pollution abatement equipment. My bill would provide amortization for income tax purposes of the cost of abatement works over a period of 36 months.

Such an inducement would help enlist all industries on the Niagara frontier in the war on air and water contamination. The 1965 Clean Water Act provides municipalities and the States with incentives to get into the fight. My bill would provide incentives for industry to install new equipment to join in this fight on air and water pollution.

I realize that it is easy to point an accusing finger at the industries whose manufacturing processes add to the air and water pollution, but many persons do not realize the huge costs of installing and maintaining such abatement equipment. As one who came straight from industry into Congress, I do. These same industries provide thousands of jobs and millions of dollars in payrolls to the Niagara frontier. I believe it is only fair that if the various governments are going to require higher standards of enforcement, it is only right that we make installation of such abatement equipment possible by providing fast tax write-offs.

I believe that cooperation is necessary by industry and the communities in the war on air and water pollution. For this reason I am happy to introduce this bill as part of a continuing program to fight these problems. The time has come for faster action and more community awareness of these problems.

THE BATTLESHIP "MASSACHUSETTS"

Mr. MARTIN of Massachusetts. 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 Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, the battleship *Massachusetts* is about to come home.

I rise at this time, Mr. Speaker, to bring my colleagues up to date on our efforts to enshrine the battleship *Massachusetts* as a permanent memorial to American heroism and to berth it at Fall River, Mass.

The Speaker and I, in cooperation with Senators LEVERETT SALTONSTALL and EDWARD M. KENNEDY, called a meeting at the Capitol on Tuesday of this week so that top officials of the Navy Department and leaders of the Massachusetts Memorial Committee, Inc., could sit down together and arrive at final decisions regarding this historic vessel.

I am pleased to report that the Navy's wishes in regard to safe berthing of the vessel have been met, and plans have been made to begin towing the ship from Norfolk, Va., on or about Tuesday, June 8. The voyage is expected to take about 4 days. A contract is to be signed tomorrow.

I wish to pay my tribute now, Mr. Speaker, to the community leaders of Massachusetts who have worked hard for several years to bring about this result, and particularly to the community leaders of Fall River, who now head this committee and whose plans have been crowned with success.

Joseph Feitelberg, of Fall River, has provided responsible leadership, and he has been loyally assisted by William Torpey, of the State pier in Fall River; George Pelletier, the chairman of the Fall River Port Authority; Theodore Thomte, Martin Adler, and many others.

They have bold plans for the future of this vessel. It includes a park, a parking area, and a marina along the Fall River waterfront, use of the vessel for meetings of such organizations as the Boy Scouts and the military reserve units. They expect that a refurbished ship will be a major tourist attraction, badly needed in the Fall River-New Bedford section of our State.

They expect that the wise management of this ship will have a major impact upon the economy of greater Fall River, that it will be a special boon to restaurants and motels. This city, with its textile mills fleeing to other sections of the country, has long needed the economic "lift" that this project may give it.

Everyone in Massachusetts, and particularly in the Fall River area, is aware that the arrival of this ship is no cureall for our problems. In many ways, it is only the beginning of more work for this committee that has already worked so hard. But it does show the kind of community spirit, the kind of long-range planning, the kind of concern for a new and more beautiful waterfront and city, that can improve things greatly for Fall River and Massachusetts.

I wish to pay my tribute to all the men and women—and yes, the schoolchildren who have contributed their coins—who have labored so hard to make this retired vessel a worthy memorial. I congratulate them on their success to date. I wish them well for the future.

ALLEVIATING THE CHRONIC SHORTAGE OF RAILROAD CARS

Mr. MEEDS. 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. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, I am today introducing a bill to help alleviate the chronic shortage of railroad freight cars. This shortage has become a national problem for shippers and is particularly crippling to industries of the Pacific Northwest, such as plywood mills. Basically this problem is this: Due to the rental rate structure it has become less expensive for certain railroad companies, especially those with an inadequate supply of cars, to rent cars from other railroads rather than purchase new ones. This leaves the other companies with too few cars to meet freight demands.

It is not only shippers who are hurt by this shortage of cars. Railroads themselves are finding that they must turn away business because of inadequate facilities by which to transport freight.

The bill I am introducing is a companion measure to one introduced by Senator WARREN G. MAGNUSON that is now before the Senate Commerce Committee of which he is chairman. It will raise rental rates on freight cars, thereby encouraging railroads to return empty cars to their owners faster and at the same time giving an incentive for the

purchase of new cars by railroads with a short supply.

An excellent appraisal of this critical situation, clearly explaining the nature and the implications of this freight car shortage, was published in the June 1 edition of the Wall Street Journal. I insert this very comprehensive survey of the freight car shortage in the RECORD at this point:

[From the Wall Street Journal, June 1, 1965]

TRANSPORT PINCH: FREIGHT CAR SHORTAGE GETS WORSE, FORCES SOME PLANT CUTBACKS—SHARP PICKUP IN CAR BUYING FAILS TO HELP; LUMBER AND GRAIN FIRMS ARE HARD HIT—SHIPPERS FRET ABOUT THE FALL

(By James R. Macdonald)

CHICAGO.—Railroads and shippers are suffering from one of the severest shortages of freight cars ever experienced at this time of year.

Shippers are demanding about 7,500 more cars daily than the railroads can provide. That's more than double the deficit of a year ago and nearly as bad as last fall when the shortage climbed to a post-Korean war record of 10,000 cars. Shippers fear the shortage will get far more critical as the year goes along, particularly this fall when harvesting is in full swing and Christmas merchandise is moving to retailers.

The car shortage already is severe enough to cause some companies to curtail operations and to boost the shipping costs of many others being forced to shift to more expensive types of transportation. The present pinch partly reflects traffic snarls resulting from floods along the Mississippi River and in the Pacific Northwest. But the shortage, in the main, is a consequence of the biggest peacetime business boom in the Nation's history. The railroads simply have been unable—or in some cases unwilling—to add new cars to their fleets at a fast enough pace to meet rising demand from shippers.

WOOD MILLS SUFFER MOST

Plywood mills in the Northwest are among the hardest hit by the car drought. At least six mills have been forced to close down in recent weeks for periods ranging from 1 day to a full week because they couldn't get enough freight cars, reports Edmund Hilton, Jr., traffic manager for the American Plywood Association in Tacoma, Wash. "Countless others came so close to having to shut down that getting just one or two cars at the last minute made the difference," he adds.

But complaints are coming from a wide variety of shippers, including cement manufacturers, sand and gravel producers, fertilizer firms, and even the U.S. Army which recently found itself short of cars needed to ship ammunition destined for Vietnam.

"We've had a terrible time getting cars since the first of the year," says Robert Strange, assistant vice president of sales for Truax-Traer Coal Co. He says the company has been forced to close down two of its strip mines for 3 or 4 days a month because of the shortage.

Philip M. Corby, traffic manager for Evans Grain Co., Salina, Kans., says one day recently he phoned five railroads in an attempt to obtain 175 boxcars to ship grain from the company's 90 elevators in Kansas, Nebraska, Iowa, and Colorado. He was unable to turn up a single car.

COSTLIER PHONE BILLS

"The amount of money I'm spending on phone calls to scrounge up some cars would capitalize a small bank," laments L. J. Childs, general traffic manager for Massey-Ferguson, Ltd., Toronto farm equipment maker. Even so, he is having only limited success in solving his transport problems. He says a few days ago he asked a railroad serving 1 of the company's plants for 75 flatcars to ship 150 grain harvesting combines. "They told me their road didn't have that many empty flatcars on their entire system and the best they could do would be to try to get me 25 within 3 or 4 days," he declares. "This really hurts when dealers are on the phone screaming for delivery."

Some farm machinery makers, attempting to rush new equipment to their dealers as the new growing season gets underway, are switching to other forms of transportation, despite often higher costs. J. I. Case Co., Racine, Wis., normally divides its shipments about equally between rail and truck. "Lately, because of the shortage of railroad cars, we've been averaging about 75 percent truck and 25 percent rail," James Pavel, Case traffic manager, says. He notes the cost of those shipments shifted to trucks averages 10 percent higher than by rail.

Similarly, Inland Steel Co., Chicago, reports the company has experienced "a substantial increase in our costs because railroad cars haven't been available when we need them." When this happens, Inland is forced to store the steel and costs are boosted because of the extra handling.

RAILS SUFFERING, TOO

Railroads, too, have been hurt by the car shortage, Jervis Langdon, Jr., chairman of the Chicago, Rock Island & Pacific Railroad, says the severe shortage of freight cars was "the major factor" in the Rock Island's first quarter earnings decline. The road reported a net loss of $2,711,073 in the quarter ended March 31, compared with a profit of $753,676 a year earlier.

Robert S. Macfarlane, Northern Pacific Railway president, says thus far in 1965 his road has turned away roughly $1.5 million worth of freight "because we didn't have enough freight cars. This really hurts because of the risk that much of this business went over to competing trucklines and we may never get it back again."

The shortage will persist through the summer and grow much more severe in the fall, most railroadmen and shippers predict. The peak in rail freight movement usually comes when newly harvested crops and Christmas merchandise are both in transit.

"It's already touch and go as to whether I'll be able to meet my daily car requirements," says Peter Vinsavage, traffic manager at the Herrin, Ill., washing machine plant of the Norge division of Borg-Warner Corp. "We use mostly boxcars so we compete directly with the grain industry for cars. If the shortage is bad now, it probably will be much worse at harvest."

Railroads are spending at a record level for new cars to ease the shortage but can't obtain them fast enough to solve the problem. Capital spending by railroads, mostly for new rolling stock, will reach a record $1.6 billion this year, the Association of American Railroads estimates. This would top last year's expenditures of $1,417,000,000, the previous record, and would compare with $1 billion spent in 1963.

This spending step-up, however, has not been enough to stem the long decline in the size of the U.S. rail car fleet. The railroads placed 68,043 new freight cars in service last year, nearly double the 1963 total, yet there were fewer cars at the end of 1964 than at the beginning. Specifically, the fleet at the close of last year included 1,492,000 cars, down from the 1,512,000 total of a year earlier. A high "retirement" rate on old cars too far deteriorated to be worth repairing accounts for the downtrend.

Even with this year's record capital spending, the car fleet probably will continue to shrink, railmen say. But they note that the trend toward fewer cars—while worrisome—isn't as bad as it first might appear. Many of today's new cars are much larger than earlier models. This is demonstrated by the fact that railroads last year handled 659 billion ton-miles of freight, a 60-percent increase from 1925, when the number of rail cars hit a peak of 2,357,000.

But while the newer cars themselves may be larger, they are far more specialized than ever before and can be used by fewer types of shippers. A good illustration is the rail tri-level auto rack car. While it can haul three or four times as many new cars as the old boxcar, it's pretty much limited to auto traffic. The old boxcar, however, could unload its autos and pick up a return load of grain. It's mostly these older garden-variety of boxcars that are being retired.

So shippers generally are critical of the fleet's decline and many railroad officials complain about it, too. The critics contend that part of the downtrend can be traced to the relatively low rental rates which railroads pay each other for the use of cars moving over their tracks. The rate structure, they say, is such that it's often cheaper to pay the rental on a car than to purchase new ones and so many lines—particularly the financially pressed ones in the East—have resorted to this tactic.

This is still the case, shippers contend, even though a new rate structure calling for rents ranging from $2.16 a day for cars valued below $1,000 to $12.88 for those worth more than $35,000 was adopted early last year. Before, the daily rental rate was $2.88 per car regardless of value. Many argue the new rate still isn't high enough to encourage new-car building.

Critics are hoping that some help will come from a bill now being considered by the Senate Commerce Committee. The measure would prod railroads to return empty cars to their owners faster by providing for higher rental rates; this, it is believed, would force car-short roads to step up construction of new cars. In brief, the bill would give the Interstate Commerce Commission authority to set rental rates at a level which would both fairly compensate the owning railroad and insure an adequate national supply of cars.

But at least one shipping group isn't waiting for congressional action on the car shortage. The Southwest Oregon Shippers' Traffic Assn., which has 42 lumber, plywood, and particle board mills in its membership, is threatening to boycott railroads that aren't moving to increase the car supply. "We can easily determine which roads are building cars and have our interests in mind," says O. L. Stewart, executive secretary. "For those that are not, we will simply suggest to our members that they route their traffic around those lines if possible."

Mr. Stewart estimates his group accounts for about 60,000 carloads of traffic annually, with each carload worth an average of $1,000 in freight revenue to the railroads.

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, the heavy schedule of hearings by the full Judiciary Committee, together with hearings by Subcommittee No. 1 on pending immigration legislation, has reduced the time normally available for consideration of private bills introduced by Members. The subcommittee appreciates the patience of the Members under these circumstances and I wish to announce that henceforth Wednesday of each week will be devoted exclusively to

the consideration of private bills. If circumstances permit, additional days will be set aside for the consideration of these bills.

THEIR REWARD IS POVERTY

Mr. ICHORD. 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 Missouri?

There was no objection.

Mr. ICHORD. Mr. Speaker, the Armed Services Committee, of which I am a member, will soon consider a military pay increase and I take the floor this day to bring attention to a problem which rapidly approaches a crisis nature. The men and women who choose to dedicate a good portion of their lives so that this Nation may remain mighty are the victims of one of the most brutal inequities of our time. To say that military personnel are underpaid is perhaps as great an understatement as saying Cassius Clay is sometimes a bit opinionated.

In this day of megatons and satellites it seems a bit strange we would be willing to place our national security on the line merely because we fail to adequately reward our service people. You might say I overemphasize the magnitude of this problem. If you believe that, I intend to convey to you certain facts that serve to stress the need for a long overdue reappraisal of our pay policies.

Fact No. 1: Since 1952 military pay has increased 36 percent. Civil service pay increased 46 percent in the same period. Production workers enjoy 53 percent more today than in 1952. Professional and technical workers bring home 56 percent more. In addition to these discrepancies so-called "fringe benefits" have more than quadrupled for civilian and civil service personnel since 1946. Therefore service-connected fringes are less desirable than ever before. The archaic argument of these services fringes has lost its validity.

Fact No. 2: The reenlistment rates in all the services are decreasing at an alarming rate. The Army regular enlistment rate has dropped from approximately 53 percent in 1962 to 50 percent in 1964. That represents a loss of the most highly skilled men in the Armed Forces. The Navy slid from 50 percent in 1962 to 38 percent in 1964. The Marines dropped from 42 to 30 percent and the Air Force fell from 71 to 58 percent. Every single man who is represented in these figures is highly trained and experienced.

Inductee reenlistment rates are shockingly small. In 1962 the Army retained 20.1 percent of those they drafted. Last year this figure plummeted to an alltime low, 3.6 percent. When you realize that it takes about $5,500 per man or more to train these people, a 96.4-percent loss is akin to the burning of millions of dollars. You ask why we are losing this many trained men? We shall see.

Fact No. 3: I, as a Member of this body and as a citizen of the United States, relate this fact to you with great shame. A recent survey indicates that over 5,000 Air Force men are on relief. That is not all—55,000 more of the same group are eligible for these payments but do not accept them. Had enough? Try to swallow this one—169,000 have an annual income below the level set by the Government as poverty status. That is just the Air Force. Approximately one-half million service people, almost one of every four are, by our own standards, living in poverty. Is this the reward for service to country, a life of poverty? Under these conditions it does not surprise me that a young man would be reluctant to seek a military career.

Fact No. 4: Under the present circumstances the military cannot exercise selectivity in selection of career personnel. This more than anything is cause for alarm. The armed services are forced to accept inferior personnel because they have no choice. Pardon me, they do have a choice, that being, an inferior man or no man at all. To illustrate this point I direct you to the score required on the AFOQT test given men desirous of entering the Air Force ROTC program. In 1957 a man had to score 63 to qualify. Today he need only score 52. When you consider we will spend tens of thousands of dollars to train this man, this easing of requirements points to eventual mediocrity in our services. We must attract the best men possible if we are to remain strong.

In light of the above, I must work to increase the 4.8-percent increase proposed by the administration. Besides being too small it provides the least amount of raise for those who need it most. Budgetary considerations are paramount when reviewing most legislation, however, when the question is our national defense, security, and survival must be given the highest priority. We spend over $50 billion a year keeping this Nation secure. I think an additional billion is not a high price to pay for an insurance policy which covers our annual defense investment. In any event a military pay raise should have the highest priority of any of our spending requirements. Raising the military pay is not at all the same as buying tanks, missiles, and rockets. We would realize a great return on this investment. We are losing over a half a billion dollars annually already due to falling reenlistment rates. Some of that would certainly be saved if by raising these pay rates more qualified men could afford to stay in the service.

The time has come when this body must decide in which direction we are to move. Either we create a pay policy which provides incentive and allows selectivity or we take our chances with our present policy which is resulting in creeping mediocrity among service personnel. The stakes could not be higher. I am confident this 89th Congress will face up to this situation and enact legislation which will enable our servicemen to live in reasonable comfort and security without undue economic hardship and loss of dignity. We must act soon or opportunity to correct these inequities will suddenly slip away.

CHANGES IN THE METALLIC CONTENT OF SOME U.S. COINS

Mr. FASCELL. 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 Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, the report of the results of the Treasury's study of the country's silver situation, and the recommendations for changes in the metallic content of some U.S. coins has now been presented to the Congress. The report has been long and eagerly awaited, because its findings and recommendations should put the Congress into position to deal fully with the coin shortage which the country has been encountering.

The Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, of which I am chairman, has long concerned itself with the coin-shortage problems. We have held public hearings and have issued two reports on coin shortages.

Since our studies began last year, the former drastic penny shortage has been completely eradicated, and the nickel shortage has been relieved to the point where it, too, is well on the way to extinction.

Elimination of shortages of dimes, quarters, halves, and silver dollars has been greatly complicated by the fact that the Treasury's supply of silver has rapidly been shrinking. Important decisions on the questions of how best to relieve the shortages in those coins have been frustrated by the silver shortage. It is for that reason that the Treasury has had the entire silver situation under study for a long time, and has tested numerous alloys as possible substitutes for the present silver content of our subsidiary coins.

We realized that the problem of finding alloy substitutes which could be produced rapidly in huge quantities and yet economically was a massive undertaking. On the other hand the businesses and the people of the country were entitled to have adequate supplies of coins with which to conduct their affairs. We, therefore, urged the Treasury to move ahead as rapidly as possible in making their studies and in making their recommendations to the Congress.

Now that the report has been issued I trust that it will receive the immediate consideration of and action by the committees of the Congress which are authorized to deal with coinage and appropriations matters.

THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Mr. SWEENEY. 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. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SWEENEY. Mr. Speaker, Congress will soon be voting on a measure of vital importance to the citizens of more than 1,000 economically depressed areas in our country—the Public Works and Economic Development Act of 1965—H.R. 6991.

This bill, not unlike a famous headache remedy, is a combination of proven ingredients—including the successful Accelerated Public Works Act, the major provisions of the Area Redevelopment Act, and the regional development approach of the Appalachia Development Act applied to other areas.

The key elements of this legislation are unquestionably effective tools for building economic viability.

The Area Redevelopment Act is the first, successful step in the economic development concept. Since the act was passed in 1961, ARA has created 115,000 new jobs, helped to retrain 41,000 jobless workers and approved financial assistance for 550 projects totaling $268 million.

Ohio has successfully shared in the ARA program. Our State has received ARA loans and grants totaling $1.7 million, and occupational training projects totaling $868,000. Purchases of equipment directly related to ARA projects in other States have brought to Ohio $7.7 million in new business.

In addition, the accelerated public works program, administered by ARA, has invested $27.1 million in Ohio's future industrial growth by building access roads, new sewage disposal plants, new water systems and other facilities necessary to attract industry.

Our local experiences with ARA have been duplicated in scores of communities throughout the country. The conclusion is inescapable: ARA has made a promising start toward the revitalization of distressed economies. We have learned that such a program can make a big difference in helping communities to help themselves.

For example, in Greenfield, Ohio, ARA has provided funds for the Collins Packing Co. to expand its facilities through the purchase of land, buildings, and equipment. This plant is now employing 85 full-time employees.

In Junction City, Ohio, ARA loaned $86,000 to a local clay manufacturing plant to purchase and rehabilitate a similar facility in town that had ceased operations and was closed. This plant is now fully operational and well on the way toward providing some 90 full-time jobs.

In Aurora, Ohio, ARA provided $167,000 to build new waterlines to the town's industrial park. The new water will be used by two new industries, and possibly a third, with a total potential of 195 new jobs.

In Cleveland, ARA has provided $727,000 for a 3-year project of the Cleveland Small Business Opportunity & Development Corp. to help stimulate and create employment opportunities in that city through the establishment of new small businesses.

These are only a few highlights of ARA's accomplishments in Ohio. At the conclusion of my remarks, I will seek permission to enter into the RECORD a more detailed statistical summary of ARA projects in my State. I believe this summary will demonstrate the kinds of programs that ARA has initiated to bring meaningful economic progress during the past 4 years.

H.R. 6991 is the logical successor to this pioneering program. This bill recognizes that economic development takes place at many different levels and requires help at all of them. There is the local economic development center; there is the redevelopment area—which is usually a county or a city of 250,000 or more; there is the multicounty economic development district; and, finally, the multistate action planning region.

The new program provides considerably more by way of grants for facilities which support economic development than did the ARA program. A total of $250 million annually is authorized for grants, in contrast to the $75 million for grants over a 4-year period under ARA.

The new program will also be easier to administer since many administrative criteria have been simplified. And, most important, it will be possible to concentrate help in areas of the greatest need. I believe it is vital that we move ahead with H.R. 6991 to meet the problems involving wasted human and natural resources.

The majority of Americans who live in comfort and security cannot fully comprehend the frustrations and despair of many of our less fortunate citizens who are trapped in a vicious cycle of poverty. The world of the poor is literally a world apart from the bustling towns and commercial centers of America. But it is a very real world, nevertheless. And its presence is felt by us all.

Poverty means fewer customers for American manufacturers and businessmen.

Poverty means larger tax payments by prosperous areas to help pay for costly welfare programs, and to make up for smaller tax receipts from the distressed regions.

Poverty means that our national economic growth is being held back by our inability to use the full potential of our national resources.

President Johnson has recognized the impact of poverty on our national growth and welfare. But the President has also emphasized the moral nature of the struggle in drafting this new and expanded program. "It has a call," he said, "upon the moral conscience of every American citizen. * * * These conditions of our depressed areas can and must be righted. In this generation they will be righted."

These courageous words are the philosophic roots of H.R. 6991, a bill that brings to our economically depressed communities the tools for a brighter tomorrow.

Mr. Speaker, I include in the RECORD a summary of ARA activities in the State of Ohio:

[From the U.S. Department of Commerce, Area Redevelopment Administration]

SUMMARY OF ACTIVITY FOR THE STATE OF OHIO, AS OF APRIL 30, 1965

(By Congressman ROBERT E. SWEENEY)

Counties and cities eligible for ARA assistance: Adams, Belmont, Brown, Carroll, Clermont, Gallia, Guernsey, Highland, Hocking, Jackson, Lawrence, Meigs, Morgan, Noble, Perry, Pike, Ross, Scioto, Washington, city of Cleveland and city of Toledo.

Financial assistance projects approved

	ARA amount	Employment potential
Jefferson Development Corp. (industrial-commercial loan)	$211,000	66
Arcadia Rest Home, Inc. (industrial-commercial loan)	128,000	25
Cincinnati Box & Partition Co. (industrial-commercial loan)	138,000	17
Summit Acres (industrial-commercial loan)	94,000	14
Fabricators, Inc. (industrial-commercial loan)	57,000	23
Village of Aurora (public facility loan and grant)	160,000	195
Collins Packing Co. (industrial-commercial loan)	213,000	85
Mecto, Inc. (industrial-commercial loan)	70,000	26
Greenfield Printing & Publishing Co. (industrial-commercial loan)	99,000	6
Junction City Clay Co. (industrial-commercial loan)	86,000	90
Health Services, Inc. (industrial-commercial loan)	141,000	20
Adalet Manufacturing Co. (industrial-commercial loan)	437,900	17
Total, 12 projects	1,834,900	584
Pending: None.		

Technical assistance projects approved

	ARA Amount
University of Ohio: New products and industries survey for southeast Ohio	$80,000
Jack Drilling Co.: Test drill and equipment for rock salt wells	125,000
University of Ohio: Establish regional development institute	116,000
Corplan Associates: Economic development program to minimize impact of Army depot closure	36,000
City of Ashtabula:	
Study to develop recreational marina	12,000
Pilot study to develop growth opportunities	37,000
City of Conneaut: Financial and technical feasibility of lake front improvement	32,000
Candeub, Cabot & Associates: Demonstration program to identify industrial sites	24,000
City of Cleveland: Job opportunity and building and land survey	72,000
Stanley Engineering Co.: Feasibility study of establishing commercial docking facility in Scioto County	26,000
University of Toledo: Feasibility of establishing a farmers wholesale and retail market	3,000
City of Toledo: Study of needs and financial operating experience of proposed convention exhibition hall	22,500
City of Cleveland: Small Business Opportunity and Development Corp.: Create, maintain, and stimulate employment opportunity in Greater Cleveland area (establishment of new small businesses)	242,429
Total, 13 projects	827,920
Pending: Total, 4 projects	400,700

Occupational training projects approved

	ARA amount	Trainees
Lumber grader	$16,775	15
Home attendant (adult)	3,262	20
Nurse aid	3,752	20
Clerk-stenographer	14,937	20
Nurse aid	3,472	20
Machine tool operator	45,099	48
Do	27,832	24
Stenographer	37,828	40
Spray painter	15,951	25
Auto service station mechanic	15,951	25
Clerk, general office	43,768	50
Clerk-typist	54,679	75
Do	32,872	50
Burrer, hand	16,443	25
Maintenance man, building	23,115	25
Bench assembler (machine and electrical products)	13,987	25
Custodial worker-maintenance Janitor I	23,190	25
Clerk-typist	17,662	25
Flame cutter operator	16,491	25
Combination welder	19,978	20
Nurse aid (medical service geriatrics)	56,100	160
Short order cook	17,183	25
Electrical appliance repairman	22,385	25
Cashier-grocery checker	11,899	25
Electronic mechanic	58,780	60
Do	47,213	60
Nurse aid	4,130	20
Do	4,194	20
Do	7,982	40
Nurse aid (medical service)	4,489	24
Home attendant	2,803	15
Bookkeeper II	13,187	14
Clerk-stenographer	22,787	25
Nurse aid	4,052	25
Do	3,919	25
Do	3,805	25
Salesperson (general)	13,467	25
Nurse aid	7,610	50
Do	2,942	16
Extruder operator (plastic material)	3,484	10
Home attendant (adult care)	2,183	12
Auto transmission repairman	50,020	40
Ignition and carburetor mechanic	21,274	20
Hospital orderly	3,179	16
Auto service station attendant mechanic	29,052	36
Welder, combination	32,071	32
Clerk-typist	37,000	40
Diesel mechanic, entry	18,558	16
Bookkeeping machine operator	32,187	18
Clerk-stenographer	37,956	40
Total, 50 projects	1,022,935	1,561

SUMMARY OF ACTIVITIES FOR THE STATE OF OHIO

1. Approved financial assistance projects

On December 21, 1962, ARA approved a section 6 loan for $128,050 to the Arcadia Rest Home to purchase an existing motel, enlarge it and convert it into a 60-bed nursing home. This project, while not fully operational, is now well on the way toward providing adequate nursing home facilities in the area and will ultimately create 25 new jobs.

On June 25, 1963, we approved a section 7 loan and a section 8 grant totaling $167,000 for the village of Aurora for waterlines to their industrial park. This will affect two new industries and negotiations are now underway for a third new plant with a total potential of approximately 195 new jobs.

On March 6, 1963, ARA approved a section 6 loan to Cincinnati Box & Partition Co., Williamsburg, Ohio, for $137,845 to purchase land, building, and equipment to produce paper boxes for packaging purposes. There had been some difficulty after approval in closing loan because of site location, but this plant is now being developed and has a potential employment of 30.

On March 19, 1962, ARA approved a section 6 loan to Collins Packing Co., Greenfield, Ohio, for $212,700 to expand its hog-dressing facilities through the purchase of land, buildings, and equipment. This plant is now employing 85 full-time employees. Further employment is provided through the purchase of hogs from nearby farms in the area. The company is now planning further expansion through the SBA 502 program.

On April 15, 1963, we approved a section 6 loan in the amount of $88,400 for equipment to Fabricators, Inc., to expand facilities for machinery component manufacturing. This plant is now fully operational and employing 24 full-time people. They are currently exploring possibilities of a further expansion.

On June 13, 1963, ARA approved a section 6 loan to Greenfield Printing Co., Greenfield, Ohio, for a new building to expand printing facilities. This plant is now fully operational and employs 14 full-time employees.

On June 30, 1964, we approved a section 6 loan to Health Services, Inc., Marietta, Ohio, to construct and equip a nursing home. Some problems developed in closing the loan but are now being worked out. This project will employ 16 full-time employees.

On August 29, 1963, we approved a section 6 loan to Junction City Clay, Junction City, Ohio, for $86,000 to purchase and rehabilitate an existing clay manufacturing plant which had ceased operations and was closed. This plant is now fully operational and while it experienced some initial operating difficulties, it is now well on the way toward providing about 90 full-time jobs.

On June 22, 1964, ARA approved a section 6 loan in the amount of $141,000 to the Jefferson Development Corp. (a local group) to build a new building for lease to the Nu-Tone Co. to manufacture wooden kitchen cabinets. This plant was formally dedicated in October 1964 and has a potential employment of 66 new jobs.

On April 16, 1963, we approved a section 6 loan to Mecto, Inc., Greenfield, Ohio, to establish a new plant manufacturing mechanics handtools. This plant is now fully operational with a potential employment of 26 new jobs.

On June 25, 1963, we approved a section 6 loan to Summit Acres, Inc., Caldwell, Ohio, to establish a 33-bed nursing home at an ARA cost of $96,200. This project has not gotten off the ground as yet. It seems doubtful whether the applicant is ready or willing to accept the authorization.

2. Pending technical assistance projects

Drainage and flood control study in Guernsey and Noble Counties	$30,000
Study of economic development for city of Martins Ferry, Belmont County	16,000
Southeast Ohio designated counties, development program for Ohio Valley	350,000
Industrial survey, Brown County, Ohio	4,700
Total, 4 projects	400,700

TRIBUTE TO J. EDGAR HOOVER

Mr. MARTIN of Alabama. 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 Alabama?

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, this Congress and this Nation is duty bound to pay tribute to a man who, for 41 years of dedicated service, has headed the Federal Bureau of Investigation; tribute to a man who has stood steadfast against the cries of pressure groups who would subvert the purpose of the organization he has led to an eminence that places it in a category alone. He has labored with infinite pains to make this organization at once incorruptible and notably successful in the discharge of its duties.

I hail J. Edgar Hoover—who amid the trials and tribulations of our people, amid clouds and shadows that surround us, against restless voices that say the end justifies the means, has refused to bow to clamor and stands now a shining beacon, a rock, a fortress of democracy.

At a time when many men in office, many courts of justice, many legislative assemblies have been willing to twist and distort the high purpose of their own and of his Department, this man has stood firm. Fortunately for all Americans, the attacks that have sought to move him from duty have been as pebbles against a suit of armor. For this man is clothed in the armor of democracy and he has vowed that the Federal Bureau of Investigation will never become a tool of tyranny. Declining to be accuser, prosecutor, judge or jury, J. Edgar Hoover has kept clearly before this Nation the function of his great Department. Thank God.

In this day, when small men cry for vengeance by whatever means, we have among us this "tall man, sun crowned, who lives above the fog"—an example of high courage and impregnable honor to the whole Nation.

UNIFORM PROCEDURES LEGISLATION NEEDED TO ESTABLISH A POLICY FOR THE ACQUISITION OF REAL PROPERTY

Mr. MIZE. 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 Kansas?

There was no objection.

Mr. MIZE. Mr. Speaker, I am introducing a bill today to establish a Federal policy of uniform procedures for the acquisition of real property by the various agencies and branches of the U.S. Government. This bill also provides for the relocation payments for persons displaced by activities under any such programs.

During the past few years there has been a growing number of complaints concerning the fairness of the land acquisition procedures followed by local agencies acquiring land in the course of public improvement programs carried on with the aid of Federal funds. There has been particular concern over the lack of uniformity in these land acquisition procedures. It should be the responsibility of Congress to assure that programs receiving substantial Federal support are carried out in such a manner as to minimize the hardships which often result from the acquisition of land by eminent domain in the course of federally assisted programs.

This bill provides that the agency or applicant make every reasonable effort to acquire the real property by negotiated purchase with appraisal of the property to take place before the initiation of negotiations and the owner having an opportunity to accompany the appraiser during his inspection of the property.

Other provisions of this bill include the right of the owner to keep possession of his property until he is paid the agreed purchase price arrived at by negotiation or not less than 75 percent of the most recent and reasonable price if the amount of it is in dispute. No construction may be scheduled if a person is lawfully occupying the property without at least 90 days written notice to the person of the date on which the construction is scheduled to begin. Also, the Government is required to acquire the entire property if the intended acquisition of the part of the property would leave the owner with an uneconomic remnant.

A final provision in the bill sums up the reasoning for its introduction: the Government shall take into account human considerations, including the economic and social effects of the proposed public improvement on owners and tenants of real property in the area when determining the boundaries of a proposed public improvement.

TESTIMONY OPPOSING REPEAL OF SECTION 14(b) OF TAFT-HARTLEY ACT

Mr. CALLAWAY. 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 Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, this morning I appeared before the Special Subcommittee on Labor of the House Education and Labor Committee in opposition to H.R. 77, the proposed repeal of section 14(b) of the Taft-Hartley Act. In my testimony I urged that the rights of men and States take precedence over the demands of labor leaders, and that section 14(b) be retained to guarantee these rights. The testimony is as follows:

TESTIMONY OF THE HONORABLE HOWARD H. CALLAWAY, U.S. REPRESENTATIVE, THIRD DISTRICT OF GEORGIA, BEFORE THE SPECIAL SUBCOMMITTEE ON LABOR OF THE HOUSE COMMITTEE ON EDUCATION AND LABOR, JUNE 3, 1965

Mr. Chairman, at a time when this Congress and this Government are absorbed with matters pertaining to the rights of men, we find before this committee a bill, H.R. 77, to remove a right so basic as to be beyond question: the right of a man to work without being forced to join a union.

Last week this committee heard intensive testimony supporting the repeal of section 14(b) of the Taft-Hartley law. I have studied the statements of those who testified to find their justification for the repeal of a right so basic to States and individuals. I submit that though this testimony was ably presented, it does not justify the passage of this bill.

According to numerous statements, supporters of section 14(b) are purported to have no interest in the workingman, but hope to weaken organized labor and thereby lower American working conditions. I find this ridiculous assumption to be widespread, Mr. Chairman, the assumption that those favoring repeal are prolabor, and those opposing it antilabor. Nothing could be further from the truth. Repeal of 14(b) guarantees the power of the labor leaders, and shows very little, if any, interest in the rights of the workingman. Retention of 14(b) guarantees the rights of the workingman, and is therefore in the truest sense prolabor. Surely if the aim were to weaken labor and exploit workers, then statistics would show the effect of such a policy in the right-to-work States. But they do not. To the contrary, the right-to-work States are consistently low on the unemployment rate list, and have shown a marked percentage increase over non-right-to-work States in jobs, workers, and earnings.

Let me quote figures from my own State of Georgia, a right-to-work State. These figures are taken from records of the U.S. Government for periods generally covering the last 10 years. Georgia has enjoyed a 3-percent increase in production workers, while production workers in non-right-to-work States have decreased 14 percent. Our per capita personal income is up 49.6 percent as opposed to 35.4 percent in non-right-to-work States. Our hourly earnings by manufacturing workers have increased 45.2 percent and in non-right-to-work States, 41.5 percent. Georgia's average weekly earnings for production workers are up 55.7 percent, compared to non-right-to-work States, 42.8 percent. This economic growth has occurred in spite of the fact that our population increase was 2 percentage points lower than that of the non-right-to-work States. Surely these figures show that Georgia's labor force is not suffering under our right-to-work law, but rather that it is prospering.

You have heard testimony from a union leader saying that "most employees voluntarily pay union dues and fees because they know they cannot have the benefits of union representation without contributing to defrayal of the expense. And history has conclusively demonstrated that the vast majority willingly pays." This is as it should be.

Unions, like anyone else, should be required to sell themselves to their members through good service and high purpose, and as long as they do, men and women will proudly want to join.

But a contradiction appeared in further testimony claiming that, "In right-to-work States, unions at present cannot allocate sufficient attention to these problems (labor-management problems) because they must constantly endeavor to convince the minority of employees in a bargaining unit that they should join the union and give it financial support." This to me is like a businessman saying that he could do a much better job at manufacturing his product if he just didn't have to take time out to convince people to buy it.

Mr. Chairman, when will union leaders realize that competition is the basis of American success and that a good union is its own best salesman. When will they understand the real meaning of their own words, that "when not bothered, pressured, or influenced, the overwhelming majority of working men and women will join a union voluntarily."

The testimony from supporters of this bill is full of contradictions. They say on one hand that businesses want union shops and are banned from having them in 19 States. On the other hand they say that the same businesses are being lured to the same States by right-to-work laws.

Union leaders on the one hand complain of free riders who get the benefit of union services without paying dues and on the other hand deny the right of free riders to bargain for themselves. It is obvious that the union leaders want to have their cake and eat it too.

But all of these arguments, Mr. Chairman, pale and become unimportant when we turn to the one overriding consideration in this issue: the proponents' utter and cold disregard for the inalienable rights of men and States.

This, Mr. Chairman, is the crux of the matter; we cannot cover it with a smoke screen of lesser arguments; and we cannot close our ears to it, no matter how we tire of hearing men preach this cause. We cannot overstate the right of a man to work without joining a union and the right of a State to choose whether or not it wants compulsory unionism. These matters are basic, and the fact that they should be at issue here is a travesty of America's purpose.

Secretary Wirtz testified that, "what is involved is only the effect which any group decision has on the position of a member who disagrees with it." I submit that infinitely more is involved when a man is forced by national law to make payments against his will and accept policies with which he disagrees in order to earn a living.

What has happened to this administration's alleged concern for minorities? Has this Government and this Congress lost so much sense of perspective that with one hand it will pass legislation to protect the rights of one minority and then repeal the rights of another? Is it right for a majority to force a man to take money from his wife and children to support policies with which he disagrees and charities in which he has no interest.

Has no one reminded us that Samuel Gompers, the father of organized labor, once said that, "There may be here and there a worker who for certain reasons unexplainable to us does not join a union of labor. This is his right, no matter how morally wrong he may be. It is his legal right and no one can or dare question his exercise of that legal right."

How foolish, and how dangerous it is in a country built by and for free individuals to tamper with the very rights on which it was founded.

That this is a matter of individual liberty was brought home to me by an unsolicited letter from Mr. P. D. DuBose, a member of the Brotherhood of Railroad Trainmen in my State of Georgia. As a railroad worker he is not protected by section 14(b) and has been forced to join the union and pay its dues of $150 per year. Mr. DuBose is not antiunion, in fact he states that he would probably join the union anyway, but he does object to being forced to join. And he does object to being forced to spend his own money to support causes not of his own choosing.

Mr. Chairman, there are millions of responsible workers like Mr. DuBose in this country. I ask you to hear their plea. Do not take away from the people of the several States their right to give to others the freedom Mr. DuBose seeks.

PROJECT HOPE

Mr. VIGORITO. 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 Pennsylvania?

There was no objection.

Mr. VIGORITO. Mr. Speaker, a recent article in the Erie, Pa., Times-News points out that in addition to bringing modern medical science to developing nations, Project Hope is also demonstrating humanitarianism at its best.

In the article, Rev. Robert D. Goodill points out:

Like Peter's bark taking Christ to the crowds that needed His ministry ashore, HOPE with its chaplains and its medical staff, its solace for the body and the soul, carries anew the compassionate and triumphant Saviour.

And Reverend Goodill adds:

To the millions imprisoned in Communist lands or blinded by Communist lies, the work of HOPE is the noblest and certainly the most effective aid given by America.

Mr. Speaker, I would like my colleagues to read the full article by Reverend Goodill and therefore include it in the CONGRESSIONAL RECORD at this point:

HOPE TO THE WORLD

(Rev. Robert D. Goodill is the chaplain for the 1965 Erie County Medical Assistants Association Committee for Hope Benefit and will participate in the program at the Project Hope ball and breakfast scheduled for October 23. Father Goodill is the pastor of St. Luke's RC Church and is a commander in the Chaplain Corps, U.S. Naval Reserve.)

(By Rev. Robert D. Goodill)

On a bleak, chill day when the roar of cannons echoed faintly in the January skies, I stood on the deck of the U.S.S. *Consolation*, in Inchon to bless the Navy medical teams—helicopter pilots, corpsmen, doctors and nurses whose dedicated skill cared for the wounded marines flown aboard from the Korean lines.

Only last week, I thrilled again listening to Dr. Harold A. McLaren, Jr., at the dedication of the personnel whose skills and services are now at work aboard the same ship, now the U.S.S. *Hope*, caring for the sick, the halt and the blind in America's most shining example of aid to the world's needy.

HOPE (Health Opportunity for People Everywhere) is a voluntary nonprofit organization founded by Dr. William B. Walsh, a heart specialist, on suggestion of President Eisenhower. How, on a person to person basis, to open the heart and skills of America to the suffering, the hopeless, the wretched—the least of His brethren. The answer was a ship that would be hospital, medical school, dispensary, and source of life sustaining food—a ship that could go anywhere and be a self-contained city of faith and hope and true charity.

For the project the U.S. Navy loaned the ship. It was refurbished and rechristened *Hope*. Dr. Walsh planned the project and recruited the staff—doctors, surgeons, dentists, nurses, technicians, aides. Supplies and equipment were donated by manufacturers, drug companies, suppliers, and outfitters of all sorts including Erie's own American Sterilizer.

Rotating medical teams volunteered for service aboard from 2 to 6 months without pay. In four voyages, averaging 10 months each, *Hope* has been staffed by more than 2,500 skilled and dedicated specialists. Over 5,000 major operations were performed, over 1 million vaccinated for polio, whooping cough, tetanus and diphtheria and more than 1 million quarts of milk given to children who never tasted milk before.

Splendid as even a momentary gesture, the work of HOPE is more than a momentary alleviation of the wretchedness of the poor. In Saigon, Trujillo (Peru), Cuenca (Ecuador), and presently at Conakry (Guinea), teams of HOPE go ashore to work in or set up local hospitals, training local personnel in modern medical techniques. Other local personnel already possessing some medical skill are brought back aboard the *Hope* to work there in this 250-bed hospital with its brilliant and dedicated staff so that they might learn the latest discoveries and uses of diagnostic, clinical, and surgical advancements.

To John questioning from Herod's prison, "Are you the one who is to come, or are we yet waiting for some other? Christ replied, "Go and tell John what your own ears and eyes have witnessed; how the blind see, how the lame walk * * * the deaf hear * * * and the poor have the gospel preached to them." To the millions imprisoned in Communist lands or blinded by Communist lies the work of HOPE is the noblest and certainly the most effective aid given by America.

Like Peter's bark taking Christ to the crowds that needed His ministry ashore, HOPE with its chaplains and its medical staff, its solace for the body and the soul, carries anew the compassionate and triumphant Saviour. Truly the hands of Christ, truly the work of America, truly the opportunity for each of us to contribute his part to give hope to the world.

EXCISE TAX BILL

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

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

There was no objection.

Mr. KORNEGAY. Mr. Speaker, unfortunately and unavoidably I was absent from the House yesterday when the vote was taken on the excise tax bill. I had counted on the debate utilizing the full 4 hours accorded it in the rule, and if this had been the case I would have returned to the House in time to have cast my vote in person for the measure instead of being paired for the bill.

I was absent from Washington the earlier part of yesterday because of a commitment made several months ago to attend and participate, along with Senator B. EVERETT JORDAN and Gov. Dan K. Moore, in ceremonies dedicating the Burlington Industries Center in Alamance County, in my congressional district, in honor of the late and beloved J. Spencer Love, the founder of this large textile complex.

Although I had arranged to fly back to Washington immediately after the conclusion of the ceremonies, I arrived in the House Chamber too late to cast my vote for the excise tax bill. I have been an enthusiastic supporter of the administration proposal to repeal these taxes and had earlier introduced a bill myself for the repeal of the communications tax. I am delighted that the bill met with such slight opposition in the House and that it passed by such a fine margin.

Mr. Speaker, had I been present I would have voted for the bill.

NATION NEEDS NEW MINT IN ILLINOIS

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

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

There was no objection.

Mr. McCLORY. Mr. Speaker, the message from the President received today regarding the need for revising the metallic content of coins does not adequately consider the acute coin shortage which continues to affect large areas of our country.

The recommendations to reduce the silver content in half dollars and to eliminate silver in dimes and quarters recognize the obvious fact that supplies of silver are limited. In essence, the message is presented as a step toward averting what otherwise might prove to be an even greater crisis in the supply of coins.

However, the message makes no reference to the necessity of establishing a third U.S. mint. The suggestion for a temporary reactivation of the San Francisco Mint is but a further stopgap in a continuing problem which the Congress and the administration must meet. The need for large quantities of coins in the great Midwest area of the country was demonstrated at hearings held last year by the Subcommittee on Legal and Monetary Affairs of the House Committee on Government Operations. Most of the testimony relative to the coin shortage emanated from the Midwest area, including statements from bankers, retailers, and others having peculiar knowledge of the coin shortage and the novel methods which have been developed by banking and retail institutions for securing the coins needed for daily consumer use.

Legislation is pending before the House Public Works Committee—including H.R. 39 which I introduced and H.R. 865 which was introduced by my colleague, Congressman ROMAN PUCINSKI, as well as other bills—recommending the establishment of a new mint in Illinois.

Mr. Speaker, I earnestly recommend that, in dealing with the subject of our coinage, full consideration be given to the advantages—indeed, the genuine need—for establishing an additional mint to supply the coinage requirements of the great Middle West.

DEDICATION OF MEMORIAL MONUMENT TO THE GOLD STAR MOTHERS, SOUTHBRIDGE, MASS., MAY 30, 1965

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

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

There was no objection.

Mr. PHILBIN. Mr. Speaker, on Memorial Day of this year I was privileged to address a gathering at Southbridge, Mass., on the occasion of the dedication of a memorial monument to the Gold Star Mothers.

Following are the remarks which I made on that occasion:

It is with a sense of great honor, deep satisfaction and glowing pride that I join the very distinguished group that is gathered here today on this most impressive occasion when we dedicate this striking monument to the Gold Star Mothers.

For the ceremony in which we are engaged today concerns the greatest, most hallowed of American traditions, both local and national.

Moreover, our purpose is not confined to one subject or ideal alone, for the honor of the occasion is not limited to any class or creed or group or faction.

Indeed, on this cherished Memorial Day, when with true spiritual devotion, we prayerfully honor our illustrious dead, we lift our voices in praise of everyone concerned in the great and awful grief attending the mass destruction of war-

fare, and we pause with reverent thoughts and hearts overflowing with gratitude to pay our special tribute to these wonderful, gallant women—the Gold Star Mothers—who have given so bravely of themselves for God and country, and for everything America means to us.

Their sacrifices must stand alone as a symbol of unselfish national devotion, of patriotic spirit unsurpassed, for they have given of their own flesh and blood, first to establish this great Government, then to save this Union, and then to uphold, protect, and defend the security, the liberties, and the freedom of this Nation.

Today, Memorial Day, 1965, has perhaps a little different, an added significance to us who are gathered here.

Originally, the observance of this hallowed day centered on the heroes of our great and dreadful Civil War.

In time, following the First World War, its meaning was changed that it might bestow the blessings and the gratitude of the Nation on the fighting men of all our wars and our own dear ones who have gone to their heavenly reward.

And to thousands of good Americans, including some assembled here today, there is a very special, personal, deep-rooted, soul-stirring meaning to this day and this occasion, in that it represents to these sterling Americans, the Gold Star Mothers, the greatest loss they have ever known, or ever could be expected to know.

It is to these heroic women—our Gold Star Mothers—those who have carried the heaviest burdens and deepest sorrows of war, that the heart and soul of this community and the Nation is solemnly and gratefully, and with special depth and feeling, so sincerely extended today.

There are no words of mine that could adequately praise or describe these stalwart women, no phrase of the poet, no couplet of the bard, no song of the minstrel, no acclaim, no feeble human word that could possibly give these honored courageous women their due in terms of their bitter sacrifice, their sufferings, their grief, and their contributions to our country.

The courage of these mothers of Massachusetts fighting men reflects the basic character of the rich heritage of America, the firmness, valor, and ruggedness of the Yankee, the loyalty, devotion, and self-sacrificing spirit of the Franco-Americas, so many of whom are represented here today, and the invincible, unflagging purpose of people drawn from every race and creed, from almost every national origin, and every profession of faith that goes to make up the human foundations of this great country which we love and to which we are unalterably pledged.

This occasion is also fully in keeping with the glorious local traditions of this community, which abounds in tales of heroic conduct and superlatively loyal citizenship on the part of men and women alike.

There has never been a time in history, never a time of crisis in the affairs of this Nation, never an occasion when liberty was challenged, our security was assailed, that the patriotic men and women of Southbridge did not step forward, undaunted and unafraid, to exhibit a fierce sense of responsibility in all their undertakings, and a moral fiber which has stood this community and this Nation so well over the years, in every endeavor, both civil and military, and in all the wide ramifications of human life in our great free country.

It is this kind of contribution, the kind represented here today, the proud, loyal, unrestrained devotion to duty and responsibility—this love of home and family tradition, this willingness to sacrifice all for the cause of liberty and justice—that has rendered the fighting sons of this beautiful town, our great district and State, among the very bravest of any in the Nation.

And we must never forget that it is the courage of our mothers, of mothers throughout the years, of mothers such as those assembled here today, of the mothers to whom this fine memorial is established, that has provided the basis for all that we are, all that we have been, and all that we shall ever be in the future looming before us.

In the light of these immortal contributions of the mothers and the sons and the people of America who have made this great Nation what it is, who have stood fearlessly to meet every crisis, to face every challenge, to gain every victory, let us courageously face the great problems that are before us today.

Let us follow the example and precepts of these gallant mothers, and their brave sons, who have saved America, who have kept and preserved it to be the great bastion of promise and freedom that it is today.

With calmness and faith, with confidence in our strength and our will to preserve our security, to defend our liberties and, in time, to banish tyranny, oppression, and violence from the world, and to follow the rule of law and to live in understanding, brotherhood, and peace with all nations, let us take inspiration and example today from these incomparable women.

As we proudly dedicate this memorial to the Gold Star Mothers of Southbridge, upon which I congratulate all of you, let us hope, let us pray and let us strive that their spirit, and the spirit of their cherished sons, who without thought of self, gave their young lives for God and country, may continue to serve as a beacon light to guide all of us, who would defend with our lives the precious birthright of American freedom, and the noble principles of liberty and justice which always must be the indispensable foundations of our free way of life.

Our great Government must always gratefully and generously acknowledge the debt we all owe to the Gold Star Mothers and their heroic sons.

May this monument long preserve their blessed memory, and may the good Lord always keep them close to Him.

Let me thank you warmly for the great honor and privilege of being with you, and let me thank Mr. Albert J. Langevin, commander, Franco-American War Veterans, Post No. 29, and the chairman of the Gold Star Mothers Committee, and his esteemed officers, comrades, and members, and my dear friend, Mr. Archie Champagne, for their kindness in inviting me and, above all, for conceiving, planning, and constructing, this outstanding monument and for arranging and conducting this most inspiring dedicatory program.

CONSTRUCTION BY JEFFERSON MILLS OF A NEW MILL IN JEFFERSON, GA.

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

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

There was no objection.

Mr. LANDRUM. Mr. Speaker, on May 20 I had the privilege of participating in a most pleasant and significant event in the State capitol in Atlanta, Ga. Governor Sanders announced the plans for the construction by Jefferson Mills of a new mill to be called the Southworth division in Jefferson, Ga., which is in my congressional district.

This announcement is significant for several reasons which I believe merit bringing to the attention of this body. First, this is tangible and concrete evidence of the wisdom of the administration and the Congress of the United States in enacting one-price cotton legislation last year. Those of us who supported this legislation contended that it would revitalize and stimulate the textile industry into a new era of expansion and growth, providing new jobs and new income and new sources of revenue for the economies where such establishments would be located.

Second, this ceremony demonstrates the necessity for the Congress to extend the present one-price cotton law which has contributed so materially to the rebirth of a new era in the history of cotton and the textile industry in our Nation.

Third, this ceremony demonstrated the faith and wisdom of a distinguished textile family in my congressional district—fath in the future; faith in the Congress of the United States in perpetuating one-price cotton which has contributed so much to the competitive economic opportunity which was denied the domestic textile industry under the system of two-price cotton. It demonstrated wisdom and foresight on the part of the owners of the Jefferson Mills of Jefferson, Ga., because they have committed themselves to the expenditure of millions of dollars in the erection of a new plant which will incorporate push-button yarn manufacturing and weaving—a totally new concept in the textile manufacture of cloth. This mill will be the first of its kind in the world. The new process represents a new breakthrough in textile manufacturing and it reduces the number of processes required for the manufacture of cloth from the conventional 17 to only 6. The new plant will employ an additional staff of highly trained technicians, working three shifts around the clock and it will represent approximately a 25-percent increase of the total capacity of Jefferson Mills.

Morris Bryan, president of Jefferson Mills, a graduate of Georgia Tech, and a distinguished member of the board of regents of the university system of Georgia, has designated this new operation the "southworth system" in memory of his brother, a former official of Jefferson Mills, who recently met an untimely death. Governor Sanders stated at the time of the announcement, which was attended by many industrial, financial, and business leaders of the State of Georgia, that the "southworth system" can become a potent factor in the world marketplace and help solve the U.S. balance-of-payments problem.

It was my privilege to be permitted to congratulate the Bryan family at these ceremonies and to thank them for giving tangible evidence of the confidence which they have placed not only in the future of the textile industry, but of the city of Jefferson, Ga., and the integrity of the Congress and the administration in continuing to provide an atmosphere of competitive opportunity, in order to meet the challenges overseas as well as at home.

This, Mr. Speaker, is not the only new textile installation which has been initiated since the enactment of one-price cotton legislation last year and with the assurance that one-price cotton will be continued, I have every confidence that the textile industry of this Nation will continue to expand and fulfill its vital role in the economic and military life of our Nation.

HUMANE TREATMENT OF LABORATORY ANIMALS—CLEVELAND BILL WINS BACKING OF NEW HAMPSHIRE FEDERATION OF WOMEN'S CLUBS

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

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, at the annual convention of the New Hampshire Federation of Women's Clubs on May 12, this distinguished organization voted to endorse H.R. 5647, my bill to provide for humane treatment of laboratory animals. Also endorsed was S. 1071 by Senator CLARK, of Pennsylvania, the companion bill in the other body.

Thus, growing support for this legislation is recorded by an ever-increasing number of thoughtful and responsible citizens. As I pointed out when I introduced my bill—page 3980 of the CONGRESSIONAL RECORD for March 2—this legislation follows the guidelines enacted into law in Great Britain in 1876 and which have been in force ever since. The bill in no way would impede the course of legitimate medical research dependent on the use of experimental animals. It would set and enforce needed Federal standards to help insure humane treatment of these animals and to limit their use to bona fide research. It would go far toward eliminating unnecessary duplication of experiments.

There is a pressing need for this legislation, which should be the concern of every civilized country. The backing of the New Hampshire Federation of Women's Clubs is welcome and important. It is timely recognition of this moral issue. I hope similar action will be taken by similar groups in every State and that action may be taken at this session of Congress. I take this opportunity of extending my thanks and appreciation to the Federation of Women's Clubs of New Hampshire.

I also want to thank those clubs which have written me individually to endorse the bill. These are the Presidents Club of the Keene district, composed of present and past presidents of 16 women's clubs in Keene; the Keene Woman's Club; and the Effingham Woman's Club.

CLEVELAND PROPOSES RAILROAD RETIREMENT BE PUT ON SAME BASIS AS SOCIAL SECURITY

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

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, today I am introducing legislation that would place taxes and benefits under the railroad retirement system on the same basis as those under social security.

Unlike social security, which is withheld on the basis of an employee's salary for the whole year, railroad retirement withholding is split into monthly periods. Often this means that railroad employees do not get the full benefit credits to which they would be entitled if their retirement taxes were withheld on an annual basis. If a railroad employee is out of work in some months because of illness or any other personal reason, he loses his credits for that period even though his total earnings for the year are greater than the maximum needed for full benefits. If the railroad retirement system were placed on an annual, rather than on a monthly basis, covered employees would be able to receive their full benefits and, of course, make their full contributions.

This measure would correct a situation that presently works to the disadvantage of many railroad employees and is unfair. I hope it will be possible to hold public hearings on the bill during the current session of Congress.

STATEMENT BEFORE JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS

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

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

There was no objection.

Mr. RUMSFELD. Mr. Speaker, on June 2, 1965, it was my privilege to testify before the Joint Committee on the Organization of the Congress to present my thoughts on organization of the Congress. Under unanimous consent I include my statement in the RECORD:

STATEMENT BEFORE THE JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS BY REPRESENTATIVE DONALD RUMSFELD, 13TH CONGRESSIONAL DISTRICT, ILLINOIS

Chairman MONRONEY, Chairman MADDEN, members of the Joint Committee on the Organization of the Congress, I am grateful for this opportunity to discuss some thoughts on the important subject of the organization of the Congress. As one of the sponsors of a resolution (H. Con. Res. 169) to create this joint committee, I am naturally enthusiastic about your work and look forward to studying your recommendations in detail.

First, let me acknowledge the difficulty of your assignment. I have great respect for the Congress of the United States. I recognize, however, as you do, that almost 20 years have elapsed since the last substantial improvements in the organization of the Congress by the LaFollette-Monroney Reorganization Act of 1946, and that many changes have taken place in our Nation and the world. Because of these continuing changes, there is obviously a need for the Congress to be alert to ways to sharpen its procedures and to improve the quality of its service to the country as it strives to conduct the public's business efficiently and effectively.

Certainly the legislative solutions drafted by the Congress must be the very best solutions possible if our Nation is to meet the challenges of the coming decades. As a people, we can settle for no less than the very best solutions. Further, for the Congress to succeed in its work, there must be a high level of public respect for Congress and government. If the Congress is to be able to perform its constitutional responsibilities effectively, it must have the cooperation, the assistance, and indeed the confidence of the people of this Nation.

To undertake this task of historical significance, the Congress has selected to serve on this joint committee, individuals of stature, experience, and ability. I congratulate you all for the honor and responsibility which have been given you and wish you well. Your success, the imagination that is shown by this committee in its recommendations, will in a major way determine the future success of the Congress as an instrument of government.

I have no illusions about my appearance here today. As a relatively junior Member of the House, having had but brief experience as a student of government, as a congressional staff member, and more recently as a Member of Congress, I am aware that there may be many valid arguments—unseen by me—against the suggestions I will make. My remarks include some specific suggestions as well as an expression of support for some recommendations which I am told may have been made by others.

MEMBERS OF CONGRESS

1. I believe that the policy of encouraging or assisting Members of Congress in the announcement of Federal grants, contracts, or projects in their States or districts should be terminated. If, in fact, a Member of Congress has successfully achieved Federal support for a legitimate problem in his State or district, this fact will surely become known. However, to encourage or assist Members in making initial announcements of Federal grants, projects, and particularly

Federal contracts, leaves at least a shadow of question as to whether or not the contract or project was awarded solely, as it should have been, on factors such as cost, performance, and national interest. I would think that a procurement officer or Corps of Engineers' official, for example, who based his decisions on need, cost, performance, would not be pleased to see Members' announcements of these contracts or projects leaving the impression that they may have influenced his decision.

2. I recommend that consideration be given to relieving Members of Congress of responsibilities involving postmasterships and rural letter carriers, U.S. Service Academy appointments, and private immigration and claim matters.

3. I have been interested in the discussion of the possibility of a 4-year term for Members of the House. To test public sentiment on this question, I included a question in my 1965 questionnaire to residents of the 13th District of Illinois. The response was as follows:

Do you favor the proposed change in length of term from 2 to 4 years for Members of the U.S. House of Representatives? Yes, 61.7 percent; no, 34.4 percent; no answer, 3.9 percent.

This, of course, is a complicated question. I will not discuss it in detail other than to simply offer a possible alternative which may not have been suggested thus far. Admittedly, it may have many disadvantages. The suggestion is that Members of the House be phased into a 6-year election schedule, as are Members of the Senate, whereby they would, on a staggered basis, run for a 4-year term, then a 2-year term, then a 4-year term, etc. This would mean that during every 6-year period, each Member would seek reelection twice, and each Member would, over a span of years, run in both presidential election years and in nonpresidential election years. I recognize the value of the 2-year term and the desirability of keeping the House responsive to the people of the country. However, at the same time, I recognize the desirability of reducing that portion of a Member's time which is devoted to reelection activities so that Members are permitted to spend a greater portion of their time on the important matters before Congress.

4. I recommend that the Congress adopt rules prohibiting congressional trips inside or outside the continental limits of the United States by "lameduck" Members.

5. I urge that the House and the Senate establish a regular 4- to 6-week recess each summer. For many years the possibility of a summer recess for the House of Representatives has been discussed. With the increasing complexity of the problems facing the Nation in recent years, it has become apparent that the sessions will inevitably run well into the fall, just as they have in 1962—to October 13; in 1963—to December 30; and in 1964—to October 3. A summer recess of a minimum of 4 weeks, scheduled annually, would be in the best interests of the Congress and the country. Some of the advantages would include: An opportunity—indeed, almost the only opportunity—for Members who are parents to be with their children at a time when the children are not in school. (Family life is not, I would hope, entirely a thing of the past); health of Members; and needed time scheduled in advance for Members to visit their districts, as was envisioned by the drafters of our Constitution.

CONGRESSIONAL STAFFING

1. Minority staffing: I urge consideration of the need for minority members of committees to have adequate staff assistance. As a member of the House Committee on Science and Astronautics I have joined with other members of the committee in pointing out, in additional views appended to committee reports on the NASA authorization bills for 1963, 1964, and 1965, the urgent need for staff members responsible to the minority members of the committee, including both professional and clerical help. We have stressed in each of these reports, the need for staff members to be available to minority members of the committee if the House is to be benefited by well-balanced research, conclusions, and recommendations. The present staff is overburdened to the extent that it is difficult for them to be of assistance to minority members. It is my recommendation that at least one minority staff member be assigned full time for each subcommittee. The Congress, the committees of Congress, and the majority and minority members have an obligation to the people of this country. They fail in that obligation when, because of inadequate committee staff, they are unable to properly discharge their duties. I believe that it would be best if committee staff members were allocated in the same proportion as the party membership on a given committee. I will say also that I will work equally hard for this reform at that point when my party, the Republican Party, is in the majority.

2. Committee staffing: In the additional views on the NASA authorization bills for 1963, 1964, and 1965, minority members of the committee have expressed concern over the total number of staff personnel available to the Committee on Science and Astronautics. In our opinion, it is impossible for the 12 professional and technical staff members to adequately handle the workload associated with the committee's broad responsibilities in the field of science. This committee has one of the largest budgets in Government to authorize and oversee, and one of the smallest committee staffs in Congress to assist in this process. With the present staff, despite their individual competence, we believe the committee cannot fully perform its responsibilities—to review the National Aeronautics and Space Administration's budget and to assist in evaluating, on a continuing basis, these programs. This situation constitutes a weakness in the system of checks and balances. Here is an instance where the legislative branch of Government, because of inadequate staff, is unable to keep watch on a $5 billion executive agency. Anyone who has served on this committee and participated in the markup of the NASA authorization bill knows that, while the desire is there and the intentions good, there are instances when many members must inevitably conclude on a given item that they just don't know with assurance whether or not it is reasonable. The Congress should not continue to fail to exercise its constitutional prerogatives and responsibilities, and run the risk of wasting taxpayers' dollars by failing to insist that sufficient staff be selected to assure reasonable supervision of this budget and efficient handling of the many other responsibilities of the committee.

3. Because of my desire to see a better public understanding of the Congress, I have instituted in my Washington office a summer intern program for college students. After 2 years of encouraging results with this program, I recommend that consideration be given to finding ways to encourage Members of Congress to utilize the services of summer interns. In addition, colleges and universities increasingly are developing programs whereby students may gain credits toward graduation for work experience. Possibly colleges and universities would be encouraged to include congressional staff experience in their work-study programs for college credits, if such a program were encouraged by the Congress to permit students spending semesters or quarters on congressional staffs during the school year. There is no question in my mind but that those individuals who gain this very valuable experience take with them in their succeeding years, regardless of their future occupations, a better awareness and understanding and, indeed, respect for the Congress, in addition to the contribution they make while working. Action in this area could be a most constructive and imaginative recommendation of this committee.

4. The Nation's Capital is naturally and properly a great attraction for visitors. Washington, D.C., is the Capital for every citizen of this country. The Federal Government is their government. The employees of the Federal Government, including policemen, elevator operators, and others, are the employees of these citizens. There is no excuse for lack of courtesy and hospitality by Federal employees to individuals visiting the Nation's Capital. In view of the fact that there is a surplus of good people available, I would recommend that some procedure be established whereby prompt suspension or dismissal of discourteous Hill employees could be achieved. Perhaps a review board could be set up that would be firm about discipline in matters of discourtesy. The people of this country should be able to enjoy coming to their Capital and should not be subjected to harassment. Capitol Hill should set the tone.

5. I urge that the confusing base pay, gross pay "monkeyshines" be terminated in favor of a gross annual pay scale for staff members which is easily understood by all.

6. I favor a revision of the congressional page program to permit college students—freshmen, sophomores, juniors, and seniors—to serve as pages in addition to high school students.

HOUSE OF REPRESENTATIVES

1. I urge that consideration be given to restricting the activity of the first day of the first session of each new Congress to the swearing-in ceremonies and that this be followed by a 2-day recess, so that Members of both parties would have an opportunity to consider any purposed rule changes, possible challenges to the seating of Members, and other matters which may be of immediate importance. The pace is rapid during the first few hours of the Congress, not only for new Members who must find it bewildering, but also for more senior Members who wish to participate in the decisions to be made which they will then have to live with during the succeeding 2 years.

2. I recommend a study to improve the format and content of the CONGRESSIONAL RECORD. Possibly rules should be adopted to reduce the insertion of extraneous material in the body of the RECORD. In addition, it might be valuable to insert in the RECORD clarifying statements, possibly in bold type, and drafted by the Parliamentarian or an appropriate officer of the House, to indicate in layman's terms what is taking place. Such revisions might substantially improve readership, as well as speed up the process of scanning the RECORD. At the minimum, it would seem that a bold-type statement by the Parliamentarian to immediately precede votes and briefly describe what was being voted on, would be valuable. I am aware that the Digest summaries do this to some extent. This might help standardize reporting of the various record votes which take place, whether by the press or other organizations. Certainly it would not prevent any individual or organization from using other words or editorializing further. However, it might encourage more accurate reporting and discussion of these important issues. If there were an official description of the vote, it could be used by the Members in rebuttal to questions stemming from differing descriptions of what a vote was, such as one from a Cope memo of April 19 describing the motion to recommit, by Representative JOHN BYRNES of Wisconsin, on the medicare bill as a vote for "wrecking the bill." Also, I believe that Members, staffs, and other users of the RECORD would be

saved considerable time if the pages of the RECORD were perforated to facilitate tearing pages out. I understand that this can be done as part of the normal printing process at no extra cost once the equipment is installed.

3. I urge revision of procedures and rules to facilitate the ease of achieving a record vote on major bills. Possibly a record vote should be required on all appropriation bills. In the past few weeks, the House passed by voice votes the appropriation bills for the Department of Health, Education, and Welfare totaling $7.9 billion and for independent offices totaling $14.1 billion. The public's business should be conducted in public, and certainly the people of this country have the right to know how their Representatives are representing them. Possibly, part of this problem could be solved by reducing to 10 or so, the number of Members now required to stand to gain a record vote on a given bill. For example, I can recall the House during the 88th Congress passing by a voice vote the resolution requiring arbitration in the settlement of the railroad labor dispute, because there were only a handful of Members on their feet seeking a record vote. This was an important piece of legislation. The public should have been permitted to know how their Representatives voted. In addition, I urge consideration of the possibility of permitting votes on titles of bills, such as might have been desirable on the recently passed medicare bill which had three major bills within one. Conceivably, this would enable Members to record their positions with greater preciseness and reduce the danger of honest misunderstanding or of irresponsible campaign attacks. This country has a serious problem with communications. Anything we can do to better clarify what is in the minds of the people charged with the responsibility of conducting government will, I believe, raise the level of the dialog and discussion on government.

4. I urge that the minority party be given equal time to debate conference reports as a matter of right, rather than at the discretion of the majority. This has been abused on occasion by the majority, possibly regardless of which party was in the majority. The issues being resolved by these conference reports are not infrequently of major importance to the country. Constructive discussion demands that consideration and opportunity for debate be given to both sides of the issue. This suggestion has been proposed by Mr. CURTIS of Missouri and is contained in my bill, House Resolution 156—89th Congress. Also, in view of the importance of the reports of conference committees, it would seem to me only proper to protect the rights of the minority of the conferees and permit them an opportunity to attach dissenting views to the conference reports.

5. I urge that either a germaneness rule be adopted in the Senate or that the House rules be revised to prohibit consideration of measures containing nongermane amendments which have been added to House bills in conference committees. The most recent example of this, I can recall, involved the bill providing supplemental agricultural appropriations, to which the Senate added an amendment to bar the use of funds appropriated to the Veterans' Administration to close or reduce services of any veterans' hospital or facility. Earlier this year, I introduced House Resolution 185 to correct this situation and for other purposes.

6. I am hopeful that the committee will consider some plan providing for annual public disclosure of the financial affairs and business connections of candidates for Congress, Members of Congress, and staff members receiving in excess of possibly $10,000 annually, and the possibility of an Ethics Review Committee for the conduct of Members and their staffs, or a Joint Committee on Ethics. I have introduced a resolution, House Concurrent Resolution 260, for this purpose. Public confidence in Congress requires high moral and ethical standards by elected Representatives. House Resolution 773, which I introduced during the 88th Congress and which would enable the House Administration Committee to investigate financial, business, and campaign fund activities of Members and their employees, might be a step in the right direction. Also, I will be interested in your recommendations on possible revision of the Federal Corrupt Practices Act.

7. I believe that it might be advisable to install additional microphones at appropriate locations on the floor of the House, possibly two more on each side of the Chamber, and urge that consideration be given to installing one additional committee table on each side. This, in my opinion, would make the floor a more usable work area for the Members.

8. Also, I wish to express my interest in proposals to: Relieve Congress of some of the burden of legislating for the District of Columbia; abolish or enforce the House rule concerning "qualifying to vote"; permit Members to cosponsor bills, rather than introduce identical bills to reduce printing costs; permit a reasonable (possibly $25) income tax credit for individuals who contribute to political campaigns; and to admit former Presidents and Vice Presidents as Members at Large of the House of Representatives and of the Senate, without voting privileges.

CONGRESSIONAL COMMITTEES

1. As a member of the Government Operations Subcommittee on Government Information, I am particularly sensitive to the problem of Government secrecy. I urge that consideration be given to recommendations that legislative hearings, and, particularly, appropriations hearings, be held in open sessions except when executive sessions are necessary, such as when national security is involved. In view of the Public Records bill being considered by the Subcommittee on Government Information, which will require, if passed, greater public disclosure by the executive branch, it would seem appropriate that the Congress at the same time establish enforcible rules to minimize the number of executive sessions of committees and, in addition, to bring about greater public disclosure of the activities of the Congress generally.

2. Possibly one way to encourage better committee and subcommittee attendance would be to make available to the public attendance records of the Members of Congress in committee sessions. At the minimum, I urge that the names of all committee members be printed in every committee report that comes to the floor in connection with a pending piece of legislation, and that the report specifically indicate how each Member voted on reporting the bill. Also, I believe the compelling arguments against the use of proxies in voting on the floor of the House of Representatives are applicable, also, to committee action, and urge a prohibition on the use of proxies in committee votes.

3. I urge that consideration be given to finding ways to bring about a better utilization of the talents of all 435 Members of the House of Representatives. Positions of leadership—in a party, on committee, or in subcommittee—are extremely time-consuming. The results of these leadership activities are of great significance to the country. A rule which provided that a Member could not serve as chairman or ranking member on more than one committee, joint committee, or subcommittee would bring about a better distribution in workload and conceivably would result in more constructive and better balanced work by the Congress. Certainly, there is a sufficient number of able men in the House of Representatives that could assume responsibility and authority.

4. I favor exploration of some method of modifying the seniority system. I recognize that this is more a matter of party preference and tradition than of the rules of the House. However, I feel that the committee would be providing a service if it would look into the subject. A variety of approaches have been discussed. One proposal involved rotating annually the chairmanship and ranking member position between the two top members of each party, in each Congress. Thus, the senior Member on each side would fill the top position (chairman or ranking member) during the first session, and the second senior member would fill the top party position during the second session. A second proposal would be that the chairman and ranking members be elected by secret ballot in party caucus from among the top three Members on their side in seniority. Admittedly, this could be done without action by your committee. However, some action in this area by your committee to revise the rules to encourage greater diversity of viewpoint in leadership positions would result, I believe, in a broader debate and discussion of the many possible solutions to any given problem.

5. I endorse the proposal offered some years ago by Representatives ROBERT GRIFFIN, of Michigan, and THOMAS CURTIS, of Missouri, both members of this committee, to the effect that when both the executive and legislative branches of the Federal Government are controlled by the same political party, the Committees on Government Operations in the House and Senate should be under the control of the minority party. Such a revision would be a healthy innovation for the Congress and the country by assuring vigorous probing, challenging and questioning of the conduct of Government. To avoid political irresponsibility, which some Members fear, it might be best to have an equal number of members of the committee from each party, except that the chairman would be of the minority party, thereby giving the minority party a one-vote advantage.

6. I am hopeful that your committee will make recommendations with respect to revising and consolidating the number of committees and subcommittees. In this connection, it would seem to be desirable for House and Senate committees to have similar jurisdiction and titles whenever possible. For example, unnecessary confusion frequently results from the fact that the House Space Committee is called the Committee on Science and Astronautics, whereas, in the Senate, it is called the Committee on Aeronautical and Space Sciences. Also, I see merit in the recommendations for greater use of joint committees as a timesaver for representatives of the executive branch, as well as to improve congressional control over such areas as the appropriations process as in the suggestion for a Joint Legislative Budget Committee.

7. Further, I urge that each House develop uniform committee rules with adequate means to insure compliance. Suggestions concerning consolidation of committees as well as questions of committee compliance with the rules of the House have been raised in recent years with respect to various congressional committees, and, particularly, the House Committee on Un-American Activities. For some time this committee has been a subject of criticism. Critics have charged that the committee is unconstitutional (by investigating ideas and beliefs, instead of acts), denies witnesses due process, and has not served a legislative purpose commensurate with its cost. Since criticism of this committee generally takes the form of challenges to its jurisdiction, its status as a legislative committee, or its interpretations of the rights of witnesses, these charges should be met head on by the Congress. Cer-

tainly, a study by this joint committee to consider these and other charges against this or other legislative committees could do much to clear the air.

The proper legislative work of the Congress is of great importance to the country and should proceed in an atmosphere conducive to the accomplishment of Congress constitutional responsibilities. The protection of the rights of witnesses before congressional committees is of sufficient importance that charges such as those leveled against the House Committee on Un-American Activities as recently as last week in Chicago, by attorneys as well as in the press, should not go unanswered. If charges against a congressional committee are valid, the Congress should take steps to avoid recurrence. If invalid, such charges should be exposed as false in the interest of maintaining public confidence in the Congress. In addition, I hope that consideration will be given to the proposals of Representative THOMAS CURTIS, of Missouri, which are embodied in bills I have sponsored (H.R. 4422 and H.R. 4276) relating to contempt citations in cases of witnesses before congressional committees and providing declaratory judgment procedures in cases involving refusal of witnesses to testify or produce papers before congressional committees.

I recognize the jurisdiction of the Rules and House Administration Committees in these areas. However, I raise the question as to whether it might be valuable for each House to have a review committee to consider such charges or citations—a committee composed of Members not sitting on the particular committee which may be the subject of an attack or which may have requested issuance of a contempt citation.

Let me emphasize that I specifically am not passing judgment on the propriety of the activities of the House Committee on Un-American Activities or any other committee of Congress, past or present. I do suggest that consideration be given to the questions I have raised.

CONGRESS AND U.S. FOREIGN POLICY

Mr. Chairman, in the mid-1800's Alexis deTocqueville said:

"We have seen that the Federal Constitution entrusts the permanent direction of the external interests of the Nation to the President and the Senate, which tends in some degree to detach the general foreign policy of the Union from the direct control of the people. It cannot therefore be asserted with truth that the foreign affairs of the state are conducted by the democracy."

This quotation and events of recent years raise the question as to whether the balance in our system of government would be more perfect if the Congress as a whole, and particularly the House of Representatives, had a larger legislative role in the area of foreign policy. Areas for possible consideration in this connection include:

1. The proposal to amend the Constitution to give the House of Representatives, along with the Senate, authority to ratify treaties. This problem was brought to mind with the recent consideration of the International Coffee Agreement which came about as a result of the treaty which had never been considered by the House of Representatives, and yet House action was required to enact the implementing legislation to fulfill U.S. treaty obligations.

2. The proposal to strengthen the role of Congress in the field of national security and foreign policy by the creation of a permanent Joint Committee for National Security with authority to make findings and recommendations to the appropriate legislative committees.

Finally, I am of the opinion that it might be appropriate at this point in history for a study of the nature of the constitutional authority granted the Congress with respect to foreign and military affairs. For example, at the time the Constitution was drafted, the meaning of the word "war" was reasonably well understood. The U.S. position, with respect to World Wars I and II, was clear. However, more recently, and particularly in Korea, Vietnam, and the Dominican Republic, the United States has pursued military actions which, by any reasonable definition, constitute warfare. These actions were at the direction of the President and without any official declaration of war by Congress.

Our Constitution created separate branches of the Federal Government and attempted to establish checks and balances between these branches. Undoubtedly, the Congress was given the power to declare war for a reason. Today the United States is engaged in an undeclared war in Vietnam. This, I believe, raises a number of questions:

Does the concept of declaring of war need updating?

What was the original constitutional intent?

Should Congress hold additional hearings on such matters, or merely let the "teach-ins" serve as a platform for debate on foreign policy?

If hearings should be held, which committees should be involved?

What is Congress proper role today in these areas of foreign policy and undeclared war, in view of the advent of nuclear weaponry and the modern technology of warfare and the need for centralized control and decisionmaking?

Is the normal authorization and appropriation process sufficient and/or is it being utilized adequately, to fill the desirable congressional role in this area?

Is Congress effectively exercising its power of appropriation to involve sufficiently the Representative branch of the Federal Government in the basic issues underlying our foreign commitments—and a declaration of war is only one point on the spectrum in this regard?

Is the congressional check on Executive action in the increasingly important area of intelligence, counterinsurgency, and covert military operations adequate?

With the improbability of wars on the scale of 19th and early 20th century conflicts and the increasing likelihood of so-called cold war wars, and the resulting use of programs of counterinsurgency, do we need to define the various war situations that we are likely to face and evaluate the desirable congressional role—which might vary considerably—in each?

Mr. Chairman and members of the committee, the world is constantly changing. Even meanings of words are continuously changing. I do not pretend to know the answers to the questions I have raised. Nor do I make any specific observations or recommendations with respect to current U.S. foreign policy. Rather, I am raising these questions in the sincere hope that your committee will consider, and hopefully shed some light on this question of Congress and its role in the foreign and military activities of the Federal Government—a matter I believe to be of great significance to the Nation and our system of government.

Mr. Chairman, this concludes my remarks. Let me thank you and the members of this committee for giving me this opportunity to make these comments concerning the Congress, an arm of Government for which I have such deep respect.

Certainly, the future of the Congress and to a major extent the success of our Government rest in your hands and in the ability of the Members of this Congress to come to grips aggressively and creatively with the problems of our time: The people of the country will be grateful to you and the Congress for making this effort on behalf of our system of Government.

Congress must be able to do more than merely nod "yes" or "no" to presidential proposals—whether out of apelike obedience or uninformed obstinacy. For our system to bring forth the best solutions to the increasingly complex national and international problems, Members of Congress must have the assistance to gather and the time to study information on the important issues, relatively free of nonlegislative details, as well as the desire, imagination, and courage to enact constructive programs for the Nation.

Mr. Chairman, I will be pleased to discuss these comments further if members of the committee have questions.

THE UNTIDY SOCIETY—COMMENCEMENT ADDRESS AT WEST VIRGINIA UNIVERSITY BY ITS PRESIDENT, DR. PAUL MILLER

Mr. BROCK. 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. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MOORE. Mr. Speaker, Dr. Paul Miller, president of West Virginia University, is one of the Nation's outstanding educators. His address to members of the graduating class at West Virginia University this last Memorial Day contains a message for all of us who, whether we like it or not, belong to "The Untidy Society."

In his address, Dr. Miller departed from the usual form of commencement speeches, to spell out what he meant by "The Untidy Society." Unfortunately, I could not be present for this commencement activity at my alma mater, but William D. Evans, veteran editor of the Fairmont, W. Va., Times, who did attend, said there was a capacity audience. Editor Evans described the audience reaction in this way:

> Yet from the very beginning his [Mr. Miller's] address gripped the audience, and at its close there was a spontaneous ovation.

I believe you can see why this address would grip an audience and why West Virginia University is so fortunate to have such an outstanding man as Dr. Miller as its president.

Mr. Speaker, under unanimous consent, I include in my remarks this outstanding address by this outstanding educator:

COMMENCEMENT ADDRESS AT WEST VIRGINIA UNIVERSITY BY PAUL AUSBORN MILLER, PRESIDENT

My remarks as the president of the university to the graduates are captioned "the Untidy Society." They help me join an illustrious company of people who struggle to capture the meaning and grandeur of American life at this moment in its history. The struggle has become a national vogue. Our President sets forth a vision of the Great Society. Professor Galbraith shared with us his now classic "the Affluent Society." Economist Robert Thobald speaks gloomingly of "the Cybernated Society." Michael Harrington stirred us anew to rediscover American poverty with "the Invisible Society." Most commencement speeches this year would collapse without reference to "the Industrial Society," and in our churches we are sometimes uneasily alerted to the possibility of "the Post-Christian Society."

Within this company I propose to take a place. My gift is "the Untidy Society." Its only claim as a slogan is that it is more precise. You can see "the Untidy Society." You can't really see the others. You have to guess at their meaning, but not mine. To repeat, I give you "the Untidy Society."

It is a society with a penchant for piling up beer cans in public parks. Its streams serve both excretion and consumption. Its people tolerate the intake of strontium 90, acid fumes, and smoke. It doesn't seem to mind the gleaming dead bellies of fish in its rivers and lakes. It will do no more than grumble over dirty sidewalks. It knows how to chew up land for a fast buck and how to spew out tracts of monotonous houses, dumps, and sliced-off hill tops. As I say, you can see "the Untidy Society." Sometimes, too, you can smell it.

You can fly over it at more than the speed of sound, yet inch your way for hours to get to your place of work. It is a society in which vandals will knock every window from your house within a week after you vacate it. It has ways of getting people to buy things they don't need, and the items are carefully planned to wear out. It needs junkyards in handy places, and markets to promote the widespread sale of imitations. Years ago it chopped up its frontier because it was only passing through. Today it despoils the countryside and turns cities into urban jungles because it won't take the time to love them. As you can see, "the Untidy Society" isn't very abstract.

Its people eat and drink too much and exercise too little. Its amphitheaters outdo those of ancient Rome and Greece as tens of thousands of unfit oldsters sit down to watch increasingly soft youngsters win for them. It will park its automobiles in flower beds rather than walk a city block. To give kicks to an unloved boy, you can be silently stabbed—in a subway, on an open corner, in the heart of a university campus. "The Untidy Society" stages great spectacles about the corruption in public and private life yet produces few great moral advances. It can turn dark-skinned people away at the church door, or use a courtroom to attack civility among men. It can make a ghetto out of the heart of the city and then desert it for suburbia. And if you are its first inhabitants or if your pigment is scarcely average, it can take you a hundred years, to become a citizen. In short, "the Untidy Society" won't pamper you.

Thus, I give you my not-so-verbal creation. It is no sudden wave of bitterness or cynicism which washes over me, but I am indignant. I want you to become the same way: over what we are doing to a beautiful country; over the scars on the face of this precious State. And, especially, I don't want the untidy society to turn into "the Ugly Society."

Now to the question about why such untidyness persists. Fundamentally, we are a very clean people. More than others, we chastise our young over lapses in personal hygiene. Though with an eye to impressing the family next door, we design bathrooms of Babylonian splendor. A giant and still-growing industry traffics in mouthwashes, deodorants, and bubble baths. As individuals we seem truly antiseptic.

We ought to know enough to be tidy. Our society abounds in knowledge—literally mountains of it. We produce knowledge for the second and third time because we don't know that it was produced the first time. We once worried about remembering facts, but now the problem is to remember the publications in which they are found. No, though we speak of knowledge as an industry, not knowing enough isn't at the bottom of our problem.

Since the take at the box office may impress the untidy society, perhaps there is not enough money. This seems doubtful, indeed. A national project of less than a billion dollars gets little publicity. Without blinking we can build a road that ends nowhere. Important as they are, we are rather relaxed about that proposition of the budget which is required to get a man on the moon, or to build dams around the world. The gross national product seems to require two houses for everyone. We will go on the cuff for an Adriatic vacation, for a private airplane or motorboat, for a new tuxedo in junior high, a sports car with wire wheels in senior high. No, too little money isn't the answer.

Perhaps the problem is too big for us. The population count is ahead of estimates. We are engulfed by tons of industrial waste, sludge, detergents, and tissue paper. Maybe it's a matter of hard choice: if you want good jobs and high comfort, it may be asking too much to live in a garden. Yet, because we wanted to do it, we transformed American agriculture. With every passing hour, we add new miracles to the treatment of disease. We make machines which do arithmetic better and remember it longer than people. No, the problem of untidyness isn't too big; it is just too unimportant.

Right there is where we begin to get to the cause of the untidy society. Hypnotized by rapid change, we tend to get bored with one thing for very long. Ours is therefore a time of halfway problems and halfway solutions. Also, we lose interest in how the system works. And since it works well only if the people understand it, we collide with one obstacle after another. Here, I believe, we may apprehend the untidy society.

One obstacle comes from the difference between problems and solutions. The problems are general, unspecialized, linked together, interdependent. The solutions are specific, unrelated, and detached. For example, the problem of air pollution involves simultaneously California, New York City, and Detroit; chemistry, profit taking, and effective lobbying; traffic jams, unused technology, apathy, arrogance, and pulmonary emphysema. The solutions are dispersed in special agencies which perform specific tasks, that is, without concern for wholeness. This rift in the nature of problems and solutions is the cause of civic anguish in America.

A second obstacle involves our versatility with hardware and our neglect of institutions. We multiply gadgets faster than we can use them. The imbalance has caused us many problems, but we have been able to buy ourselves out of them. We have assumed that anything could be bought, but this assumption is by now clearly wrong. Not even a billion dollars and more in a national poverty program will transform poor communities unless poor schools based on pastoral memories, courts, and police officers based on frontier standards, and cities now strangulated by antique jurisdictions are transformed to serve modern needs of the urban, corporate community.

A third obstacle is the tragic falling star of State and local government. This demise occurs at a time when the Nation's progress depends upon elaborate cooperation between them and the Federal Government. Tax revenues of the Federal Government exceed the need for them. The opposite is true of State and municipal governments. Today the demand for State and municipal services is great and growing, but the attitude toward new taxes is ususally cold. Meanwhile 6 billion of additional revenues more than the year before flow into the Federal Treasury without earmarked use. Despite nearly a hundred major State universities, and many State colleges and institutes, Washington knows far better than the States how to use brains. The real "brain-drain" is not from Europe to America but from the States and cities to the Federal Government.

The fourth obstacle lies with our preference for listening with greater attention to the claims of private interests than to those of public interests. None of us would deny the importance of outspoken private positions with reference to the country's development. May they continue. Yet, from Hollywood to Madison Avenue, by every conceivable medium of influence, the individual is asked to think, to buy, and to act in some prescribed way. The individual—except through the occasional ballot box—isn't always able to talk back, to do a bit of prescribing on his own. It grows difficult to mount a genuine public offensive. If you don't like the smell of your nearby river, what do you do about it? The answer is not uncommonly enveloped in mystery.

There are no easy answers to "the Untidy Society," nor to any other kind of society, name it what you will. But my remarks this morning were selected and now shared with you because it is important for the graduates of 1965 to sense that just now our country is turning from its historic interest in standard of living to one of manner of living. The graduates will depart at a time when a new indignation is stirring the hearts of the American people. May each of you give them the leadership of reason and passionate concern. Last week a White House Conference on Natural Beauty was held for the first time. Both at home and abroad, new and enlarged efforts are underway with the basic rights of citizens, with poverty, wilderness areas, and urban renewal. May you help keep them from being mere flirtations with programs. Due to the vision and persistence of our State leaders, West Virginia continues to brush up its remarkable beauty. West Virginians today are more committed to children—to new educational opportunity, "Headstart," and mental health clinics. And people are everywhere listening to the young adults who sometimes faultily but nevertheless resolutely expose how an older generation failed to practice what it preached. The sit-ins, freedom marches, teach-ins, the Peace Corps, all are indicative of a growing commitment to social change.

Yet, "the Untidy Society" will make it difficult for you to be a participant. It will try to make you a spectator. It will have you parrot scraps of information without any grand design. It can influence even whole universities. How else may one explain magnificent campuses surrounded by extremism, the worst slums in the Nation, and haphazardly planned communities. Perhaps you may better appreciate now why I am so determined to enlarge the public obligation of this university. Whether as graduates, faculties, or whole universities, we may learn from Whitehead when he said: "A merely informed man is the most useless bore on God's earth."

Someday you will agree that it makes little difference whether your diploma reads engineering, law, English, or medical technology. The true difference will deal with the flash of understanding you may have in the future about how unchained to history the revolution of the inevitability of changes has become; and the difference, too, of whether you will meet this understanding, hopefully out of some residue gained at West Virginia University, with a personal style for knowing what makes a good man or woman, what goes into a good community, into good government, into good music and art, into good human relationships.

I hope you will realize that slogans about whole societies always are too imprecise and stereotyped. And so it is with "the Untidy Society." Instead of labels for the entire society, let us together express and understand the need for continual social renewal and innovation, for public awareness of community, for hope and enlightened change, for style of living.

Listen now to John Gardner, who himself has struggled to capture the meaning of our society:

"The renewal of societies can go forward only if someone cares. * * * Apathetic men

accomplish nothing. Men who believe in nothing change nothing for the better. They renew nothing and heal no one, least of all themselves.

We proceed now with the awarding of degrees. May it be remembered as an act in our lives which prepared us for choosing the excellent from the merely unusual, the eternal from the merely traditional.

GOODBY TO GUNS

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

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, in an attempt to stampede Congress into enacting tight restrictions on the sales of guns, some proponents seek to minimize the importance of old-fashioned artillery warfare in the age of nuclear capability. This sophistry persists despite the hand-to-hand fighting raging in Vietnam and the recent experience in the Dominican Republic where only the accurate marksmanship of our fighting men prevented snipers and guerrillas from taking a far greater toll of American lives.

Men and boys trained in the use of firearms have formed the nucleus of this country's defenders from the days of our early settlers. Sharpshooting pioneers picked off and drove off enemies in the forests as civilization moved west, and ambitious European powers finally surrendered their designs to territory in this sprawling land when it became evident that no aggressor could match our determined and talented militia.

Training that came from shooting squirrels and bears and birds made the difference when this young Nation's hopes were dimmed as the British moved toward New Orleans as 1814 slipped into history. Andrew Jackson assembled a strange assortment of volunteers of every description, but among them were mountaineers from Tennessee and Kentucky who knew how to use rifles. When Britain's most experienced soldiers marched into battle, those mountain boys cut them down "like wheat before the mower," according to historian Glenn Tucker. In 5 awful minutes 795 officers and men were struck down by the deadly fire.

In World Wars I and II, military officials responsible for shaping volunteers into capable and methodical foot soldiers found vital assistance in those with experience in the use of guns. By now big guns and bombers were taking their place in modern warfare, but in no way was the role of the infantryman diminished. What lies ahead for the world is an uncertainty of awesome proportion, but even the most tyrannical despots in Moscow and Peiping may recognize that a nuclear attack would bring total destruction to both sides.

This morning I testified in the Committee on the Judiciary against a bill which I consider unnecessarily restrictive of gun sales. I fear, Mr. Speaker, that objectivity has been driven akilter by the unfortunate and unforgettable assassination of President Kennedy. Too many persons are losing sight of the fact that our beloved President was killed by a Communist who never should have been readmitted to this country. Instead of placing the whole blame for this dastardly crime on guns, Congress could do well to check on whether it is still possible for a terrorist of the type of Oswald to enter the United States and be free to roam and to kill.

With permission of my colleagues, I should like to insert in the RECORD the following editorial from the Record-Outlook of McDonald, Pa., of May 13, 1965:

GOODBY TO GUNS?

Because big cities like New York cannot cope with their crime problems the Johnson administration is busy trying to remove all guns from the Great Society.

There is not a single reason why a drug addict, a known criminal, or a young punk should own a gun. But that is no reason why a farm boy shouldn't be allowed to potshoot a woodchuck on his own farm without having to get a permit from the Secretary of the Treasury.

Connecticut's Senator THOMAS J. DODD has introduced S. 1592 in the Senate as a perfect example of how rural America under reapportionment will suffer for the sins of cities. Under S. 1592, the Secretary would have the power to impose registration of all firearms. The history of registration all over the world has been confiscation and the end of recreational shooting.

The big cities have a crime problem alright. But that is no reason to penalize more than 20 million law-abiding citizens who hunt and shoot for fun. Hunters pour $1.5 billion a year into the national economy, much of it in rural areas.

If the city people would spend more time on outdoor recreation, their crime rate would drop. J. J. Jones, the jailer of Knox County, Tenn., found that out of 10,000 inmates less than 2 percent had owned a fishing or hunting license. Judge William G. Long, of Seattle juvenile court, who heard 45,000 cases over a 20-year period, says that not one of the boys or girls that came before him had a wholesome outdoor hobby.

There are nearly 20,000 Federal, State, county, and city firearms laws already on the books. If they are properly enforced, the Secretary does not need the power to disarm sportsmen. But if the people do not complain to their Senators and Representatives, their right to own and use firearms will be taken away.

LABOR PRESS RILES BEN

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

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the Akron Beacon-Journal is one of the very outstanding newspapers in my State and while this city is in the district of my good friend and colleague, BILL AYRES, there is a considerable following for this paper in my district, too. The editor of the Beacon-Journal is Ben Maidenburg who wrote a cogent analysis of some of the slanted labor periodicals which extol the virtues of socialism-liberalism and attack conservatism-free enterprise with the persistent staccato of an airhammer. In fact, Ben just plain got riled after reading one of them but then I will leave it to his own words. Their weekly organs of opinion are a classic example of the "big lie" technique.

He makes a very telling point. Labor periodicals because of their bias are not in the same class as the free, professional press. Every newspaper editorializes to some extent but the responsible press distinguishes between fact and opinion. The labor press tends to write news columns like they are appealing to a sixth grade dropout and usually offend the sensibilities of most intelligent working men. The AFL-CIO News and Views which is published weekly in Columbus, Ohio, is a good example of this. Its weekly columns smear Senator LAUSCHE, BILL AYRES, demean all Republicans and conservatives and present a viewpoint which is so narrow that it can be called little more than yellow sheet journalism.

Thanks, Ben, for your fine article in the May 30, 1965, Akron Beacon-Journal which is a responsible analysis of irresponsible news reporting. The article is as follows:

[From the Akron Beacon-Journal, May 30, 1965]

LABOR PRESS RILES BEN—WITH MYTHS AND FABLES

(By Ben Maidenburg)

Recently one of the national news magazines devoted some comment to the "growing up" of the labor press—meaning the periodicals published by individual unions for their members.

It is true that, barring a few, the union publications have improved beyond words, technically. Typographically they are far more attractive. They publish medical advice and legal advice columns, and so forth.

But aside from a scant few they still indulge themselves in reporting that is so far out, and so slanted that it makes the leaning tower of Pisa the straightest building in the world.

I don't expect these labor newspapers to cheer the boss man. After all, eliminate the hostility factor and there'd be a frittering away of union membership.

Even where there is a relatively good contract, when there can be a fine relationship between the union and management, the labor press keeps picking at the boss. The wise union leader knows the score.

All this being a fact of life, I still don't dig the union editors printing goop that must make the membership rather ill in the stomach.

I rather think that 99$\frac{44}{100}$ percent of the union members are quite intelligent, well read, and up on their economics today.

And constantly peddling them pap like "The boss is always wrong," etc., can only have the effect of the members slowly but surely discounting all the news comment.

I get a lot of union papers and read them rather carefully. I might interpose here that the United Rubber Workers weekly, edited by George Scriven, is one of the better publications.

The other day there came to me a copy of the Machinist which is published in behalf of the members of the International Association of Machinists (IAM).

It is a good looking, and technically well put together weekly. But the content. There's hardly a week that something in the Machinist doesn't cause me to hold my nose.

For example, some boasting that went on in a recent issue: Under the heading "Union at Work" is the story of some goings-on at Sellersville, Pa. I'll quote the Machinist

word for word and ask you whether the union should have boasted of this, or been ashamed:

"Union auto mechanics at Sellersville, Pa., have found a way to boost the union's radio program 'World of Labor.' They are tuning car radios to WNPV, the nearby Landsdale station broadcasting the labor program.

"John Gallagher, president of IAM Lodge 1092, reports that auto mechanics have been asked to preset that station on all car radios they install or service. The lodge has also enlisted the aid of area radio repairmen and service station operators.

"The idea of enlisting the cooperation of the auto mechanics to build the listening audience for the IAM broadcasts originated with IAM Vice President P. L. (Roy) Siemiller, of Chicago. He is asking cooperation from auto mechanics' lodges in every city where the 'Voice of Labor' can be heard."

What I'd like to ask Mr. Gallagher is this: Would it be OK with him if the National Association of Manufacturers got the repair lads to fix the car radios so that the listener would have to search for the "Voice of Labor"?

I'd like to ask: What consarned business of his is it to monkey with anyone's car radio?

In this same issue of the Machinist there is a wad of propaganda in favor of the repeal of section 14(b) of the Taft-Hartley Act. This is the section of the Federal labor laws which permits States to pass laws barring the enforced union shop. The Taft-Hartley Act already bars the closed shop.

The closed shop forces union membership on the employee immediately when he goes to work. The union shop causes the worker to join the union within, say, 30 or 60 or 90 days after taking the job.

Section 14(b) is better known as the right-to-work law. This title is pure nonsense. For 14(b) neither gives one the right to work nor deprives him of it.

They tried to pass a right-to-work law in Ohio some years ago. The Beacon-Journal opposed the law, and the voters bashed the brains out of the effort.

Right now, 19 States have RTW laws. Most of these States are in the Southland, where unions, historically, have never been allowed much oxygen. There has been more hogwash spilled in the name of right to work than anything in the recent history of the United States.

The Machinist proclaims that RTW laws hold back union organizing and bargaining.

Certainly the RTW laws don't make it easier for the union. But look at it another way. No union has a God-given right to existence, any more than a manufacturer is fully protected against going broke.

If the majority of workers want a union, that certainly is their privilege. But if an employee doesn't want to join, he, too, has some rights. Workers in a RTW State still can have a union if they want it.

But the "force" being removed, it makes the job of organizing more difficult for the union.

So in a nub it is up to the union to sell its wares, just as it is up to the employer to sell his tin cans.

The IAM's the Machinist publishes some "myths" about RTW and also some "facts." An example:

"Myth: RTW laws protect civil rights and widen the job opportunities of Negroes and other minorities."

"Fact: The high-sounding labor law provides no civil rights, no employment rights or any other right. In all 50 States the boss does the hiring. Most of the RTW States are in the South. Did RTW help? Actually, RTW helps block union contracts which provide job security, seniority, and other protection for all workers. The most active supporters of these (RTW) laws are the most violent opponents of equal rights and equal opportunity."

Such unabashed drivel. Of course, RTW provides no civil rights. But there it ends.

Is it true that the boss does all the hiring? In some cases, yes. In many cases, no.

Some industries have union hiring halls. There are other devices which amount to about the same thing. In these, if you want a carpenter or bricklayer you call the union and it sends out the men. So the business about the boss hiring all the employees is rather at odds with all the facts.

Civil rights? What a laugh.

If repeal of RTW would make jobs for Negroes and other minorities, then how come so many Negro organizations are constantly picketing building sites?

Answer. Because the Negroes have not been able to get into so many unions. Minus the union card, there is no job.

There is no question but that unions provide security for the individual. But security for the man or woman is the only reason for any union's existence.

Now, when the International Association of Machinists argues that with RTW eliminated there will be more jobs for minorities, I'd like to have a couple of statistics: How many members are there in the IAM and how many are Negroes?

And I point the finger not only at the IAM, but ever so many unions—unions which fight off apprenticeship programs that could make jobs not only for Negroes but whites as well.

You'd be surprised how many unions claim the right to provide the workmen, but who, because of dilatory apprenticeship programs, just do not do it.

And why? Simple. It builds in overtime.

And now we come to the charge that most active enemies of the repeal of RTW are also enemies of civil rights. More garbage.

Some employers fall into that category, for sure. The largest majority of employers would rather work with a union that is strong; with a union that can control individuals who fire up wildcat strikes; with a union that can act according to law and with a union not beset with internal political problems that hinder efforts of the union officers to carry out their duties.

In the same issue the Machinist tries to draw wages parallels between the 19 RTW States, and the others.

In 1964, says the IAM paper, the national average income was $2,550. In the RTW States, the average was $2,093. (Interesting enough was that Nevada, a RTW State, ranked third highest in the Nation with $3,248.)

The Machinist points the low-average-wage finger at Mississippi, Arkansas, South Carolina, Alabama, Georgia, Utah, and South Dakota as sorry examples of RTW States.

What the paper ignores blithely is that these States are primarily agricultural and that it would take an earthquake to change them.

You want a second sample of "labor news"?

Take the May 1965, issue of the Teamster. It discusses the taxidriver election in Chicago at long length and flays an opposition union unmercifully.

But the Teamster in no spot mentions that the real key to the Chicago affair was one Joey Glimco, onetime head of the taxi union, and a gentleman with quite a record.

Did the Teamster expect that, not having mentioned Brother Glimco, the members would mentally sweep the name under the carpet?

Another sample: In the current issue of News and Views, the voice of the Ohio AFL-CIO, the editor talks of the proposed fair housing bill before the Ohio Legislature.

Some Republicans on the Senate Rules Committee have been in favor of a lesser version of fair housing than others want.

News and Views says the new Republican State chairman, John Andrews, was addressing a Negro political organization in Columbus (quoting News and Views) "as if the audience wasn't aware of what his party was up to a few yards down the street at the State House." This made reference to the opposition within the Senate Rules Committee.

In other words, if four or five members of the Republican Party were against something, it was the Republican Party which was against it, according to this union newspaper.

I wonder how News and Views would react if we paraphrased the article and said, "While Lyndon B. Johnson was urging the civil rights law in his address, he wasn't aware of what his Democratic Party was up to down the street." Referring, of course, to a hardly imaginary situation where a group of hard-shell southern Democrats in Congress were opposing the civil rights law.

In other words, if a Republican does it, it is the Republican Party. If a Democrat does it, it is only the one Democrat.

Well let's have a smile.

At a party at her home the daughter of a pillar of society was singing the plaintive "Carry Me Back to Old Virginee." An elderly man, one of the guests, bowed his head and wept.

The hostess was quite touched. She put her hand on his shoulder and asked, gently, "Pardon me, sir, are you a Virginian?"

"No, madam," he replied, "I'm a musician."

PHONY, FILTHY DEMONSTRATORS BELONG IN JAIL

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

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, last week I was privileged to sit as a member of the special subcommittee of the House Committee on Un-American Activities which conducted hearings in Chicago. As usual the protesters were present and poured out their venom against HCUA. In one sense, it was almost amusing to observe the picket lines since, judging from their statements and jeers, so few of the demonstrators appeared to really have any knowledge of the issues involved. They were just against. Men like Gil Green, once head of the Communist Party in Illinois, and Frank Wilkinson, head of the national anti-HCUA group were there fanning the flames.

One of Chicago's news reporters, Jack Mabley, observed firsthand the machinations of these pickets and wrote a collum entitled "Phony, Filthy Demonstrators Belong in Jail." Mr. Mabley is not exactly a booster of HCUA, but he could not stomach the beatniks. I include this column at this point in the RECORD along with an article from the Chicago Tribune:

[From the Chicago's American, May 27, 1965]

PHONY, FILTHY DEMONSTRATORS BELONG IN JAIL

(By Jack Mabley)

I respectfully suggest that the judge who hears the cases of the beatnik pickets who

spit at law and order stop babying these bums and throw them in jail.

Chicago is infested with a gang of filthy, immature, arrogant, troublemaking professional pickets, male and female, who are doing grave damage to liberal causes.

Presently they have latched onto the demonstrations against the House Un-American Activities Committee. If they're loose this summer they'll be demonstrating against segregated housing and against the Chicago school system.

The most immediate benefit to the community would be giving these people a good scrubbing at the county jail.

Maybe physical filth has nothing to do with abolishing the HUAC, but it does affect public relations, and from the way these pickets ham it up for the TV cameras, I assume public relations is part of their program.

This is not intended to condemn all who are arrested. But there are a few who turn up repeatedly in court. They are contemptuous of law and order. They are treated with kid gloves by the judges, who give them a wrist tap and send them out to their next cop kicking.

There are proper ways to petition one's grievances and express one's dissent. Placing oneself above the law—saying your moral law supersedes the laws of the land—is not proper. It sabotages law and order. Those individuals who repeatedly practice it should be severely penalized.

This has never been more apparent than during the demonstrations at the hearings of the HUAC.

There was one man marching in the picket line whom very few realized was present.

He is Gil Green, a Communist. Green once was head of the party in Illinois. I have a certain admiration for Green, as much as I disagree with his political beliefs. He never has weaseled. He stands up for what he believes.

He had more justification for being in the picket line than anyone else. Green served 5½ years in Federal prison because of his political beliefs. The Federal action was in violent conflict with my conception of the principles on which this Nation was founded.

Along with the bums and beatniks in the picketing were many clergymen. It's hard to tell the priests from the ministers because the ministers put on their clerical collars for these demonstrations.

There were many decent, law-respecting students from Chicago colleges and from Wisconsin and Michigan. There were teachers and professors, businessmen, housewives.

Orderly picketing is a traditional American way of demonstrating dissent. So is passing out handbills. Many signed petitions. Dr. Jeremiah Stamler of the board of health demonstrated respect for due process by bringing suit in Federal court seeking to stop the hearings.

But the decent and proper, and bathed, protesters all were smeared by the contemptible action of the beatniks who fancy themselves so right and so just that they are above the law.

They are cheap exhibitionists. Knowingly or unknowingly, they are doing the handiwork of the Communist conspiracy, which seeks to destroy the strength of America. This strength is built on proper function of the law and of the courts.

These troublemakers belong in jail, and it's time a Chicago judge had the guts to put them there.

[From the Chicago Tribune, May 28, 1965]

THIRTY-NINE ARRESTED AT HOUSE HEARING: PROTESTERS THROW COPS TO GROUND IN ATTACK

(By Thomas Powers)

Thirty-nine persons were arrested by city police and Federal marshals yesterday in clashes inside and outside the hearing room of the House Committee on Un-American Activities at 1212 Lake Shore Drive.

Demonstrators against the committee were thwarted in an attempt to intercept a police car carting five of their fellows off to jail, and others failed in an attempt to break through police lines into the hearing room.

SPLASHED WITH PAINT

A score of demonstrators knocked sawhorse barricades aside, knocked police to the ground, and were wrestled down themselves in the assault on the front entrance of the old U.S. Court of Appeals Building where the committee was winding up 3 days of hearings.

A plastic bag filled with red paint was tossed into the air and landed among the pickets, spattering many of them, as well as policemen and a few newspaper reporters and cameramen.

Fifteen or twenty of the pickets carried signs supporting the committee with such statements as "Nothing to hide, nothing to fear" and "Better brave than slave."

BEGIN TO SING

The anticommittee demonstrators got rolling when four women spectators in the hearing room stood and began singing while the committee was trying to question a witness. Deputy U.S. marshals dragged them to the back door of the building on Stone Street.

Fifty demonstrators ran to the intersection of Division and Stone Streets, apparently expecting the police wagon with the prisoners to head south to the Chicago Avenue station. Instead, the police went north on a circuitous route, thwarting the pickets, who apparently intended to stop the police car and throw themselves under the vehicle.

GO THROUGH UNDERPASS

Meanwhile, a score of other demonstrators, mostly members of the Congress on Racial Equality and the Student Non-Violent Coordinating Committee, who had been meeting on the lakeside shore of Lake Shore drive, came through an underpass to the front of the building.

As the red paint burst among the demonstrators they charged the police lines. Some policemen were bowled over. The barricades were knocked down. One demonstrator got as far as the entrance when a policeman wrestled him to the ground.

Eleven of those arrested were taken to the U.S. marshal's office in the Federal building. They are:

Jonathan Birnbaum, 19, of 1005 East 60th Street, a student; Julanne Tyler, 18, of 1634 East 53d Street, who also was arrested Wednesday; Lenora Davis, 16, of 5718 Kimbark Avenue, a student; Daniel Stern, 31, of 5455 Blackstone Avenue; Garfield Harris, 21, of 6141 Greenwood Avenue, a student; Robert Brown, 24, of 1369 East 50th Street, a laborer; Beth Skinner, 16, of 1355 East 55th Place, a student; Barbara Fischer, 14, of 1316 Madison Park, and her sister, Katherine, 15, both students; Barbara Miller, 17, of 675 East Oakwood Boulevard, a student; and Beth Jaffe, 20, of 756 East Oakwood Boulevard.

TAKEN TO LOCKUP

Taken to the women's lockup in police headquarters at 1121 South State Street were Barbara Switzer, 20, of 2057 Sheffield Avenue; Katherine DeLacy, 22 of 6101 Ellis Avenue; Shiela Hite, 18, of 1355 East 55th Place, who also was arrested yesterday, an unidentified 17-year-old girl and an unidentified 16-year-old girl.

Taken to the East Chicago Avenue station lockup were Michael N. Anderson, 19, of 501 East 37th Place; Patrick S. Hunter, 19, of 3124 Prairie Avenue; Stephen D. Starkweather, 20 of 1531 Wellington Avenue; Frank M. Martin, 29, of 1369 East 50th Street; Eric D. Joseph, 21, of 5528 Greenwood Avenue; John P. Slocum, 18, of 5514 University Avenue; David Vigoda, 18, of 1005 East 60th Street; Thomas Gregier, 22, of 114 Crest Street, Bartlett; Derik S. Faeger, 21, of 627 Rohdale Circle, Lombard; John Montonegro, 16, of 5429 Winthrop Avenue; Joel D. Silvers, 60, of 5605 Drexel Boulevard; Robert W. Hickler, 20, of 5514 University Avenue; Sol Golden, 23, of 5429 Ridgewood Court; Robert S. Scheir, 21, of 5470 Cornell Avenue; John W. Dovard, 20, of 1628 North Linder Avenue; James Morris III, 18, of 5137 Ingleside Avenue; Robert H. Sherwood, 22, of 1531 Wellington Avenue; Earl W. Silbar, 23, of 5478½ Woodlawn Avenue; Terrence Ford, 20, of 2216 Cleveland Street; Jay P. Greenberg, 23, of 4933 Ellis Avenue; Lowen Belman, 23, of 1442 Sedgwick Street; Erick T. Chester, 22, of Royal Oak, Mich.; and Kenneth L. Burg, 23, of 5537 Hyde Park Boulevard.

Federal authorities said those taken to the marshal's lockup would be charged with interfering with the proceedings of a governmental body, a felony. Adults taken to city lockups were to be charged with disorderly conduct.

MOUNTAIN HOME

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

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

There was no objection.

Mr. QUILLEN. Mr. Speaker, it is my good fortune to have among the many assets in my district the second largest Veterans' Administration center in the United States—Mountain Home.

Sunday, May 30, 1965, Dr. Joseph H. McNinch, a great American, a man who has spent his life in the service of our country, delivered the Memorial Day address to a vast throng of Memorial Day visitors in Memorial Park at the center.

Dr. McNinch served the Armed Forces well and during his service received many awards, including the Distinguished Service Medal, Bronze Star, and Legion of Merit with oak leaf cluster. He retired from the Medical Corps, U.S. Army, with the rank of major general in 1962 to become director of research, American Hospital Association, and in June 1963 accepted the appointment of Chief Medical Director of the Veterans' Administration.

His address was timely and was received with great interest by all and I would like to share his stirring message with my colleagues and all those who read the CONGRESSIONAL RECORD.

Dr. McNinch was introduced by Col. Lee B. Harr, who is doing an outstanding job as center director. I feel that Mountain Home is one of the best operated VA facilities in the United States and Colonel Harr, his staff, and all of the personnel there are to be commended for the fine work they are doing.

MEMORIAL DAY SPEECH AT THE MOUNTAIN HOME VA CENTER BY DR. JOSEPH H. MCNINCH

Ladies and gentlemen, it is an honor to speak to you on this solemn occasion—when all the Nation joins together on Memorial Day to honor our heroic dead.

Today, I am going to begin my talk by reading a list of names—American names

like Keokuk, Fort Scott, and Salisbury—and foreign names, like Belleau Wood, Meuse-Argonne, and Mexico City.

Listen to this list—

Mobile and Sitka, Barrancas and Baltimore, New Bern, Woodlawn, and Long Island.

Carthage, Golden Gate, Henri-Chapelle.

Florence, Italy and Florence, S.C.

Beaufort, Brittany, Bellicourt, Brest, and Balls Bluff.

Seven Pines, Luxembourg, Manila, Kemmel, Montfaucon, Montsec, Mound City.

Little Rock, Rock Island, Cold Harbor, and Fort Bliss.

What is this list—with its names, some harsh, some smooth like pebbles rolling on the bed of a trout stream?

And why am I reading a list of place names to you—today—of all days—on Memorial Day?

Well, let me add three more names to that list and you will see why: Arlington, Gettysburg, Flanders Field.

Yes, my friends, these are the names of national cemeteries here in America—and our military cemeteries and memorials on foreign soil. As the late President Kennedy once said, "No nation in the history of the world has buried its soldiers farther from its native soil than we Americans—or buried them closer to the towns in which they grew up."

Some of these cemeteries are like the Flanders Field in McCrae's poem: "the poppies blow, neath the crosses row on row * * * For as far as the eye can see, there are none but the stark, white muteness of crosses, broken here and there with a fallen Star of David."

Other cemeteries have a more varied pattern—there are the crosses, or white markers hundreds and hundreds, and a central monument, or perhaps many monuments, all trying to say something monumental and memorable about the monumental and memorable deeds of those who rest beneath that sod, those who made that most monumental and memorable of sacrifices.

In speaking of cemeteries, I am reminded that 4 years ago today I had the honor to give a Memorial Day address at a cemetery which I have not listed, St. Mihiel in France. On that day, the thing that impressed me most was the manner in which the French citizens of that tiny rural community joined with us in paying honor to the American dead of World War I. These were not officials of a great government, but the farmers, small shopowners, and village officials who lived in and near St. Mihiel, whose homes were defended long ago by the American heroes buried in that cemetery. One sensed that they still remembered—and appreciated—that America had come to the defense of their liberty.

Today, I want to talk to you about two other monuments to their sacrifice—the significant monuments, the unmarked monuments, the monuments that we really celebrate on this Memorial Day.

The first monument to the nearly 1 million men who gave their lives in the 8 wars—from the Revolution to the Korean conflict—in which our Nation has been engaged is found in the central, simple fact that there is a United States of America. Perhaps that is putting it a little too strongly, perhaps if our veterans had not fought and died for America we might still exist as a small, weak country, hemmed in by powerful enemies. But the United States as we know it today—the mightiest nation on earth—that United States would not exist.

The other monument is as old as the breakup of the colonial empire of Spain, as new as the newest country in Africa. For if American fighting men had not won liberty for themselves and protected it for others many of the new nations, many of the oldest, would still live under colonial domination. Our success in maintaining liberty here at home, our ability to extend and protect it abroad, has meant that the wave of liberty has been the wave of the future since 1776.

The material existence of these United States—the spiritual existence of the ideas of freedom and liberty—these are the two monuments erected over the graves of our veterans—whether they lie in their village churchyard, in one of the many national cemeteries, or in an unknown, unmarked grave in one of a thousand battlefields.

But these two majestic monuments pertain not only to the one million American war dead, they pertain not only to the millions who felt in their bodies the cold steel of war, they also pertain with equal force to 22 million living veterans. For all veterans, living and dead, share the glory of the very existence of our country and the fact that liberty and freedom rather than philosophies based on greed and hate, are capable of moving men to great deeds, of filling men with hope.

On Memorial Day the Nation takes time to salute the men and women—living and dead—responsible for these two great monuments. Fortunately, the great majority of the 31½ million who fought in our wars, the vast majority are alive today. Thus, the Nation is in a fortunate position of being able to show its gratitude, in a concrete way, to living American veterans. And, of course, the Nation has responded generously through symbolic occasions such as this Memorial Day and through providing needed benefits administered by the Veterans' Administration and various State and local programs.

Let me tell you about some of these benefits.

Now I am a physician, and although I am familiar with the many nonmedical benefits provided to veterans by a grateful nation, I am on more solid ground when I talk about medical subjects.

During the past week, we in VA central office defended our fiscal year 1966 budget submission in the Senate. As you know, we are living in an age of great medical progress. This progress is reflected in that budget. It will support these new medical benefits for America's veterans.

The activation of three new modern hospitals: Washington, D.C., Charleston, S.C., and Atlanta, Ga.

The care of veterans in the first 2,000 VA-operated nursing care beds.

Eight million dollars to pay for care of veterans in public and private nursing homes.

Four more outpatient activities for veterans with nervous and emotional problems.

Provision of free drugs to veterans receiving aid and attendance funds.

Establishment of more general medical and surgical units in our mental hospitals.

The establishment of 13 centers where heart surgery will be available for veterans with valvular heart disease. As a result of research in physiology, surgery, the chemistry of plastics, and hemodynamics, it is possible in many patients to replace the wornout human valve with a plastic valve which works efficiently and adds years of useful, happy life.

Establishment of special units in 26 hospitals for treatment of veterans with chronic lung diseases.

Action to establish a second blind rehabilitation center in San Francisco.

Operate the first 11 or 12 centers of a final number of 43, where patients with chronic kidney disease can be treated with an artificial kidney.

Thus, I can report to you that our Government not only recognizes its responsibility to honor its heroic dead, but also recognizes its obligation to bring to the living veteran the benefits of the miracles of modern medicine. We in the Department of Medicine and Surgery of the Veterans' Administration, with the resources made available by a generous Congress, shall continue to dedicate ourselves to participate in the discovery of those miracles and to incorporate them into the medical care provided to the American veteran.

Mr. Speaker, the complete program of the service at the VA Center, Mountain Home, held at 3 p.m. Sunday, May 30, was as follows:

MEMORIAL DAY—VETERANS' ADMINISTRATION CENTER, MOUNTAIN HOME, JOHNSON CITY, TENN.

Sunday, May 30, is Memorial Day—a day set aside by the Congress of the United States for commemoration of our soldier and sailor dead.

At 3 p.m. that day, the public is cordially invited to join with the members, patients and employees of the Center in paying tribute to our departed comrades.

Dr. Joseph H. McNinch, Chief Medical Director of the Veterans' Administration, will be our speaker and guest of honor.

Congressman JAMES H. QUILLEN will represent the ex-servicemen and their families in placing the wreath on the replica of the Tomb of the Unknown Soldier.

The colors will be massed by the service organizations; the Boy Scouts of the Sequoyah Council will decorate the 4,100 graves of our soldier and sailor dead; the Johnson City High School Band and the East Tennessee State University and the Johnson City Community Choirs will bring the message of music.

On Memorial Day we pause to reflect on the memory of our soldier and sailor dead and to rekindle in our hearts those ideals they so gallantly strove to attain. Let us not fail our departed comrades. The obligation is ours to assure that the honored dead shall not have died in vain.

LEE B. HARR,
Center Director.

PROGRAM

Massing of the colors by color guards of service organizations.

"America, the Beautiful," Johnson City High School Band, directed by Prof. W. F. Weddle.

Invocation: Chaplain Roscoe B. Garris.

Variants on "A Mighty Fortress," by Darst; East Tennessee State University Choral Union and Johnson City Community Choirs directed by Dr. Virgil C. Self; Mrs. D. G. Stout, organist; Miss Joan Marler, pianist; Brass Ensemble from ETSU.

Recognition of Gold Star Mothers, distinguished visitors, and introduction of speaker, Lee B. Harr, center director.

Address: Dr. Joseph H. McNinch, Chief Medical Director, Veterans' Administration.

"The Lord Is My Shepherd," by Schubert. East Tennessee State University Choral Union and Johnson City Community Choirs.

Decoration of replica of the Tomb of the Unknown Soldier, by the Hon. JAMES H. QUILLEN, Congressman, First District of Tennessee.

Salute to the dead.

"Taps."

Benediction: Chaplain Harry T. Wright, with choral response.

"Crossing the Bar," by Barnby, East Tennessee State University Choral Union and Johnson City Community Choirs.

MEMORIAL DAY

Memorial Day is a day devoted to those who have fallen in battle but it's more—it's a day of hope rather than regret—a day to look forward rather than backward.

Memorial Day is the only day in the year when our entire Nation mourns its dead.

Memorial Day is a day of dedication and of memories.

Memorial Day is a day set aside by Congress to allow all of us to search our hearts

to make certain that we are really keeping faith with those who gave life itself that we might enjoy the freedom, happiness, and all the spiritual and material blessings we have in such abundance.

Memorial Day is the most beautiful and sacred of our patriotic holidays.

Memorial Day is a day set aside each year that we might pause and again pledge in the words of Abraham Lincoln: "That this Nation, under God, shall have a new birth of freedom."

WAR IN BOLIVIA

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

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

There was no objection.

Mr. GROVER. Mr. Speaker, a fortnight ago I proposed to the House that it pass a resolution urging the creation of a joint military defense command for the defense of this hemisphere against the expected series of Communist inspired, supported, and activated revolutions, insurrections, and/or invasions.

If unilateral action to implement the Monroe Doctrine, the Johnson-Mann doctrine or whatever protectionist policy—is objectionable to our revolution-prone and defenseless neighbors, then let us band together.

Above all, let no man in this House—or in our country—close his eyes to the obvious, the apparent, the real, and present danger to our Nation's security, which has been the studied objective of the Communists for over a decade—our so-called soft under belly—Latin and South America.

The alarming and dangerous state of affairs, is indicated by this short editorial by Stanley Ross, publisher of the Huntington, N.Y., Times on May 28, 1965.

Mr. Ross, with a wealth of knowledge of hemispheric affairs, states:

WAR IN BOLIVIA

It seems incredible the U.S. Government, with hundreds of CIA agents in every nook and cranny of Latin America, has not yet tumbled onto the fact that the current revolution in Bolivia is Communist China's first attempt to take over a nation in this hemisphere.

We say incredible, because the U.S. State Department has been periodically advised for the past 15 years by experts in the matter, including the present publisher of this newspaper, that Red China has been preparing the terrain in poverty-wracked Bolivia. The Barrientos government may manage to survive the present crises, despite the death and ruin which is spreading like a stain over the face of that unhappy nation. But it will have been dangerously weakened.

We have praised President Johnson's courageous actions in the Dominican crises, and we know he is prepared to do anything necessary to save this hemisphere from international communism. But we shudder to suspect the reasons he is kept uninformed about the recurrent crises in hemispheric affairs until it is almost too late to do anything about them.

STANLEY ROSS,
Publisher.

RACIAL INEQUALITY IN EMPLOYMENT: THE PATTERNS OF DISCRIMINATION

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

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

There was no objection.

Mr. CURTIS. Mr. Speaker, racial discrimination as practiced, especially by labor unions, against Negro, Puerto Rican, and other Americans, I have discussed previously in RECORD items—CONGRESSIONAL RECORD, volume 109, part 2, pages 1569–1572. In continuing to keep the dialog moving on this subject, Herbert Hill, the labor secretary of the National Association for the Advancement of Colored People, has written an article which was printed in "The Annals of the American Academy of Political and Social Science"—Philadelphia, volume 357, January 1965, pages 30–47—entitled "Racial Inequality in Employment: The Patterns of Discrimination" which is pertinent now as many people around the country are and should be working on this problem. Under unanimous consent, I insert a summary of that article in the RECORD at this point:

SUMMARY OF "RACIAL INEQUALITY IN EMPLOYMENT: THE PATTERN OF DISCRIMINATION"

(By Herbert Hill)

THE UNEMPLOYMENT CRISIS

The Negro community today is undergoing a serious unemployment crisis. In industrial centers throughout the country more than 50 percent of all the unskilled Negro workers have been unemployed for substantial periods since 1958. Moreover, the Negro worker can look forward only to the prospect of increasing long term unemployment. This is the result of generations of enforced overconcentration of Negroes in the unskilled and menial job classifications. Jobs in these classifications are disappearing at the rate of 35,000 a week or nearly 2 million a year. The holders of these dead-end jobs are a disproportionate number of Negroes and hence the termination of such jobs due to automation and technical innovation creates a corresponding disproportionate displacement of Negro workers.

THE NEGRO IN THE SOUTH

Even though an increase in industrial development has been taking place in the South since the end of World War II there has been little benefit to the Negro worker. The existence of a rigid and systematic pattern of employment discrimination prohibits the Negro from enjoying the fruits of the South's rapid industrial growth. In many industries the percentage of Negroes in the labor force has actually declined in the past 50 years. In 1908 the textile industry in South Carolina employed 9 percent Negroes. This declined to 4.7 percent by 1960.

In other major industries such as automobile manufacturing pulp and paper industries the tobacco industry and the railroads, the gains of the Negro laborer have been extremely limited. The major contributing factor of the problem for Negro workers in southern industry is the operation of separate racial seniority lines in collective bargaining agreements entered into by management and labor unions. Negroes are primarily hired to fill such job classifications as "common laborer" or "yardworker." These are the segregated all-Negro labor departments established by labor-management contracts. The unfortunate result of these segregated departments is that Negroes are denied seniority, promotion rights, and admissions to training programs in the desirable job catagories. Some perpetrators of this segregated system are: the United Papermakers' & Paper Workers Union, the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers' Union, the Tobacco Workers' International, and the International Brotherhood of Railway Trainmen. All of these unions are affiliated with the AFL–CIO.

STATE EMPLOYMENT SERVICES

Another serious obstacle confronting Negro workers is the discriminatory practices of the State employment services. Often job orders are racially designated, and job referrals are made on the basis of race. Under such a system contractors cannot possibly conform with the President's Executive order banning employment discrimination. In addition, the Federal Government itself must bear much of the responsibility as it provides the operating costs of all the State employment services.

Even in the North the operation of State employment services represents a serious obstacle to Negro workers. The State employment services receive funds and awards from the Federal Government based primarily on the number of gross placements made per year. Thus the services are inclined to submit to discriminatory and arbitrary job requirements in referring workers for jobs and in selecting them for job training. A related problem is the usual tacit assumption made by local employment service personnel that there are "white" jobs and "colored" jobs, and the reluctance of these personnel to innovate changes.

In addition the Federal Government fails to alleviate this problem under the Federal Manpower Development and Training Act. Investigations by the NAACP indicate that most programs under this act merely serve to perpetuate the traditional concentration of Negroes in menial and unskilled jobs. There is overt racial discrimination in many training programs while in others it exists under the guise of selecting applicants on the basis of the statutory requirement that there shall be "reasonable expectation of employment." The net effect is to extend and deepen the job gap between the white and Negro workers.

APPRENTICESHIP AND VOCATIONAL TRAINING AND THE ROLE OF LABOR UNIONS

For many occupations the only way that a worker can be recognized as qualified is to successfully complete apprenticeship training programs. In most apprenticeship training programs the role of the labor unions are decisive as the union usually decides who is admitted into training programs and therefore who is admitted to union membership. Unfortunately most unions carefully exclude Negroes from their programs. In fact this tradition of race discrimination has been deeply institutionalized to the point that such apprenticeship arrangements have the appearance of a medieval guild. Examples of craft unions employing such practices are: Plumbers Union, Sheetmetal Workers Union, Electrical Workers' Union, and the Structural Iron Workers' Union.

OTHER RACIAL PRACTICES OF ORGANIZED LABOR

In addition to outright exclusion of Negroes from membership, separate seniority lines in collective bargaining agreements, and refusal to admit qualified Negroes into apprenticeship training, many unions engage in discriminatory practices by maintaining segregated locals within their jurisdictions. These are filled with nonwhites and are

known as Jim Crow auxiliaries. Members of these auxiliaries are denied admission into the unions skilled craft locals. The International Ladies Garment Workers' Union has been accused of such practices by the New York State Commission on Human Rights. Also such charges have been leveled against the Brotherhood of Railway and Steamship Clerks, the United Brotherhood of Carpenters, and the Seafarers International Union.

THE NEED FOR A FEDERAL FAIR EMPLOYMENT PRACTICES LAW

The need for a Federal law is acute. There must be a new approach toward the initiation of affirmative action based upon the overall pattern of employment discrimination. The operation of State and municipal commissions have proven unequal to the task. Specifically the ineffectiveness of State and local commissions is due to limited staff and funds, political difficulties, and the fact that they operate mainly as a complaint-gathering body.

In addition the NAACP has concluded that recourse to the national AFL–CIO and its affiliated internationals is also futile as they are either unwilling or unable to act decisively.

The solution sought for by the NAACP involves the development of a new body of labor law. It is hoped that this development follows the position taken by the NLRB in its historic 1964 decision involving the AFL–CIO International Longshoreman's Association in Brownsville, Tex. In that decision the NLRB ruled that racial discrimination by a labor union is an unfair labor practice and that unions may lose their certification as the collective bargaining agent as a result of such practice. This principle, which rules that racial discrimination by a union in its employment practices is a violation of the duty of fair representation under section 9(a) of the NLRA, will have far-reaching consequences if sustained by the Federal courts.

This new standard of legal responsibility for trade unions to represent all workers fairly has importance to all aspects of American life. Without this new standard the civil rights gains of the past 20 years are in danger of being destroyed by the growing crisis of unemployment and underemployment of Negroes. This will have far-reaching consequences for the entire country.

A BILL TO MODERNIZE CONGRESSIONAL REVIEW OVER THE BUDGETARY PROCESS

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

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

There was no objection.

Mr. CURTIS. Mr. Speaker, in conjunction with the gentleman from New Jersey, the Honorable WILLIAM B. WIDNALL, I am sponsoring a bill to achieve economy in Government by revitalizing the congressional function of reviewing and overseeing the decisions made, and the criteria used, by the executive branch in the preparation of the Federal budget. This bill will allow congressional committees to acquire a greater amount of information and achieve more coordination in reviewing budget requests by supplying all standing committees with General Accounting Office—GAO—reports relating to all areas within their jurisdiction, and also by making available to these congressional committees the comments and requests made by the Federal agencies to the Budget Bureau. It will allow greater congressional control by requiring that the Budget Director and the Deputy Director be appointed with the advice and consent of the Senate. Continued congressional awareness of the work and activities of the Bureau of the Budget will be achieved by the provision which requires submission of a detailed report by the Bureau to the Congress. Finally, more coordination between the branches of Congress will be secured by the proposed amendment to the act which created the Joint Economic Committee establishing a permanent subcommittee on the Federal budget and fiscal policy.

All of these reforms are crucial and long overdue. Congress has long since lost its historical function of initiating budgetary policy. It is now in grave danger of being stripped of its supervisory or watchdog role, the loss of which would place the entire budgetary policy in the hands of the executive branch and further sever the ability of the American people to determine where and how their tax money will be spent.

Today Congress has unfortunately all but abrogated its role of overseer. The budget is currently presented to the Congress with a tacit hands off command. In the interest of the American people, Congress ought to be able to review the procedure and decisions made by the Bureau of the Budget and the administration. Instead it is now hampered in this endeavor by lack of cooperation between the authorizing and appropriating bodies. Congressional Appropriation Subcommittees, in general, hear only the witnesses supplied by the administration after the decision has been made, while they also ought to hear the requests, objections to requests, and reasons discussed during the Budget Bureau's decisionmaking process.

This bill is a realistic approach to restoring to the Congress its constitutional position of safeguarding the financial interests of the American people and returning economy to Government.

In this context, I would also call to the attention of my colleagues an excellent booklet written by Dr. John S. Saloma entitled "The Responsible Use of Power: A Critical Analysis of the Congressional Budget Process." Under unanimous consent, I include at this point the "Recommendations for Reforming the Congressional Budgetary System," from that excellent booklet so as to further elucidate the points that need to be made concerning this matter:

RECOMMENDATIONS FOR REFORMING THE CONGRESSIONAL BUDGETARY SYSTEM

The conclusions that emerge from this study are not comprehensive in the sense of providing answers for all the issues raised in the course of the paper. They are not developed as full legislative proposals. But they are advanced as suggestions, for consideration, of practicable means of better equipping the Congress for responsible use of its proper powers in certain important areas of budget control and fiscal policy formulation.

1. CONGRESS SHOULD ESTABLISH A JOINT COMMITTEE ON FISCAL POLICY [1]

Profiting from the experience and criticisms of the Joint Committee on the Legislative Budget and the proposed Joint Committee on the Budget (MCCLELLAN), the new committee should meet the following specifications. It should be streamlined in membership with representation from the four fiscal committees.[2] (Total membership, including representatives from any additional committees, should not exceed 20.) Members need not be the most senior members of their respective committees but should be selected on the basis of experience and interest. They should be men who are "listened to" on their committees—men who have already mastered the art of congressional influence.[3] The strengths and weaknesses of another major congressional experiment—the Joint Economic Committee—can be traced in large part to this factor.

The Joint Committee should not be required to submit a formal legislative budget for congressional enactment. At most it should develop budgetary guidelines to assist the fiscal committees (guidelines that probably would be kept confidential). Primarily, it should provide a forum for continuing congressional consideration of the budget, changing economic and political assumptions on which the budget is based, and the status of authorizations, appropriations, and revenue measures. Its functions should be advisory and informational and should probably include responsibility for several of the proposals listed below. It should be adequately staffed to carry out the functions assigned to it. The temptation must be avoided of giving the committee unrealistic objectives that invite disappointment.

The utilities of a Joint Committee on Fiscal Policy—apart from specific functions it might handle—are several. It would provide a far more effective channel for communication than now exists informally between the Houses and the fiscal committees. This is not an insignificant gain if one considers how infrequently members of various committees testify before other committees on questions concerning the budget. The committee would also provide a means for

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[1] A similar but less flexible instrument is Arthur Smithies' proposal for a Joint Budget Policy Committee. The leadership of both political parties would be "strongly represented." The new committee also retains the concurrent resolution of the 1946 act but at a later stage in the process, and the concept of the omnibus appropriations bill. Op. cit., pp. 192–97. The Committee for Economic Development has recommended a Joint Budget Policy Conference (without the concurrent resolution provision) whose major functions would be "study of current fiscal policy and consideration of the long-run effects of the budget." Research and Policy Committee of the Committee for Economic Development, "Control of Federal Government Expenditures: A Statement on National Policy" (New York: CED, 1955), pp. 15–16.

[2] Other committees that might be included (perhaps on a nonvoting or ex officio basis) are Government Operations, Banking and Currency, and Joint Economic.

[3] See Congressman MILLER's description of congressional power, Baker ed., op. cit., pp. 104–106. "* * * the Congressman who consults privately with shrewdness, who has just come from a closed meeting with somebody with information to impart, who works quietly underground, will wind up in the donjon with the prize. He will, in the course of time, exert influence. He will be asked for his opinion. In a profession which makes much of handing out advice, it is being asked for it that is the greatest jewel."

Congress to express its sentiments on broad fiscal policy where it now speaks with several voices or frequently not at all. Again the Joint Economic Committee provides an example. Its reports and staff studies command attention within the executive and the academic community in general, while to a lesser extent educating the membership of Congress to broader economic issues. The JEC has made possible a meaningful dialog between the President and Congress on the state of the Nation's economy. Finally a joint committee would provide the best basis for developing information on the budget for use by the full membership of Congress. The chances of its staff being monopolized by one or two of the fiscal committees is less than would be the case with an increase of regular committee staff or a joint appropriations staff. A joint committee could give Congress a continuing picture of the budget that it now lacks.

The example of the JEC may invite the further comparison and criticism, that such an "advisory" committee has little if any immediate impact on the legislative process. The committee has been reluctant to press its views on economic policy before the legislative committees responsible for economic policy decisions. The McClellan committee, however, would be enjoined to receive information from and to make reports and recommendations to the legislative committees. Similar provisions could be incorporated under a Joint Committee on Fiscal Policy.

A Joint Committee on Fiscal Policy could be established in one of three ways: (1) as a new joint committee, perhaps via amendment of section 138 of the Legislative Reorganization Act (the McClellan approach), (2) by expanding the membership and functions of the Joint Economics Committee,[4] or (3) in two steps, by establishing a Joint Appropriations Committee with staff and then merging it with the Joint Committee on Internal Revenue Taxation.

2. CONGRESS SHOULD EXERT MORE CONTROL AT THE AUTHORIZATION STAGE OF THE BUDGETARY PROCESS

Congress must give more consideration to the time dimension of expenditure. Instead of viewing the budget as largely inflexible due to prior commitments, Congress should focus its attention on the new authorizations and those long-term or "open" authorizations that may be subject to revision. The trend toward annual and multiyear authorizations has meant greater congressional control in the latter case but new authorizations remain a problem (especially when one recognizes that annual authorization may be a deliberate effort on the part of the legislative committee to increase appropriations).[5] Some additional external constraint is required.

In 1956, Congress enacted into law a requirement that cost information be included in all agency reports to congressional committees on proposed legislation. In theory, as one congressional study states, "each report on a pending or proposed bill contains the probable cost or savings attributable to the legislative proposal over each year of the first 5 years of operation." Also included are the estimated maximum additional man-years of employment and expenditures for personal services.[6] In fact, this provision has not been adequate. Cost information submitted by the agencies has been uneven and congressional committee staff have often been unable to give the data a searching review. When one adds to this the tendency of agencies and sympathetic committees to underestimate costs in the budget game—a common strategy—this approach to the control of authorizations appears to have limited effectiveness.

Accordingly several Members of Congress have introduced resolutions that would require every report from a committee (other than Appropriations) to include estimated appropriation or fund requirements for new programs for each of the first 5 fiscal years they are to be in effect. A comparison of committee estimates with corresponding recommendations from the executive branch would also be required.[7] Another resolution would require the inclusion of similar cost estimates in the executive budget as submitted.[8]

Congress should act to insure it has as adequate cost data as can be reasonably expected on requests for new program authorizations. Its legislative committees should be adequately staffed to collect and evaluate such data from the agencies. Staff personnel from a Joint Committee on Fiscal Policy or the GAO could be made available on request to the committees to assist them in setting up procedures for cost analysis and projection. To insure compliance, the Rules Committee could legitimately refuse to consider or grant rules for bills that were not accompanied by full cost information.

This reform would permit more intelligent congressional action at one of the critical points of control in the congressional budget process.

3. THE APPROPRIATIONS COMMITTEES SHOULD PROVIDE FOR A MORE INTEGRATED REVIEW OF THE BUDGET

Reform at the authorization level is not enough. The aggregate of individually meritorious programs is still bound to add up to too much. Further screening is provided by the individual subcommittees of appropriations but the full committee exerts minimal control.[9] The legislative budget and omnibus appropriations bill both suggest techniques that could be adopted on a regular basis at the full committee level.

At the beginning of the session the Appropriations Committee, with the consultation of the Joint Committee on Fiscal Policy, should define a set of flexible budgetary guidelines, a modest effort toward a legislative budget. The Appropriations Committees should each set up a coordinating subcommittee, composed of the chairmen of the various subcommittees, which would recommend appropriations ceilings to the subcommittees. In the experience with the consolidated appropriations bill, this "steering committee" did not have the power to amend subcommittee bills but it could refer them back to the subcommittee with recommendations. The executive budget process functions with a similar set of preliminary estimates, and if the appropriations target figures are treated as flexible and kept confidential within the steering committee the process should be feasible. The Appropriations Committees have experimented with procedures like this before. They should now establish them on a regular basis.

Reinstitution of the consolidated appropriations bill—a logical step in this process—should be approached cautiously, perhaps not until staff and budget information services for the membership are improved.

4. THE APPROPRIATIONS COMMITTEES SHOULD INCREASE THEIR STAFFS TO DEVELOP ADEQUATE INFORMATION FOR APPROPRIATIONS DECISIONS

Effective congressional control at the appropriations stage ultimately will depend upon the thoroughness of the work the Appropriations Committees and their staffs do. The committees are free to develop several alternative staff sources; regular professional committee staff, investigatory staff, joint appropriations staff, the GAO, etc. They are free to set the rules governing the use of staff personnel. Staff resources external to the committee's control can serve useful functions (see recommendation 7), but they cannot, barring revolutionary shifts of power in the appropriations process, replace the budget review and analysis that occurs at the Appropriations Subcommittee level.

Ideally appropriations staff members should meet several qualifications. They should meet high professional standards and receive commensurate salaries. They should develop a thorough acquaintance with the agency budgets to which they are assigned. Frequent rotation of regular committee staff or excessive reliance on temporary investigative staff are accordingly not desirable. By virtue of their position in the legislative branch they will have to depend to a considerable degree on information developed by the agencies and Budget Bureau. They cannot approximate the access or accumulated firsthand knowledge of the Bureau's budget examiners. But they should be in a position to troubleshoot or spot-check agency estimates.[10] We have already noted the quasi-advocate role that the Bureau may assume. Add to this the fact of a political executive directing the formulation of the budget and an appreciation of the size and complexity of modern bureaucracy and the case for an independent staff responsible to the appropriations committees is clear.

Two specific reforms are suggested. First, the number of regular professional staff employees should be increased. The 1946 recommendation of four staff members per subcommittee (to be reassigned according to workload) is a reasonable start. The minority should have at least one staff member responsible to it on each subcommittee. The bulk of the committee staff personnel should serve members on request, without regard to party affiliation or seniority. The natural tendency for subcommittee chairmen and ranking minority members to receive a disproportionate amount of staff service available to the subcommittee can be partially corrected by a moderate increase in staff, but may better be approached through the adoption of committee rules spelling out staffing procedures.[11]

Second, the current restrictions on the use of the special investigative staff members greatly reduce their utility to the committee membership and should be relaxed to permit closer association with staff personnel. Subcommittees should be able to redefine the

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[4] An alternative suggested by the CED, op. cit., p. 16.

[5] This was probably the intent of annual authorization for the NASA budget. Frye and Saloma, op. cit., pp. 17–21. See also Green and Rosenthal, op. cit., ch. v, "Authorizing Techniques and Decision-Making," esp. pp. 170–171. The extension of annual authorization to the Coast Guard in the current session is the most recent example.

[6] "Financial Management in the Federal Government," op. cit., p. 137. Previously the Bureau of the Budget had compiled such information informally.

[7] H. Res. 185, 88th Cong., 1st sess. (Judge HOWARD SMITH).

[8] H.J. Res. 294, 88th Cong., 1st sess. (Judge HOWARD SMITH). Another technique for relating individual budget decisions to the overall state of Federal finances is suggested by Weidenbaum, op. cit., pp. 72–77.

[9] Fenno, op. cit., p. 315.

[10] The long tenure of appropriations staff, like that of many members of the appropriations committees, affords them a knowledge through experience that their younger Budget Bureau counterparts may not yet have.

[11] Some members interviewed felt that more attention should be given to using appropriations staff outside of congressional sessions.

terms of reference and objectives of investigations as they unfold. Such subcommittee guidance of special investigations should increase the effectiveness of investigative staff work. Furthermore, investigative staff personnel should be free to brief the subcommittees on findings, answer members' questions, and sit in on agency hearings on request of the subcommittees.

The assumption is made in both these recommendations that potential gains in committee effectiveness far outweigh the traditional fears of increased staffing. The further assumption is made that increased staffing is necessary if the appropriations function is to be exercised responsibly. The burden of calculation the committee faces is a persuasive argument for more effective staffing arrangements, not a justification for time-saving techniques such as meat-ax cuts and the incremental approach to budgeting.

5. THE APPROPRIATIONS COMMITTEES SHOULD MAKE MORE EFFECTIVE USE OF THE EXPENDITURE ANALYSIS AND REVIEW ACCOMPLISHED BY THE COMMITTEES ON GOVERNMENT OPERATIONS AND THE GAO

The appropriations committees can effect better integration at another level—expenditure review. The House Appropriations Committee has made increasing use of GAO audits and investigations in recent years. However, the communication between its members and staff employees and their counterparts on Government operations, the committees immediately responsible for expenditure review, is limited.[12]

As financial control has focused more on improvements in management and organization and less on specific items of expenditure—a trend reflected in the changing orientation of the GAO—the appropriations committees should tap the experience and knowledge of both the GAO and the Committees on Government Operations. Witnesses should be invited to testify before appropriations subcommittees on a regular basis. There is some sentiment for a more formal coordination of the appropriations and review functions but this might lead to an unnecessary proliferation of committees.[13] Alternatively the suggested Joint Committee on Fiscal Policy might through its reports and recommendations reinforce the position of the GAO and Government Operations, especially with reference to the authorizing committees.

6. CONGRESS SHOULD PROVIDE MEANS FOR BETTER INFORMED PARTISAN DEBATE ON THE BUDGET

On the assumption that the budget will continue to be a subject for partisan debate, Congress should facilitate intelligent, informed discussion between the parties. This can be accomplished through a better distribution of budgetary information to the general membership. More specifically it means providing the minority spokesmen—the minority members of the fiscal committees—with adequate professional staff facilities. House Appropriations affords a particular problem. Each ranking minority member on the subcommittees receives an allowance for clerk hire sufficient to hire a secretary or junior staff member but insufficient to retain a senior professional staff assistant.[14] The minority staff employees are not permitted to sit in appropriations hearings and as a result frequently become absorbed into the members' office staffs. The House Republican appropriations (Bow) task force had to recruit additional voluntary assistance from the minority staff of the Senate Appropriations Committee and from outside the Congress during the 88th Congress.[15]

The Bow task force operated with its own set of confidential appropriation targets in a parallel fashion to the steering committee included in recommendation 3. Although it is too early to predict the permanence of the minority appropriations task force, this might well be a development that will contribute to integrated congressional consideration of the budget.[16]

7. CONGRESS SHOULD DEVELOP A BUDGET INFORMATION SERVICE AS ONE OF THE FUNCTIONS OF A JOINT COMMITTEE ON FISCAL POLICY

Congress does not have a current, authoritative picture of the budget as it passes through the congressional budget cycle. It initially receives the President's budget which is later updated in the midyear review. Agency presentations are available in appropriations hearings. Committee reports and the CONGRESSIONAL RECORD provide further information. But at a given stage in the session it is extremely difficult to determine what Congress has done to that date with the executive budget. What is the status of the various appropriation bills? What changes have Ways and Means and Senate Finance made in the revenue provisions requested by the President? What have the findings of the Joint Committee on Internal Revenue Taxation been in regard to the revenue estimates? This kind of information would be purely factual with respect to relevant congressional actions and findings. It would not require a large investigative staff. In view of this it is surprising that Congress has not already moved to set up a clearinghouse service on the budget. As a general rule Congress should not needlessly duplicate the informational services provided by the executive (the Budget Bureau has made numerous revisions in the budget document and explanatory materials that accompany it to make them more intelligible and serviceable to the Congress).[17] But, in this instance, the information is clearly internal to Congress and should be a congressional staff responsibility.

The utility of cost information at the authorization stage (recommendation 2) would similarly be increased if it were integrated into periodically revised congressional reports on the status of the budget. Congress should have at all times as complete a picture as possible of the budget and of the effects its actions are likely to have. These are modest reforms that are essential to any significant increase in congressional control of the budget.

All of these information services are provided under the proposed McClellan joint committee. They are logically assignable to a Joint Committee on Fiscal Policy. There are two additional information services that might be considered in a package of reforms. First, objective interpretative analyses of the budget, perhaps broken down to correspond with the appropriation bills, perhaps on selected aspects of the budget, might be prepared for the use of individual members. These analyses could sharpen the major policy decisions implicit or explicit in the President's budget. They could be cross referenced to other budgetary documents, committee hearings, GAO investigations, for the member who wants to dig deeper. They would be, in effect, condensations of committee hearings, tailored to the use of the member. Ideally, committee reports should serve this function, but the general stance of the House Appropriations Committee—the presentation of a united front to the House without minority reports—would appear to bar this alternative. For similar reasons an expansion of the professional staff of the committee to develop analyses for the use of the membership might prove disappointing. A joint committee staff, supplemented by the GAO, may be the only feasible alternative. One qualification should be noted. The type of analyses suggested here should not be construed to be a substitute for the budget review and analysis performed by the House Appropriations Committee. It would be a supplementary service provided for the general membership. The intent would be to provide a means of raising the general level of understanding and debate. Nothing will replace hard work and application in arriving at the detailed component decisions that go into making the budget. As a rule, the individual member will still have to defer to his colleagues on the committee who have had the time and have taken the effort to do their homework.

A second suggested reform pertaining to the availability of information to the Congress would be applicable to the form of the budget document itself, a proper concern of the Bureau of the Budget rather than a congressional staff office. The budget document serves as the basis for decisionmaking by the Congress.[18] It is now the only common point of reference for the fiscal committees and subcommittees of Congress. A recent study of the Federal budget document by the Subcommittee on Economic Statistics of the Joint Economic Committee concluded that the budget in its present form was "outmoded." Extensive revisions in format and content were suggested to facilitate the analysis of Federal policies. The subcommittee report noted that "* * * the essence of budget decisionmaking is a comparison between alternative policies. If the information on each of these alternative policies is to be found in diverse and relatively obscure sources, the budgetary comparisons are much more difficult."[19]

To resolve "the dilemma of budgetary reform" (i.e., the simultaneous demand for greater simplicity and more detail), the subcommittee made several recommendations, one of which bears directly on the utility of budgetary information. The budget, it suggested, should be presented on a program basis but with a program classification so

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[12] See Clapp, op. cit., p. 219. Also Kofmehl, op. cit., ch. x, "Interstaff Relations," esp. p. 147.

[13] Arthur Smithies suggests a formal expenditure review process by Appropriations and Government Operations jointly in addition to the annual appropriations review. Op. cit., pp. 178–183. Wilmerding proposes a Joint Committee on Public Accounts. See his testimony, hearings: "Organization and Operation of Congress," op. cit., pp. 495–504.

[14] Supra, p. 46, note 21.

[15] In the case of Senate appropriations, a minority staff works closely with ranking minority members in preparing for pre-markup conferences between the subcommittee chairmen and the respective ranking minority members.

[16] The case can be made that increased debate between the parties would contribute to more strife and "irresponsible" party actions at the expense of Appropriations Committee unity and continuity of policy. The assumption of this recommendation, however, is that there are legitimate roles for party in the legislative process which can be improved without disrupting the congressional system.

[17] See testimony of Charles L. Schultze, Assistant Director, Bureau of the Budget, Subcommittee on Economic Statistics, Joint Economic Committee, hearings: "The Federal Budget as an Economic Document," 88th Cong., 1st sess., 1963, esp. pp. 149–158.

[18] Subcommittee on Economic Statistics, Joint Economic Committee, report: "The Federal Budget as an Economic Document," 88th Cong., 1st sess., 1963, p. 2. See also comments by Congressman THOMAS B. CURTIS, hearings: "The Federal Budget as an Economic Document," op. cit., p. 194.

[19] Report: "The Federal Budget as an Economic Document," op. cit., p. 15.

based on an overall index system that appropriations requests could still be made on an agency basis by the functions performed. Cross indexing on a functional program basis would enable all users of the budget, not the least Congress, to determine the types of activities in which the Federal Government is engaged and the dollar significance of these activities. The subcommittee cited the example of the appropriations for education in 1961 which were postponed when it was discovered that "educational activities were carried on by such a host of agencies, offices, divisions, bureaus, and other bodies that no one in the Government really knew what the total figures were or what the educational end result or accomplishment had been."[20] Information on this basis, the report concluded, is "not only relevant for congressional decisionmaking but is also equally relevant for the agency decisionmaking that presumably underlies proposals to the Congress."[21]

The major objection that has been raised against functional cross indexing is the problem of definition. Is the school-lunch program, for instance, to be included under education, agriculture (surplus disposal), or welfare activities? The budget cannot easily be resolved into clear-cut functional components. The Budget Bureau has been approaching this problem gradually. "Special analyses" on important aspects of Federal activity—research and development, grants-in-aid to State and local governments, expenditures for statistical programs, etc.—have been added to the budget. The Bureau is also studying the development of an integrated classification code for the budget, and the possibilities for increasing the use of automatic data-processing equipment.[22] Ultimately it may be possible to develop a full series of special analyses from the current mass of budget data. These analyses would be nonadditive but they could provide useful practical perspectives on a Governmentwide basis. In the congressional budget process, they would afford a broader view of governmental spending than is currently available to the highly specialized appropriations subcommittees.[23]

Additional changes in the budget document have been proposed which are not discussed at length here. Several deal with the methods of budgetary accounting. One proposal would convert the budget from its current basis of new obligational authority (NOA, i.e., the sum of new authorizations to incur obligations—place orders, award contracts, receive services, etc.) to an accrued expenditure basis.[24] Congressional control, now limited to the control of NOA, could then be extended to actual expenditure ceilings for a given year. "Expenditure control" goes beyond the provision of information on an expenditure basis. It would impose a new discipline on agency programing, and reduce the flexibility or discretionary range in the timing of expenditures.[25] While Congress could enforce this type of expenditure control, more modest informational reforms in the budget document should probably be attempted first. The Bureau of the Budget should be encourage to develop improvements already underway and to continue discussions with the Joint Economic and the major fiscal committees on further changes in the format of the budget document.

8. CONGRESS SHOULD IMPROVE THE SCHEDULING OF THE CONGRESSIONAL BUDGET PROCESS

The delay of appropriation bills well beyond the beginning of the fiscal year has become a chronic problem that merits congressional attention. We have already noted the trend toward annual authorization as a major factor. Assuming that this trend is not reversed. Congress will soon have to give consideration to changes in its schedule or subject the executive agencies to severe planning difficulties.

As a first step, Congress should accept the year-round session with scheduled recesses as normal. It is inconsistent to aim for a July 1 adjournment and press at the same time for a meaningful legislative budget with adequate review at the authorization stage.[26] On the basis of a year-round session, the congressional leadership should then project a schedule for authorization and appropriation bills. The current pattern might be regularized with major authorization bills (NASA, foreign aid, etc.) to be completed by the first of September; appropriation bills between then and adjournment. This would in effect shift the fiscal year back 6 months to coincide with the calendar year, while adding 6 months to the period of budget formulation and congressional review.

An alternative and preferable course would be, again on the basis of a full-year session, to advance the authorization phase from the beginning of the session to the previous September for programs requiring annual authorization. Most authorizations could then be completed by April or May; appropriations, by July 1. In either case the executive budget process will have to make adjustments to accommodate the expanded congressional activity. A 6-month span for the congressional budget process, confined at one end by the budget submission, at the other by the new fiscal year, is no longer a realistic assumption.

A postscript on expectations

The strategy of reform suggested above is essentially a low-cost strategy in that it does not present an immediate challenge to the basic elements of the congressional power structure. We have assumed that a high-cost strategy has little likelihood of success without an unforeseeable change in the climate of congressional opinion. It does not follow, however, that the gains that could be realized from the suggested reforms would be inconsequential.

Essentially, what we have done has been to take the basic power structure of Congress as given and to seek to rationalize it. In a system characterized by dispersed centers of power rather than hierarchy and command, we have emphasized steps to facilitate interunit bargaining, negotiation, and compromise. The recommendations for a Joint Committee on Fiscal Policy and a Budget Information Service attempt to institutionalize communication and information functions that are not being met by the current budgetary system.

The reforms that have been presented assume that a need for rationalization at this level exists, and is perceived by a growing number of Members of Congress. If this assessment is correct we can expect marginal, yet cumulative, gains in our objectives of economy, oversight, overall policy review, and budgetary control. A serious congressional effort to rationalize its procedures, in itself, should also realize the gains of increased public prestige and a greater sense of congressional efficacy.

The reforms suggested here develop a common theme. Congress should exercise its constitutional powers responsibly by accepting the full implications of a national role. This means equipping Congress and its committees with the means for informed judgment and intelligent action.

Congress alone bears the responsibility for the failure to develop the reforms of 1921 and 1946. Further improvements in the Federal budget process now await its approval. As Congress begins a new period of introspection, it would do well to consider its disappointing experience with fiscal reform and the still unrealized potential for effective congressional action.

POLICIES AND PRACTICES OF FOREIGN GOVERNMENTS IN NEGOTIATING CONTRACTS FOR PUBLIC WORKS

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

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, the CONGRESSIONAL RECORD of May 11 contained the final installment of my compilation of the policies and practices of foreign governments in negotiating contracts for public works. The series has since been reprinted, and I shall make copies available to my colleagues.

The study explains in detail why it is next to impossible for Amercan producers and suppliers to share in markets financed by foreign governments regardless of the price and quality of our materials. The universal attitude, outside of this country, is to buy from home industry and labor whenever and wherever possible.

I find no fault in this buy-at-home philosophy, and it is my contention that the U.S. Government must adopt a similar policy in deference to the industries and workers who pay the taxes that finance our public works projects.

My office staff is in the process of accumulating records that will indicate the extent to which U.S. Treasury funds are being expended for foreign products that compete with the products of your State and mine. It would appear, Mr. Speaker, that American industry has almost as difficult a time getting contracts from the American Government as it does from foreign governments.

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[20] Ibid., p. 7.

[21] Ibid., p. 14.

[22] Hearings: "The Federal Budget as an Economic Document," op. cit., p. 156.

[23] Several members and staff interviewed expressed the view that the executive was unlikely to implement an effective cross-indexing system for congressional use for fear "it would open a Pandora's box." The executive by implication would prefer to keep the appropriations subcommittees within their narrow fields.

[24] For a discussion of progress toward annual accrued expenditure limitations—a recommendation of the second Hoover Commission—and the objections raised by the House Appropriations Committee, especially in regard to the device of "contract authority," see "Financial Management in the Federal Government," op. cit., pp. 56–60, 98–110.

[25] See Congressman CURTIS' discussion of "expenditure control." Hearings: "The Federal Budget as an Economic Document," op. cit., pp. 194–203. For a full definition of the various budget concepts see Subcommittee on Economic Statistics, Joint Economic Committee, joint committee print: "The Federal Budget as an Economic Budget," 87th Cong., 2d sess., 1962, pt. II, "Budget Concepts."

[26] An alternative to an extended session would be a shift to a full committee workweek (as opposed to the current Tuesday-Thursday mode of operation).

Because of the large number of public power projects underwritten by our taxpayers, large sums are appropriated by Congress for the purchase of turbines, generators, and transmission facilities. Western Pennsylvania is a leading manufacturer of both steel and electrical equipment, so our people understand how much our economy benefits when Government contracts for these materials are negotiated with American producers. According to estimates of both Westinghouse and General Electric, an order for a 500,000 kilowatt turbogenerator would provide jobs for 600 to 700 workers for a full year. Yet while foreign equipment keeps rolling into the United States and while our Government must underwrite work projects to take care of our unemployed, there is no place for manufacturers to go with their wares so far as other governments are concerned. Below is an excerpt from a speech made last year at Union College in Schenectady, N.Y., by Gerald L. Phillippe, chairman of the board, General Electric Co.:

If you hear glowing reports about an American firm's great increase in oversea sales, better check the figures closely before jumping to conclusions. For example, find out how much of the business is financed by U.S. foreign aid money, or by loans from the Export-Import Bank. Then ask yourself whether this business constitutes a permanent basis for ongoing foreign business.

Or take the turbine business. This great growing Common Market and the rest of Europe aren't going to provide us much of any market in turbines even if all tariffs were abolished tomorrow. Why not? Aren't the world's best turbines made right here in Schenectady? Sure they are. But the power suppliers of most European countries, almost entirely government-owned, will buy only from electrical manufacturers in their own countries. American manufacturers, General Electric included, are effectively foreclosed from sales to European countries by these nationalistic purchasing practices. I do not mean we have to bid extra low—I mean there is, in effect, no point in our bidding at all. Meanwhile, some of our European competitors, in effect, are encouraged by their own governments to compete in U.S. markets, while within their own borders their domestic markets are held secure.

Mr. Speaker, President Johnson's support of a buy-American stipulation in the Navy shipbuilding program should serve as a guideline in all Government purchasing contracts. This provision prohibiting expenditure of funds in foreign shipyards for major components of the hull and superstructure of naval vessels is akin to my amendment to the Urban Transportation Act of 1964 and should be included in all legislation appropriating funds for public works projects.

ORDERLY MARKETING ACT OF 1965

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

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

There was no objection.

Mr. ROBISON. Mr. Speaker, I am pleased today to join in sponsoring the Orderly Marketing Act of 1965, which is designed to give some protection to American industries injured or threatened with injury by a continuing flood of low-cost imports.

This bill represents a new approach to the hardships experienced by a number of our important domestic industries who seemingly cannot obtain any relief under existing legislation. While the act would apply to all industries which are faced with constantly increasing imports of high-labor-content products from countries with low labor costs, its preparation has been pioneered by the footwear industry which is experiencing increasingly higher levels of import penetration.

Through what was known as the orderly marketing amendment to the Trade Expansion Act of 1962, we attempted to develop voluntary quotas as an answer to this problem. However, many administrative difficulties have been encountered and meaningful relief where needed has not been forthcoming under that approach. By contrast, the concept of the bill I am introducing today will bring a better balance to our trade policy by enabling us to meet unfair competition through international agreements or, if necessary, through unilateral—but still flexible—quotas, which at the same time will continue to properly allow foreign competitors to share in the growth of our economy. It is, then, a reasonable solution to a most difficult problem, and I hope it will receive early consideration by the appropriate committees of this Congress.

NATIONAL HUMANITIES FOUNDATION—UNIVERSITY OF CALIFORNIA'S POSITION

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

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

There was no objection.

Mr. BELL. Mr. Speaker, a great deal of concern has been expressed that emphasis on the sciences in recent years has created an imbalance in our educational system. I want to call the House Members' attention to a statement I received from President Clark Kerr, of the University of California, indicating the university's support of the proposed Humanities Foundation.

Supporting the recommendations of the Commission on Humanities, President Kerr highlights the need for a reorientation of our education policies to insure equal opportunity for scholars in the humanities.

The above-mentioned follows:

UNIVERSITY OF CALIFORNIA'S POSITION WITH REGARD TO THE PROPOSED NATIONAL HUMANITIES FOUNDATION

The case for Federal support for the humanities and the arts is eloquently stated in the report of the Commission, and those arguments need not be repeated here. It is well, however, to emphasize one of the central points of the Commission's case for Federal support of the humanities and the arts: "the Nation's need for balanced education."

For a long time many of us who are deeply interested in the development of the humanistic and artistic studies have been concerned with an imbalance resulting from emphasis on the natural sciences. This imbalance is partly the result of action taken by the Federal Government. Beginning in 1950, when the National Science Foundation was established, and scientific research and development were given massive financial support by Congress, science in this country began an unparalleled advance. The disparity between the sciences and the humanities subsequently greatly increased. In 1960 the President's Science Advisory Committee recognized the growing imbalance between science and humanities and the need to redress the balance. The Committee pointed out that "even in the interests of science itself it is essential to give full value and support to the other great branches of man's artistic, literary, and scholarly activity. The advancement of science must not be accomplished by the impoverishment of anything else."

Thus, scientist and humanist alike are agreed that we need to give people interested in the humanities and the arts a new opportunity and incentive, the equivalent chance to engage in creative and productive research as is now available in the sciences. In many areas of the humanities and the arts we have superb scholars who lack the funds for travel, library materials, and free time for creative accomplishment, whereas in the sciences the Federal Government has made large sums of money available to scientists for such activities.

The creation of a National Humanities Foundation would encourage students of the humanities and the arts in a way which would benefit a much wider group of people than the specific grants and scholarships would reach, and go a long way toward recapturing public prestige for humanistic and artistic studies.

For these reasons, the University of California hopes that the Congress will see fit to take this progressive step of establishment of a national foundation designed to enrich the whole area of the humanities, and thereby take the first measure to correct the imbalance in our education system.

There is tremendous need for library support in the humanities and arts at the national level if our efforts to support humanistic and artistic studies are to be effective. Scholarly associations which reported to the Commission on the Humanities urged that a National Humanities Foundation should provide financial assistance in the construction of libraries and in the building up of collections in school, college, and public libraries. We strongly endorse this recommendation.

At this time I would also like to take this opportunity to comment briefly on certain specific aspects in some of the bills to support the humanities before your committee: The restrictions of grants to citizens, and the loyalty oath provision.

One of the major factors in the continuous development of humanistic interests in this country has been the continual participation of foreign scholars and artists in American artistic and scholarly activities. Some of the most prominent figures in American arts and letters are not American citizens, but many do become citizens after years of living in the United States. It seems to us that support should be given on the basis of ability and the contributions which such foreign scholars and artists make to humanistic development in this country.

On the subject of the loyalty oath provision we see little or no justification for

inclusion of such a provision in legislation adopted to further humanistic and artistic studies. Indeed we are pleased to note that many of the bills do not contain such a provision.

CLARK KERR.

TASK FORCE ON PLATFORM IMPLEMENTATION

Mr. BROCK. 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. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GOODELL. Mr. Speaker, yesterday at the Republican conference our colleague, the Honorable JAMES BATTIN, reported in behalf of his task force on platform implementation. Congressman BATTIN has done an outstanding job in summarizing the record of our party in the House in promoting the principles and specific programs so convincingly expressed in our 1964 Republican platform. I commend Congressman BATTIN for his effective work and the leadership he has demonstrated not only as chairman of this important task force, but also as a skilled, dedicated, and knowledgeable member of the executive committee that prepared the original draft of our platform in the 1964 convention. I place the Battin task force report in the RECORD at this point:

GOP OBJECTIVES IN THE 89TH CONGRESS—A REPORT OF THE TASK FORCE ON PLATFORM IMPLEMENTATION TO THE REPUBLICAN CONFERENCE OF THE HOUSE OF REPRESENTATIVES

(JAMES F. BATTIN, of Montana, chairman, CHARLES CHAMBERLAIN, of Michigan, GLENN CUNNINGHAM, of Nebraska, PAUL FINDLEY, of Illinois, CARLETON KING, of New York, GLENARD LIPSCOMB, of California, and VERNON THOMSON, of Wisconsin.)

The Republican task force on platform implementation has worked with and now surveys the activities of the Republican Members of the House of Representatives both in carrying out the specific pledges of the 1964 platform and in discharging their general obligation to write a constructive record in the 89th Congress.

It finds that these related obligations have so far been discharged in an exemplary manner. In spite of the handicaps of being outnumbered, of being denied needed staff assistance in some committees, of being gagged in debate, Republicans in the House of Representatives have taken a constructive position. They have given unstinting support to the administration in those matters of foreign and domestic policy in which the administration position has been sound. They have put forward their own positive proposals in fields in which the administration has offered unsound solutions to problems or has had no solutions to offer.

FOREIGN POLICY

Republicans have placed the welfare of the nation above partisan advantage.

It might be argued that the President sought partisan political gain when he said in a speech on August 29:

"I have had advice to load our planes with bombs and to drop them on certain areas that I think would enlarge the war and escalate the war, and result in our committing a good many American boys to fighting a war that I think ought to be fought by the boys of Asia to help protect their own land. And for that reason, I haven't chosen to enlarge the war."

The Republican position has consistently been "* * * we will make clear to any hostile nation that the United States will increase the costs and risks of aggression to make them outweigh hopes for gain * * *. We will move decisively to assure victory in South Vietnam * * * we must make it clear that, when conflict is forced with America, it will end only in victory for freedom * * *."

Republicans do not thereby give blanket approval to all that the administration is doing or has done in foreign affairs. In view of the critical situation in Vietnam, they have not considered the past few months as the propitious time to stress points of disagreement with the administration in foreign policy.

Republicans also spelled out clear objectives for a Latin American policy aimed at salvaging what we could from the vacillation and indecision of the Bay of Pigs fiasco in saying: "* * * we will vigorously press our OAS partners to join the United States in restoring a free and independent government in Cuba, stopping the spread of Sino-Soviet subversion, forcing the withdrawal of the foreign military presence now in Latin America, and preventing future intrusions."

Criticism of the President's action in both Vietnam and the Dominican Republic has come principally from members of his own party.

INITIATIVES IN FOREIGN POLICY

In foreign policy House Republicans have not been just a cheering section for the administration. They have on some occasions proposed action which the administration subsequently adopted.

For example, on April 30, the House Republican leadership proposed the creation of an inter-American police force to restore peace and order in the Dominican Republic. On May 3, the administration offered this proposal to the Organization of American States.

The appropriation of an additional $700 million for defense as a means of emphasizing national unity and national resolve in the face of Communist aggression on two continents was suggested by minority floor leader GERALD R. FORD. The administration subsequently requested the increased appropriation. It was granted with the unanimous support of Republican Members of both House and Senate.

On the other hand, an initial Republican success—the prohibition of the use of agricultural funds for aid to Nasser voted by the House on January 26—was reversed under severe administration pressure on February 8.

PLATFORM IMPLEMENTATION

The Republican platform of 1964 contained 50 pledges which call for implementation by legislative action. Legislation has been introduced in the 89th Congress to carry out all but five of these pledges. The bills which have been introduced run the gamut of matters of legislative concern. In their totality they comprise a comprehensive, broad-gaged, and constructive legislative program.

EMPHASIS OF REPUBLICAN LEGISLATION

On the basis of numbers, the emphasis of Republican-sponsored legislation has been on expanding and liberalizing the social security system. Two-hundred and fifty-six bills having this effect have been introduced by Republican House Members. They deal with such things as reduction of the age requirements for beneficiaries, increasing the age for eligibility of children, expansion to groups not presently covered, and increasing the amount of earnings permissible without sacrifice of social security benefits. All this carries out the platform pledge of "* * * a strong, fiscally sound system of social security with improved benefits to our people" and "revision of the social security laws to allow higher earnings, without loss of benefits, by our elderly people."

In second place come excise tax reduction and repeal, provided for in 61 bills introduced by Republican Members of the House of Representatives. This carries out the platform pledge of "* * * removal of those wartime Federal excise taxes, favored by the Democratic administration, on pens, pencils, jewelry, cosmetics, luggage, handbags, wallets, and toiletries."

Next comes voting rights legislation, sponsored by 59 Republicans. This carries out the platform pledge of improvements of civil rights statutes adequate to changing needs of our times and such additional administrative or legislative actions as may be required to end the denial, for whatever reason, of the right to vote.

Other than promising enforcement of the 1964 Civil Rights Act, the Democratic platform made no pledges on future civil rights action and more specifically the Democratic platform was silent on voting rights.

Fifty-four House Republican bills have been introduced providing medical care for the aged beyond the scope of the Kerr-Mills bill, which was limited to the medically indigent. Twenty House Republicans introduced bills to expand and improve Federal-State medical care programs. This carries out the platform pledge of "* * * full coverage of all medical and hospital costs for the needy elderly people, financed by general revenues through broader implementation of Federal-State plans, rather than the compulsory Democratic scheme covering only a small percentage of such costs for everyone regardless of need" and "* * * assistance to help senior citizens meet the costs of medical and hospital insurance."

Forty-six House Republicans have proposed a constitutional amendment to permit the States to consider factors in addition to population in the apportionment of seats in one house of their State legislatures. This carries out the platform pledge of "* * * support of a constitutional amendment, as well as legislation, enabling States having bicameral legislatures to apportion one house on bases of their choosing, including factors other than population."

More than 20 House Republicans have proposed legislation to establish an Office of Community Development in the Executive Office of the President to deal with urban area problems. This carries out the platform pledge of "* * * an especially determined effort to help strengthen the ability of State and local governments to meet the broad range of needs facing the Nation's urban and suburban communities."

More than 20 have proposed bills to solve the problems of farmers producing feed grains and wheat. This carries out the platform pledge of "* * * repeal of the administration's wheat certificate 'bread tax' on consumers, so burdensome to low-income families and overwhelmingly rejected by farmers" and "* * * to provide our farmers, who have contributed so much to the strength of our Nation, with the maximum opportunity to exercise their own management decisions on their own farms, while resisting all efforts to impose upon them further Federal controls."

In addition a significant number of Republicans have proposed legislation on the following subjects:

Providing tax credits against the cost of higher education.

Permitting deferment of the payment of the 1964 income tax for taxpayers who were the victims of underwithholding.

Raising the pay of members of the Armed Forces.

Establishing a National Humanities Foundation.

Improving and strengthening retirement and survivors' benefits under the civil service system.

Making an assault on the President or the Vice President a Federal crime.

Providing an adequate supply of lead and zinc.

Expressing the sense of Congress with respect to the independence ofthe Baltic States.

Granting home rule to the District of Columbia.

Constitutional amendment on equal rights for men and women.

Constitutional amendment relative to prayer in public schools and other places.

REPUBLICAN ALTERNATIVES

When Republicans have been unable to accept the administration's proposal for dealing with an admitted problem requiring the attention of the Federal Government, they have offered an alternative solution.

For three major pieces of legislation already passed by the House, they have had alternatives ready. In place of the administration's medicare bill—compulsory in coverage, financed through increased social security taxes, restricted to limited hospital care—Republicans sought to substitute the Byrnes bill (H.R. 4351), providing a voluntary system, financed through general revenues, and covering all medical costs.

For the administration's education bill—dispensing Federal funds more lavishly to rich areas than poor, imprecise in its scope, and raising the danger of control by a Federal bureaucracy—Republicans sought to substitute a system of tax credits for those who support schools, coupled with selective Federal assistance for the "head start" education of small children.

For the administration's Appalachia program, Republicans sought to substitute a program for all areas of the Nation needing Federal economic assistance.

For legislation that has not yet reached the floor—notably in voting rights, urban area problems, and housing—Republican substitutes were developed, all of which are more effective than the proposals sent to the Hill by the administration.

The offering of alternatives has not been an empty exercise. In at least two instances Republican alternatives, coupled with Republican criticism of administration proposals, promise to bring about important modifications of administration measures. The medicare bill which passed the House incorporates important features of bills offered by Republicans. It is safe to predict that the voting rights bill which is finally enacted will be a far cry from that originally presented by the White House. It, too, will bear a Republican imprint in some of its provisions.

THE AGRICULTURAL SITUATION IN CALIFORNIA

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from California [Mr. TALCOTT] is recognized for 60 minutes.

Mr. TALCOTT. 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 California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY], the gentleman from Michigan [Mr. CEDERBERG], and the gentleman from New York [Mr. CONABLE] may extend their remarks and include extraneous matter at the conclusion of my remarks.

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

There was no objection.

Mr. TALCOTT. Mr. Speaker, the purpose of taking this time today is to discuss with Members of the House the serious situation that exists in my district concerning farm labor, and particularly that in connection with the strawberry crop.

I have several pictures with me. Of course, they cannot be included in the RECORD, but I will leave them here on the table in the well of the House for Members who may wish to view them.

Izaak Walton said one time—when he got his mind off fishing:

> Doubtless God could have made a better berry. But doubtless God never did.

Of course, this has reference to the strawberry. I also have some color pictures that were taken in my district during the week of May 10. These are accurate representations of the condition of the strawberry crops in my district, and I invite any Member to view them. If they do not make you sick, they will sadden you.

My district is plagued with a manmade disaster. Millions of dollars of crops are rotting in the fields and thousands of American skilled workers will not enjoy their usual employment this year or in future years. Many small family farmers and some large corporate farms are only one step away from bankruptcy. The prices of fruit and vegetables, to the consumer, have necessarily increased. But most significantly, valuable and nutritious food is being extravagantly wasted. The crops are actually turning to garbage in the fields. The effects will spread to every district in the United States.

I would like to give you a brief history of the situation in my area.

California produces 43 percent of the fresh fruits and vegetables of the Nation. My district, the 12th District of California, has some 600,000 acres, less than 1 percent of the irrigated land in the State of California, but on this land we produce more than 25 percent of the Nation's strawberries and more than 30 percent of the Nation's head lettuce, celery, and broccoli and about 95 percent of the Nation's artichokes; 70 percent of our produce is shipped out of the State, mostly to markets in the Eastern States.

Also in my district we have the largest beet sugar manufacturing plant in the world.

To give you an example of the extent and productivity of raising lettuce in my district, we have shipped more than 1 million carloads of lettuce—1 million carloads of head lettuce alone. This would fill a train more than eight times the distance across the United States in length. Transportation costs are high because of the long distances and extra care and refrigeration required. Our seasons conflict with the highest employment seasons of other industries such as the building trades, tourist industries and backyard gardens throughout the entire United States, as well as other farmers raising the same and different crops elsewhere.

We have the best working and living conditions in the country. We have a favorable climate and weather. It seldom rains in the summer. There are no mosquitos or bugs. We have the best housing. There is no segregation in the fields, in the churches or in the schools. We have been leaders in automation and in trying to provide the most mechanized and automated industry that we can.

We have the highest wages paid anywhere in the United States. I think I can safely say that there is no one working in the fields today in our area who can earn any higher wage anyplace in the country doing any other kind of work.

So I can speak with some pride concerning our district. We not only have high-quality produce, but we have taken a genuine interest in the welfare of the workers, paying them high wages and providing high-grade housing and good working conditions. We have the most favorable labor laws of any State in the Union. We want to improve them. We can and should do better. I want to help to do better in every way. But this traumatic and wrenching change from 100,000 braceros to none is a difficult if not impossible situation to cope with. I think we need more understanding and more sensitivity in meeting this problem and that is why I want to talk today. We want to hire domestics. We want to hire them first always. We want them to earn high wages and enjoy their work and their life in our area. This is one of the reasons why I favored the bracero bill. I thought it was very sound and ingeniously devised to protect first the local worker at all times and also to provide a safeguard against crop losses. It is one of the best foreign aid programs ever devised. It had an automatic provision for phasing out when we were able to obtain enough local workers. There was strict governmental supervision. The Congress, as we know, terminated this law. But we still have Public Law 414 which can be used to help in the chaotic situation we are facing now in our area because we still need labor and need it desperately. We need temporary, supplemental labor, particularly at peak harvesttimes. Not only do we need adequate labor but we need competent labor. We need reliable labor. Unfortunately, these crops require enormous amounts of hand labor, sometimes called "stoop" labor. For lettuce thinning and strawberry picking and for fragile, delicate, perishable crops, we do employ domestic workers. In fact, we use them all year round.

But we cannot control the weather. We cannot control the time of maturity of the crops. When perishable crops mature, they must be picked within hours, or they will spoil. When strawberries are overripe, they cannot be sold, but still must be picked to save the

plant. Also, it should be known that we do not encourage the migrant system. This nomadic life is one of the most cruel which could be imposed upon anyone, particularly upon children. Next to communism and war the migrant life is worst. It is almost impossible for them to obtain an adequate education. Their school life is not only disrupted, but also they disrupt the schools in the areas through which they must roam. They have no roots. They have no stability. Their housing is expensive for them because of short-term rentals and large families. Yet no one could provide adequate family housing to be used only 2 or 3 months of the year. Not even the largess of Federal Government can finance that kind of housing.

I believe that these are good arguments for the bracero program.

I have never said that U.S. citizens will not do the work. I have merely said that there are not enough of them at the right times and in the right places. It has been said now, as an excuse for not giving us the opportunity to import the necessary workers we need at the time we need them, that if we would pay enough we would get the workers. The workers have received increased wages in my area, but there are limits. There are limits to productivity. There are limits to skills. There are limits to what a man can earn.

"Stoop" labor on farms is one of the most unskilled types of work. We cannot pay to low-skilled workers more than is paid to high-skilled workers. There must be some consideration given to the farmer's costs. There must be some consideration given to the competition with other skills and with other workers in other places in the country who are producing the same crops and doing the same work.

In our district at the present time a strawberry picker—an average strawberry picker—can earn $2 or $3 per hour, and have steady work. There is a one-armed strawberry picker working in my district today who is earning $23 a day. He is not experienced, but he is willing. Certainly a person not so handicapped should be able to earn as much.

The skill is low, so of course the people cannot earn as much as people with higher skills can earn, but they do earn more than they can earn anyplace else in the United States at this time doing any other work.

It seems to me that farmworkers should be able to help make a profit for their employers.

We have tried to increase the wages and to improve the working conditions, as well as the housing conditions, for the people who are employed, but still we have not been able to attract enough labor to our district during peak harvest times.

The Department of Labor has suggested that we should recruit more extensively. We have tried every suggestion which has been made by anyone. We have used students. We have used "weekenders." We have used housewives. We have used delinquents. We have used prisoners and Indians and football teams and scout troops and church groups. We have recruited in every State in the Union.

Most are farm-labor-demand States so workers do not want to come all the way to California for only a few months' work.

We have tried automation. We are working hard at mechanization. We have probably done as much on mechanization and automation of crops as any other area. We are even experimenting now with a lettuce picker. The only way one can tell whether the lettuce is right is to plump it. We are trying to develop a machine for this.

We developed the sugarbeet wheel in our district. We use crop duster airplanes for fertilizers and insecticide application which supplants hundreds of workers. We have enormous cultivators. We use overhead sprinklers. We have assembly lines in packing sheds which are equal to the assembly lines of many automotive plants.

We are doing our best to develop the machines to do the tough jobs.

There is a sad problem with respect to mechanization. The low-skilled worker who needs the job the most, the one in whom we should be the most interested, is the first worker to be automated out of work. When a low-skilled farmworker is automated out of a job, he has no place to go. When a factory worker is automated out of a job he may be able to get work on the farm, but the farmworker who is automated out has no place to go except on welfare.

There are many other ways to get workers, and there are many workers who have been imported into the United States under Public Law 414, the law we are hoping can be utilized to import workers to work in the fields.

There were something like 411 sheepherders who were permitted to come into this country last year. There were many agricultural workers from the British West Indies, 810 Japanese, 124 Filipinos, 14,000 Canadian lumberjacks, 7,558 entertainers and dancers, 7,168 musicians and professors—just to name a few.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield at that point?

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

Mr. TEAGUE of California. First I would like to commend the gentleman on a very splendid presentation.

To the list that the gentleman has just given us of foreigners admitted under Public Law 414, I think should be added several thousand, who since the first of the year have been admitted to this country as waiters and busboys for service right here in the city of Washington, D.C. Obviously, this is done on the theory that scores of thousands and hundreds of thousands of unemployed on the east coast are not capable of being waiters or busboys. The Secretary of Labor has seen fit to let Swiss, Germans, and Latin Americans come in here in order to do hotel work, but not for the harvesting of crops.

Mr. TALCOTT. The gentleman is certainly correct, and one of the most knowledgeable on this subject. I am informed that these waiters come into the country as permanent citizens. I did some inquiring about this and about whether or not it would depress working conditions in Washington, D.C. If you go to any hotel here in the city, few of the waiters or restaurant workers have been here more than 3 or 4 months. However, the Department of Labor has a ruling that if they enter the United States in groups of more than 25 at one time, they have to get a certification that they will not depress the labor market here. So they come in in groups of 24 at a time.

There are many other people who come in the same way. We are recruiting nurses from other countries. We are aggressively recruiting for hotel and restaurant workers in advertisements in the Swiss papers. Airline hostesses are also recruited to come here to work. Not only does this mean that the Department of Labor and Immigration officials are saying the unemployed people in the city of Washington and the city of New York cannot have those jobs, but it means they cannot even be trained for them. This seems to be paradoxical to me, but there are many paradoxes about the farm labor situation.

For instance, in my district they say that we should not permit the importation of cheap foreign workers. The same people who oppose the importation of cheap foreign workers, as they call them, advocate the importation of cheap foreign products, such as strawberries. They are quite willing to have produce and products imported from Mexico. This means that not only will the labor of cheap foreign workers be imported but also cheap foreign fertilizer, cheap foreign seed, water, land, capital, and many other cheap foreign things. We hear no complaints about importing foreign strawberries into this country—only complaints about importing foreign workers to harvest the strawberries grown here.

This points up another problem that we are having in our district. Because we cannot obtain the labor to harvest crops, many other industries are considering moving to Mexico. Previously there has been some objection to going to Mexico for fear that the machinery and the improvements would be expropriated by the Mexican Government, but they now have assurances that this will not occur. These people can move into Mexico and will be able to export to the United States the produce grown in the cheaper areas. We will then be buying this product and paying gold and dollars for them, thereby worsening our imbalance of international payments situation.

Mr. DYAL. Mr. Speaker, will the gentleman yield to me at this point?

Mr. TALCOTT. I yield to the gentleman from California [Mr. DYAL].

Mr. DYAL. Because of your comments on the possibility of this movement into Mexico, I wish to join my colleagues in commenting on the labor shortage problems in California. I have

received considerable correspondence on this subject. A recent letter from the Liberty Groves Operating Corp., which is composed of 58 members representing 800 acres of citrus, expresses concern that the small grower is being forgotten in this serious field labor problem. The 58 members are members of the San Gabriel Valley Labor Association which organization does recruiting, housing, and feeding of workers. They have struggled through the lemon harvest which is not yet completed and still somewhat behind schedule; and with the opening of activities in the northern part of the State and the traditional migration north, their picking force of 30 men has now dropped to 13. The Valencia orange harvest season is just beginning and these growers are finding it impossible to build an adequate force to handle this new activity. Along with the efforts of the San Gabriel Valley Labor Association to recruit workers, these members do considerable recruiting of domestic workers on their own. They also work with an industrywide organization called Farmers Harvest Association which is experiencing a shortage of workers.

Federal compliance officers have classified their camp facilities as good and restaurant facilities and food, excellent. Wages this year, since the adoption of the recommended industrywide policy, have averaged better than $1.75 per hour, which is considerably above the criteria of $1.40 per hour minimum guarantee.

Aside from the citrus harvest in my district, I have been informed that at least 25 percent of the vineyards will be abandoned next year unless adequate labor is available to harvest next fall's crop.

I would say to the gentleman that I have not supported a return to the bracero progrom, but I do concur that Public Law 414 does furnish the means to handle this problem.

I agree that there must be an early solution to the labor shortage existing in California if we are to protect our growers' investments.

I appreciate the gentleman's yielding.

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

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

Mr. HAGEN of California. Mr. Speaker, I would like to point out that even Mr. Wirtz recognizes that there is a need for supplemental labor in California. Yet he has laid down a condition, or placed himself in a position so that to get that labor a grower must offer $1.40 an hour, plus housing, plus transportation. One dollar and forty cents an hour is more than the national minimum wage for industry. When you add these other fringe requirements, it amounts to considerable.

I have just talked to a grower, James House, in the Imperial Valley, who is a relatively small farmer, who has just visited in Mexico. He says that down there the Mexicans are working from dawn to dusk for $1 a day, picking tomatoes and doing other things with tomatoes, in the tomato harvest. There are huge canneries being built down there. Already the Mexican fresh tomato is dominating the fresh tomato market, at least in the western part of the United States. They sell for a high price when American tomatoes are not moving. But when Americans start moving their tomatoes, they immediately drop their price. In other words, they are trying to capture the whole market.

Also I would like to comment on Mr. Wirtz' oft-quoted statement that the Congress, in effect, imposed this policy on him. We failed to pass a 1-year extension of Public Law 78, here in the House, by only a very few votes. I am certain that most of the Members here who voted against Public Law 78, either a 1-year or a 2-year extension, realize that Public Law 414 was on the books and could be used as a vehicle of equal treatment for California along with other areas that have used Public Law 414.

We have relied on Public Law 78. But since at the time we only extended Public Law 78 for 1 year and Public Law 414 was on the books, the fact that we sought to extend it for a year did not mean that we disapproved of the program.

This program in its development was a terminal one, extended from time to time, so this was not an expression of policy on the part of the Congress, such as Mr. Wirtz says he relies on in his action in denying labor to California.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield to me further?

Mr. TALCOTT. I yield to the gentleman.

Mr. TEAGUE of California. Mr. Speaker, I would like to add to what the gentleman from California [Mr. HAGEN] had to say in respect to the minimum wage. I do not know any farmer in California who objects to paying $1.40. As a matter of fact, they are paying $1.75. And, as has been indicated by the gentleman from California [Mr. TALCOTT], they are paying $2 and $3 an hour for workers who produce. What they object to is paying $1.40 to somebody who only produces 25 cents or 40 cents in effort. I am sure that Mr. HAGEN meant exactly that. We do not find fault, or our farmers do not find fault, with the figure $1.40 for persons who actually earn it.

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

Mr. TALCOTT. I yield.

Mr. HAGEN of California. The problem the farmer has is really that the labor he gets is the bottom of the labor market. It is labor that the gentleman from California [Mr. TALCOTT] has indicated cannot find jobs in industry by and large. But there are corps of workers who prefer agricultural work.

As a consequence, Mr. Speaker, the farmer is not in a position of General Motors of being selective from the standpoint of an accomplished work force. The only way he can handle this problem is through a piece rate production process where the worker is paid according to his productivity. Farmers generally are willing to do that and have been doing it in California. But when you average it and say flatly that every worker, regardless of his productivity, will receive $1.40 an hour, you create problems of loss and bankruptcy for the farmers.

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

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

Mr. REINECKE. Mr. Speaker, as further testimony to the extreme shortage of labor and to the fact that the people of California are attempting to do something about this problem, I am in receipt of a resolution unanimously adopted by the Board of Supervisors of the County of Los Angeles specifically asking for 4,000 men who are presently under the supervision of the director of the bureau of public assistance, to be assigned from the public assistance rolls to assist the farmers with their problems in the fields in an effort to save millions of dollars.

Mr. Speaker, I ask unanimous consent to include the resolution to which I have referred at this point in the RECORD.

The SPEAKER pro tempore (Mr. EDMONDSON). Is there objection to the request of the gentleman from California?

There was no objection.

The resolution referred to follows:

RESOLUTION BY BOARD OF SUPERVISORS, COUNTY OF LOS ANGELES

On motion of Supervisor Hahn, unanimously carried, the board hereby adopts the following resolution; and hereby reaffirms the board policy set forth in board order No. 191 of September 29, 1964, copy of which is hereto attached:

"Whereas there exists in California a serious shortage of manpower to harvest the crops; and

"Whereas the agricultural industry is one of the major industries in the entire State of California, and every citizen of California is dependent upon agricultural production; and

"Whereas there exists at the present time approximately 12,000 men in all of the 58 counties of California who are between the ages of 21 and 35 and receiving public assistance funds under the aid to families with dependent children unemployed fathers program; and

"Whereas most of these men are able-bodied, willing to work, and need jobs, while at the same time there is a tremendous shortage of manpower in the fields: Now, therefore, be it

"*Resolved*, That the Board of Supervisors of the County of Los Angeles does hereby instruct the director of the bureau of public assistance to offer forthwith to the farmers of California this available manpower in Los Angeles County—more than 4,000 men to harvest the crops—and state as a policy that, if there are decent working conditions and prevailing wages are paid as determined by the State and Federal Government, a recipient of welfare who is offered work and refuses will be cut off the relief rolls, subject to all legal requirements; and be it further

"*Resolved*, That copies of this resolution be transmitted by the clerk of the board to the other 57 counties of California and to the Governor of California, director of social welfare, and other interested parties."

I, Gordon T. Nesvig, clerk of the Board of Supervisors of the County of Los Angeles, and ex officio clerk of the governing body of all other special assessment and taxing districts for which said board so acts, do hereby certify that the foregoing is a full,

true, and correct copy of the original minutes of board order No. 160, adopted on May 11, 1965, by the Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts for which said board so acts.

In witness whereof, I have hereunto set my hand and affixed the seal of the county of Los Angeles this 12th day of May 1965.

GORDON T. NESVIG,
Clerk of the Board of Supervisors of the County of Los Angeles, and Ex Officio Clerk of the Governing Body of All Other Special Assessment and Taxing Districts for Which Said Board So Acts.

On motion of supervisor Hahn, unanimously carried, it is ordered that, as a policy of the board, the following standards be and they are hereby adopted for implementation by the bureau of public assistance in securing training and giving opportunity for work in farm areas under President Johnson's anitpoverty program:

1. That suitable and proper conditions of employment be provided which will include adequate sanitary facilities (these sanitary facilities should be inspected and meet standards set by the county health officer).
2. That the minimum wage for employees shall be at least $1.25 per hour. (The minimum wage for county employees, including laundry workers, is $1.72 per hour.)
3. That, if at all possible, the work shall provide steady employment with an assurance of minimum reasonable work period.
4. That adequate transportation to farm and ranch areas with reasonable departure and arrival times be regulated by the bureau of public assistance.
5. That the director of the bureau of public assistance exercise judgment in carrying out this policy so that recipients of public assistance shall not be required to work under unusual circumstances, such as illness or other difficult conditions in their family.

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

Mr. TALCOTT. I yield to the gentleman from Arkansas.

Mr. GATHINGS. Mr. Speaker, I commend the gentleman for his taking this time and making such a splendid address on the subject of the need for labor in the gentleman's congressional district.

Mr. Speaker, I ask unanimous consent to include an article which appeared in the Washington Post under date of April 18, 1965, the title of which is "Braceros Miss That California Dinero," by George Natanson.

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

There was no objection.

The article follows:

BRACEROS MISS THAT CALIFORNIA DINERO

(By George Natanson)

MEXICO CITY.—Ciudadela Plaza is in the heart of Mexico City. It has well-kept lawns and flowers; its fountain and trees give promise of a moment's rest to the passerby.

But Ciudadela is different from the other lovely plazas for which Mexico City is famous. On any day of the week hundreds of men sit disconsolately on the park benches. Others slumber on the grass or stroll through the plaza. Still others stand quietly discussing their problems.

The men are not idlers or tramps. Nor are they city men. Most of them are Mexican campesinos, country people who are described as representative of Mexico's finest workers.

These men were formerly braceros, remnants of that huge army of more than half a million farmworkers who were previously contracted to work in the United States every year to help harvest crops of fruit, vegetables, and cotton.

Since the so-called bracero program was begun more than a decade ago, Ciudadela Plaza has been the site of the central hiring hall for braceros, serving much of the country.

The Mexican Government has announced repeatedly that the United States will not renew the program which was allowed to lapse last December 31, and has continually urged these men to return to their homes in the country to await further developments.

But the campesinos don't comprehend the strange set of circumstances which prevents them from working in the United States, so they come daily to Ciudadela Plaza in the hope that they can once again return to the other side to work.

Antonio Hinojosa is one. His wife and seven children are waiting for him in the southern Mexican state of Oaxaca. "But I can't go home because there is no work there. And there is no work in Mexico City. I simply must wait until I get a job on the other side and can send money home," he said.

Meanwhile, Hinojosa barely manages to survive by performing odd jobs at night and hurrying to the plaza in the morning to wait for news. He catnaps on the grass through the day.

Until December, Hinojosa worked during seasonal periods at stoop labor in the United States. During the 3 or 4 months he was on the other side he earned what for Mexican labor is considered top wages. On the average, Hinojosa and his fellow braceros received from $45 to $60 and $65 weekly. More than half of this was sent home.

Mexico is in no position to comment officially. This country has not enjoyed watching some of its finest workers being forced to cross the border to earn a living. However, officials admit privately that the bracero program, when in full swing, took a considerable load off Mexico's chronic unemployment problem.

Exact figures are not available, but it is estimated that of Mexico's 18 million campesinos, some 7 million are unemployed.

The campesino, and agriculture in general, are one of Mexico's most delicate problems which, if not eased soon, threaten to turn into an explosive issue disrupting Mexico's long period of political stability.

Mexico's president of 4 months, Gustavo Diaz Ordaz, is taking determined strides to help the campesino, but the Ciudadela Plaza is a constant reminder that much yet needs to be done.

Those who crowded around during my visit to Ciudadela Plaza cannot understand why U.S. Labor Secretary Wirtz said that as long as there are Americans unemployed, foreign workers cannot come in.

The Mexican braceros don't even know Wirtz' name, nor are they interested in the arguments set forth by U.S. labor unions who are backing Wirtz.

"We hear that crops in the United States are going to ruin because they are not picked. We have heard that women are being employed to do a man's work. Even that the machines have failed and that Americans won't work in the fields," said one.

"Why, then, can't we go back to work?" they chorused.

The attitude assumed by the Mexican fieldworker is not one of anger, nor does he know anti-U.S. sentiments. He feels friendly toward the United States.

Few if any criticisms were heard in Mexico over the bracero program, even from extreme leftwingers. There have never been cries of "more wages" for the "exploited" Mexican worker—despite the deplorable living conditions of many of the workers who lived in dilapidated shacks with a single water faucet for four and five families and had inadequate medical and school facilities.

It is recognized that the Mexican campesino earned far more during a single season working in the United States than if he worked here 2 or 3 years steadily.

Farsighted Mexican opinion molders are urging the government to make good use of the returned bracero who has learned much while working in the United States.

There are positive results of the bracero program in this country. Many workers have taken the money they earned and gone into business for themselves. Others have bought their own plots of land, working and applying the many agricultural techniques they learned on the other side.

In addition, Mexico as a nation has benefited. More than $30 million yearly was returned by the bracero, which not only served to stimulate the economy but has helped that segment of the population which needs it most.

Mr. GATHINGS. Mr. Speaker, if the gentleman will yield further, Public Law 78 was approved by this Congress in 1951 and this labor was brought in from Mexico, into as many as 21 States, for many years. My State of Arkansas used a considerable number of the braceros for the harvesting of strawberries, and cotton, largely.

Mr. Speaker, at this particular time the situation has changed considerably. When we did not extend Public Law 78 a year ago it expired on December 31, 1964, certain things happened:

In the first place, these Mexican people did not get to do that farmwork that they had been performing in this country. They need it badly today as this article here by Mr. Natanson will depict.

Another thing was this: It was said that if we were to pay these people enough for their labor we would have ample domestic labor with which to do this stoop type of work.

Now, the gentleman from California has stated that he pays well in his district for workers to harvest vegetable crops but cannot recruit enough domestic labor to do the required work when they are needed. In Arkansas we have gone to mechanization very fast and as a result we displaced our own domestic laborers who had been accustomed to fieldwork on these farms of picking cotton, chopping cotton and the like.

So, Mr. Speaker, I commend the gentleman from California for his very splendid speech and I would like to join with him in his efforts to alleviate this critical situation.

Now, Mr. Speaker, I wish the gentleman would state whether or not there will be as many acres another year, in 1966, in his district devoted to the growing of strawberries as there have been in the year 1965?

Mr. TALCOTT. It is difficult for me to predict now. I know that many crops are being turned under because they cannot get the pickers. The strawberry people tell me they intend to look into the possibilities of going into Mexico next year. I think there will be less acres of strawberries in our district next

year. This is very serious, because strawberries provide a lot of employment. It takes two or three persons an acre to harvest the strawberry crop. A single person can harvest many acres of other crops. There are many other workers in allied industries who are affected, people who work in refrigeration plants, people who work in packaging and shipping, and other people who are going to be short of work.

Mr. GATHINGS. The same situation exists in your State as to tomatoes. Your State has produced more than 50 percent of the canned tomatoes in America. You are going to affect people not only who grow tomatoes but the lack of an adequate labor supply for the farmer is going to adversely affect people who process the tomatoes, the people who print the labels, the canners, and other people including the transportation facilities and the consuming public.

Mr. TALCOTT. The planting of tomatoes, incidentally, is down 23 percent from last year. This is a tremendous drop.

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

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

Mr. TEAGUE of California. We should not overlook the problem of related employees in the citrus industry in packinghouse employment, which is down at least 25 percent in southern California. This means 25 percent of domestic Americans are not employed in the packinghouses, and there will be at least that many less. It will affect the trucking employees who are engaged in trucking citrus from the fields to the packinghouses and from the packinghouses to the railroad station, or to the port. So much more than farm labor is involved. It is the whole matter of related industries, including many, many fine workers who do not have jobs because these crops are not being harvested.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. I want to thank the gentleman for bringing this particular point out. One thing that puzzles me is this: You produce relatively the same kind of crops in California that they do in Florida. How come Florida is not having this problem? How come they are able to import all kinds of cheap labor from the British West Indies to get their crops harvested while you cannot do it in California? Is there some favoritism? It looks to me as if there is. I wish the gentleman would touch upon that point.

Mr. TALCOTT. I am not suggesting that there is any favoritism. We do have many different crops, although there are crops that are similar. The problem in California, particularly in my district, is that we have an enormous increase of production during the summer time and domestic labor is inadequate. The British West Indies, of course, is closer to the United States. There is a pattern of using British West Indian labor in Florida.

Mr. O'KONSKI. But Mexico is closer to California than the British West Indies is from Florida.

Mr. TALCOTT. We have been cut off from using the Mexican nationals. I am glad that the people in Florida are able to obtain this labor.

Mr. TEAGUE of California. It is a fact, I believe, that Florida, too, has had very serious harvest problems.

But I think it is also a fact that the Secretary of Labor has been more generous in allowing supplemental farm labor in the form of British West Indians to be admitted or to be kept here under section 414 of the immigration law in the case of Florida than he has in the case of California. I think the facts speak for themselves. The peak harvest season in Florida is all over. It came off much earlier than California. They had their big problem some months ago and are probably still having it. We are not yet in our peak season in California. It is true that we harvest some crops all year in California. Lemons are picked all year. We have winter crops of lettuce, particularly down in the Imperial Valley that are just now coming into our peak season. I would certainly hope the Secretary of Labor would not want to find himself in the position of being accused of the fact of discriminating against California in the weeks and months to come in comparison with what he did for Florida. He did grant some relief to Florida and a little relief to California but not nearly enough.

Mr. O'KONSKI. I have been watching this thing a little bit because, frankly, I have been worried about the vote I made on this proposition. But very frankly, it appears to me there is very distinct favoritism that they seem to have. As a matter of fact, I believe I read in one of the exposure columns in a newspaper where one certain Senator, for a certain maneuver that he made, got special consideration for the State of Florida.

It seems to me, if we are going to keep out cheap labor, so-called, that it ought to apply to the whole country and not let Florida get by with it when they do not let California get by with it. I think it is more important that we import Mexicans from Mexico, our next-door neighbor, than some of the other help that we are importing to Florida. I am going to take another hard, cold look at this matter if it ever comes up again.

Mr. TEAGUE of California. Would the gentleman be good enough to yield once again?

Mr. TALCOTT. I yield to the gentleman.

Mr. TEAGUE of California. I am delighted to hear the gentleman from Wisconsin make the statement that he just made. I think the RECORD also should show on this same general subject that the Secretary of Labor has fixed what really is a minimum wage—no matter what he calls it—of $1.40 in California and a much lower rate in other States including Florida. To me, again, it is just a matter of discrimination.

Mr. TALCOTT. I think that the discrimination that we feel the most is where we are required to pay $1.40 an hour and there are many other growers in other States who are permitted to pay a good deal less. This is very serious discrimination, especially against California, where the shipping costs and the transportation distances are so great.

Mr. O'KONSKI. I am very worried about the situation because very frankly I have thought of it ever since I made my vote on that proposition. I sort of think I made the wrong vote on that. Labor is very definitely interested in this. I have listened to the other side of the story on the importation of braceros. If they are against it, let us apply it all over the country. I just do not want it to apply to the State of California and to let the State of Florida go scot free with special favoritism. I do not go for that sort of thing whether labor is for it or against it. I have become convinced that there is something rotten in Denmark somewhere and for that reason if the bill is brought up again, I am going to give it a hard, cold look and see that this thing is straightened out.

Mr. TALCOTT. I appreciate the willingness of the gentleman to reconsider his view after learning the facts. One of the problems that I think many of my colleagues are going to have to face up to is the situation of the growers of apples and other produce in the Northwest and in the Northeast, and many other places, and pickle producers in the North Central States. Many growers who felt that they did not need any help last year opposed the bracero program and now are finding that California is recruiting very heavily and taking many of their usual workers from them. Now they are beginning to feel the pinch because workers much prefer to work in California where the weather is comfortable and conditions are good and they get $2 to $3 an hour.

Already San Benito County which adjoins Monterey County is complaining of the growers of Monterey County for pirating away workers from them. If the farmers from Monterey County can pirate workers from their adjoining counties, certainly they are going to pirate from other States throughout the whole United States. This will present a very serious problem to growers of all kinds of produce throughout the United States. It has been said that the lack of adequate labor is only hurting the big corporate growers. This is not true. I will read a telegram which tells about one situation:

> Field inspection Friday, May 28, by University of California extension service shows on one 487-acre farm 3,530,750 pounds of fruit rotten, overmatured, and in need of immediate picking. Market value for freezer recovery, $600,227.50. California Farm Labor Panel ridicules our recruiting efforts. Here are the facts as of June 1. Gate hired, 5,176. Farm labor office referrals, 975; out of county and out of State recruits, including Sioux Indians, 945. Total hired as of June 1, 7,096 domestics. Balance on hand today picking, irrigating, loading, etc., 726. Over Memorial Day weekend using radio and TV announcements for pickers we averaged 866 workers each day. These workers plus our supplemental imported help averaged 40,513 crates each day. We should still be picking over 65,000 crates each day. This means even if we had 800 additional people picking each day of the week we would still continue to lose more fruit.

This is typical throughout my district, for both the large and the small growers.

With reference to a small grower, who has only a 12.3-acre ranch, the total fruit ready for harvest today, already unsalable due to failure to harvest, is 23,000 pounds. That is more than 10 tons of fruit that this small farmer is going to lose.

Another farm, of only 487 acres, will have a total loss of over 564,000 pounds due to overmaturity. This is over 280 tons of strawberries that this one grower will lose. That is $25,000 per day, and the loss is escalating.

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

Mr. TALCOTT. I yield to the gentleman from Arkansas.

Mr. GATHINGS. I hesitate to interrupt the gentleman again.

Mr. TALCOTT. That is perfectly all right.

Mr. GATHINGS. I should like to ask the gentleman what is the effect of these losses on the consumer of fresh vegetables and fruits in this country? Could the gentleman give us that information for the RECORD?

Mr. TALCOTT. I have some information here which I intend to put in the RECORD. Consumer prices are going up. Your wife and my wife can tell us, simply by going to the store and trying to buy strawberries in the markets of Washington, or anyplace in the country, that retail prices are going up.

Mr. GATHINGS. Does the gentleman have a comparison of the price of strawberries today as against a year ago or 2 years ago?

Mr. TALCOTT. In the city of New York, according to the Bureau of Consumers' Service and Research, the general price for strawberries for the week ending May 28, 1964, was 39 cents a pint. This year, for the same week, it is 45 cents a pint—up considerably.

Mr. GATHINGS. Could the gentleman give some information on lettuce? Has there been an increase in the price of lettuce?

Mr. TALCOTT. There has been a tremendous increase in the price of lettuce. For the week ending May 28, 1964, the price of lettuce in New York, for a head, was 23 cents. This year, for the same week, it was 39 cents. That is an increase of almost 100 percent.

I should say that this is not entirely due to a lack of sufficient harvest labor. The price of lettuce varies a good deal because of many factors, not merely the lack of labor or incompetent labor.

The increase in the price of strawberries, I contend, is entirely due to the lack of labor, or the lack of competent labor. Not only are the crops spoiled in the fields, but the crops which are picked are inferior crops in quality, because of bad mix. Some berries in the same carton are overripe and some are underripe, and this mixture commands a lesser price in the marketplace.

Mr. GATHINGS. Could the gentleman give the House any information with respect to the price of lemons, as compared to a year ago?

Mr. TALCOTT. Lemons have increased in price from 25 cents a pound to 29 cents a pound, for the same week, in New York.

There has been an increase for almost every fruit and fresh vegetable, because of the increase in the cost of labor. I will include at this point in my remarks the table from which the prices quoted above were obtained, and other price indexes and market reports.

Selected retail price comparison [1]

Commodity	Unit	Most general price for week ending	
		May 28, 1964	May 27, 1965
		Cents	*Cents*
Asparagus	Pound	25	29
Broccoli	do	24	26
Cabbage, white	do	12	19
Carrots	Package	15	17½
Celery	Stalk	23	25
Lettuce, iceberg	Head	23	39
Onions, yellow	Pound	10	14½
Potatoes, white	5 pounds	45	59
Tomatoes	Pound	33	39
Do	Carton	23	29
Lemons	Pound	25	29
Strawberries	Pint	39	45

[1] Source: Department of Markets, City of New York Bureau of Consumers' Service and Research.

The wholesale price index for fresh and dried fruits and vegetables was 117.6 in April 1965 (1957–59=100). In April 1964 it stood at 105.9 and averaged 103.2 in 1964.

Wholesale prices of fresh fruits and vegetables at Chicago, as reported by the Department of Agriculture's Fruit and Vegetable Division show sharp increases over 1964 levels. Some examples in the Chicago market are as follows:

Commodity	Prices	
	May 26, 1964	May 25, 1965
California strawberries (pint)	$0.28	$0.44
California broccoli (½ crates, 14 bunches)	2.85	3.25
California cauliflower (cartons, film wrapped)	3.35	4.15
Florida celery, Pascal type (2 to 4 dozen)	3.60	4.15
Lettuce, iceberg, California (carton)	3.00	6.85

A recent AP story discussing the price increases for meat, potatoes and fresh vegetables had this to say:

"Many in the produce markets blame the Government's decision to end the 'bracero program' under which Mexican workers were brought into California to help harvest lettuce, tomatoes, asparagus, strawberries and other crops that have to be picked by hand. Acreage is down, as well as harvests, produce dealers say."

Official Market News Service Reports of the Department of Agriculture are more frequently referring to labor shortages in their comments about specified commodities. An example follows:

With regard to California lemons: "Picking continues fairly heavy but still behind last season."

California strawberries: "Some growers are having difficulty keeping up with fields and getting fruit picked uniformly."

California carrots: "Movement (in Imperial Valley) at peak but labor shortage restricting some harvest."

Florida celery: "Harvest curtailed some account labor trouble."

California dry onions: "Some field labor shortage" in the Imperial Valley, "Severe labor shortage" at Blythe.

The Secretary of Labor has said that the consumer, the housewife, would be willing to pay the increase in cost. Of course, if the farmers could recover the increased costs, the farmers would be more than happy to pay the workers higher wages. Nothing would please the farmer more than to be able to pay his workers higher wages. The problem is that there is very little relationship between the price of fresh fruits and vegetables in the eastern markets and the cost of producing them.

Over Memorial Day weekend in my district we had many housewives and students come out to pick strawberries partly out of a patriotic duty or desire to help the beleaguered farmer, and the farmers had to pay those pickers more for picking than the crop commanded on the market.

There was simply a loss just in the picking. This is because of incompetent, inexperienced, and unreliable labor. It takes some skill and experience to be able to pick satisfactorily. People who want to come out only on weekends and only part time are usually not able to do a satisfactory job, and the farmers should not be required to use them.

Mr. GATHINGS. I thank the gentleman.

Mr. TALCOTT. I am going to include for the RECORD some other selected retail price comparisons. The problem is that the full impact of the price increases has not yet occurred. It will be a few weeks before we really find out how expensive these strawberries are. Because we have so many mature berries and overripe berries we had to use air transportation to get the berries to the markets in time This has caused an increase in the price. In order to get the berries accepted at the packing sheds and the freezing plants, farmers had to regrade and resort them. This was all because of incompetent labor. All of these factors relating to labor are increasing the cost of strawberries throughout the United States. Costs are increasing as time goes on.

In spite of the troubles we are having recruiting labor and strawberry pickers in our district, another phase of the Federal Government, the community action program, under the Economic Opportunity Act, right at this time in Graham County, N.C., is hiring an extension agent to advise farmers on strawberry raising. Under title III, about 15 loans have been made to farmers to help establish them in strawberry raising. Under the law, they can get $2,500. The Federal Government is giving $2,500 to get people into the strawberry business when people in my district are unable to get labor.

In addition to that, 12 people have formed a marketing cooperative and are applying for a loan of $200,000 to harvest their first crop next spring. It seems to me that the right hand of the Federal Government does not know what the left hand is doing. Here we have strawberries spoiling in the fields, farmers losing millions of dollars, and we are trying to get other people into this industry in another area of the country.

We have also heard it said that the increased price would be easily and gladly passed on to the consumer, but

that is simply not true. The housewife will buy the foreign imports at a cheaper price first.

There are many other things I would like to convey to the Members of the House. I have several proposals I hope to introduce in order to try to avoid the crop losses and to provide work for the migrant workers and to make living conditions and working conditions more attractive for the domestic workers. These are not easy. In the meantime, before some of these new projects can be developed, I think we need a lot more understanding from the Department of Labor. The panel appointed by the Secretary of Labor to investigate this problem in my district said that there were less people on welfare this year because of the withdrawal of the bracero. That is simply not true. The reason why there are less people on welfare in my district this year than last year is because the weather which has been the best for 10 years and crops matured much earlier. The people not only in the administration in California but in the Federal Government have gone to great extents in order to try to camouflage the problem. The Department of Employment in the State of California has actually padded the figures to show a larger number of domestic workers available for farmwork than are actually available. The Governor's office recently took out of context a statement by the welfare director of Monterey County, which indicated that less families were on welfare this year because of recruiting activities, which is not true.

There is a statement that there are some 400,000 California people who are unemployed and that these unemployed people should be able to do the work in the fields. In many instances I would agree with this, but the figure of 400,000 unemployed in California is simply not a fair statement in relation to farmwork. I shall include at this point in my remarks two newspaper reports which are accurate statements of the situation of the unemployed in California. They show that conditions are not nearly as bad as the unemployment-mongers would like to have them appear.

[From the San Francisco (Calif.) Examiner, May 30, 1965]

REPORT—MANY JOBS, MANY IDLE

(By Ray Christiansen)

Although 437,000 California residents were reported unemployed last month, the State was unable to fill an order for 10,000 seasonal farmworkers.

"About 5,000 strawberry pickers are needed in the south and central coastal areas," the State reported. "Around 3,100 jobs are available in lemons and oranges. About 1,500 workers are wanted to thin and hoe lettuce, and 1,300 are needed to cut asparagus."

The State could have issued a somewhat similar report for many other occupations, reporting shortages of qualified janitors, metalworkers, waiters, office employees, cooks, nurses, chemists, technicians and on and on through a long list.

OUT OF DATE

With 437,000 persons walking the streets, looking for work, why couldn't these jobs be filled?

Because there weren't 437,000 persons "walking the streets, looking for work."

"Walking the streets, looking for work" went out with the great depression.

But millions of Americans still think unemployment simply isn't what it used to be.

Some of those 437,000 persons wouldn't take work under any circumstances.

JUST LOAFING

Some are just plain loafing between jobs.

Thousands are receiving unemployment insurance payments as a form of subsidy for making themselves available for seasonal work.

Some of those 437,000 can't hold a steady job in the city, and won't go into the country. (The farmers don't want them, either.)

Many are teenagers looking only for part-time work after school hours.

Many are white-collar workers over 55 who couldn't take hard physical work in the fields.

Others are married women with working husbands—seeking work to help support unemployed teenagers.

Phyllis Gillette of the State department of employment asked:

"Who is to say that a man, having lost a $750-a-month job should take any $450-a-month job that is offered him?

"Who is in a position to criticize an unemployed clerk for refusing to work in the fields?"

EXPERTS EXPLAIN

Three San Francisco experts on labor statistics, Max Kossoris, Don Mayall, and Edward N. Smith, presented facts and figures to permit a better understanding of unemployment figures and the nature of the labor market.

From charts and tables, it is seen at once that unemployment rates are not the same for all segments of the work force.

The U.S. average last month was 4.9 percent. But rates ranged from 2.5 percent for married men to 30 percent for teenaged Negro girls.

The 2.5 percent figure is of special significance; one could say there is "full employment" among the Nation's "prime breadwinners."

In World War II, U.S. employment never dropped below 1.2 percent—which is, perhaps, the irreducible minimum in a democracy.

High employment among married men is of special importance to the economy because they support three out of every four persons in the country—themselves, their wives, and their children.

An unemployment rate of 2.5 percent in such an important segment makes it easier to understand why both city and farm employers complain that they can't find the workers they want although there are reports of millions unemployed.

Farmers won't find many workers among teenage Negro girls, who have an unemployment rate of more than 30 percent, and they won't find many among city-bred workers of middle age.

Of the 3,552,000 Americans listed as unemployed last month, 933,000 were 14-to-19 years old, of whom 348,000 were seeking only part-time work after school and on weekends. One-sixth of the unemployed of all ages—a total of 597,000 persons—wanted only part-time work.

More than 315,000 of the unemployed last month were women over 45 and more than 330,000 were men over 55—a total of 645,000 unlikely prospects for hard field labor.

About one-fifth of the unemployed were white-collar workers, and almost one-half blue-collar workers, most of them with industrial skills and experience.

INEXPERIENCED

About one-sixth of the unemployed had no work experience. Most of these are members of the postwar baby crop which is just reaching the labor market now.

Only 2.9 percent of the 3,552,000 were farmworkers and only 9.7 percent were common laborers.

Don Mayall of the State department of employment commented:

"In general, people with skills have little trouble finding jobs these days. There are shortages of skilled workers in many categories.

DISPLACED WORKERS

"But to say that there is full employment among workers with skills that employers want is to ignore the problem: that there are growing numbers of unskilled workers being displaced, and there are declining job opportunities for young workers entering the job market."

Kossoris, regional director of the U.S. Bureau of Labor Statistics, added:

"While the Bureau lists as unemployed some persons who won't accept work, and others who are seeking only part-time work, it doesn't count those persons who are too discouraged to look for work any longer; they have left the labor market and are not counted as unemployed."

Kossoris noted that the pace of economic growth is sufficient to offset loss of jobs due to increasing productivity but not large enough to absorb all of the unemployed.

The worst unemployment problem involves the influx of teenagers. They came into the labor market at the rate of 750,000 a year in the 1950's, at the rate of 1,500,000 last year, and will be seeking jobs at the rate of 2.5 to 3 million a year after 1970.

Most San Francisco employers interviewed on employment opportunities said they had difficulty finding "qualified help"—the same complaint heard frequently from California farmers.

A spokesman for Pacific Telephone Co. said the phone company never has enough telephone operators, although it had more job applicants than jobs. Some persons, it was explained, cannot speak well enough to fill these positions.

DON'T WANT JOBS

James Meredith, personnel manager of American Building Maintenance Co., remarked:

"If we can find capable and experienced men among 10 percent of our applicants, we'd be doing great.

"Many seem to be going through the motions of seeking work with no intention of obtaining a job. Most applicants for work don't ask what the wage rate is."

An officer of a mortgage banking firm said no less than one-third of applicants for clerical work "don't want to work."

"They're just making their job hunting a matter of record for unemployment insurance," he said.

Another employer with a large business machine firm said "a surprisingly large number of youths have been in trouble with the law and cannot be bonded."

Another firm reported that it can find enough graduate engineers, but it cannot find enough men who are good enough to yield a profit on their work.

A lack of education and training is the crux of the problem.

When we know more about the skill requirements of industry," said Kossoris, "we will be in a better position to develop the necessary training programs."

[From the Wall Street Journal]

POOR STATISTICS AND WORSE ECONOMICS

As a voice in the statistical wilderness that has long questioned the validity of the Federal unemployment estimates, we naturally welcome Samuel Lubell's call for a new and sharper definition of the jobless.

Mr. Lubell, the diligent and perceptive political pollster, has spent many recent weeks interviewing hundreds of people out of work in 21 cities around the Nation. His over-

riding conclusion is that the national unemployment rate as proclaimed by Washington is in several ways misleading and in need of considerable revision.

It is not only that the figure distorts the actual condition. What is worse is that it has come to be regarded as the single most important barometer of the Nation's economic climate. It can be, and is, used as the basis for vast new public spending programs, however irrelevant or wasteful they may be. Another way of putting it, in our somewhat jaundiced view, is that it has become a convenient tool for politicians eager to tap the Treasury.

Yet this sacrosanct statistic, as Mr. Lubell observes, does not provide an accurate estimate of how serious is the need for more jobs. For one thing, the Government does not even attempt to measure the job vacancies that exist along with unemployment. Nor does the announced national rate yield, in the interviewer's words, "a sensitive picture of the shifts taking place in the quality of the unemployed and of the changing nature of their problems."

Moreover, the figure does not tell how much, or how little, hardship there is among the jobless. To us this is a particularly important point. Surely a humanitarian Nation should be more concerned with the actual cases of hardship than with statistical veneration. Beyond that, we reject the proletarian doctrine, implicit in governmental attitudes, that everyone should work regardless of need. If some people can make a decent life without working, we would say that is their privilege and pleasure.

Part of the trouble with the official unemployment rate stems from the sampling methods used, a survey of 35,000 households in which the main question is, "Have you been looking for work?"; if the answer is yes, the individual is counted as unemployed. As sampling techniques go, 35,000 households might be considered adequate, though obviously capable of producing only a broad national guess. The loose questioning is another matter.

One of its results, Mr. Lubell writes, is that "the identical label 'unemployed' is applied to such an astonishing variety of situations that it has been robbed of much of its real meaning. A coal miner who has lost his job for good is given the same statistical weight as an auto worker who is guaranteed 70 percent of his pay even when laid off for model changes."

The sweeping definition of "unemployed" also leads to abundant abuse: People who are on jobless relief but won't look for work, people who won't take jobs at pay lower than they had been making, people who don't need to work at all but receive compensation. One young man interviewed at an extension university admitted that he was a full-time student and shouldn't be getting unemployment checks.

To give the Labor Department its due, it does put out certain breakdowns of unemployment by groups. Unfortunately the more significant of these figures are usually granted scant attention by the public, the politicians, and apparently Labor Department officials themselves, since they are among those who constantly contend that the aggregate level of unemployment is intolerable.

Almost certainly, it seems to us, the most revealing estimate, in terms both of degree of hardship and of economic significance, is not the national rate, currently given as 4.9 percent of the labor force, but the jobless rate for married men. These, after all, are generally speaking the people who do need to work and who comprise the bulk of the labor force. By any standard they are far more deserving of concern than the jobless teenagers about whom there is so much weeping.

That rate for married men is presently put at 2.5 percent. If it is anywhere near a correct approximation, it represents not a state of intolerable unemployment but for all practical purposes full employment. In a huge, complex and mobile economy, with a considerable amount of seasonal employment, it would be difficult if not impossible to attain a much lower rate of unemployment.

The deficiencies of the jobless tabulations suggest their own remedies. One private group, the National Industrial Conference Board, has just shown, in a local survey, the way to correcting part of the problem—the compilation of job-vacancy figures. It is by no means unlikely that a national survey would indicate more job opportunities than qualified jobseekers.

But what is needed most of all is public realization that the lot of the genuinely unemployed is being employed for questionable political purposes. In such a climate, it is at least encouraging when attempts are made to expose an arrangement which builds, on a foundation of faulty evaluation, a pyramid of bad economic policy.

There is one problem that I think the Federal Government should look into, a situation which does not permit an industrial worker drawing unemployment benefits—and approximately one-half of the unemployed do—may not engage in farmwork and leave such farmwork and again qualify for unemployment compensation prior to having another industrial job.

This is one of the reasons we do not attract the unemployed who are drawing unemployment benefits, to the farms. I have a proposal which is somewhat like the bracero program that I would like to introduce, putting the responsibility in the Department of Agriculture rather than in the Department of Labor. One of the problems here is that the Department of Labor is simply not oriented to agriculture, especially our kind of agriculture. It is oriented to the big city factory type work. The responsibility for certification of farmworkers should be with the States who know the situation rather than with the Federal Government which in our case is 2,500 miles away and not oriented to our problem.

One of the reasons migrant workers have so much difficulty is the matter of housing. We try to provide the best housing possible, particularly for single workers. Providing housing for families is a great deal more difficult and expensive. But I am proposing a mobile housing subsidy for farm migrant workers. This will require more study before I have it perfected in form.

I am going to recommend that we have a minimum wage of $1.50 for farmworkers throughout the United States. I think we should prohibit the importation of foreign products from countries which pay less than 50 percent of our labor wage.

I think there should be some indemnity to the growers who have suffered these tremendous losses. This is a manmade disaster, just as serious as the disasters because of the floods in California.

I think we should change our unemployment regulations to permit farmwork by the industrially unemployed without changing their employment status and eligibility.

Mr. Speaker, I prefer not to take any more time now. I ask unanimous consent to include certain extraneous matter in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

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

Mr. TALCOTT. I yield.

Mr. BROCK. Mr. Speaker, I would like to take a moment to congratulate the gentleman for a thorough and cogent statement. I think it was an excellent statement and will be of benefit to the Members of the House. I know of no Member of the House who has been more diligent in working on this particular problem than the gentleman in the well and I congratulate him.

Mrs. MAY. Mr. Speaker, I want to commend my colleague from California for bringing to the attention of the Members of the House the disastrous situation which has occurred in his State as a result of the exclusion of adequate bracero farm labor.

Certainly I join my good friend on behalf of the agricultural areas of my State of Washington in deploring the conditions that have been allowed to occur in spite of the pleas so many of us have made to try to prevent exactly what has occurred.

It is true that we of the State of Washington have not used bracero labor for a number of years. But I can assure my colleagues that we are feeling the pinch. The reason is that we of the State of Washington depend on domestic migratory labor which regularly follows the crop harvest across many parts of the Nation. These are experienced farmhands who like to come to the State of Washington to participate in the asparagus harvest, the soft fruit harvest and the apple harvest. But now that these workers are needed in the southern areas of the country to fill in the void created by the shortage of bracero labor, the domestic workers are not coming to the State of Washington any more. The effect of the Secretary of Labor's action—or lack of action—is definite and of severe impact in my State in upsetting established patterns of migratory labor.

As an example, an acute shortage of labor to harvest asparagus has already developed and it has been necessary to request the warden of the State penitentiary to release convicts to do the work formerly done by experienced domestic farmhands. Asparagus is the first crop needing migratory labor to be harvested in the State of Washington since the bracero program has ended. As other crops mature similar problems are expected.

I might also point out at this point that the State of Washington suffered abnormally low temperatures at critical periods this year resulting in freeze damage to a number of tree fruit crops. The crop loss is expected to be substantial. It is imperative that the good quality fruit remaining be harvested by skilled hands and with dispatch. I am wondering how many migratory laborers will

come to the State of Washington when they know they will be needed where they are now and when they know that the tree fruit crop harvest in my State will be smaller than usual.

Farm labor wages in the State of Washington are high, compared with some States. But I doubt this inducement will be sufficient to attract labor we need in view of the insurmountable obstacles precipitated through Government fiat.

Mr. CEDERBERG. Mr. Speaker, I wish to compliment the gentleman from California [Mr. TALCOTT] on the fine presentation he has made. He has pointed out that this manmade disaster has already struck in the 12th District of California. Mr. Speaker, we have a similar disaster impending in the 10th Congressional District of Michigan.

The State of Michigan is the Nation's largest producer of cucumbers for pickles. Harvesting of these cucumbers requires stoop labor. The future of this industry hangs in the balance. The U.S. Department of Labor is playing a game of teeter-totter with the Michigan farmer. The Labor Department is telling the farmer it will make known the volume of migratory labor available in our State when it learns how many acres of farmland are placed under contract with the pickle companies. The farmer naturally will not sign a contract with a pickle company until he knows for certain that he is going to have access to an adequate supply of labor to harvest his crop. The farmer should not be expected to take this gamble.

Mr. Speaker, where is the voice of the Secretary of Agriculture in this crisis? The Secretary of Agriculture is the spokesman for the American farmer in the President's Cabinet. I have seen no indication of his concern about Michigan's pickle industry in this serious matter. Not only is this an income crop for the farmer but it means thousands of jobs in our pickle processing plants.

Any one familiar with the harvesting of this crop knows it is no job for an amateur. For the novice it means many a backache.

Yet the Secretary of Labor intends to make guinea pigs of Michigan cucumber growers and gamble on the harvest by telling the farmers that Washington will send him high school and college athletes to harvest his cucumbers. If the Secretary of Labor wants to use Michigan pickle fields for a laboratory he should experiment in a small area first. Then if the plan is successful, growers will have confidence enough to accept it statewide next year.

It is one thing to make one or two shoestring catches in a baseball game or to crouch over a football during four quarters of a game but it is another to bend over pickle vines for 8 hours a day in the hot sun.

The Mount Pleasant, Mich., Daily Times-News, one of the fine daily papers in my district has been running a series of articles by its staff writer, David Lyon, on the plight of local pickle growers in Michigan.

One of its series entitled "Uncertainty Plagues Pickle Crop" reads as follows:

[From the Mount Pleasant (Mich.) Daily Times-News, May 25, 1965]

UNCERTAINTY PLAGUES PICKLE CROP

(By David Lyon)

It is not as easy to grow pickles for a profit as it used to be.

Hampered by several years of uncertainty regarding the availability of harvest labor, the pickle industry in Isabella County and the rest of Michigan is on the wane.

A few short years ago farmers were planting up to 1,600 acres of pickles in Isabella County alone. Last year it was estimated at 350 to 400 acres, and this year it will be less than half of that, according to three local persons familiar with the situation.

They are Isabella County extension director Louie Webb, pickle company representative, Mrs. Donald Decker, and grower Ron Ervin.

Central Michigan is the heart of the pickle-producing area in one of the chief pickle-growing States. The leading counties are Montcalm, Saginaw, Gratiot and Bay. Last year Michigan harvested 22,800 acres of pickle cucumbers but this year growers indicate they will plant only 16,000 acres.

Lawmakers and labor officials in Washington are primarily responsible for the decline of the Michigan pickle industry. Congress last year refused to renew a law that permitted unrestricted importing of harvest workers from Mexico.

Before Federal labor officials will allow the workers to come into this country, they must be shown that a definite need exists for these Mexican nationals, called braceros. Labor officials also have to be shown that growers and canners of fruits and vegetables requiring hand-harvesting have made genuine attempts to recruit domestic labor, and that enough domestic labor can't be found.

Last year it took 12,800 braceros (and 3,500 other field workers) to harvest the Michigan pickle crop. A five-man farm and labor panel has told Secretary of Labor Willard Wirtz a need exists for only 5,000 braceros in the State this summer, because more domestic workers are willing to labor in the fields.

Wirtz is expected to rule shortly whether to grant the request for the 5,000 braceros. But as of now many growers have no assurance they will be able to harvest the pickles they plant. So they aren't planting. The planting season has begun already and lasts only until June 10.

"I'd like to put in some pickles, but I can't take the risk." Ervin says. Ervin has a farm a short distance northwest of town, and he planted pickles annually for several years.

Ervin and other pickle growers earlier in the year signed contracts with a pickle cannery to grow so many acres. The contracts are the pickle companies' devices to assure that farmers will have a market for their pickles and will not produce a surplus.

"I got a very attractive contract this year," Ervin said. "But I wrote in a clause that it would be void if there weren't any Mexican nationals (braceros) available to harvest."

"Pickle company representatives have tried to assure growers they will get help by harvest time," Webb said. "But many farmers apparently are not convinced."

Mr. CONABLE. Mr. Speaker, though the peak of the harvest season for fruits and vegetables in western New York is still some time away, there is great concern in our area of the country that adequate numbers of workers will not be available to harvest the crops. Fruit growers, particularly, have been expressing these fears to me since early this year and I have been advising the Secretary of Labor of their position. We have in the 37th Congressional District highly productive apple and cherry orchards and truck farms. If adequate numbers of competent workers are not available at the critical time, the losses to both the farmers and the consumers will be highly damaging.

The country has already witnessed abnormal increases in the prices of fruits and vegetables this year, contributing to a record high for the Consumer Price Index last month. The housewife and the consumer have a great stake in this issue, along with our fruit and vegetable farmers. However, in view of the administration's position on this matter and its recent proposal for a bread tax, I wonder whether higher food prices are a deliberate objective of administration policy.

I have mentioned that the concern is over adequate numbers of competent workers. Competency and dependability are key considerations here. In declining to authorize the temporary movement into the country of foreign farmworkers, the Secretary of Labor has maintained in letters to me that adequate numbers of domestic workers are available, if only our farmers will recruit them and offer satisfactory wages and working conditions.

Our farmers point out in disagreement that if adequate numbers of skilled domestic workers were available, they would have been employed in previous years. But, as one farmer wrote to me:

Too many people have the mistaken idea that all of farm labor is unskilled. This is no more true today in agriculture than it is in other industries. We are absolutely dependent upon highly skilled, experienced apple pickers to harvest our crop.

Another letter reads as follows:

Had willing and able domestics been available in past years, the Employment Service would not have certified any State for foreign workers. Had the Employment Service known of any reasonable supply or source, the growers would have been sent to get them. In spite of the textbooks on economics, higher wages do not attract seasonal farmworkers nor do higher wages keep them on the job.

Mr. Speaker, all of us want to expand the job opportunities for American workers; our farmers are no exception to this. At the same time, none of us believes it is necessary to cripple the efforts of our foodgrowers to achieve this. Congress has created the authority to permit foreign workers to come into our country to help harvest our abundance of fruits and vegetables, as needed. The Secretary of Labor is empowered to exercise this authority, and we ask no more of him than that this authority be used in a sound and reasonable manner to guarantee the efficient harvest of our agriculture products. This can be done in the best interests of the farmer, the workers, the consumers, indeed, of all segments of the Nation.

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

Mr. TALCOTT. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I am pleased to join my distinguished colleague from California in discussing a subject which is of vital importance to all congressional districts. The lack of adequate farm labor affects not only vegetable and fruit producing rural areas, but also the mass consuming public all over our country. The housewives of America are suffering from the most staggering grocery price increases in recent history. Why? Because in this era of abundance, the supply of produce is not sufficient to meet the demands of our families. This shortage is not the result of natural disasters or inefficient farming methods. Instead, the cause is a manmade disaster created by the Labor Department.

The particular type of agriculture involved here presents peculiar problems. The vegetable and fruit farms of our country have not benefited as others from the vast improvements in farm technology during the past 50 years. As yet, no one has developed the miraculous, laborsaving machines applicable to the produce farms which have so benefited our grain farms. One reason for this is the nonuniform ripening characteristic of these products. Manual labor, utilizing the individual judgment so far only available from human beings, must be used. I am certain that the Secretary is well aware of this aspect of the problem. He has, in good faith, determined that, with our depressing unemployment rate, enough domestic workers can be found for this job. If this were true, I would join with him wholeheartedly in his efforts.

However, the crops are now rotting in the fields and the grocery prices are skyrocketing. Many of the domestic workers refuse to subject themselves to the backbreaking work involved in produce and fruit farming. The laboring conditions and oppressive heat are not compatible with our automation-oriented labor force. This does not excuse the deplorable working conditions found on a few of our farms. But these conditions should be, and in part have been, corrected by long-range legislation and self-regulating measures by the growers. The question now is one of practicality.

The higher prices now found in our grocery stores are a drag on our overall economy. Money spent on higher-priced food essentials cannot be spent for refrigerators, automobiles, or television sets. We have learned in the past that bargains provided consumers by farmers are largely responsible for the great expansion of our nonfarm economy.

In addition to this, produce- and fruit-affiliated industries are, quite logically, moving their facilities to the labor source, Mexico. We cannot afford to lose these concerns. And yet, we cannot expect them to suffer the consequences of ill-advised government policies.

I join my colleagues in asking that the Secretary of Labor immediately reverse his impractical and devastating decision and allow for the extension of the bracero labor supply.

REPUBLICAN TASK FORCE ON HIGHER EDUCATION

The SPEAKER pro tempore (Mr. EDMONDSON). Under previous order of the House the gentleman from California [Mr. REINECKE] is recognized for 30 minutes.

Mr. REINECKE. 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 California?

There was no objection.

Mr. REINECKE. Mr. Speaker, for the last 2 days, Members of the House Republican task force on education have taken the floor to acquaint their colleagues with the proceedings relating to a hearing conducted by the task force at New York City on May 24—I was privileged to be present at that hearing. That hearing pertained to the proposition of tax credits as an aid in meeting the elevating costs of higher education, and I rise to provide further information on that superbly successful hearing.

Before proceeding toward that, however, I would like to remind the Members of the House of Representatives that while an interest in tax credits is a paramount concern at present of the House Republican task force on education, this is not by any means the sole interest of the task force.

The House Republican task force on education is interested in making an appraisal of the total needs of education in America today, of making a finding of solutions for these needs, and of determining what parts the various levels of Government shall play in satisfying these needs.

Such a broad-scoped view will, of course, reach into many areas of education, including, for instance, that vast desert of learning existing between the high school and college levels.

The simple truth of the matter is that the students who are not college material exceed in number those who are equipped to go forward with advanced educational training. These below-college-level students are ideally suited for the technical and trade schools, but somehow there seems to be a lack of coordination between the high schools and the trade schools, with both a substantial number of students and society suffering in the process.

Mr. Speaker, there is little doubt that a lack of training in this area of trades and technical skills contributes in a substantial measure to the severity of our unemployment problem. Still, when I have inquired of educators as to the absence of such training, I am advised that there is a great number of institutions which provide this type of training in the trades and technical skills.

Maybe there is a substantial number of such trade schools, but there is a multitude of students who never see the inside of these institutions, for otherwise they would not be walking the streets both unskilled and unemployed.

It could be, Mr. Speaker, that the costs of education at this trade-school level are rising at a level comparable to that of higher educational institutions. If so, some attention must be given in this area, and whether the answer is tax credits or whatever, some search for a solution is very much in order.

I would like to say at this point, however, that the House Republican task force on education discovered at the outset of its studies into educational matters that a keen concern is being evidenced by student taxpayers and their parents with respect to the increasing costs of education. And through a preliminary examination into this matter, the task force became measurably impressed with the prospects of tax credits for coping with this particular problem.

Toward the end of testing public attitudes on tax credits and with a view to sounding out various other recommendations for helping the taxpayer to meet the escalating costs of education, the House Republican task force on education conducted a public hearing in New York City on May 24. Highly competent witnesses provided the task force with a broad assortment of views on tax credits—mostly favorable—and they also recommended to the task force's attention several other solutions for meeting the costs of higher education.

Among those of such competent witnesses who testified at the May 24 hearing was Dr. Oliver C. Carmichael, Jr. Dr. Carmichael has, for man years, been a leading light in educational circles, having been a dean of students at Vanderbilt University from 1952 to 1955 and president of Converse College from 1956 to 1960. Presently Dr. Carmichael is serving as chairman of the Committee on Higher Education in North Central Indiana, and as president of the Citizens National Committee for Higher Education, Inc.

Dr. Carmichael is a devoted advocate of a tax credit program as an aid in meeting the increasing costs of higher education, and in his testimony supporting this approach he uses as an example S. 12, as introduced by Senator RIBICOFF, of Connecticut.

Had Dr. Carmichael known about legislation planned by Senator WINSTON L. PROUTY, of Vermont, in this regard, he might well have used Senator PROUTY's bill as an example, for as Senator PROUTY expressed through a statement at the hearing:

> I believe that the tax credit plan typified by S. 12 is a sound, responsible plan to promote higher education in America. There is, however, room for improvement in some of its provisions. To that end I am today introducing a similar measure which I believe will help to overcome the objections of some of those who have opposed the Ribicoff bill.
>
> One objection brought against the Ribicoff bill holds that it would disproportionately aid students attending the more expensive private colleges, and thus discriminate against students at the public and land-grant universities, which generally charge lower tuition.
>
> To counter this objection, I have designed a compromise sliding scale for benefits which would help students paying low tuitions somewhat more than would Senator RIBICOFF's versions.
>
> In my bill a taxpayer could claim a credit of 100 percent of the first $200 of college

expenses; 10 percent of the next $300, and 5 percent of the next thousand dollars. This adds up to a maximum credit of $280 for a student paying $1,500 in expenses. Simply put, students paying up to $600 in tuition, fees, books, supplies and equipment would gain substantially from my bill as opposed to the Ribicoff bill, while students paying more than $600 would gain somewhat more under S. 12.

Another objection raised to the Ribicoff bill was that it afforded no benefit to the individual whose income was so low, or who had so many deductions and exemptions, that he owed less tax than the credit to which he would be entitled, or perhaps no tax at all. I have attempted to ease this objection in my bill by permitting an individual whose computed credit exceeds his tax liability to claim up to $100 of the difference as an overpayment of tax.

The third difference between the Ribicoff and Prouty bills lies in the reduction of credit feature. In S. 12, the maximum amount of credit the taxpayer may claim is reduced by 1 percent of the excess of the taxpayer's adjusted gross income over $25,000. In my bill, the point at which the credit begins to diminish is an adjusted gross income of $10,000, and the rate of decrease is 2 percent instead of 1 percent.

Where under the Ribicoff bill, benefits to taxpayers would not decrease to zero until the taxpayer's income rose to $57,500, under my bill a taxpayer with an income of $24,000 would not benefit. It seems to me that those who earn $25,000, $30,000, $40,000, and $50,000 a year should be able to put their children through college without this extra assistance.

In any event, Mr. Speaker, Dr. Oliver C. Carmichael documented a convincing argument in favor of a tax credit approach for helping to meet the increasing costs of higher education, and his testimony will make a very valuable contribution to any study concerned with the merits of tax credits as an aid in meeting higher educational costs. I shall introduce Dr. Carmichael's testimony, presented at the May 24 hearing, in the RECORD at this point:

A PLAN FOR EASING THE FINANCIAL BURDEN OF PARENTS OF COLLEGE STUDENTS AND PROVIDING NEW SOURCES FOR THE ESTABLISHMENT OF SCHOLARSHIPS

(By Oliver C. Carmichael, Jr.)

(NOTE.—Oliver C. Carmichael, Jr., received his A.B. degree from Vanderbilt University, M.A. degree from Columbia University, LL.B. degree from Duke University, and his Ph. D. in public law and government from Columbia University. He served as dean of students at Vanderbilt University from 1952 to 1955; as the executive director of the Vanderbilt University Development Foundation from 1955 to 1956; and as president of Converse College from 1956 to 1960. He is a trustee of Converse College, St. Mary's College, the University of Notre Dame, and Vanderbilt University. He is now chairman of the board, Associates Investment Co. and its subsidiaries, the Capitol Life Insurance Co. of Denver, Emmco Insurance Co., and First Bank & Trust Co. of South Bend, Ind. Mr. Carmichael is presently serving as chairman of the Committee on Higher Education in North Central Indiana, and as president of the Citizens National Committee for Higher Education, Inc.)

Any discussion of tax credit legislation must be based upon knowledge of the concept. Lack of understanding has prompted many people to reject it initially.

A clear distinction must be made between tax credit and tax deduction. A tax credit is a subtraction from the taxes an individual would otherwise pay. One dollar of credit reduces the person's tax by $1, without regard to the taxpayer's bracket. A deduction or exemption saves a $15,000-a-year man more tax dollars than a $5,000-a-year man. A credit saves both taxpayers the same. Regardless of the individual's tax bracket, a $200 tax credit would reduce the Federal income tax by that amount. For example, if the tax owed was $500, the taxpayer would pay the Government $300.

For the purpose of this discussion, the Ribicoff bill will be used as an example. As S. 12, it has 34 bipartisan cosponsors in the 89th Congress and has been introduced in the House by Representative HERLONG, of Florida, a member of the House Ways and Means Committee.

Under the Ribicoff bill, the credit is based on the first $1,500 paid for tuition, fees, books, and supplies per student at an institution of higher education.

The amount of credit is 75 percent of the first $200, 25 percent of the next $300, and 10 percent of the next $1,000. The maximum credit allowable is $325.

The amount of credit is reduced by 1 percent of the amount by which the taxpayer's adjusted gross income exceeds $25,000. The taxpayer with $60,000 income would receive no benefit at all.

BASIC ASSUMPTIONS

Certain assumptions are basic to the belief by an increasing number of college presidents, administrators, faculty members, trustees, parents, and concerned citizens that tuition tax credit must be adopted.

First, it is in the national interest to preserve and strengthen the diversity which has been the bedrock of excellence of American higher education. The diversity is manifold. At its core is the basic diversity between institutions which are privately controlled and those which are publicly controlled.

There is diversity among private institutions between those which are church-related and those which are nondenominational. Among public institutions, diversity reflects their educational history and philosophies, as well as the individual needs of the States and communities which support them.

Further, there is great diversity in size, in admissions policies, in academic goals and teaching methods, and in the means and methods of financial support.

The diversity has been essential to the unique accomplishments of American mass higher education.

Second, the costs of providing quality higher education to a rapidly increasing number of students have been mounting dramatically. There is no known way of curtailing this cost spiral without making education suffer.

Finally, a major portion of the burden of these costs has been placed upon those who are financing students' higher education, through steadily increasing tuition and fee charges at both public and private colleges and universities. Tuitions and fees have been going up in recent years, and at an accelerating rate—especially for out-of-State students attending public colleges and universities.

The increases have not been based on what the traffic will bear, but upon the increased expenses of providing education to more students with no sacrifice in quality.

Costs of tuition, fees, books, and supplies will continue to rise almost universally. All evidence points to this conclusion; none contradicts it.

It is becoming increasingly difficult for parents to finance their children's college education. Each tuition and fee increase excludes certain students from attending the college or university of their choice.

As selectivity is destroyed, the structure of diversity is weakened, and education and the national interest suffer.

Tuition tax credit will relieve some of the pressure on middle-income taxpayers financing students' higher education and help create a source of funds for designated scholarship for sons and daughters of nontax-paying parents. It will thereby strengthen choice and shore up the diversity of our system of higher learning.

How will the tax credit plan aid the individual student and his parents?

How will it help create funds for designated scholarships?

Tuition tax credit will lower, by the amount of the credit, the annual cost of college attendance at any institution of higher learning.

For example, Northwestern University's 1963 tuition and fees of $1,500 would earn the maximum statutory credit of $325, or a reduction in cost of 21.7 percent to $1,175. Any additional costs would provide no further credit.

The University of California's 1963 cost for tuition, fees, books, and supplies [1] would earn a tax credit of $618—62.2 percent of the annual cost—reducing the cost to $102.

An out-of-State student at the University of California faced a 1963 expense of $870, which would bring a $262 tax credit, representing 30.1 percent of the cost and reducing the actual cost to $608.[2]

Real and substantial relief would therefore accrue to the person—parent, student, or friend—financing the college education. Furthermore, the relief would help to preserve freedom of choice in selection of an institution of higher learning.

Many people have income too low to necessitate the payment of Federal income tax. Tuition tax credit would not help them directly. But few, of course, are financing anyone's higher education. And the fact that a measure helps some people does not justify the inference that it hurts others.

In fact, students of limited means may be aided immeasurably because millions of dollars of scholarship aid could be both generated and liberated to help them.

The tuition tax credit will permit designation of payments for tuition, fees, books, and supplies. For example, under the Ribicoff bill, any individual could pay $200 for a non-tax-paying student and receive a credit of $150. The sacrifice of $50 could mean the difference between college or no college education for many students.

The colleges and universities could use tuition tax credit as a mighty instrument for the promotion of philanthropy by creating direct involvement on behalf of the most needy students.

Furthermore, scholarship-holding students from middle-income families could reduce their scholarships for at least some portion for which they receive tax credits, thus freeing institutions' funds for designation to other worthy students needing financial assistance.

	Percent reduction
University of Denver: $1,050—$280 credit	26.7
University of Colorado: $370—$193 credit	52.2
Out of State: $994—$274 credit	27.6
University of Notre Dame: $1,390—$314 credit	22.6
Purdue University: $390—$190 credit	50.8
Out of State: $940—$269 credit	28.6
Yale University: $1,640—$325 credit	19.8
University of Connecticut: $250—$163 credit	65.2
Out of State: $650—$240 credit	36.9

[1] Based on the U.S. Office of Education estimate of average annual cost of $90 for books and supplies.

[2] Additional examples of the tax credit amount and percent of reduction of tuition, etc. (1963 tuition, fees, etc., plus the $90 cost for books, supplies.)

How will the tax credit plan aid the public and private colleges?

Tuition tax credit will permit both public and private institutions to continue to provide service to students who otherwise will be priced off the campus by the inevitable rise of tuition and fees. It will enable the colleges and universities to create more scholarships, thus broadening their services.

Both qualitatively and quantitatively, the institutions will be assisted in meeting their obligations to their students and the Nation.

The percentage of relief would be greater for those financing the education of students at State and land-grant institutions. The dollar amount of relief would be higher at private colleges and universities.

In terms of channeling national income into higher education, proportionately more dollars will flow to the parents of students at State universities and land-grant colleges. Most private colleges and universities charge more than $500; therefore, only a 10-percent tax credit will accrue for each increase in charges. On the other hand, a 25-percent tax credit will be permitted for each increase at public institutions, until the total charges reach $500.

Do you believe that the initiation of the tax credit plan will result in a reduction of other Federal aid to colleges and universities?

Tuition tax credit does not imply any causal relationship with extant Federal programs, nor does it suggest that its proponents either endorse or oppose other forms of aid, Federal or otherwise.

However, less or possibly no Federal scholarship and loan funds will be necessary, i.e., because of the relief provided parents from the increasing burden of tuition and fees; and secondly, because new sources of funds for scholarships will be made possible. More dollars at less cost will go to the recipients; i.e., under the tuition tax credit plan the full amount of dollars will be channeled directly to the parent or students without any Government overhead.

Tuition tax credit promises to be an efficient, equitable means of meeting a significant portion of this challenge for both our public and private institutions.

Tuition tax credit is not a panacea. It is a solution to a growing national problem.

Do you believe that the initiation of the tax credit plan will result in another rise in tuition at both private and public colleges and universities?

Tuitions will go up: there is ample evidence that this will be true whether tuition tax credit becomes law or not.

But responsible institutions base their tuition and fee charges on their financial needs, with particular emphasis on annual operating costs, such as faculty salaries. The vast majority of colleges do not increase charges capriciously in light of ability to pay. Most raise costs reluctantly, because in so doing they tend to drive away deserving students who cannot afford to meet skyrocketing expenses.

Little can be done to hold the line on operating costs in the face of increased enrollments, justifiable increases in faculty salaries, and the continued prospect of a shrinking dollar. But tuition tax credits will, in large measure, permit institutions to continue to provide quality education to more students who need and deserve it.

To increase tuition and fees for independent colleges and universities and out-of-State students of public institutions would benefit their parents only by $10 for each $100 increase and none beyond the $1,500 tuition cost—this is hardly an incentive to raise tuition and fees.

Which group of our citizens do you feel will be able to make the most use of the points of the tax credit plan?

This plan is directed to ease the burden of the middle-income group and to create a source of scholarships for students of non-tax-paying parents.

Sixty-two percent of the direct benefit will go to 62 percent of the population, those with incomes between $3,000 and $10,000. Ninety-one percent of the direct benefit will go to families with incomes below $20,000 a year.

An undetermined number of students will benefit from the scholarship funds because this will be dependent upon the success of the colleges and universities in procuring tuition and fee payments for students of non-tax-paying parents. But millions of dollars should become available.

It has been argued that there is a basic inequity in the tuition tax credit concept, because it does not benefit all or that it does not help them equally. These arguments are not sound.

Within the area of higher education, Congress has shown that it considers the national interest more important than imbalance between disciplines or institutions.

A Brookings Institute study found that "the direct effects of the Federal programs have been profound and beneficial in the sciences, noticeably more imbalanced in the social sciences, and negligible in the humanities."

Imbalance. But considered to be in the national interest.

An Office of Education bulletin of 1963 shows that of all Federal research grants made to institutions of higher learning, 68 percent went to 25 universities, 82 percent to 50 universities, and 94 percent to 100 universities.

Thus, 94 percent of the dollars for research went to five percent of America's institutions of higher learning. Evidence indicates that a similar situation exists even today.

Imbalance. But considered to be in the national interest.

To stimulate the national economy, the 88th Congress passed a tax reduction. This reduction did not look to individual need; it embraced every bracket. And yet consensus deemed that this was wise.

Congress enacted tax credit legislation for capital investment. A company purchasing a $100,000 piece of equipment will receive more tax credit than one purchasing a $10,000 item—hardly equal benefits to both companies. Service companies which make few purchases of capital equipment receive little benefit and yet it was in the national interest to enact this type of legislation. President Johnson recently announced a policy concerning added depreciation allowances—providing approximately $700 million for industry. These new administrative regulations are of little benefit to businesses that do not have depreciable assets. And yet this action was determined to be in the national interest.

If tax legislation must benefit everyone equally, the medical deduction would be eliminated because it cannot be used by non-taxpayers. The $600 individual income tax exemption, plus $600 for each dependent, would be eliminated as discriminatory against welfare recipients and married couples with no children.

In brief, the national interest concerns us all—and yet the benefits of a particular measure may not embrace all. That tuition tax credit promises to benefit as many as it does is a strong argument in its favor.

What do you think are the chances for passage of the tax credit bill?

Chances for passage are good. Congressional support of tuition tax credit has been consistent and enthusiastic and is gaining momentum. Last year the bill had bipartisan support and was cosponsored by 14 Senators. It was narrowly defeated 48–45. It should be noted that due to external pressures three cosponsors of last year's bill voted against it—thereby bringing about its defeat.

This year the Ribicoff bill has 34 cosponsors—Democrats and Republicans, liberals and conservatives—in the present Congress.

In addition to support in the Senate, evidence indicates that many Congressmen are rallying to the support of the legislation. The bill now has been introduced by Congressman A. SIDNEY HERLONG, a member of the House Ways and Means Committee.

Should the tax credit bill fail to pass in Congress, what other measures could be attempted to solve the basic problems attacked by the tax credit bill?

Although the tuition tax credit concept merits the highest priority—the gift tax credit concept should be given serious consideration. It will provide a great stimulus for giving to all institutions. It will broaden the base of philanthropy to include potentially every taxpayer in the United States. It will offer the institutions a new and dramatic vehicle for involvement of the public in their fundraising efforts.

Total philanthropy to higher education in 1962–63 was $500 million. A tax credit, for example, of $40 for a $50 gift could double this figure. If 20 million taxpayers gave $50 each to the institutions of higher learning, each individual gift would cost the donor $10. One billion dollars would be channeled into education—with a reduction of $800 million for the Federal Treasury—and without the expense of governmental overhead and control.

One other program to reduce tuitions and fees would be direct Federal subsidy for operating expenses. Such a solution, however, is fraught with many dangers. Dr. Frederick L. Hovde, president of Purdue University—Indiana's land-grant university—made a recent statement about tax support of independent colleges and secondary schools. (Culver Alumnus, winter issue, 1965). He said, "If direct tax support from local, State, or national sources is provided to private, independent schools, they no longer can call themselves private and independent. When public money is spent for educational purposes, the institutions receiving such support money must necessarily serve public needs."

In addition to direct tax support for non-public institutions destroying their independence—State universities and land-grant colleges would lose a large degree of it. If they were to receive tax support from "national sources," they would be required to serve "public needs" as determined by the Federal Government—at least to such extent as they receive financial assistance.

Dr. Hovde continued: "The chief support of private institutions should and must come from private sources or the institutions can no longer remain truly private, electing to serve their educational constituencies in special ways."

Passage of gift tax credit legislation would enable all colleges and universities—public and private—to receive financial support from millions of additional private sources—thus making it possible for them to continue to serve their educational constituencies in special ways.

Dr. Hovde concluded: "I have no objection to the use of public money for the educational support of individuals through scholarships, fellowships, GI bill, student loans, etc.—in these programs the individual is free to pursue his education wherever he wishes, in public or private institutions. The only thing that matters is that the individual so aided becomes a more productive citizen and contributor to the society which was willing to help him."

Tax credit for tuition and fees will accomplish these same objectives, including creation of scholarships, etc., and without governmental overhead. Each individual

will be even more free to pursue his education wherever he wishes—in public or private institutions. This is one of the most impelling reasons for the passage of this type legislation.

REFERENCE TO THE NATIONAL EDUCATION ASSOCIATION

Mr. Speaker, as there are many voices raised in favor of tax credits as an aid in meeting the costs of higher education, so are there some voices that speak out against this concept.

The Association for Higher Education is one such organization that opposes the tax credit approach, and this association is a part of the National Education Association of the United States. Under date of June 1, 1965, the following letter expressing opposition to the tax credit proposal was directed to Hon. ALBERT H. QUIE, chairman of the House Republican task force on education:

JUNE 1, 1965.

GENTLEMEN: The excutive committee is the official policymaking body of the Association for Higher Education and is elected by its membership. At the executive committee's recent meeting, in March 1965, after an extended debate, the committee took action opposing the tax-credit program. Primarily the committee took this action in the conviction that the tax-credit approach does not appear likely to achieve what the association considers a major objective: making possible the opportunity for college attendance by those who for financial reasons would otherwise not be able to do so.

Sincerely yours,

G. KERRY SMITH,
Executive Secretary, National Education Association of the United States, Association for Higher Education.

Mr. Speaker, others of the House Republican task force on education who have appeared before me have introduced to the RECORD copies of letters received by the task force on the subject of tax credits.

These letters run into a ratio of about 7 to 2 in favor of tax credits. And because they present some highly interesting observations on the matter of tax credits, I would like, at this point, to introduce some copies of these letters to the RECORD in the ratio mentioned above.

First, I would like to present those letters in favor of tax credits:

MASON & LEE, INC.,
INVESTMENT SECURITIES,
Lynchburg, Va., May 21, 1965.

REPUBLICAN PLANNING AND RESEARCH COMMITTEE,
Task Force on Education,
Washington, D.C.
(Attention: Mr. ALBERT H. QUIE, chairman.)

GENTLEMEN: I feel, as has been suggested, that the plan for giving tax credit to people who are sending children to college, is very wise. Also, I think, in addition to this, it would be well for the Government to establish scholarship or loan funds for our youths that should further their education not only through college but on further to the universities.

So many well-rounded children that would be very beneficial to the country if they were sufficiently educated do not get the opportunity to go to college because, in lots of cases, their parents do not know where to turn. We have counselors in our high schools but they don't seem to know enough about the availability of funds for this purpose. If some plan like this could be developed, all the high schools should be informed so they could pick the students that need such aid and counsel with them where it can be obtained. In that way we could strengthen the knowledge of our future generation and not lose a lot of good talent to lesser things.

I wish you every success in your undertaking and trust that through your efforts we can make our country wiser and much stronger.

Yours sincerely,

WALTER G. MASON.

PRESIDENT'S CLUB,
Winston-Salem, N.C., May 21, 1695.

Hon. ALBERT H. QUIE,
Chairman, House Republican Task Force on Education, U.S. House of Representatives, Washington, D.C.

DEAR SIR: Your letter of May 17 reached me yesterday afternoon, and I am in hopes this reply will reach you prior to your hearing in New York.

I am very definitely in favor of the tax credits as a means of helping to offset the increasing cost of higher education. In my opinion, it would be very unwise for the Federal Government to centralize our educational system, since I think the administration by the States has been very satisfactory.

History proves that the closer the relationship in education the better the results, and I do not feel that the Federal Government in Washington can familiarize itself with the varying problems of the 50 States. Furthermore, I feel that a control of the cost of education can best be met through tax credits—which means that the responsibility is still placed on the individual parent. If our economy is to be preserved, the individual must feel the direct responsibility for his own needs and should not be more and more dependent on the illusion of something for himself from the Federal Treasury.

Having served as a trustee for two old and well-established colleges, I know the problem of cost; but I also know the results of efforts to improve the quality of education. These results have been accomplished by direct and unselfish interest on the part of administration and faculty and could not have been attained by mandates from a central government.

Sincerely,

CHAS. N. SIEWERS.

THE CRESCENT CO.,
Nashville, Tenn., May 20, 1965.

Hon. ALBERT H. QUIE,
Chairman, House Republican Task Force on Education, U.S. House of Representatives, Washington, D.C.

DEAR SIR: I am especially pleased that hearings are to be held on the subject of proposed tax relief for those paying tuition on their youngsters.

Starting this September, I will be paying tuition on four of our own children and one cousin whose father has a serious health problem. I am very fortunate in having a good cash income, but I can tell you that this is a difficult load to carry from current fully taxable income where you don't have real wealth to fall back on to help through this sort of a period. It seems to me that the taxpayer should be given an alternate in this regard of deducting total tuition and other costs, except the student's miscellaneous spending, from income before computing the tax, or a specific dollar reduction of tax liability. This would allow the higher income, large family individuals, like myself, to have some relief through a reduction in taxable income, and would allow much greater relief to the parents who have smaller incomes.

In our highly competitive economic society nothing is more important than educating our young people, and even though I have been able to assist several youngsters in obtaining a college education, it becomes increasingly difficult without some tax relief. It seems to me that there just isn't any more important item facing the Congress than this one.

Very truly yours,

D. R. BUTTREY.

THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES,
New York, N.Y., May 21, 1695.

Hon. ALBERT H. QUIE,
Chairman,
House Republican Task Force on Education,
House of Representatives,
Washington, D.C.

DEAR SIR: Unfortunately I will be in Chicago on May 24, the date of your hearings on the rising costs of higher education. It would be a pleasure to express my views at greater length.

In capsule form, there seems no more apt solution to meeting such enormous costs (to the average family) than by a tax-credit system. There is adrift an attitude that such a system would destroy or at the least, denature our current system of higher education.

Frankly, I cannot see that. From a financial standpoint, countless millions of dollars would become available for education that would not be in circulation in that area otherwise. More importantly, from a frame-of-mind view, education would not appear so distant and out of reach for millions of our good people.

Opposition to the tax-credit system seems vague and incomprehensible. I speak both as a trustee of a college and as the father of five children, four of whom have received college educations—and one yet to go. All I can see in tax credits is greater advantages for the children, better plants and facilities, higher salaries for faculties, more of our people with the wherewithal to face the worldwide competition of the future.

If we are to be both "Athens and Sparta," give us the tools.

Yours most respectfully,

CHARLES R. CORCORAN,
Vice President.

HAMPDEN-SYDNEY COLLEGE,
Hampden-Sydney, Va., May 21, 1965.

Hon. ALBERT H. QUIE,
Chairman, House Republican Task Force on Education, U.S. House of Representatives, Washington, D.C.

DEAR MR. QUIE: Your request for comment on means to assist middle income bracket parents in meeting the cost of education is appreciated. It is my conviction that the tax credit program best promotes this end by making an immediately recognizable benefit to the parent and by doing this in a way which minimizes the cost of distribution of such benefit (i.e., no governmental channel needed for assignment; hence total benefit available for parents). If the tax credit be permitted for anyone who pays for the education of a student, help will be made available to lower income bracket parents through the philanthropy of private citizens.

One recognizes that the tax-credit program cannot solve all the problems. However, used in conjunction with other Federal programs, it can become the most efficient and effective pattern for meeting some of the problems. No new governmental machinery must be put into operation to make it effective, consequently, 100 percent of its cost to our Nation (i.e., in loss of revenue) will be applied to the need it seeks to meet.

Sincerely,

TAYLOR REVELEY.

ALVERNIA COLLEGE,
Reading, Pa., May 19, 1965.

Hon. ALBERT H. QUIE,
Chairman, House Republican Task Force on Education, U.S. House of Representatives, Washington, D.C.

DEAR MR. QUIE: I endorse wholeheartedly the tax credit approach to alleviate the heavy

burden imposed upon prospective and current students in pursuit of higher education. Any measures that would lighten the burden or facilitate access to higher education for qualified students is commendable and worthy of support.

I believe the plan which operates in the States of New York and New Jersey; namely, a plan to help finance scholarships for worthy students to a school of their choice, is an excellent means of helping to offset the increasing costs of higher education.

I hope that all States would adopt this plan.

Sincerely yours,

Sister M. ZYGMUNTA,
President.

RICHMOND, VA., *May 19, 1965.*

Hon. ALBERT H. QUIE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: Replying to your letter of May 17, I am entirely in favor of tax credits to help offset part of the mounting cost of higher education.

Support from Federal and State Governments is now making it impossible for independent and church related colleges to compete with State institutions. Tax credits would tremendously help in relieving to some extent a long-standing and unfair situation.

As a trustee for more than 30 years of an independent college, I am convinced that relief must come from some source or we shall fail to serve our State and Nation when college graduates are most imperative.

Personally, I have talked with the parents of several young people who said their childern would be denied a college education because our board of trustees was compelled to add $400 to the cost of tuition and fees for the 1965–66 session.

Congratulations to you and your committee for seeking a remedy for a threatening crisis.

Sincerely yours,

JOHN A. TATE, D.D.

Now, I shall introduce two letters opposing the tax credit feature into the RECORD:

UNIVERSITY OF DELAWARE,
Newark, Del., May 18, 1965.

Hon. ALBERT H. QUIE,
Chairman, House Republican Task Force on Education, U.S. House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE QUIE: I am, along with the presidents of most State and land-grant universities, on record as being opposed to tax credits as a means of offsetting the increasing costs of higher learning.

In addition to the fact that such a program would not aid institutions of higher education but would help only a special group of parents, I am opposed to any such proposals on the basis of fiscal responsibility. Such a bill would, in effect, allocate revenues by tax credit without any control or accountability on the part of the Congress. The private colleges would raise their fees still further and parents would, I fear, seize the opportunity to send their youth to more prestigious and more expensive institutions. Hence, the total cost of higher education would be inflated.

I certainly cannot be for such a measure.

Sincerely yours,

JOHN A. PERKINS.

ROCHESTER, N.Y.,
May 24, 1965.

Mr. ALBERT H. QUIE,
Chairman, House Republican Task Force on Education, U.S. House of Representatives, Washington, D.C.

DEAR MR. QUIE: Providing tax assistance to parents and prospective students to enable them to have their education subsidized, in my opinion, is unconstitutional. It merely takes tax dollars from others to give to another segment of the population. So far as I can tell, there is nothing in the Constitution that would permit the Government to subsidize education in any branch.

I suggest that if there are those who must rely upon the Government for enough means to educate their children, that they apply to the poverty administration. Let that division give them the money.

Sincerely yours,

KARL N. SMITH.

EARLY RETIREMENT

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

Mr. OLSEN of Montana. Mr. Speaker, I asked for time on the floor today in order to call attention to the legislation now pending before the new Subcommittee on Retirement, Insurance, and Health Benefits of the Post Office and Civil Service Committee. The subcommittee is headed by our capable colleague, the gentleman from New Jersey [Mr. DANIELS] whose efforts on behalf of the Federal worker and his job security are well known to us all.

According to the Legislative Calendar of the Committee on Post Office and Civil Service of April 29, 1965, there are some 200 retirement bills now pending before the committee. These bills propose a number of important improvements in the Civil Service Retirement Act, 5 U.S.C. 2256, and deal with a host of problems involving everything from increasing annuity payments to the improvement of the retirement financing system. About a dozen of the bills call for retirement, with full annuity after 30 years of service and some of these specify retirement at age 55 with 30 years of service. My bill, H.R. 3055, in my opinion, is one of the more forward looking of all of these so-called early retirement bills. It would permit the older worker to retire at age 55 with 30 years of service or after age 55, when any combination of completed years of service and age totaled 85.

FLEXIBILITY

Mr. Speaker, the Federal Civil Service retirement system, even as it exists today, is a good system. It has a built-in flexibility which is far superior to many of the retirement plans of private corporations and companies. And, this is as it should be because, in my opinion, the Federal Government as an employer should lead the way in all matters relating to employer-employee relationships, whether it is salaries, working conditions, on-the-job training or discrimination because of race, color, creed, or national origin. And, if the Federal Government leads in these matters, private industry will soon follow.

To quote from a splendid article on retirement plans which appeared in the May 1965 issue of Fortune:

> Many who have wrestled with these problems are coming to believe that the best approach is neither early retirement as it is now being promoted, nor compulsory retirement at 65. Instead, it would be a highly flexible system that could take account of older workers' differing abilities and preferences for work or leisure. What many are suggesting, in effect, is that corporations adopt pension systems similar to the highly flexible one that covers Federal employees. This permits a person to retire as early as 55—

With penalty, I might add—

but also allows him to stay on until 70.

Well, we appreciate these kind words about our Federal civilian retirement system, but I for one do not believe that it is nearly flexible enough, certainly not, if we compare it with the retirement system for the armed services. Many servicemen, as we all know, retire in their forties with good pensions after only 20 years of service. Some of them begin second careers after retiring from the military and thus can bring their experience and skills to the labor market. Moreover, in my opinion, it is wrong to penalize civilian workers in the 55–59 age group who wish to retire after 30 years' service. To continue this penalty upon the older worker is to ignore completely the facts of life as they relate to today's labor market and the place of the older worker in it. The Social Security Administration partially recognized these changing conditions when it dropped the retirement age for males from 65 to 62.

A NEW LOOK

The fact is that the Federal retirement system has fallen behind private industry in retirement and pension plans. Look at the United Auto Workers 1964 agreement with the Big Three calling for larger pensions for early retirees. Similar new approaches to earlier retirement are under consideration by the United Steel Workers, the Teamsters, the National Maritime Union, and the Machinists Union, according to the Fortune article. As for the Federal workers, a spokesman for the National Association of Letter Carriers stated to the Senate Subcommittee on Retirement:

> One of the most important inducements to enter the Federal service should be the retirement program; and certainly a liberalization of the present law would attract more employees and at an earlier age.

Thus, a considerable amount of support has been built up behind the early retirement bills now before our committee and most seem to favor some liberalization of the present 60–30 optional retirement formula. The 55–30 formula appears to have widespread support among employee organizations, but in the past, the Civil Service Commission has opposed this solution. I understand that all of these retirement proposals are now being given special review by a Cabinet committee appointed by the President, and according to the press, a report will be forthcoming on December 1, 1965, too late for any action by Congress this year.

THE LURE

Personnel administrators and pension plan experts tell us that the surest way to get older workers to retire is to make retirement attractive to them. This is the philosophy behind the UAW-Big Three agreement mentioned earlier and behind the 55–30 bills now before our committee. In other words, the worker in the 55 to 65 age bracket is offered an

attractive retirement package, with generally adequate annuities, designed to lure him out of the labor market, thus opening up a job opportunity for a younger men who may well be brought in at a much lower salary. According to an estimate made for the Post Office Department, these savings could amount to $1,000 annually for each retired employee. Needless to say, in physically active occupations, requiring full use of brain and limb, the younger man could be expected to improve productivity and at less payroll cost.

Take, for instance, the case of the postal workers as described by a spokesman for the National Association of Letter Carriers:

> In the Post Office Department, the pressures of increased mail volume, continuing increased productivity and the transition to mechanization and automation cause the senior employee to be more vulnerable to ailments such as heart disease, back problems, and mental fatigue.

But, under the Civil Service Retirement Act, a Federal employee must be "totally disabled" before his application for disability retirement can be approved. And, since only "basket cases" are eligible for disability retirement, there are many Federal workers today who are physically unable to perform their duties for an entire shift. Some of these must resort to use of sick leave or without pay status for those hours when they are unable to work. For the most part, agencies are understanding about these and other handicapped workers, and they should be.

ANY COMBINATION OF 85

Now, from what I have said, it will be apparent that although a 55–30 bill will improve the present retirement plan, I believe that my bill, H.R. 3055, offers a better solution to the problem. A colleague of mine called it "a compassionate bill" and it is, because it would permit an employee in the 55 to 61 age group, who for one personal reason or another does not want to continue working, to retire gracefully if he so desires. Moreover, this is a better bill for the Federal Government than the 55–30 bills. Under the 55–30 bills, in many cases, the youngest and most active man on a staff could retire at age 55, leaving on the job the older workers who do not have the necessary 30 years' service. My bill would help to lure the older workers over 55 years of age into retirement because of the annual reduction in the years of service required. A worker at age 61 could retire on full annuity after completing 24 years' service, rather than 30 years, as now required or as required in the 55–30 bills.

And, most important of all, this bill would help to open up the career service "at the top" where now most of the top positions in the classified service are held by employees in the 55 to 65 age bracket. A common complaint of Federal employees concerns the lack of opportunity for advancement in the Federal service, and anyone who has examined the classified grade structure knows that there is now extreme pyramiding at the top. I say let us make it possible for these older workers in the higher grades, many of whom came into the service in the New Deal era, and are dedicated public servants, to move out and give the younger men and women in the service a chance to move up.

It is extremely difficult to estimate the added cost of these early retirement proposals because no one knows for sure how many Federal workers would take advantage of these more liberal arrangements. In 1963, the Civil Service Commission estimated that the enactment of a 55–30 bill, on a normal cost-plus-interest basis, would cost $67 million per year. My bill undoubtedly would cost more, but how much more would depend largely upon the "personal reasons" of the older worker for deciding to retire. In any case, it is cheap because offsetting these increased costs to the Government would be the savings of $1,000 per retiree per year mentioned above, plus the savings accruing from substantially increased productivity. This increase would result not only from the younger workers moving up to the vacated posts, but also from new young workers entering the Federal service for the first time. An attractive and viable retirement plan, as proposed in H.R. 3055, will induce more qualified workers into the Federal civilian service and at an earlier age than any other single measure Congress could enact.

In closing, let me repeat what I said earlier that the Federal Government as an employer should lead and not follow in all matters relating to employer-employee relationships. So, let the Federal Government open its doors to some of the millions of young workers now entering the labor market for the first time. One sure way of doing this is by liberalizing our Federal retirement system. And, if the State and local governments and large segments of private industry were to follow the Federal Government's leadership, we would be well on our way toward resolving the major economic problem of our time, the lack of job opportunities for our young people. All will agree, I am sure, that in spite of the great advances we have made in social legislation, something is wrong in our society today when healthy young people cannot find jobs because older workers cannot afford to vacate them.

REQUEST OF THE TREASURY DEPARTMENT TO REMOVE SILVER FROM U.S. QUARTERS AND DIMES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Idaho [Mr. WHITE] is recognized for 60 minutes.

Mr. WHITE of Idaho. Mr. Speaker, Congress today has received a long-awaited request which the Treasury Department has been formulating for 2 years. Congress is being asked to exercise its constitutional authority to regulate the Nation's coinage system by stripping our dimes and quarters of their silver content. Congress is being asked to shortchange the American public by authorizing instead the minting of cupronickel faced copper-cored dimes and quarters that have the dull ring and greasy lusterless look of bus tokens. Congress is being asked to cast aside 173 years of tradition—to sell out the intrinsic value of our coins—for a mess of copper pottage.

Congress is being asked to remove silver from our dimes and quarters because the Treasury Department is erringly convinced that soon there will be a critical shortage of the precious white metal.

I will take a moment to outline the silver coinage situation in light of the 10 years of study I have devoted to the subject.

The deterioration of our coinage system began more than a decade ago, when free world supplies of silver slipped below consumption. The situation has been ignored by Congress and the administration until recent years.

Attention to the problem was slightly evident during the debate over the repeal of the Silver Purchase Act in 1963. Last year, Americans more sharply focused on the status of our coins during the ridiculous rush on the Treasury for silver dollars. Congress nearly took enough interest to pass legislation requiring a thorough study of the problem. This murmur of interest resulted in the Treasury initiating an examination of the needed revisions in the coinage laws. And although the results of this study were to be reported to Congress on February 1 of this year, the report has arrived today—4 months late.

Fearing long ago that our Treasury officials would be overpersuaded by the proponents of nonsilver coins, I explored the silver-coinage matter as thoroughly as possible, and have concluded that it is not only possible, but absolutely necessary that we reduce the silver content of our subsidiary coins.

I followed by introducing a bill in early February that would reduce the amount of silver in our coins to as low as one-third of the present number of grains. Since that time, and while the Treasury Department has been overconvinced of the silver shortage, I have been convinced new silver discovery and recovery methods will give us adequate supplies to maintain 40 percent silver in our coins.

Reduction in the silver content of our coins would have a twofold benefit. The most obvious, of course, would be the released pressure on the demand side of silver. More important, however, is that under my bill, the value of silver would be raised to a realistic level. By raising the monetary value, more than two-thirds of the silver backing silver certificates would be freed for coinage and for sales to domestic users. My bill allows these sales to be made at a price not less than $1.29 per ounce, so that the domestic market will stay below the melting point of our existing coins.

This is a short, and I believe, a realistic appraisal of the silver situation and what Congress would provide through enactment of my bill, H.R. 4184, and the companion bills introduced both in the House and Senate.

Let us compare H.R. 4184 with the legislation recommended by the administration. The legislation we are asked to enact at the earliest possible date would strike all silver from our dimes and quar-

ters. H.R. 4184 would allow a reduction to as low as approximately 30 percent silver in these coins. The silver-eliminated coin is unattractive and immediately distinguishable from the present coins. The coin authorized by H.R. 4184 is practically indistinguishable from our present coin and would maintain the honor and prestige of this country because it has intrinsic value.

It is asserted that the token coinage proposed by the administration will circulate side by side with our present coins. I do not think so. Federal edict will not convince American citizens that the coins are of equal value to their present coins. Federal edict will not prevent the mass hoarding of our present coins at the time we will need them the most. The only possible way for a changed coinage to exist side by side with the present coinage is by confidence in the new coins. The coins authorized by H.R. 4184 are such, but those which we are asked to authorize in the bill sent to us today certainly are not.

Although the proposed bill would make the silverless dimes and quarters legal tender, they will not, in the minds of the American people, have the same value as a silver content coin. The fact that our present currency can be reduced to coins of intrinsic value gives the American citizen confidence in that currency. If the currency can be reduced only to an odd-looking and odd-feeling composition of copper and nickel, I think John Q. Public will feel he is exchanging nothing for nothing.

If I were convinced that we could dispense with the idea that our money should have intrinsic value or be converted to something of intrinsic value, I would myself sponsor legislation such as suggested to us by the message rather than urge passage of H.R. 4184. Such are not the facts of life, however, and I am sure that the Congress will not want to contribute to confusion in the marketplace by the lack of adequate coins, which would follow enactment of the proposal.

We are asked to offer standby authority to the Secretary of the Treasury to prohibit the export, melting, or treating of U.S. coins. Earlier this year I spoke on the floor of the House about possible control measures we must enact in order to protect our existing coins.

I think further control measures are required, specifically the end-use certificate and a prohibition against the pledging of coins for commercial loans.

The proposal which we were sent today does not seek a change in the silver content of the dollar. I think this is its greatest mistake. H.R. 4184 more realistically makes a change in the silver dollar and thereby in the monetary value of silver. I say more realistically, because the problem of supply-demand differential is created by this ceiling price. As author of H.R. 4184, I fully realized the need for maintaining that selling price through the transition period. It authorizes the sales of free silver to legitimate domestic users at that price. This device is better because we do not again have to go through the legislation process in order to eliminate that selling price.

The proposed bill would set a floor price of $1.25 per ounce for silver which would be necessary if the other parts of this proposed legislation were enacted. If, however, H.R. 4184 were enacted, there would be no need for this provision, because the law of supply and demand would be allowed free operation.

The proposed bill provides no strategic reserve. H.R. 4184 would automatically establish a silver reserve in excess of 300 million ounces.

I have no quarrel with the request that the new coins bear the date of the year in which they are minted, nor with the recommended authorization of revitalizing the San Francisco Mint. Although every Member of Congress would like to see a mint established in his district, I realize that the need for speedy action is best served by utilization of the old facility.

The proposed Joint Commission on Coinage is a good idea, one which should have been established years ago. I certainly recognize the need for such a commission if the proposed legislation were enacted. If H.R. 4184 were enacted, I do not think it would be necessary because adequate authority is placed in the hands of the Secretary of the Treasury to make the necessary changes in accordance with our coinage needs and materials supplied.

It is evident there was a great deal of vacillation within the executive branch between a recommendation for a reduced silver content coin and one for a silverless coin. As I stated earlier, I think that the figures supplied to us by the Treasurer's staff study are not accurate reflections of supply and demand. Although the figures for consumption would indicate that we use a great deal more silver than we produce, I think that we must distinguish between actual use and purchases for speculative purposes. Without a doubt, a great deal of the silver reflected in the consumption figures supplied to us by the Treasury represent hoarded silver coin and silver bullion. The figures supplied for production are reasonably accurate but the projection of future mine activity is unreasonably pessimistic.

Rather than make a hasty decision on the administration bill, I propose that first we have the benefit of reviewing accurate figures on the consumption and production of silver. Interior Committee hearings to provide these statistics are scheduled next week. We have recognized for some time that the silver situation is critical. We have waited 4 months for the Treasury solution. Surely, we should now wait until all the facts are available.

When realistic silver production and consumption figures are available and when the public has been fully informed of the Treasury proposal, then I would point out article I, section 8 of the Constitution, which is clear:

> The Congress shall have the power to coin money and regulate the value thereof.

In using this power, I suggest that we modify the administration proposal to allow minting of quarters and dimes with 40 percent silver content. With this legislative safeguard, and if the American public reacts unfavorably toward the cupro-nickel substitute—as I believe they will—the way would be open to continue the minting of silver coins.

CLOSING THE "DEFENSE EDUCATION GAP" IN OUR SCHOOLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. ZABLOCKI], is recognized for 20 minutes.

Mr. ZABLOCKI. Mr. Speaker, today I would like to direct the attention of this body to the "defense education gap" which currently exists in our American schools.

This gap has been created in large part by the effect of the National Defense Education Act, legislation passed by Congress in 1958 to meet the challenge of the space age in our national security and defense.

As the original declaration of purpose which accompanied this law pointed out, the programs of the National Defense Education Act were designed to correct existing imbalances in American education which had led to an insufficient proportion of the population being educated in science, mathematics, modern foreign languages, and other skills.

It is my contention, Mr. Speaker, that the National Defense Education Act, while increasing the quality and quantity of school programs related to national security, has created a new imbalance, one which has brought about inferior defense-related education for large numbers of American boys and girls.

To determine how this has occurred, one need only study title III of the act, the section which deals most directly with education at the elementary and secondary levels. This title authorizes matching Federal grants to public educational agencies for the purchase of laboratory and other special equipment to be used in the teaching of science, mathematics, history, civics, geography, modern foreign language, English, or reading in public elementary and secondary schools.

Nonpublic schools were specifically excluded from participation in this program. Instead, a section was included which allowed the Commissioner of Education to make loans to private nonprofit schools to allow them to buy laboratory equipment. These loans are repayable in 10 years and carry an interest rate which currently is about 4 percent.

Since the bill was enacted in 1958, public schools have benefited measurably from title III of the National Defense Education Act. From fiscal years 1959 through 1964, $290 million in Federal funds were expended for laboratory and other special equipment to public schools.

This assistance has aided those schools in increasing the quality and quantity of their courses which relate to national defense needs.

For example, in 1958 there were 46 language laboratories; today there are almost 7,000. Some 280,000 public

school projects have been approved for acquisition or remodeling of equipment and materials for instruction in covered subjects.

While $290 million was being granted to public schools, loans to nonprofit, nonpublic schools totaled only $3.6 million. Loan funds, allotted to States on the basis of numbers of private school students, are rarely used up, I have been informed by officials of the Department of Health, Education, and Welfare.

The reason is obvious: loans must be paid back, and most private and parochial schools are in no position to undertake such financial obligations. Many of these schools exist just beyond the point of economic survival. For them a National Defense Education Act loan, no matter how desirable, is out of the question.

The result of the National Defense Education Act, therefore, has been to widen the gap between the public and nonpublic schools in the matter of providing an education geared to modern defense needs. It is a classic example of the rich getting richer and the poor, poorer.

Today some 6,900,000 American children attending nonpublic schools—14 percent of the total school population—are receiving inadequate training in subjects directly related to the security and survival of our Nation.

This situation cannot be allowed to continue. Unless a remedy is found, the purpose for which the National Defense Education Act was legislated never will be completely achieved.

No one can pretend that the fullest development of the mental resources and technical skills of our young men and women—specifically prescribed in the act's policy declaration—is being accomplished when 14 percent of our schoolchildren have little opportunity to obtain needed laboratory and other special equipment.

Certainly existing imbalances in education programs are not being corrected as the nonpublic schools fall further and further behind the public schools in providing education in defense-related subjects.

Mr. Speaker, I am convinced that the National Defense Education Act must be amended to give adequate, effective assistance to those American children who choose to attend a nonprofit, nonpublic school.

This can be done without major alteration of the existing law and without danger that the constitutional guarantees of separation of church and state will be abridged.

Indeed, in amending the National Defense Education Act, we have as a guide and precedent a bill enacted into law during this very session of Congress: the Elementary-Secondary Education Act.

Under title II of that act direct grants of Federal funds can be made to purchase textbooks and library aids for use in nonpublic schools so long as the ownership of the materials lies with a public education agency. Only the use of these materials is given to the children in private and parochial schools.

This formula easily could be applied to the laboratory and other special equipment provided under title III of the National Defense Education Act.

By amending the National Defense Education Act, it would be possible to give nonpublic schools the same assistance now being received by public schools, while leaving the ownership of the equipment involved in public hands.

Who owns the equipment is immaterial. It is the use of this equipment which is so important to the educational welfare of the 6,900,000 children in nonpublic schools.

In order to perfect and strengthen the National Defense Education Act to this purpose, I have today introduced a bill into Congress which would apply the principle embodied in title II of the Elementary-Secondary Education Act to title III of the National Defense Education Act.

In order to insure equitable treatment for all schoolchildren, the bill contains several other provisions:

First, in those States in which no State agency is authorized by law to provide laboratory or other special equipment for the use of children and teachers in nonprofit, nonpublic schools, the Commissioner of Education would be authorized to provide the equipment for use on an equitable basis. This provision also follows the precedent of the Elementary-Secondary Education Act.

Second, those schools which previously had obtained laboratory or other equipment with National Defense Education Act loans would have the option of turning over ownership of the items to a public school agency, while retaining their use. Upon doing so, the loan obligation would be canceled and 50 percent of the principal and 100 percent of the interest already paid on the loan would be returned to the school.

Mr. Speaker, I am convinced that only by amending the National Defense Education Act in this way can the purposes of that historic legislation be achieved. It is my hope that congressional action can be taken quickly to remedy present shortcomings in the act and provide equitable assistance under the National Defense Education Act to all school children and teachers.

Until such time as this is accomplished, the defense education gap will continue to widen—to the detriment of almost 7 million schoolchildren and our national security interests.

Mr. Speaker, at this point I include a copy of the bill to amend the National Defense Act of 1958.

H.R. 8774

A bill to amend the National Defense Education Act of 1958 to make equipment purchased under title III thereof available to all children attending public and private nonprofit elementary and secondary schools

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 303(a)(1) of the National Defense Education Act of 1958 is amended (1) by striking out "public" after "or reading in", (2) by inserting "public" after "of local", and (3) by inserting immediately before the semicolon at the end thereof the following: "in public schools".

(b) Section 303(a) of such Act is amended by renumbering paragraph (5) thereof as paragraph (6), and by inserting immediately after paragraph (4) the following new paragraph:

"(5) provides assurance that such laboratory and other special equipment will be provided on an equitable basis for the use of children and teachers in private nonprofit elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State;".

SEC. 2. Section 304 of such Act is amended by adding at the end thereof the following new subsection:

"(c) In any State which has a State plan approved under section 303(b) and in which no State agency is authorized by law to provide laboratory or other special equipment for the use of children and teachers in any one or more public or private nonprofit elementary or secondary schools in such State, the Commissioner shall arrange for the provision on an equitable basis of such laboratory and other special equipment for such use."

SEC. 3. Section 305 of such Act is amended to read as follows:

"PUBLIC CONTROL OF LABORATORY AND OTHER EQUIPMENT WHICH MAY BE MADE AVAILABLE

"SEC. 5. (a) Title to laboratory and other special equipment furnished pursuant to this title, and control and administration of their use, shall vest only in a public agency.

"(b) The laboratory and other special equipment made available pursuant to this title for the use of children and teachers in any school in any State shall be limited to those which have been approved by an appropriate State or local educational agency for use, or are used in, a public elementary or secondary school of that State.

"(c) If a school agrees to transfer the laboratory and other special equipment acquired with loans made under this section as in effect immediately prior to the enactment of this subsection to a State or local educational agency for use as provided in paragraph (5) of section 303(a) and in subsection (c) of section 304, the Director shall—

"(1) cancel the obligations of such school to pay interest on such loans and make a grant to such school equal to the amount it has theretofore paid as interest on such loans, and

"(2) make a grant to such school equal to the amount paid on account of the principal of such loans in excess of one-half of the original principal amount thereof, and shall cancel its obligation to make further payments on account of the principal of such loans when the amount paid thereon equals one-half the original principal amount thereof."

THE PRESIDENT'S MESSAGE ON THE COINAGE SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. CONTE], is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker and Members of the House, I am sorry I cannot agree with my colleague from Idaho in this vital issue, though I do agree with him on certain aspects of the President's report.

I feel that every June bride in this country should rise in indignation over this report, because certainly if this report is carried into fulfillment, into law, the price of silver will double, triple or quadruple, and the price of silverware and other houseware items which contain silver will rise accordingly.

Mr. Speaker, I stand before this great body today disappointed and dis-

gruntled. I have wrestled with the problems that have confronted our coinage system for virtually as many years as I have been privileged to serve in the House. I have watched patiently and hopefully as the Treasury Department and the Bureau of the Mint have proposed stopgap measure after stopgap measure to bridge the gulf that existed between our supply of coins and the demands made upon that supply across the country, but their best efforts have only proved futile. We have always come up with too little too late.

I have watched with trepidation a supply of silver being sucked away from the Treasury Department at an alarming rate and a rate that is ever increasing.

I have argued and I have spoken, on the floor of this body, in the committee room of the Treasury-Post Office Subcommittee and in every forum that was made available to me that we must meet the problems of a need for coins and a need for silver head on; we cannot dodge, we cannot hedge, we cannot turn aside and hope for the best. But, all of my words seem to have fallen on deaf ears.

Today, we received a message from the President on his proposed changes for our coinage system. I can only say with regret that we have not read or heard a plan for the future.

We have only procrastination where we had hoped for promise.

We have only seen once again a President who has spread himself too thin in an attempt to keep everybody happy.

He has eliminated some of the silver usage for coins.

He has continued to use some silver in the half dollar.

He has proposed a metal content for dimes and quarters that will keep them in circulation.

But, he has maintained a silver content in the half dollar that will push it into the hoarded collections of the silver coin speculators to join more than 480 million silver dollars and more than 250 million Kennedy half dollars. So long as there is a silver-content coin minted, we will be minting a coin that will not be circulated.

I cannot and I will not join the ranks of those who will be satisfied with another in the long line of stopgap measures.

I will not say with abandon, "Well, we tried."

I will urge each of you to listen to what I have to say and hope that you will agree with me. The facts are on the table. We have reached the point where we cannot continue to use silver in our circulated subsidiary coins and still be in a position to answer the call that goes out daily from our industrial and defense manufacturers for silver. The President said in his message and I quote:

> Silver is becoming too scarce for continued large scale use in coins.

I would say, silver is too scarce today to use in any one of our subsidiary coins, on any scale.

Silver as proposed has been eliminated from the dime and the quarter. But it is continued in reduced quantity in the half dollar. Why? There is not one good reason that can be given in defense of such a proposal. But a reasonable and persuasive argument can be made against just such a proposal.

There will be approximately 40 percent silver in the proposed new half dollar where before there had been 90 percent. If that new half dollar were to be minted at the rate that 50-cent pieces were minted in 1964—which, incidentally, was insufficient to meet the demand for that coin—we would consume approximately 30 million ounces of silver a year. It is certainly not the more than 300 million ounces of silver that will be used for coinage this year, but it is substantially equal to the total annual silver production in the United States.

How can a problem be resolved when we are effectively drawing off the means that would be used to meet the problem?

Those 30 million ounces of silver are precious and I do not mean their metallic characteristics. The industrial requirements for silver today are in excess of the total free world production and that includes the 30 to 36 million ounces of silver produced domestically.

Every ounce of the silver now in the Treasury, that is used to mint coins, reduces our ability to maintain a stable price for silver in the world market.

Every ounce of silver that is used for coins decreases the silver that is required by law to be available for the redemption of silver certificates.

And, every ounce of silver that is used for coins will find its way into the hands of those who are accumulating silver-content coins waiting for the day that another decision on the silver situation will have to be made—a decision that will come too late to forestall their being able to cash in their coins, not as a medium of exchange but for their silver content.

Today we have the opportunity to propose a change in our subsidiary coins that will meet the challenge before us. Tomorrow the problems will be more complex and the solutions less accessible.

We must have an across-the-board elimination of silver from the subsidiary coins. We cannot take two steps forward and one step backward. That pinch of silver that it is proposed to use in the new half-dollar could well be the pinch that spells the difference between the continued production of film, for the family photo album, for X-rays, for industrial and defense photography. It could be the silver that would go into a battery for a submarine, a radar installation, or a missile.

I would not sacrifice any one of these uses to placate the demands of the western miner to keep the mint on his consumer list or a traditionalist who demands a retention of intrinsic value in his coins. We have seen the worth of intrinsic value in the dime and quarter. The worth of these coins is the goods and services they can buy for their holder. It is not the value of the metal that goes into the coin. And, what is good for the dime and the quarter is good for the half-dollar. And it is good for those people who depend on silver for their very existence.

Are we to see the reduction in the price of jewelry that 401 of us voted for just yesterday be eaten up by an increased price in the silver that goes into the making of that jewelry?

We must step back, gain a proper perspective, and look closely at the President's proposal. The strength or weakness of any stand that is taken is proved, not by ramrodding your point of view, but by careful and deliberate examination and discourse. The hearings on this change in the coinage system should not get underway before we have all had the opportunity to further evaluate every proposal. These coins will not be minted until sometime in 1966.

This is the first major change in our coinage system in 173 years. That change should be well studied and must be farsighted. If we are to call our efforts successful, they must be capable of enjoying such long-lived validity.

The time is now. The means are ours. I hope you will join me.

FACTFINDING MISSION TO NATO

The SPEAKER pro tempore (Mr. EDMONDSON). Under previous order of the House, the gentleman from Illinois [Mr. FINDLEY] is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, here is the text of a significant resolution adopted yesterday by the Republican conference of the House of Representatives:

> Whereas misunderstanding between friends threatens to break up the free world's most essential institution, the North Atlantic Treaty Organization.
>
> The growing rift between two historic allies—the United States and France—appears to be the major reason for the grave difficulties in which NATO finds itself and the most formidable obstacle to rebuilding and strengthening this vital alliance.
>
> The decline of NATO is so sharp it endangers free world security. This crisis deepens unnoticed because it has none of the violence and drama of trouble spots like Vietnam which monopolize governmental and public attention: Therefore be it
>
> *Resolved,* That in recognition of this grave and unmet danger, the House Republican conference hereby endorses and sponsors a mission drawn from its task force on NATO and the Atlantic Community. The mission will make a factfinding trip to NATO headquarters in Paris as soon as scheduling permits.
>
> Through this, the conference hopes to—
>
> 1. Alert the American people to the deepening crisis in NATO and contribute to a better understanding of its gravity.
>
> 2. Learn firsthand the basis and depth of Franco-American disagreement as viewed by the French.
>
> 3. Aid our Government in moving swiftly and wisely to meet these problems.

Mr. Speaker, in announcing the Republican factfinding mission to the press, our distinguished minority leader, the Honorable GERALD R. FORD, of Michigan, had this to say:

> Gentlemen, we asked you here today to announce what I consider to be one of the major undertakings of House Republicans this year. Under sponsorship of the House Republican conference, we are sending a factfinding mission on NATO to Paris, France, in an effort to get at the root of the troubles currently afflicting both NATO and Franco-American relations. The mission will

depart New York by plane on Friday, June 11, and will remain in France for at least a week or as long as necessary to collect the facts they need. They will talk to prominent French officials, including their opposite numbers in the French National Assembly. The factfinding mission will be headed by Representative PAUL FINDLEY, of Illinois, chairman of the House Republican Committee on NATO and the Atlantic Community. He will be accompanied by three other members of that committee, Representatives E. ROSS ADAIR, of Indiana, HASTINGS KEITH, of Massachusetts, and JAMES D. MARTIN, of Alabama. The details of the mission I will leave to Mr. FINDLEY.

As you know, I was a member of the Republican Committee on NATO until I became minority leader and its understakings are close to me personally. Republicans have been consistently outspoken about the need for NATO unity and for improved relations between this country and our historic ally, France. We sincerely believe that this factfinding mission can make a contribution toward achievement of these goals.

Mr. Speaker, the distinguished chairman of the conference [Mr. LAIRD] made this summary of the conference resolution:

The House Republican conference at a meeting this morning adopted a resolution to sponsor a visit to Paris, France, of a factfinding mission drawn from the House Republican Committee on NATO and the Atlantic Community, headed by the committee chairman, Representative PAUL FINDLEY, of Illinois.

As the resolution states, the purpose of this mission will be "to alert the American people to the deepening crisis in NATO and contribute to a better understanding of its gravity; to learn firsthand the basis and depth of Franco-American disagreement as viewed by the French and to aid our Government in moving swiftly and wisely to meet these problems."

The mission is wholly consistent with the Republican Party platform of 1964 which stated: "Republicans regard NATO as indispensable for the prevention of war and the protection of freedom."

The cost of this mission will be borne by the conference. No public funds are involved.

The conference is deeply concerned with the drifting apart of France and the United States and the resulting difficulties in which NATO finds itself. We believe this is a threat to free-world security.

When the mission is complete, it will report in full to the conference. And I look forward with optimism toward the mission's success.

Mr. Speaker, a grave danger to free-world security is rising sharply.

Misunderstanding, doubt, and distrust are driving friends apart and threaten to split asunder the free world's most essential institution—the North Atlantic Treaty Organization.

The danger goes unnoticed and unmet, partly because it has none of the violence and dramatic personal hazards which are commonplace in Communist-inspired trouble spots and partly because it arises in an unexpected place—entirely within our circle of allies.

The crises in Vietnam and the Dominican Republic dominate the headlines and monopolize official attention, while this unspectacular but ominous development undercuts our basic defenses.

Most obvious of the forces splitting NATO are the conflicting policies and actions of the United States and France. These two nations are essential to the North Atlantic community and to the cause of freedom for whose protection NATO was formed. They are the world's oldest pioneer republics.

France was the first ally of our Thirteen Original States, and French aid was crucial in our war for independence. In turn, our Revolution inspired the French Revolution which established the first republic among the great powers of Europe.

Today these historic allies and sister republics find themselves sharply at odds. This lack of accord has accelerated a sharp decline in the vitality and influence of the organization that holds the greatest hope for freedom, peace, and economic progress.

This week's NATO defense ministers' meeting in Paris produced a glimmer of hope. U.S. Defense Secretary McNamara proposed joint NATO development and procurement of weapons. This is the kind of action our Republican NATO committee has long advocated. We must give substance to this excellent suggestion.

Unfortunately most recent NATO meetings have dealt with nothing of importance. Tiptoeing around problems has been a habit. For example, the NATO foreign ministers' meeting less than a month ago in London ducked every major issue as being too fraught with controversy.

With 1969—NATO's important 20-year milestone—just around the corner, predictions that the organization will soon be completely dead are heard with disturbing frequency.

This chasm between friends must be closed, so that the decline in NATO can be reversed before it becomes a fall.

NATO's fall or even the withdrawal from NATO of a single nation like France would constitute a military and political setback of major magnitude for us and for our other allies. It would reduce sharply the effectiveness of free world arms.

NATO's decline comes at a time when the need for free-world unification is greater than ever before. Military, monetary, nuclear, and trade problems that affect the vital interests of the entire Atlantic community mount rather than recede. To meet them NATO must be made stronger. Instead it grows weaker and verges on collapse.

Europeans may wonder if the United States is preparing a 1919-style withdrawal. Do we still place a high premium on close working arrangements with NATO?

President de Gaulle is widely portrayed in the United States as the sole and malevolent cause of all American difficulties in Europe. On the other hand, some Europeans accuse the United States of seeking to dominate all Europe.

The French Government has described U.S. proposals for an Atlantic nuclear force or for a multilateral nuclear force as disguised efforts to formalize U.S. mastery of NATO's nuclear arm and Washington's control of life-and-death decisions of NATO.

In part these disagreements stem from honest misunderstandings, in part from natural tensions between two great and proud nations.

Whatever their origins, the importance of these problems to free-world security is so great that thoughtful and concerned Americans can no longer ignore them in the hope that they will simply go away.

Clearly, the lack of Franco-American accord forms the major obstacle to getting on with the job of rebuilding NATO, and making it strong enough to solve the many urgent common problems which confront the Atlantic community.

Republicans in the U.S. House of Representatives 2 years ago established a special task force in recognition of the need to strengthen NATO.

On recommendation of the task force, the Republican Party platform last year called for an international commission to explore and recommend effective new ways to strengthen NATO. The commission has not been established. The exploration of new ways to strengthen NATO has not begun.

The need remains. It demands full bipartisan spirit and action.

In that spirit the Republican conference of the House of Representatives is sending a study mission—drawn from its task force on NATO and the Atlantic Community—on a factfinding trip to NATO headquarters and to France. No Government funds will be used. This mission is unprecedented just as the NATO problem is unprecedented. Lincoln's words of a century ago are appropriate today:

The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew.

The mission is seeking answers to many questions, of which two may be cited as typical:

First. If NATO in its present form is unacceptable, what modifications might be made that would be workable and provide adequately for free-world security?

Second. What modifications in U.S. policy regarding NATO are desired by France?

Scheduled events will include interviews with officials at NATO headquarters as well as with our legislative counterparts in the French National Assembly.

It will be a factfinding, not a faultfinding mission—and will remain there until its members are convinced they understand the attitude of French and other officials toward NATO and our role in the Alliance.

Through this, we hope to alert the American people to the deepening crisis in NATO, contribute to a better understanding of its gravity, learn firsthand the nature of Franco-American disagreement as viewed by the French and aid our Government in moving swiftly and wisely to meet these problems.

We realize that President Johnson has worldwide burdens that are staggering, complex, and varied.

We undertake this mission in a sincere effort to render constructive assistance,

and do so at this date because we are convinced the decline of NATO is a problem so menacing that it has overriding urgency.

Wise action must take proper account of conflicting viewpoints freely expressed in a cordial environment. Mutual understanding of the facts underlying the current discord is today's greatest need.

COMMEMORATION OF THE ANNIVERSARY OF THE FIRST RELIGIOUS TOLERANCE ACT IN TRANSYLVANIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN], is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, one of the most significant rights any people can have, is the right to worship in the church of their own choice. Transylvanians all over the world commemorate on June 1 the anniversary of the first religious freedom legislation in the world, passed by their Diet at Torda on June 1, 1557. The act passed by a mostly Protestant Diet and signed into law by a Roman Catholic Queen Mother established religious freedom for all prevailing religions.

Freedom of conscience was thus established in Transylvania long before the peace of Westphalia and 18th century enlightenment had finally extended these rights to other Europeans. Even today, religious freedom is not a universally accorded right. In the countries under Communist domination religious persecution and the abridgement of the freedom of conscience are still the order of the day.

It is therefore indeed a sign of political and religious maturity that the peoples of Translyvania denounced bias and bigotry at such an early date. And the 1557 legislation was just the beginning. By 1571 a comprehensive legislation was enacted which survived in Transylvania, and then in Hungary, until 1948.

The Hungarian and Saxon peoples of Transylvania together with the Rumanians who, at that time, amounted to 25 percent of the population, now live under Communist Rumanian rule. On March 24, 1965, I had the opportunity to speak on the floor on the plight of these peoples and to introduce a resolution—H.R. 291—calling upon the House to condemn the discriminatory practices of the Rumanian Government against its Hungarian minority. I understand that the end of June, hearings will be held by the European Subcommittee of the Foreign Affairs Committee and I trust that the Foreign Affairs Committee will decide to present the resolution favorably for a vote by the entire House.

Today I wish to congratulate the peoples of Transylvania at their anniversary and express the hope that oppression will cease and the true spirit of cooperation and tolerance will again become hallmarks of Transylvanian life.

Finally, I hope that the U.S. Government will do everything in its power to call the attention of the Rumanian Government to existing abuses in Transylvania during its economic and cultural exchange conversations with the Bucharest Government and will seek immediate relief for the Hungarian minority in Transylvania.

RESULT ON 1964 PUBLIC OPINION POLL OF 17TH DISTRICT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK], is recognized for 10 minutes.

Mr. ASHBROOK. Mr. Speaker, I have recently concluded polling the 17th Congressional District of Ohio regarding important issues which are before the Congress. This marks the fifth year that I have used this method of sharing with my constituents the decisions which their Congressman must make. While the responsibility for my vote is mine alone, I have found this to be a very useful means of securing the thinking of the electorate.

There were 22,474 who participated in this poll, over 1,250 of whom were high school students. More than 5,000 of those who returned their questionnaires included letters or statements regarding issues and every conceivable legislative matter. These, even more than the results of the opinion poll, are helpful in serving as a sounding board of public opinion back home. Questionnaires were sent to a cross section of Republican, Democratic, and independent voters in every precinct in my district. I think the results are very indicative of their thinking.

Most of the answers would indicate that constituents tend to cross party lines on the issues. There is a definite concern for big government, runaway Federal spending, and our foreign policy.

The results of the poll are as follows:

[In percent]

	Yes	No	Not sure
1. Do you favor the termination of the military draft?	30.0	52.6	17.4
2. Do you favor a GI bill to provide education for those who have completed military service since the Korean war?	49.7	38.7	11.6
3. Do you favor revision of present immigration laws to allow increased immigration to the United States?	9.9	81.1	9.0
4. Do you favor a constitutional amendment which would permit States to apportion one chamber of their legislature on factors other than population?	63.6	34.3	2.1
5. Would you favor establishing a special labor court to settle disputes which pose a threat to the national security?	61.3	23.2	15.5
6. Do you favor removal of sec. 14b of the Taft-Hartley law which grants States the option of enacting right to work laws?	18.8	67.8	13.4
7. Do you favor a Federal law which would reduce the normal workweek from 40 to 35 hours with no loss of pay?	19.5	74.4	6.1
8. Do you favor a Federal law which would increase overtime pay for hours of work from time and one-half to double time?	18.9	76.6	4.5
9. Should Federal antitrust laws apply to labor organizations as well as industry?	80.5	6.9	12.6
10. To meet the current gold crisis, do you favor the administration's request to reduce or repeal the gold reserve requirement?	11.3	63.0	25.7
11. Do you favor legislation which would prohibit the use of wiretapping devices by police and governmental agencies?	31.0	55.0	14.0
12. Do you favor Government action to curb the use of cigarettes?	31.9	58.6	9.5
13. Do you favor additional deficit spending to achieve nonessential goals of the Great Society?	4.6	84.3	11.1
14. Should Communist China be admitted to the United Nations?	10.0	76.5	13.5
15. Should the United States use its first veto if necessary to block Communist China from admission to the United Nations?	74.2	11.7	14.1
16. Do you favor setting aside a small percentage of budget receipts each year to systematically reduce the national debt?	89.0	4.1	6.9
17. Do you believe that a constitutional amendment should be approved which would permit prayer on an optional and nonsectarian basis in public schools?	85.0	9.1	5.9
18. In the current situation in southeast Asia, which course of action do you prefer? (Check one.)			
(a) U.S. withdrawal from South Vietnam	25.0		
(b) Continued support of South Vietnam including the use of troops for training and combat	14.6		
(c) Stepped up military action against North Vietnam including air and sea attacks	48.2		
Not sure	12.2		
19. If the Chinese Communists should change from guerrilla tactics to a massive attack by troops similar to their Korean action, what course of action would you prefer? (Check one.)			
(a) Responsive U.S. action commensurate to the attack by the Chinese Communists	33.6		
(b) U.S. withdrawal from South Vietnam	14.9		
(c) Nonnuclear massive retaliation against not only the North Vietnamese but also the China mainland	36.9		
Not sure	14.6		
20. If Indonesia attacks Malaysia, what should the United States do? (Check one.)			
(a) Assist the British who are pledged to defend Malaysia but refuse to commit American troops to such a fight	31.5		
(b) Assist the British with supplies and troops	20.5		
(c) Do not get involved	36.4		
Not sure	11.6		
21. With regard to medical care for the elderly, what Federal action do you favor? (Check one.)			
(a) Increasing social security taxes to finance certain hospital and nursing home costs for those over 65 along the lines of the King-Anderson bill	10.9		
(b) A tax credit or Federal financing for those without tax obligation to enable individuals to purchase guaranteed renewable private insurance to provide both medical and hospital care for those over 65	15.9		
(c) Hospitalization plan financed separately from social security which would provide coverage for major medical expense but not cover small medical bills	22.3		
(d) I do not believe in Federal participation in this field	44.5		
Not sure	6.4		

CONGRESSMAN CLARK MACGREGOR SPEAKS BEFORE THE U.S. CONFERENCE OF MAYORS ANNUAL MEETING

Mr. BROCK. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] 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 Tennessee?

There was no objection.

Mr. MORSE. Mr. Speaker, Congressman CLARK MACGREGOR of Minnesota, speaking before the U.S. Conference of Mayors annual meeting in St. Louis this week, came to grips with the necessary relationship between local officials and the Federal Government.

Congressman MACGREGOR, through his work as the Republican conference chairman of the task force on urban and suburban affairs, has developed a detailed and incisive knowledge of metropolitan problems.

His emphasis on the need for overall coordination of all Federal programs affecting urban and suburban communities, for service centers on metropolitan problems at the regional level, for improved congressional mechanisms for coping with metropolitan needs and for a creative State-Federal revenue-sharing program deserve the attention of us all. I ask unanimous consent to include his remarks in the CONGRESSIONAL RECORD following my remarks.

CONGRESS LOOKS AT THE CITIES

(By Congressman CLARK MACGREGOR)

(Address delivered to the delegates, U.S. Conference of Mayors annual meeting, St. Louis, Mo., Monday, May 31, 1965)

There is a growing number of Congressmen who recognize the challenges of our fast-expanding metropolitan areas. Because of this I am hopeful that our efforts on the House Republican task force on urban-suburban affairs will help bridge the gap which too often exists between those who govern these metropolitan centers and the Congress of the United States.

You do not need an elementary course in urban affairs. You deal with the problems. You are the workshop. You already are aware that approximately 125 million Americans and nearly 80 percent of our productive capacity are now located within our 212 metropolitan areas. You already know that within 25 years, these urban areas will increase by another 100 million people. I can spare the statistics. You need no further proof that there are multiplying problems of core city deterioration and unhealthy suburban growth.

With this phenomenal growth, the problems of urban life—education, employment, housing, transportation, crime, air and water pollution, discrimination, open spaces, planning, and all the rest—have become increasingly complex.

There is no escaping the fact that the role of the Federal Government has assumed increased importance in metropolitan affairs. Competition for industry between the States and a wide variety of other factors have presented State and local governments with an increasingly difficult job in raising the revenues they need to meet their problems—problems which are increasing in magnitude and which frequently cross local and even State boundaries.

Despite all this, is there a mayor here who would say that the States and localities do not have the primary responsibility for meeting these problems? The American system has made the responsibility yours. Who can deal better with the problems than those who know them best?

Each of us at all levels of government needs to help provide you with the muscle it takes to get the job done. And it is not merely bigness, or just money, or only slogans which are going to do. You know that, too.

I am going to propose here a number of steps which I believe can and should be taken: I don't mean to suggest that this is the policy of the Republicans in the House of Representatives. But it does represent the thinking of many of us. I come from a metropolitan area. My congressional district has added more than 100,000 people since 1960. It will have increased by over 100,000 more persons by the 1970 census. My background is the city.

First of all, Americans need, and need badly, an office of community development in the Executive Office of the President. Nearly 30 Republican Members of the House have introduced legislation to accomplish that purpose. For even if we were to get a Cabinet department of urban development tomorrow, the need for an effective office in the White House to coordinate the proliferating activities of the Federal Government, as they affect urban and suburban areas, would be no less desirable.

Here is why. By ignoring some 80 other Federal programs concerned with metropolitan problems and by simply elevating the Housing and Home Finance Agency to Cabinet rank, a Department of Housing and Urban Development cannot hope to achieve coordination, efficiency, or economy. Urban problems cut across departmental lines, and as urban life grows increasingly complex, more and more of the problems can be expected to cut across these lines. The necessary coordination can be achieved without any increase in Federal control, and without any significant increase in the burgeoning Federal bureaucracy, by an Office of Community Development in the White House.

A bit later, I would like to return for a closer look at this proposal.

Secondly, as we attempt to improve the capacity of the executive branch of the Federal Government to give more effective help in the solution of metropolitan problems, we would be well advised to give thought to improving the way Congress itself functions in this area. Today, for example, an agreement between States on resolving problems of water and air pollution would be passed upon, not by the congressional committees which deal with health problems or with urban matters, but by the Judiciary Committees of both Houses. I am hopeful that the present commission which is studying the problems of congressional organization will provide some answers to the problem of congressional jurisdiction of metropolitan area affairs.

Third, consideration should be given by the Federal Government to the development of metropolitan service agencies in the field. To offer a single agency with which mayors could deal would avoid duplication, would review on a more comprehensive basis than is possible today the applications of local government for Federal assistance, and, in general, could afford all of you the opportunity to discuss your needs with a single repository of information on Federal programs. Too often a project application approved by a field agency of the Federal Government is now rejected, on the same set of facts, by the Washington central office.

Why should Federal regional offices be spread over the Housing and Home Finance Agency, the Public Health Service, representatives of the Bureau of Public Roads, the Federal Aviation Agency, and countless other agencies, each dealing in a fragmented fashion with bits and pieces of urban problems. We should consider a union of Federal agencies at the field level. Since Federal regional offices are, by and large, not decisionmaking agencies, we should at the minimum help simplify the service potential to the communities and States by bringing their functions under a single roof, subjecting local plans to a comprehensive and unfragmented review.

Fourth, renewed consideration should be given to the program sparked initially by Republican Governors for the sharing of Federal tax revenues with State and local governments. This program was given consideration by the administration of President Eisenhower—and reportedly since then—and was recently revived by Dr. Walter Heller. We welcome the bipartisanship. We are pleased that the chief economic adviser to Presidents Kennedy and Johnson has joined Republican Governors who have, over a period of years, proposed the reallocation of revenue resources so that communities and States would be better prepared to meet their responsibilities.

This proposal needs further public discussion. A more equitable sharing of tax revenues, with no strings attached, can have a profound impact on the future of our cities.

I would now like to take that second look I promised at the proposed Department of Housing and Urban Development. To understand why a mere change in the status of HHFA would not do the job, let's look at the relationships of some Federal programs today. Take the Federal Bureau of Roads, under the Commerce Department, and the HHFA, for example. Under the proposed department, activities of the Bureau of Public Roads would not be included. Highway planners, as you all know, find their concern is often exclusively with traffic needs. On the other hand, local housing agencies have as their objective the avoidance of new slums and the replacement of existing ones. Clash for space, as each seeks to accomplish its own task, is often inevitable. The Federal Government, through two separate agencies—the Bureau of Public Roads and the HHFA (proposed to change to department status)—provides funds for each, in cooperation with the States and localities.

But these objectives can and do clash. And, in some urban places in America, that clash can raise havoc which the dream of a beautiful America. Rather than elevating HHFA to Cabinet level, we need a referee. A White House office, such as we propose, would be an appropriate umpire.

The proposed Johnson administration bill creates neither a Cabinet-level department to coordinate the Federal programs geared to the needs of the urban communities nor a Cabinet-level department to administer the principal programs of the Federal Government which provide assistance for housing. Less than one-third of the Federal Government's housing activities would be encompassed in the new department.

I have already mentioned that the Bureau of Public Roads is not included. It will stay in the Department of Commerce.

Water pollution and sewage disposal programs will stay in the Department of Health, Education, and Welfare. Vocational education funds, social security activities, welfare activities, disposal of surplus Federal properties to schools and hospitals and other municipal entities, Hill-Burton funds, activities designed to promote public health, all will remain right where they are now. And the more than 40 separate programs of financial aid for urban development involve some 13 departments and agencies.

We cannot divide responsibility and expect sound decisions for the most efficient use of the taxpayers' dollars in meeting overall community needs.

This is precisely why I favor the establishment of an Office of Community Development in the White House. Your efforts to overcome the problems of air and water pollution, crime, education, public health, and others deserve equitable assistance, and we are determined to provide that assistance. This Republican proposal, if adopted, would not discourage local and State initiative or direct the development of appropriate solutions, but would provide State and local officials with a coordinating point of reference for all Federal programs. This coordination can be achieved with efficiency and economy.

If we establish an Office of Community Development; if the Congress will improve its handling of metropolitan affairs, if the executive branch will develop metropolitan service agencies in the field, and if steps can be taken to share Federal tax revenues with State and local governments—if these four proposals can be adopted, we will have taken the first steps toward strengthening our metropolitan centers and improving the relations between these centers and the Federal Government, both executive and legislative.

But the very first step is to build and strengthen the liaison between the city officials and the Members of Congress. This is the primary reason for the creation of the House Republican Task Force on Urban-Suburban Affairs. Too often we find that the Congress tells the cities what they need without first asking a true cross section of city leaders. This method of operation must not be allowed to continue. The cities must tell the Congress what Federal programs the cities properly need and want before the Congress takes action.

The challenge of our great metropolitan growth is a challenge for every American. It is a challenge which must be met with boldness and determination to recognize a problem and to get at the heart of that problem. But the first responsibility is with the local and State governments. It must be with those who know the problems best. The Congress hopes to work more closely with you in helping to meet that responsibility.

HON. PETER W. RODINO

Mr. DYAL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] 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 California?

There was no objection.

Mr. HOWARD. Mr. Speaker, yesterday the distinguished dean of the New Jersey congressional delegation, the Honorable PETER W. RODINO, was awarded the highest decoration given by the Republic of Italy to a foreigner.

It was most fitting that this decoration, the Order of Merit, Rank of Grand Knight, Republic of Italy, was presented to this great man on the 19th anniversary of the founding of the Republic of Italy. This award was presented by Ambassador Sergio Fenoaltea at the Italian Embassy here in Washington.

Mr. RODINO also was previously tendered the honor as knight commander of the Order of Merit, Republic of Italy, as well as the Star of Solidarity.

Mr. Speaker, Mr. RODINO is a man who has given of himself for the good of everyone. During World War II he was one of the first enlisted men to be commissioned overseas. He was discharged from the Army as a captain with a distinguished war record in 1946. In 1948 Mr. RODINO spearheaded a drive against communism in the April 1948 elections in Italy.

Included among Mr. RODINO's many awards and decorations, I would like to note that he holds knighthood in the Sovereign Military Order of Malta, that he was also knighted by former King Umberto of Italy. His American decorations include the Bronze Star Medal by the U.S. Army and the 1964 Bill of Rights Award for distinguished public service in the field of government.

Mr. Speaker, I am sure that there can be no dissenting voice when I express my esteem for my good friend and congressional dean for his many fine achievements.

Certainly yesterday was an appropriate occasion to pay tribute to the people of Italy for their amazing accomplishments since the end of World War II and for their steadfast devotion to the cause of European unity and Atlantic solidarity. Yesterday was the 19th anniversary of the founding of the Italian Republic.

It is the great goals which men like PETER RODINO have attained which prompted New Jersey's Governor, Richard J. Hughes, to declare June 2, 1965, as Republic of Italy Day in New Jersey.

I would like to include the Governor's proclamation at this point in the RECORD:

PROCLAMATION

Whereas June 2, 1965, is the 19th anniversary of the founding of the Italian Republic; and

Whereas in less than 20 years the people of Italy have worked to build a modern democracy and modern economy; and

Whereas Italy has been in the forefront of the progress of Europe; and

Whereas Italy has played a vital role in the Atlantic alliance; and

Whereas worldwide attention to the problems of poverty, disease, and ignorance have been encouraged by the transformation that has taken place in southern Italy; and

Whereas postwar Italy has recorded great achievements in preserving democratic society and institutions during an age of violence and revolution; and

Whereas Italy continues to make vital contributions to world civilization;

Now, therefore, I, Richard J. Hughes, Governor of the State of New Jersey, do hereby proclaim June 2, 1965, as Republic of Italy Day in New Jersey and urge all citizens to participate in this important observance.

Given under my hand and the great seal of the State of New Jersey, this 1st day of June in the year of our Lord, one thousand nine hundred and sixty-five, and in the Independence of the United States the one hundred and eighty-ninth.

RICHARD J. HUGHES,
Governor.

By the Governor:

ROBERT M. FALCEY,
Acting Secretary of State.

NASSER AND SUKARNO

Mr. DYAL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri 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 California?

There was no objection.

Mr. RANDALL. Mr. Speaker, the RECORD will show that before leaving the city last week I was granted a leave of absence for Wednesday May 26 and Thursday May 27 on account of official business in our congressional district, including the dedication of a post office and an appearance as speaker at a college commencement.

H.R. 8370, the agricultural appropriations bill was considered on Wednesday and my office contacted the pair clerk and requested that I be paired in support of this appropriation bill because of the fact that seven of the eight counties which I represent are agricultural counties. Apparently there was some confusion or misunderstanding, because instead of receiving a pair in favor of the bill on final passage, I was paired only on the motion to recommit and was shown paired as being against such motion.

When I checked the CONGRESSIONAL RECORD, I was astonished to find I had been paired as being against a motion to recommit, which provided that none of this appropriation should be used to finance any export of any commodity to either the United Arab Republic or Indonesia under title I of Public Law 480.

Mr. Speaker, had I been present I would have supported this motion to recommit. I understand there were some arguments presented to the effect that had this motion to recommit been adopted, the Department of Agriculture would not be bound but could go ahead with gifts under title II and sales under title IV. Others complained that this motion would amount to only a slap on the wrist.

Mr. Speaker, whether effective or not this motion would have the beneficial effect of serving notice to Mr. Nasser and Mr. Sukarno and their ilk that we resent the insults which these persons—please observe I did not say gentlemen—have directed to us within the past several months. No matter how we varnish this thing or attempt to cover it over by veneer, Public Law 480 is still a form of foreign aid. Regardless of the description it is a gift just as much as though we walked over to them with some hard American dollars and delivered these dollars to the two who have seen fit to insult us in language that anyone in America can understand if such language were used on the street or in ordinary conversation.

It is true in January, I voted against a similar restriction because the President had been inaugurated only a few days before and I felt that the administration should be given an opportunity to act on its own to cut off these programs. I am glad to find out that at the present time there is no program under Public Law 480 for Indonesia and there have been no development loans over the past 2 years. As to the United Arab Republic, I find there is a 3-year contract under Public Law 480 under which the President has the authority to commit the

funds, but has withheld them. Such withholding should justify the action of those who last January expressed their confidence that the President would act firmly against Nasser.

The present motion to recommit would not tie the President's hands because we have only recently passed a foreign aid authorization.

Mr. Speaker, one of our popular columnists recently suggested that President Gamal Abdul Nasser wants to improve relations with the United States and wants to try to amend past relations. He points out that Nasser does not wish the whole weight of aid to come from the East.

Well, that may be true, but the fact remains that this motion to recommit included not only Nasser or the United Arab Republic, but also includes Indonesia and Sukarno. Remember the President is empowered to continue aid to Egypt if he finds it is in the national interest. There are some timely questions we might ask. Is it in our national interest for Nasser to pressure Libya to eliminate our American bases there? Is it in the national interest for Nasser to provide the Congolese rebels with weapons? Is the presence of 40,000 Egyptian troops in the Yemen in our national interest? Is Nasser's undermining of our prestige and interfering with our relations with Ethiopia, Saudi Arabia, Somalia, and Sudan in our national interest? And is the proposal of Egypt to send an ambassador to North Vietnam in our national interest?

The time has come for us to take a new inventory of those who are our real friends and those who turn our generosity and good will into poisoned arrows to be hatefully aimed back at us. We simply cannot continue to lend aid and comfort to our enemies.

Now let us take a quick look at the latest word about President Sukarno of Indonesia. Just a very short while ago, there was a big jamboree in Djakarta. Billboards depicted Uncle Sam stomping the American Negro. There was a big torchlight parade which ended in an effigy burning of Uncle Sam. All over the entire scene, which was the occasion of the 45th anniversary of Partai Komunis Indonesia, Asia's oldest Communist Party, there were huge 40-foot hammer and sickle emblems woven from straw and bamboo. Sukarno made it plain that he was delighted that United States-Indonesian relations were at their lowest ebb. I say to my colleagues, let us accommodate Mr. Sukarno. Let us make it known we are not happy that he has sanctioned and condoned billboards of large dimensions on the streets of Djakarta printed in the English language directed at the United States with the words, "Go to hell with your aid."

I do not want to be associated with any effort to give further aid to President Sukarno and I want the RECORD to show that, had I been present, I would have voted for the motion to recommit which provided no part of the appropriations could be used to finance export of agricultural commodities to Egypt or Indonesia.

PROPOSED INCREASE IN FEDERAL TAXES ALREADY ASSESSED UPON TRUCKERS ALARMS THE TRUCKING INDUSTRY

Mr. DYAL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] 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 California?

There was no objection.

Mr. DULSKI. Mr. Speaker, looking forward to the future of transportation in America, it is not in the public interest for our Government to thwart its growth. Transportation has played a vital role in our Nation from its earliest days. Today, the movement of goods and people is more than a $100-billion-a-year industry and a very large part of our gross national product. Transportation affects the lives of all of our people—whether it is by air, land, or water.

The proposed increase in Federal taxes already assessed upon truckers has alarmed the trucking industry. It is a burden which truckowners feel they should not be asked to assume based on the facts included in a letter sent to me by Mr. William A. Bresnahan, managing director of the American Trucking Associations, Inc.

I wish to submit this letter for inclusion in the RECORD, along with an article from Business Week:

AMERICAN TRUCKING ASSOCIATIONS, INC.,
WASHINGTON, D.C., *May 27, 1965.*

The Honorable THADDEUS J. DULSKI,
U.S. House of Representatives,
Washington, D.C.

My DEAR MR. DULSKI: This is a desperate appeal, in behalf of truckowners of all kinds throughout the United States, for simple justice.

You recently received a White House message calling for substantial reduction of excise taxes. The trucking business was singularly excluded from the beneficiaries.

Instead, a part of that message called for very substantial increases in the already heavy and burdensome Federal taxes assessed against truck transportation.

Truck operators everywhere are left no choice but to oppose these increases with every ounce of their strength, and if you will be good enough to carefully read and weigh this necessarily lengthy letter you may agree that the proposed tax increases are neither justified nor necessary.

We are convinced that the harassed President was not given all of the facts, and it is our purpose here to lay before you some of the facts which apparently have been overlooked and which must be considered if justice is to be done.

Let's start with the simple truth that owners of motor vehicles pay all of the general Federal taxes paid by anyone else, and thus unquestionably pay their share toward the general support of Government. Since 1917, however, motor vehicle owners (including truckowners) have been required to make additional and special contributions toward the general support of Government, in the form of excise taxes on equipment, fuel, parts, and accessories, etc.—special levies of a type which were not assessed against any other form of transportation.

In the period 1917 through 1956 these special levies, paid only by motor vehicle owners, brought into the Federal treasury a total of $25,407,472,000. During that same period, it is true, the Federal Government spent money for the Federal-aid highway program—a total of $9.195 billion. The difference of more than $16 billion is the measure of the magnitude of the injustice motor vehicle owners, including truckowners, were forced to suffer in that 40-year period. During most of that period motor vehicle owners, including truckowners, cried out for justice but Congress after Congress was plagued by tough fiscal problems and could offer only sympathy.

Then came 1956, when Congress determined that the national welfare and the national defense demanded a significant increase in the Federal Government's road-building activity. It was decided to substantially increase Federal contributions toward construction of regular A–B–C roads and, in addition, to build a 41,000-mile, $27 billion National System of Interstate and Defense Highways.

Here, at long last, was an opportunity for justice. The special motor vehicle taxes already being levied in 1956 were adequate to do the entire job if only Congress would now decide to spend for roads all of the special motor vehicle taxes then being collected. But that Congress, plagued like its predecessors with fiscal problems, could not see its way clear to render full justice. It went part way and designated an increased portion of the special motor vehicle taxes for the new highway trust fund, but supplemented this with substantial increases in motor vehicle taxes, especially on trucks. Highway users, including truckowners, supported the program largely on the theory that half an equity was better than no equity at all.

As laid out by the Highway Act of 1956, the new road systems were designed to serve generations yet unborn, but to be built and paid for entirely by special levies on motor vehicle owners, especially truckowners, in a 16-year period. Thus, from the very beginning, it has been a pay-before-you-go program. This, too, was acceptable, in exchange for partial equity—after 40 years of gross inequity. So it was all settled by the Highway Act of 1956, we thought.

Five years after the program got underway—in 1961—those responsible for carrying out the program came back to Congress with the staggering news that instead of costing $27 billion the new interstate and defense network of 41,000 miles was going to cost $41 billion, a slight miscalculation of $14 billion. A distressed Congress again increased motor vehicle taxes, especially on trucks.

Earlier this year, these same people who are responsible for overseeing the program came back to Congress again, to report that the price of the 41,000-mile Interstate and Defense System had gone up again, this time to $46.8 billion, or an additional $5.8 billion. This sickening news was accompanied by widespread rumors of another whopping tax increase—this time with truckowners singled out for a backbreaking load.

On the 90–10 matching basis, the Federal share of this so-called deficit is about $5 billion. However, a separate report subsequently sent to Congress by the Treasury Department, showed that revenues from the present tax levels would exceed expectations by $1,937 million, thus reducing the "deficit" to $3,063 million.

The present tax program is scheduled to expire in October 1972. By extending the expiration date about 9 months, enough money can be collected to take care of this deficit. This is the course which has been urged and still is urged by the trucking industry. We see nothing sacred about a date fixed in 1956 when everyone though the interstate and defense system would cost $27 billion. The truck operators of America are in a tough competitive field; they are asking no tax relief at a time when virtually every-

one else is getting tax relief; they ask only that a few extra months be allowed to pay for a program which, from a cost standpoint, clearly has gotten completely out of hand. Nor are we alone in this position. All the other highway users and automotive interests which are a part of the National Highway Users Conference have taken the same stand.

The White House message actually accepts this position, in part, by recommending that you extend the date for reduction of the present trust fund taxes from September 30, 1972, to February 28, 1973—a period of 5 months. The proposed increase in truck taxes, according to the message, is designed to bring in about $200 million a year in new money so that some States which are running ahead of schedule will not have to slow down. On the other hand, there are other States which are way behind schedule and probably will not finish on time anyway.

In any event, in seeking to justify the singling out of the trucking industry to bear a new injustice on top of all the old injustices, the message relies entirely upon one part of a two-part study made on the orders of Congress by the U.S. Bureau of Public Roads. Since this can be a key point, we plead for your earnest consideration of the following facts:

When Congress enacted the Highway Act of 1956, it included a section instructing the Bureau of Public Roads to make a study of the fair distribution of the Federal road tax burden among the different beneficiaries.

One part of this instruction called for distinguishing between the direct beneficiaries, i.e., the owners of motor vehicles, and the benefits accruing to the public generally. On this point, the Bureau long ago found that at least 8 percent of the cost was assignable to the public generally, not even considering the obvious national defense implications of the roads, and, therefore, that at least 8 percent of the money should come from the general fund. However, until now at least, this finding has been ignored completely and every dime of the money has been assessed against motor vehicle owners, as such.

Another part of the instruction called for a determination of the proper distribution of the burden as between different classes of vehicles using the roads, using two different methods:

1. The differential benefit method, which assigns tax responsibility on the practical basis of the relative benefits derived from the roads by different classes of vehicles, and

2. The incremental or differential cost method, which is based on a theoretical determination of the added cost of highway construction to accommodate vehicles of different sizes and weights.

At the time of the aforementioned deficit crisis of 1961, Congress called upon the Bureau of Public Roads for the results of its study. At that time, the Bureau reported that it had not yet put all the finishing touches on the study, but that it had tentative results, and that the final results probably would not vary significantly from the tentative findings.

The tentative findings submitted by the Bureau in 1961 showed that the actual tax payments by the trucks exceeded their responsibility under the differential benefit method, and fell short of their responsibility under the differential cost method. Congress found and stated that the fair and reasonable thing to do was to fix the truck taxes at a level in between the results of the two different studies. As a result, the trucks took a substantial tax increase in 1961.

The Bureau was correct in its 1961 statement that the final results would not vary significantly from the tentative results then submitted. In fact, the final results are substantially the same as those upon which Congress based the 1961 tax adjustment. It is very curious, though, that it took 4 more years to put the finishing touches on the report and submit it to Congress. For the final report was not submitted until this years, curiously timed to coincide with the new deficit in the trust fund.

The recent White House message completely ignored the half of the Bureau's study under the differential benefit method—the one which found that trucks were paying taxes substantially in excess of the benefits derived.

Instead, the message relied entirely upon the theoretical differential cost method, whereby the trucks were found to be underpaying. This would appear unjust on its face. It is particularly unjust when you consider the highly questionable nature of the Bureau's differential cost study. The theory here is to determine how much large commercial vehicles add to the cost of road construction, and this obviously requires a practical determination of what kind of basic roads would be built if the large commercial vehicles did not exist.

If the Bureau had approached this on a practical and realistic basis, and started with a basic road that would be required by national defense, public service vehicles, and medium farm vehicles—or even if it had started with the kind of road it builds where trucks are excluded, such as the Washington and Laurel section of the Washington-Baltimore Parkway—it would have found necessarily that current tax payments by large commercial vehicles far exceed their added cost responsibility.

But the Bureau did not take this practical and realistic approach. Instead, it began with an absolutely theoretical basic road, a road that would not be built even if there were no large commercial vehicles, a road and a type of bridge that would not even carry fire engines, or military vehicles, or even the roadbuilding equipment used by the highway departments themselves to build roads. In fact, the Bureau started with a fictitious road which would be far inferior to the roads which are designed and built for "passenger cars only," and which would be soon destroyed by the ravages of weather alone, without any traffic of any kind.

On this basis alone, this dubious basis, the message signed by the President, would inflict heavy and ruinous new taxes on the truckowners of America. The benefit portion of the study has been ignored. We simply refuse to believe that the President was presented with all of these facts.

Now, we can only appeal to you to consider all of the facts, and to give them careful consideration, and to see that true justice and equity prevail. The truckowners of this country are not stepchildren. They are hard-working citizens, making a vital contribution to the economy and welfare of the United States, and providing employment for more workers than any other industry. For too long they have been abused and maligned and it's about time they were given a fair shake. We ask you, please, to help see that they get it. They are in your hands.

Very truly yours,

W. A. BRESNAHAN.

[From Business Week, Mar. 27, 1965]

MORE FOR THE ROADS

TWO WAYS TO PAY A $3 BILLION BILL

To meet the added costs of Federal-aid highways, there are two rival proposals:

The incremental cost method would assess charges according to weight. The heavier a vehicle, the more it would pay because of the heavier construction it requires.

The differential benefit method would relate charges to the benefits vehicles derive from the new highways.

Average cost per vehicle would be:

Type of vehicle	Present payment into highway trust fund	Incremental cost method	Differential benefit method
Automobile	$30	$31	$36
2-axle pickup truck (6,000 pounds)	40	24	25
2-axle van truck (18,000 pounds)	80	61	42
3-axle tractor-semitrailer gasoline (45,000 pounds)	466	462	344
4-axle tractor-semitrailer gasoline (55,000 pounds)	676	771	543
4-axle tractor-semitrailer diesel (55,000 pounds)	897	1,189	910
5-axle tractor-semitrailer diesel (66,000 pounds)	923	1,369	782

Data: Bureau of Public Roads.

The Bureau of Public Roads pumped more fuel into an already flaming controversy this week by submitting to Congress a 450-page report purporting to show which classes of motor vehicles aren't carrying their full share of the cost of the Federal aid highway program.

The cost allocation study is particularly important this year. It will be used by the administration and Congress to help determine who will pay an extra $3.1 billion in user taxes between now and 1972 to complete the interstate highway system on schedule.

The Bureau already has told Congress it will cost $46.8 billion to complete the interstate system, $5.8 billion more than the last estimate in 1961. The Federal share, to come out of the highway trust fund, is $5 billion. But the Treasury estimates that this increase in costs will be offset partially by an anticipated increase of $1.9 billion in user-tax revenues.

TRUCK TARGET

Though the administration has yet to submit recommendations on how to raise the additional $3.1 billion, expectations are that the heaviest burden will fall on operators of heavy trucks. Truckers started fighting such a possibility long ago.

The Bureau draws no conclusions and makes no recommendations in its cost allocation report, but submits figures to speak for themselves. However, included in the report is a new differential benefit method of cost allocation along with the traditional incremental cost method, giving truckers fresh ammunition for their fight.

Under incremental cost method, each element of highway design affected by the number, size, or weight of the vehicles in the traffic stream is broken down into a series of increments. The cost of providing for each of these increments is charged only to those vehicles whose size and weight require them.

But the newer differential benefit method assigns dollar values to four kinds of benefits to vehicle operators:

Reductions in operating costs.

Savings in time made possible by new and improved roads.

Reductions in accident costs.

Reductions in the strain and discomfort of driving.

Such benefits from the interstate highway system are estimated at $6 billion in 1964 and are expected to reach $20 billion annually by 1970.

DIFFERENT FINDINGS

Both cost allocation methods came up with startling different figures, particularly in the

area of heavy, tractor-semitrailer, four- and five-axle trucks. The incremental cost method shows that these vehicles fall far short of bearing their share of the financial burden; the differential method comes up with a much different picture.

Congress got a taste of the forthcoming battle at hearings this week conducted by the House Roads Subcommittee. As might be expected each class of highway user clasped firmly whichever set of figures suited its purpose to prove conclusively that additional taxes should be levied on other types of users to cover the $3.1 billion deficit.

The subcommittee is studying the need for additional Federal aid authorizations to complete the interstate system on schedule. The real fight is yet to come—when the tax-writing House Ways and Means Committee begins work on the problem of user taxes.

THE CHOICE

Officials of the Bureau of Public Roads and the Commerce Department consider the traditional incremental cost method the better of the two cost allocation systems. Administration recommendations later this spring likely will concentrate on higher user taxes on heavy trucks.

However, the Bureau's report does tend to show that the $3.1 billion deficit probably cannot be made up solely by an increase in user taxes on heavy trucks, chiefly because their numbers are relatively few when compared with the millions of automobiles using the highways.

This certainly will support arguments of some Congressmen who want to make up at least part of the deficit by a simple extension of user taxes—due to expire on October 1, 1972—or a diversion of some share of the 10-percent auto excise tax into the highway trust fund.

HIGHER TAXES

The administration has not spelled out its proposals, but has said it will recommend increasing highway user taxes by $247 million a year. Retiring Treasury Secretary Douglas Dillon says none of the added tax burden will fall on motorists. So the speculation is that the administration will recommend tax increases on such items as diesel fuel and retread rubber and a special truck levy.

In addition, the administration has let it be known that it would favor an extension of current or amended user taxes for a short period, perhaps 6 months, to help make up the deficit. If taxes are increased by the suggested $247 million per year, a simple 6-month extension would more than cover the $3.1 billion deficit.

The trucking industry generally favors the extension plan, and Chairman WILBUR D. MILLS, Democrat, of Arkansas, of the House Ways and Means Committee, is known to be giving it serious consideration. For that matter, so is Senator RUSSELL B. LONG, Democrat, of Louisiana, second-ranking Democrat on the Senate Finance Committee.

REVENUES

Under existing law, the bureau estimates user tax payments into the trust fund in 1964 at more than $3.3 billion. This is made up of approximately $2 billion from autos, $38.8 million from buses, $668.5 million from single-unit trucks, $593.3 million from combination trucks, and $12 million from publicly owned vehicles.

With these user taxes rising each year, it probably would take only a 9-month extension of the October 1, 1972, deadline to make up the $3.1 billion deficit.

All classes of vehicles do pay more taxes than those that go into the trust fund. The bulk of this comes from the 10-percent excise tax on new autos ($1.6 billion a year) and the 8-percent tax on parts and accessories ($233.6 million per year).

There is sentiment in Congress for diversion of at least a part of these taxes into the trust fund to make up the deficit. However, the auto industry already is fighting any such plan that would lock it into future highway programs. The industry instead wants these taxes eliminated.

NEW YORK CITY IN CRISIS—PART LXXXVI

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

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

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns the establishment of an addiction rehabilitation center in New York.

It is part of the series on "New York City in Crisis" and appeared in the New York Herald Tribune on April 12, 1965.

The article follows:

NEW YORK CITY IN CRISIS—REHABILITATION FOR 1,000: NEW DRUG ADDICT CENTER ON STATEN ISLAND

(By James W. Sullivan, of the Herald Tribune staff)

The city plans to establish another "halfway house" on Staten Island for rehabilitation of narcotics addicts, it was learned yesterday.

The new rehabilitation center will be located on 10 acres on Staten Island's south shore formerly occupied by the Marist Fathers Novitiate in Princess Bay. It will be called Daytop Village.

Eventually, it will provide rehabilitation for 1,000 narcotics addicts of both sexes. City officials hope it will be in operation next month, receiving voluntary admissions and referrals from courts and probation and parole authorities.

The new center will be closely related to Daytop Lodge, a treatment center for young addicts which aroused controversy on Staten Island when it was established 18 months ago in Tottenville.

However, the new facility is in a more remote location and officials believe it will not stir so much controversy.

Daytop Village, a much larger establishment than Daytop Lodge, will be operated by a nine-member board of directors headed by Rev. William B. O'Brien, a Roman Catholic priest who has fought narcotics and similar problems with an organization in the Bronx. It also will have a 25-member professional advisory council.

Dr. Daniel Casriel, New York City psychiatrist, will be medical-psychiatric superintendent, and Dave Deitch, 31, former addict who has been resident director of Daytop Lodge, will be director of Daytop Village.

Techniques at the new center are expected to follow those of both Daytop Lodge and Synanon, the west coast organization which has adapted the methods of Alcoholics Anonymous to the treatment of narcotics addiction.

Addicts are expected to spend about a year in full-time rehabilitation before they begin to take outside jobs, returning to Daytop Village to sleep.

The city will finance the operation through the mental health board. First year's cost is expected to be $300,000, with the cost per addict about $4 or $5 a day. The cost of maintaining addicts in prison is about $20 a day. Mental hospital costs are about double that.

Population of the village is expected to grow to about 2,000 during the first year of operation.

Daytop Lodge is operated by the probation department of the second judicial district of the State supreme court.

NEW YORK CITY IN CRISIS—PART LXXXVII

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

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

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns medical care in New York City and appeared in the New York Herald Tribune of April 13, 1965.

The article is part of the series on New York City in Crisis and follows:

NEW YORK CITY IN CRISIS—TOO-SILENT HELMSMAN FOR NEW YORK BLUE CROSS

(The feverish increase in Blue Cross rates has disturbed all of New York. Last Saturday, a Governor's committee headed by Marion Folsom probed the patient and found many ills. In this continuing series, the Herald Tribune examines the problem of Blue Cross against the background of the committee's report and independent evidence.)

(By Earl Ubell, science editor)

Blue Cross is a ship with hidden helmsmen. Yet it must steer between the Scylla of bankruptcy and the Charybdis of premium rates so high that it prices itself beyond the reach of its 7.5 million subscribers.

One of the silent steersmen is the doctor. Although he controls 60 percent of Blue Cross charges, he has no responsibility for them. He has few controls, except his own sense of ethics and the occasional pressure of his peers.

It is the doctor who decides when a patient goes to a hospital, where he goes, how long he stays, what procedures, tests, and drugs he gets. All these items add to hospital costs which in turn drive the ship of Blue Cross as if before a hurricane. Blue Cross premiums depend strictly on hospital costs.

Thus, the doctor is involved in one of the great determinants of the cost of insurance. Experts call it, technically, utilization; the number of days of hospitalization in a population. Obviously, if utilization is low, the cost to the insurance company will be low and premium rates will also go down.

In the United States, utilization varies from more than 2,000 days per year for each 1,000 persons, down to 400 days for special groups. Of the 12 largest Blue Cross plans in the Nation, New York has one of the lowest rates, of about 1,000 patient-days per year.

The question is: Can utilization be decreased still further in New York? As the Folsom committee pointed out, about 17 percent of the patients in hospitals have no need to be there. This adds about 17 percent to the premium.

That is where the doctor and the modern practice of medicine come in. The doctor controls the hospitalization of the patient, and if it is more convenient for a doctor or patient, or both, to put the patient in the hospital, the physician will more likely do so than not.

GROUP PRACTICE

In medical plans where the doctors work in groups, the rate of hospitalization of patients can be 20 to 50 percent less than with patients treated by doctors working solo. This is true of the Kaiser Medical Foundation in California, of the Health In-

surance Plan in New York, and of Group Health, of Washington.

However, group practice may not be the whole secret. A study made among District 65, Retail, Wholesale, and Department Store Union, shows that hospitalization in that group is about equal to that of HIP in New York. The reason may be that the union monitors very closely the hospitalization and the doctors paid for out of union funds.

In the Kaiser plan, which is a hospital-centered plan, many of the procedures that would be done in hospitals in New York are done at the health centers. Furthermore, since in the Kaiser plan it has been made in the doctors' interest to keep hospitalization low, he does so.

In New York, the doctor also decides when the patient leaves the hospital, and he often keeps the patient in the hospital longer than necessary, frequently under pressure from the patient who has inadequate arrangements at home for taking care of himself. Thus, there is a big increase in discharges from hospitals on the 21st day when the full-care Blue Cross benefits run out.

Since the average stay in a New York hospital is about 8 or 9 days, the decision by a doctor to keep a patient in an extra day or two could add 12 to 20 percent to the cost of insurance. It is not the gross abuse of hospitalization that sends costs up, but borderline decisions.

In New Jersey, Blue Cross has put all its experience with length of stay on computers, and derived averages for different diagnoses. Starting May 1, a doctor will have to certify longer stays than the average, or Blue Cross will not pay.

In New York, Blue Cross goes over records to see if hospitalization was necessary. When Blue Cross turns down a payment, the wrath of the patient is usually directed against Blue Cross, rather than against the doctor who put him in the hospital, or against the hospital who accepted him.

Doctors also decide where the patient goes for care. Many patients do not need the services of a general hospital. They could be cared for in a nursing home, at home, or in the doctor's office. But it is a fact of medical practice that the patient goes where the insurance is.

Since Blue Cross and most private insurances do not cover nursing home, doctor's office, or home care, the patient puts the doctor under great pressure to admit him to a general hospital where everything will be paid for.

Sometimes a simple social problem is involved. A child of working parents has pneumonia. If one of the parents stays home to care for the child, working pay will be lost in addition to the cost of drugs and other procedures. It is pretty hard for a doctor in private practice to refuse to hospitalize a child when the parents have Blue Cross coverage.

If Blue Cross plays any role in the decision to hospitalize, it is in the slowness with which it has developed insurance arrangements to cover nursing home, office, and home care. The new Federal insurance program for the aged passed by the House of Representatives last week makes such provisions. That should set the pace for Blue Cross plans throughout the country, including New York.

In addition to understandable pressures on the doctor, there are many physicians who admit patients to the hospitals for their own convenience. It is easier to see six patients in one hospital than to visit these at home, or in scattered nursing homes. In one study made of unnecessary hospitalizations, it turned out that general practitioners abused the privilege more often than specialists. It also turns out that there are some surgeons who admit patients for unnecessary surgery. Blue Shield, the companion plan to Blue Cross, which pays physicians, keeps a check on those doctors whose incomes suddenly go up. This will pick up the chronic abusers of hospitalization, but not the borderline cases.

Doctors frequently admit patients to hospitals on Fridays, and the patient stays in the hospital for a "lost weekend" during which little or nothing is done because labs are shut down and services curtailed. The doctor does it to save the bed, but it can add 20 percent to the average hospital bill.

Blue Cross recognizes the role the doctors play in determining Blue Cross premiums, J. Douglas Colman, president of New York's Associated Hospital Service, says:

"For the most part these [medical] professional judgments are rendered outside of any organizational structure which fixes accountability for the economic consequences of such judgments."

LEANDER H. PEREZ

Mr. DYAL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TUNNEY] 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 California?

There was no objection.

Mr. TUNNEY. Mr. Speaker, the United States has had more than its share of political bosses, demagogs, and cynics. Fortunately, they are fading fast from the political scene. Yet there is one remaining who epitomizes all the evils that this breed of leader has stood for. Worse, many of his utterances go unchallenged, and these utterances are magnified by the national press and the nationwide television that we enjoy for so many useful purposes today.

This man's control over the citizens and the interests of one small area need to be fully exposed if his kind of leadership is to be wiped clean from our country forever.

And that is my purpose today.

Mr. Speaker, I rise with some reluctance to undertake this task. This man is not from my State. I realize that I will be charged with interfering in activities which do not concern me.

But I reject these arguments ahead of time. This man has made himself a national figure with his vile statements. And the citizens of America need to be alerted to men such as this one. If they are not, they may one day find themselves without freedom, as this man's people are.

This man, in bringing ridicule and disdain to democracy has done a disservice to all American citizens, and not just those fine people in his own area.

The despot of whom I speak is Leander H. Perez, officially the president of the Plaquemines Parish Commission Council, but actually the dictator of that parish, the No. 1 enemy of the Negro in the United States and foe of the Roman Catholic Church.

His vile attacks on his own church earned him excommunication from that highly respected body.

I have heard this man's snarling cynicism for the dignity of man for several years—but it is only recently that I have come to know intimately what Louisiana and its people are really like.

I find none of this antisocial feeling among my distinguished colleagues in the Congress from Louisiana. I find none of it in my visits to Louisiana and my meeting with the leaders of the State, including the fine Governor, John J. McKeithen.

In them I find the very opposite of men like Leander Perez.

Who, then, is this man, Leander Perez?

I asked myself that question and I began to look for the answers. The Library of Congress, just across the street, proved to be a storehouse of information about this man. And my distinguished colleague from Louisiana, Mr. T. A. THOMPSON, provided me with a timely account of his opinions of Perez.

Here is the Associated Press account of his statement:

Louisiana Representative T. A. THOMPSON, Friday termed Plaquemines Parish political leader, Leander Perez, a self-appointed dictator whose emotional tirades are damaging the State's national image.

The Seventh District Congressman from Ville Platte said in a strongly worded statement that Perez "has been repudiated by the greatest patriots and Americans of our time."

THOMPSON'S statement was in answer to one May 6 by Perez calling five members of the State's congressional delegation renegades who should be purged at the polls next year.

Perez singled out THOMPSON, Senator RUSSELL LONG, and Representatives HALE BOGGS, JAMES H. MORRISON, and EDWIN E. WILLIS.

Perez, Louisiana's most outspoken segregationist, "has seen fit to criticize and abuse anyone who disagrees with anything he believes will serve his own purposes," THOMPSON said. "And certainly his purposes can easily be evaluated for what they are by a review of his actions in the past."

THOMPSON said Perez not only has fought "against duly elected representatives of Louisiana but he has been instrumental in stopping a tidelands settlement which could have been had by the people of Louisiana a long time ago."

The Congressman did not elaborate on this point.

"If anyone would care to check the record and evaluate the fortune he [Perez] has amassed over the years," the THOMPSON statement continued, "it would be clearly evident that his efforts for the most part have been in his own behalf, rather than in behalf of the people he claims to serve.

"I am convinced that Leander Perez feels that he is so well insulated by the vast personal fortune he has acquired that he can become a self appointed dictator over the thoughts of people."

THOMPSON said Perez in calling for the purge of elected officials has insulted the people who elected those officials.

"Inasmuch as he mentioned my name as one of those officials deserving his attack," THOMPSON said, "I must indicate publicly that I not only resent this insult to my people, but I personally resent it, and I want to state that Leander Perez may seek me out wherever and whenever he so desires.

"I will be available to protect and defend the interest of my people, myself and the whole United States against his emotional tirades."

At one time Perez "assumed such powers upon himself that he even put up a roadblock in defiance of orders from the Governor of Louisiana to make available to the public the records of Plaquemines Parish," the THOMPSON statement added.

THOMPSON noted that Perez recently appeared on nationwide television to show "the

dungeons and pits he has established for the express purpose of imprisoning people who might dare to enter his domain."

The reference was to Perez' threat to imprison in old Fort St. Philip beside the Mississippi River any civil rights worker who appeared in Plaquemines Parish.

Mr. THOMPSON has not been alone in condemning Perez. Perez has been called stupid, nuts, arrogant, and a dictator to whom defiance is a way of life. His Plaquemines Parish, which he rules with a harsh hand has been called the "last unconstitutional monarchy in the United States, the Western Hemisphere's only autonomous oil sheikdom" over which Perez has a tighter dynasty than Mr. Khrushchev had. It has been said that "by comparison with him, Gov. George C. Wallace of Alabama seems an angel of reason and moderation and ex-Gov. Ross W. Barnett of Mississippi a towering intellect."

What has earned Perez these terms? His own utterances have. And the files of the Library of Congress are filled with Perez opinions reflecting his disregard for his fellow man, his own church, and the lawful authority of our Nation.

Consider the following subjects and the Perez comments:

Of Negroes, Perez said:

There are only two kinds; the bad ones are niggers and the good ones are darkies.

In calling upon school parents to boycott integrated schools, he shouted:

Are you going to wait until these Congolese rape your daughters? Are you going to let these burr-heads into your schools? Do something about it now.

In questioning before the Senate Judiciary Committee on the voting rights bill, Perez was asked why only 3.3 percent of the Negroes in Plaquemines Parish were registered to vote. The following exchange took place:

Mr. PEREZ. Well, I can only tell you that we are fortified, it is not an opinion with us. It is a fact borne out by the record. It is because of lack of interest, lack of any effort to register, and certainly we are not to be condemned for that.

That was found by a solemn decision after a trial in the Federal court in New Orleans, and affirmed by the fifth circuit court.

Senator SCOTT. Mr. Perez, I recall you also said something about lack of character. Do you want to develop that?

Mr. PEREZ. Did I say lack of character?

Senator SCOTT. You said for reasons of not having character.

Mr. PEREZ. Well, if you want to go into that, sir——

Senator SCOTT. Yes, I do.

Mr. PEREZ. I could expound on that question; yes, sir.

Senator SCOTT. Would you expound on it?

Mr. PEREZ. Yes, sir; and I think that is why the moral qualification is left out of this Senate bill 1564. It is a matter of general knowledge, the immoral conduct of our Negroes, yes, sir, the large numbers of illegitimate children, yes, sir.

Senator SCOTT. You feel that because of the lack of moral character that this has something to do with the either failure or inability of Negroes to register?

Mr. PEREZ. No, I do not say so. I think it is just a low type of citizenship. They do not have the ambition, they do not have the urge, they do not know enough about government, they do not care. They are being well treated. They are being well taken care of. I know in my area they have the finest schools that could be found anywhere. They have accredited schools. We have less than 1-percent unemployment in my parish but we are condemned just the same by you people here who do not know anything about it. You are willing to take statistics and fabricated statistics that do not show the true facts.

As I say, we are near the 50-percent line, but still the aliens of the age are included in the statistics. There is no difference made as to them.

Senator SCOTT. Mr. Perez, you said a low type of citizenship. You are arbitrarily assuming that the Negro is a low type of citizen?

Mr. PEREZ. I would say——

Senator SCOTT. While a white man such as yourself is a different type of citizen?

Mr. PEREZ. I would say that, the rank and file; yes, sir. There is no doubt among people who know them.

Perez has also been outspoken against the President of the United States. After a momentary victory in his fight to keep President Johnson off the ballot in Louisiana in 1964, Perez remarked:

It will force Mr. Lyndon B. Johnson to come to Louisiana and tell the voters what he's doing to them—and then the voters will give him a kick in the pants.

This year he used the following language in answering his own question "Now where will this Lyndon Johnson-Hubert Humphrey administration voting rights bill leave this State and the other Southern States?"

We know that during the years of the first reconstruction when the Federal Government forced "manhood suffrage" and total Negro voting on the Southern Black Belt, what crude and brutal methods were used to attempt to destroy our white civilization. A noted historian wrote how the Negroes who knew nothing of the affairs of government were put into power over their old masters, assisted by two classes of whites, the northern predator—the carpetbagger—who stalked the stricken South like a jackal to filch for himself something of the wreckage, and his partner the renegade and apostate southerner—the renegade without honor, pride, or patriotism—a political unnamed, who deserted his own people in their hour of peril to become a scavenger, hovering like a vulture above the ruins of Negro rule. Today that scavenger is with us again—elevated to high office in Washington by our people whom he now would betray for political favors from the national administration whose sole purpose is to be the highest bidder, for the Communist dominated minority bloc votes in the largest Northern and Eastern States.

The FBI has also been a target. When that agency investigated voting in Plaquemines Parish, Perez said:

Whoever gave the FBI their orders can go to hell. We resent the intrusion of the secret police, called the FBI, and Gestapo methods to harass our people about their registration.

He has charged that there were Communists in the U.S. attorney's office, but as usual, offered no supporting evidence.

Of his own archbishop, the late Joseph Francis Rummel, who integrated Catholic schools and excommunicated Perez for his public denunciation, Perez said:

I say to the archbishop and I've said it before, I think he's earned the punishment of hell for selling out on his people.

The men who led our Catholic Church and who had our respect before have lost the right to all decency and respect of their fellow men. That is how low a person will stoop when he gets caught. When he has sold his soul, he has no decency left.

Perez said the archbishop was telling a bareface lie when he announced segregation was morally wrong.

We are caught up in the spider web of international intrigue * * * with our church leaders taking directions from Communists.

Perez said.

Perez accused the church of integrating its schools because it got a $3 million bribe—grant—to build an apartment building for the aged.

Perez has the same cynical regard for his own people, his own supporters, too. When asked if he had inspired an advertisement urging defiance of the FBI, he replied:

It was my idea. Who the hell else has any ideas in Plaquemines?

Asked if there was any question about who would be president of the newly formed parish government in Plaquemines, he replied:

Well, why should there be? After all, it was my brain child. I'd say the work of the parish—the financial setup has made it all possible—is all the result of my work and special legislation which I wrote over the years. What is the objection to Perez being the lee-dah?

He once told the president of the National Lead Co. who was seeking a new plant site: "Sir, you are wasting your time. I don't want you down here."

As for parish growth, he comments: "We could have 100,000 people in this parish but we don't want 'em."

What is life like in Perez' Plaquemines Parish? It isn't very American-like, if you happen to disagree with Leander Perez.

When U.S. Armed Forces commanders were urged to seek equal treatment for Negro servicemen, Perez' government put the parish bars off limits.

To retaliate against a rebellious public official, the Plaquemines governing body abolished the ward the public official represented.

The librarian of the parish resigned because Perez had forbidden him to order books on the United Nations, Franklin D. Roosevelt, "or any book showing a liberal viewpoint." The librarian said when he resigned in 1963 that Perez had not permitted Negroes to check out books since 1960.

When a rival Governor appointed a political foe sheriff, Perez refused to yield the office to the appointee. He mobilized all the able-bodied men of Plaquemines and set up a flaming roadblock of gasoline-soaked oyster shells to turn the appointee back. The Governor sent the militia to install the appointee and Perez fled across the Mississippi River.

Lawyers fighting Perez often find themselves in peculiar circumstances. One described his experience at a hearing in which he was contesting an election.

He tells it this way:

On this specific occasion in question, I recall that the matter was tried in the parish courthouse at Pointe a la Hache, La., in Plaquemines, and to the best of my recollec-

tion, I believe there was 11 members of the committee. This committee hears the issues and the matters brought before it as to the question of whether a person is properly qualified, and so forth, and so on, and at the time of the hearing, when we walked into courts, there was only two members of the committee present, Mr. Perez and somebody else, and Mr. Perez had, I believe, nine proxies. We went forward with the hearing, which lasted, oh, I would say, 3 days. I'm not certain about the time. The counsel that was appointed to represent our opposition was advised by Mr. Perez to sit down, that he wasn't doing too well, that he, Mr. Perez, would take over. So a very peculiar legal situation arose at several stages during the hearings which Mr. Perez was the parish committee; he also was the counsel for the other side and then he was a witness at the same time.

Voting rights are a sham for Negroes in Plaquemines Parish, the U.S. Commission on Civil Rights found when it investigated registration in 1961.

Only after Negroes filed suit in Federal court was a permanent office for registration located in Plaquemines. Then, after Negroes traveled long distances, they found they were required to wait in line for hours, while white persons were waited on as soon as they arrived.

The Civil Rights Commission found that prospective registrants were required to interpret the Constitution in writing by answering at least 2 questions supposedly selected at random from a group of 25 question cards. The questions were judged by comparing them with answers previously drawn by Leander Perez.

Reported the Commission:

But the Commission's findings cast serious doubt on the fairness of her (the registrar's) administration. Her office records show that only 47 Negroes are registered—less than 1 percent of the Negro population over 21, as compared to 95 percent of the white population and only 7 of these Negroes had been registered since the installation of the constitutional test card system. The constitutional clauses on the cards received by Negroes were much more difficult than those received by white persons. And the manner in which certain cards turned up, or failed to turn up, suggests the whole system was rigged.

The investigation showed that 2 of the 25 test cards, Nos. 2 and 8, were administered to 86 percent of the registered voters in the sample, all of them whites. None of the seven Negroes registered at the time with the card system had used those two cards.

Perez perhaps reached his zenith and human dignity its lowest ebb when the Catholic church integrated its Plaquemines school.

One of the Negro parents who was going to send his child to that school found himself before his employer the next day. He was told:

I don't know what you did, but Judge Perez told me to—I have to get rid of you, or he'll get rid of me, and I have to stick with the people with the money.

At subsequent meetings, Perez described parochial school desegregation as the payoff of a conspiracy and bribe involving Communists, the Jews, the President and the Catholic hierarchy.

Here is what Perez said at one of those meetings:

But $3 million grants to the hierarchy in New Orleans supposedly to build an apartment house for old folks. Well, now that Mr. Catholic President Kennedy has set the example of paying off $3 million to the Catholic hierarchy here, what's he going to do when the pressure is put on him by the Protestant Christian leaders such as this Bishop Oxnam a fellow traveler in Atlanta? That takes us back just 1,962 years ago, when a Judas took 30 pieces of silver, but the price has gone up, my friends. Three million is the first installment. But regardless of the price there's no such thing as "the price is right" on the heads of our fine little girls and boys. Out of 34 parochial schools, if you will check, you'll see that 16 of them had only one or two burr heads. There were four others that had three or four little pickaninnies. There's just barely 124 integrated schools, but that only the foot-in-the-door policy, because they will pour into those schools in the proportion that the white people lose their nerve and lose their courage and abandon their children to a life of immorality and indecency with these filthy little Negroes who don't know what legitimacy means in the first place. Can you imagine the future of America with all the white children driven out of our public schools, in the end, and that's what is going to happen gradually. What is the future of our country? Why are the Communists conspiring to deprive our white youth of educational opportunities? Does Mr. Kennedy see that, or does he give a damn? Did President Eisenhower see it surrounded by his Zionist advisors, Max Rabinowitz? Goldfine and Company? Did Harry Truman see it? No. I don't suppose Franklin Roosevelt gave a darn, either. I was nauseated, sick in the stomach, when I saw the performance by the mayor and the chief of police and the first chief in New Orleans, saying, "We're ready. We're going to use the force of the police against these good people when they come out to protest against parochial school properties being stolen and taken away from them and their children dispossessed." But you're not going to get that kind of reception here, my friends, in Plaquemines Parish—here.

The day before school opened the parish priest went to get gas for the schoolbuses and found they did not have any brakes. The master cylinders on both buses had been drained of all the brake fluid.

That night the Negro parents started getting calls—at 3 o'clock in the morning. The callers said that if one parent sent his child to school, they would "burn us out and every other nigger in Boothsville."

A white parent who continued to send his child to the school was visited at 2:30 a.m. by representatives of his company. He tells what happened:

They explained to me why they were there, and that they had had a call from top brass of my company—asking them to talk with me and see if I wouldn't step out of this school situation, that the pressure had been put on the company, with a threat of closing the company down if I didn't get out of this school situation, and closing down of the company would have put roughly 500 men out of work. Well, there's only one man in the parish with that kind of power. No one else has anywhere near the power to do that.

There's only one man it could have been and that's Leander Perez.

The parish priest announced that school would be discontinued "because of numerous threats of physical violence and fear of insufficient police protection."

And the priest described the terror struck in his parishioners:

A priest almost senses that they're even afraid to talk to us any more, or wave to us, because something might happen if they get too friendly with a priest. Even in going to church at hours other than regular church services, some people are afraid to come to church to make a visit, or holy hour, because something might happen.

One night, after the initial crisis, a nun at the school took a phone message: "If you take those Negroes into our new white school, it will be blown to pieces with you in it."

That night an explosion rocked the school knocking walls apart and charring the ceiling.

In his comment after the blast, Perez said:

I do not decry the activities of our people in resisting and in objecting in any way they can to the unlawful un-Christian, unmoral actions of the hierarchy, or of their local priest to deprive them of their property, to deprive their children of the private Christian education which they had planned and for which they paid.

So there you have some of Perez' utterances and some examples of life in Plaquemines. How did he get so powerful? Fortune magazine tells how in its March 1958 issue repeated herewith.

At this point I would like to have this article inserted in the RECORD along with an account of Perez' appearance before the Senate Judiciary Committee, the two-part series on Perez by Collier's magazine and the account of the CBS Reports program entitled "The Priest and the Politician":

OIL, BRIMSTONE, AND "JUDGE" PEREZ

(By Richard Austin Smith)

(The oil companies handle him like a demijohn of nitroglycerin. And no wonder. He holds the power to blow any business enterprise in his rich bailiwick sky high. He is the boss of Plaquemines Parish, La.)

"As the chief executive of this State," rumbled Louisiana's Earl Long in the summer of 1956, "I thought I had a right to look at income taxes. * * * I found several astounding revelations. I found that a certain district attorney in a certain parish had gone, I think, from $24,000, $25,000, or $26,000 to $200,000. * * * I'm informed that the levee boards in Plaquemines Parish, and some companies that a certain man (is) interested in, are receiving royalties from the Freeport Sulphur Co. I'm informed that that's not necessarily a voluntary contribution. * * * If you want to do well, you've got to stay with the king. I had a man the other day to tell me—(he's) a multimillionaire—that he swore he would not give an overriding royalty, I think of one-sixteenth. He stood out and stood out and finally his partners come to him and said, 'Listen, we've got great investments. Everybody else in that part of the country has done it. Go ahead and do it and let's recover something on our investment.' "

Whom the Governor meant by "the king" and what "staying" with him entailed were no mystery to U.S. corporations doing business in Plaquemines Parish, the deep delta county that squeezes the Mississippi on its final thrust to the Gulf. Its district attorney is Leander Perez. The corporations dealing with him include not only Freeport Sulphur, but Shell, Texas, Humble, Tidewater, Gulf, and California; they all have had

firsthand experience in the most fantastic land-lease situation, not to say the most authoritarian political duchy, in the United States.

Plaquemines Parish is Louisiana's richest mineral county ($184 million worth of oil produced in 1957, $40 million in sulfur). For almost 35 years it has been under the dictatorship of one man, Leander Perez; either you do business with Perez, or you don't do much business in Plaquemines Parish. The mechanism works in this wise: years ago Perez-controlled levee boards leased thousands of acres of land either to Perez-controlled land companies, or to his nominees, who in turn assigned the leases to the Perez land companies. Mineral companies have found that it's prudent to sublet from one of the land companies, from which Perez derives a sizable part of his income. In Plaquemines Parish, boundary lines are a series of unknowns, both legal and geographical. The decisive influence in levee-board land disputes: Leander Perez.

It's no wonder that individual oilmen are most careful of what they say about the dictator of Plaquemines Parish. The major petroleum companies themselves habitually handle him like a demijohn of nitroglycerin—and for good reason. If they want to lay a pipeline or put up a terminal in Plaquemines, Perez has the power to block them. If their leaseholds are being challenged, as consistently a hazard of life in Plaquemines as the cottonmouth moccasin, then Perez may be behind it—and what they can save of their holdings lies substantially in his hands. Consider, for example, the recent $135 million land dispute between Freeport Sulphur and John Mecom on the one side, and Humble, Shell, Texas, Gulf, plus Leander Perez on the other.

In 1951, John Mecom, Houston's immensely successful independent oilman made a deal with Ernest Cockrell, Jr., to take a mineral lease on some Plaquemines Parish land. The Cockrell acreage dated back to 1927, when Ernest, Sr., bought it, and covered part of the Lake Washington field. Lake Washington is now the biggest field in the parish, with a whopping reserve of 315 million barrels; 273 wells dot its 5,460 acres and in 1957 produced 10,228,000 barrels of crude. The deal itself was for Mecom to drill two deep wells to validate the Cockrell holdings, Cockrell and others to get a royalty of 17⅔ percent on the production. Freeport Sulphur was brought in when Mecom needed more cash, took a half interest with him, splitting the cost.

But as soon as there was production, Perez joined the party. (In essence, what he said was: You're drilling on my land; a representative from the opposing side remembers retorting: "'All right, where is your land?' Everywhere we drilled, that was his land.") Humble Oil and other sublessees (Gulf, Texas, Shell) thought they had a valid claim on a portion of the same land from Perez via one of his land companies. (In 1938, before State mineral board approval was required, a Perez land company had got a fabulously generous blanket lease on all the uncommitted acreage that one of Perez' parish levee boards could scrape together. Only a token amount of money—$1,500—was paid to the levee board, while the land company itself was now in a position to get an override on any future subleases, such as Humble and others, were now asserting they held.) Perez conducted the early discussions, taking the lead for Humble and associates, who demanded that Freeport-Mecom move its claim northwestward, and the conferences were reported as pleasant until an outrageous demand by Perez caused Freeport-Mecom to break them off. Then Perez, who had appeared on the scene as mysteriously as one of the islands that float up out of the Mississippi, vanished again below the surface. Freeport and Mecom kept on drilling, soon had a lot of production on the section they would have forfeited had Humble-Perez been able to make their claims stand up. But the more successful they were, the more insistent Humble and partners became that their lease from the Perez land company was valid on the 400-odd acres involved. Freeport and Mecom finally capitulated. The settlement of 1955, involving some 90 million barrels of reserves, was a compromise. The results for Humble, Shell, Texas, Gulf: half the production from the disputed area; for Perez: his land company got an override on this half, as the sublessor. Freeport-Mecom lost half the mineral acreage they thought they owned, instead of 100 percent of the production, wound up with half.

This incident throws a bright light on the man many Louisianians regard as the most powerful figure in the State. A burly, 66-year-old with a rampant pompadour, Leander Perez is the individualist who devised the filibuster stratagem that saved "Kingfish" Huey Long from being run out of office in 1929; who took over national leadership of the States' Rights Democratic Party in 1948; who openly refers to Huey's brother Earl, Louisiana's present Governor, as "that maniac in Baton Rouge"; who was the instigator of Louisiana's claim to a fatter slice of the tidelands (the "Perez Line" of 1954); who has all but closed his parish to further industrialization and recently shouted at the astonished president of National Lead in search of a plant site: "Sir, you are wasting your time. I don't want you down here. Now, with the Freeport [Sulphur] crowd, we've got to know them and like having them around, but we don't want any more." His prime interest? Not money, but sheer power. He has cultivated power since first becoming district judge back in 1919, perfected it in almost 35 years as district attorney and manipulator of the parish's great fur and mineral wealth until Plaquemines is today, as one Louisianian wryly described it, the last unconstitutional monarchy in the United States.

THE LOOK OF A SWAMPLAND CAESAR

That Perez has managed to rule his unconstitutional monarchy so absolutely and for so many years is no accident. Rather it is an almost classic instance of the way a bold, brilliant, and ruthless tactician can beat off all challengers once he thoroughly identifies himself with his domain. Physically, Plaquemines is a low, waterlogged parish, chopped into silty islands at its southern end where the Mississippi rolls through seven passes into the gulf. Most of it is trembling prairie, a great rolling green plain full of alligator runs and the three-cornered grass so relished by muskrats. The swamp buggies of seismographic crews cross-hatch its lonely marshlands, hunting the oil on which a good part of the parish seems to float like a green scum. Oysters abound along its intricate waterways, neither too salty nor too fresh, and on the ribbons of firm ground back of the levees grow some of the finest oranges in the world. The 30,000-odd people who live in Plaquemines and in neighboring St. Bernard (the two parishes together make up the 25th judicial district) have adjusted to the mosquito and Leander Perez, but little else. A basic Creole stock plus "Cajuns" and "Tockos," of Acadian French and Dalmatian Slavic lineage (with a leavening of the Irish who built the levees back in the 19th century), they have all the virtues and all the shortcomings of an insular people: self-sufficiency, pride, intolerance, lawlessness, and blind adherence to tribal codes. Some of these characteristics Perez himself possesses, having been born and bred in Plaquemines, in a poor family of 13 children; others he has studiously acquired until he is now a sort of composite of many of the prevailing attitudes in the parish.

"Mine is the life story," Perez declares today, "of a man who's done more, I believe, than any other man in this country in a restricted area, in building up a community." "Perez, in his own mind" echoed a onetime sulfur executive, "is the greatest citizen since George Washington, maybe even better: He didn't chop down any cherry tree." Even so, nobody can help but admire the material evidence of what Perez has done in a third of a century as the self-appointed "parish business manager." His stewardship has resulted in almost $9 million worth of new schools ($2,700,000 for new Negro schools of "equal excellence"); an average of $25,000 distributed annually in college scholarships; 10,000 farm acres under drainage; two main highways; three water purification and distribution plants to reduce the age-old dependence on rainwater; a free ferry across the Mississippi; free waterways, canals, and locks instead of the heavy tolls fishermen had to pay for a round trip through a canal; free boat haulage at two parish yards; a flock of new fire departments; and with all this, the lowest countywide tax rate in the State. Perez, his pleasant wife "Momma Perez" and four grown children themselves live in a style that has nothing to do with his district attorney's salary of some $7,000 a year. "The Judge," as he is called by almost everyone, has two houses in Plaquemines, one on New Orleans' "millionaires' row" (deeded to a married daughter), large herds of prize cattle, and drives about the parish in an air-conditioned car with, from time to time, a revolver nestled in its glove compartment. At his disposal as a private yacht is the 73-foot parish "patrol boat" *Manta*, where many a sulfur or oil executive chomping the judge's succulent corn or sipping his bourbon on a cruise down the Mississippi, has learned the not so palatable facts of life in Plaquemines.

THE COMMON BOND OF PREJUDICE

The people of Plaquemines are uncompromising segregationists; so is Perez. He decries integration as a Communist plot to destroy the country and finds gratifying expression for his white-supremacy dogmas in the citizens council. During the war his skin-deep sociology vented itself in opposition to California's uprooted Nisei working on the parish's verdant truck farms. He recalls with relish what he said to U.S. Government officials: "I know these Japs can't farm in court, and that's where they're going to be for a long time. I'll demand a jury trial, and my closing argument will be, 'No matter in what kennel you may buy the highest pedigreed dog, he's still an * * *, and no matter where a yellow Jap is born, he's still a yellow * * *.'"

More recently Perez has broken up Plaquemines homes by enforcement of Louisiana's heartless miscegenation law, ever pressing for the extradition of those people who have sought sanctuary in other States. For some citizens of the parish, long accepted as white, but perhaps with Negro blood far back in their family tree, there is the terror that he may someday uncover this forgotten heritage; then they will have to move out of their white neighborhoods, while their children withdraw from white schools and relinquish their white playmates, for in local parlance they've "got a spot," or they've been "dipped." "There's only two kinds of Negroes," he is fond of saying, "bad ones are niggers and good ones are darkies. If He didn't intend him to be inferior, why did God make the black man?" And on one occasion, as the self-appointed interpreter of divine logic (his desk carries a tract entitled: "God, the Original Segregationist"), Catholic Perez entered a parish church and compelled a nun to segregate a group of schoolchildren.

A LITTLE MATTER OF LATITUDE

The people of Plaquemines like to bend the law to suit their convenience. Their ancestors trafficked with Jean Laffitte, the celebrated 19th century pirate, and bought the slaves taken on his forays in the gulf; they were enthusiastic rumrunners during prohibition, concealing their liquor under layers of shrimp or oysters as a regular thing (for deluxe shipment, they pressed a funeral cortege into service); they were equally resourceful as smugglers of contraband Chinese—though, if capture were imminent, not above murder or jettisoning their cargo overside in sealed barrels. A deep deltan would shoot a man for poaching on his oysterbeds, meanwhile poaching, gun in hand, his pirogue hidden away in the grasses, on some fur company's muskrat marsh. Indeed, their rather one-sided conception of what was "fittin'," plus an equally deep-rooted distaste for doubledealing, nearly cost Perez his own hide in the trappers war of 1926.

The trappers war, which embraced both Plaquemines and St. Bernard Parishes, reveals the judge in an early instance of the dual role he was to make so profitable with the coming of oil and sulfur. Perez first appeared on the scene in benevolent guise ("my first interest was to help the trappers") as the organizer, and attorney, of the St. Bernard Trappers' Association, a group with exclusive trapping rights to thousands of acres. Subsequently the association's rights on 100,000 acres were sold to a buyer acting as trustee for unnamed persons—who promptly tripled the trapping fees. Perez' refusal to identify the purchasers (he was subsequently charged with being their attorney) suggested that they might be the judge himself. Denouncing the sale, the president of the association filed suit to have it rescinded.

"SHOOT TO KILL"

Legally, the battle ebbed and flowed with first one side then the other pressing the legal advantages won in each new court decision. The trappers swarmed over the area when a decision favored nullification of the sale; when an appeal favored the mysterious purchasers, they tore down trap markers, and posted guards. As for Perez, the "benevolent" dictator began acting just like any other dictator when crossed. He hurried down to Texas to recruit more tractable trappers. Hard-bitten Texans were brought in to patrol the contested lands. The local trappers moved on Perez in Plaquemines, bent on shooting him. He heard of their coming, got his family into a rowboat and escaped across the Mississippi. Orders had previously gone out to the Perez gunmen and deputies regarding any trappers found on the disputed lands: shoot to kill. Now the climax of the "war" approached: in a single fight one deputy was killed and five others wounded; the trappers had three casualties. This kind of statistic was bound to give pause even to the Judge. Very soon thereafter, the trappers bought the battleground and the war was over. It was one of the few lickings Perez ever took.

PERILS OF A PRIVATE CITIZEN

More recently, the residents of the tiny Plaquemines settlement of Ostrica were treated to the spectacle of what happens when a single citizen collides with the "law" and a big company in Perez' parish. A storekeeper, tired of having his roadside front steps knocked off by Gulf trucks, finally flagged one down and told the driver he couldn't go through. This brought Plaquemines deputy sheriffs on the run. They declared the truck was going through nevertheless; the storekeeper rashly told them to go to hell. But passage of the truck didn't end the affair; nor did the man's retreat into his store. The "law" was apparently out for blood. The chief deputy had a submachine gun; one of the other deputies, interestingly enough, was Gulf's superintendent of transportation, who was handed a revolver at the scene. The storekeeper's pregnant wife subsequently swore she heard Gulf's superintendent-deputy sheriff say: "Best thing is to get him out, then to shoot him." The storekeeper stayed put. His wife suffered a miscarriage, collected $10,500 in damages from Gulf in 1952.

Of course, oil companies themselves can get into trouble in Plaquemines over a misinterpretation of what "the law" actually is. One of Perez' chief officials rents boats to the oil companies. A corporation that rejects this service does so at its inconvenience. As one outfit discovered, fuel tanks of its company-owned craft had a way of getting clogged up with sugar during the night, while during the day fishing boats blocked passage through the canals leading to the rigs.

Perez' overt bending of the law has been no less colorful. Leander-the-lawyer is a deep student of the Constitution; indeed a labor attorney who once heard him argue a case before the Louisiana Supreme Court described him as the "most brilliant constitutional lawyer in the State." But when a workman declared he was within the law in picketing, a Plaquemines deputy sheriff shouted that he was the law in the parish Constitutionalist Perez accosted two union officials in the New Orleans Federal Court itself, where they sought protection of the guarantees of peaceful picketing and assembly, pointed them out to his sheriff and simply said: "If you catch them down there [in Plaquemines] any more, put them in jail."

THE "ROTTEN BOROUGHS"

Politically, Perez' contortions with the law have earned his parishes of Plaquemines and St. Bernard the statewide epithet of "the rotten boroughs." Declared the district's judge in 1940, after Perez had moved for his impeachment: "The control that [Perez] presently has in Plaquemines Parish being complete in every detail, in that no act is performed by any of the officers of that parish unless he is first consulted; his holding of undated resignations of each and everyone of these officials, members of these public boards, etc., constitutes them his absolute slaves." Though this statement can be accepted as a generalization, the fact is the judge doesn't need to ride close herd on everyone every minute. His power is too manifest to require it; moreover, it isn't any more necessary for a political boss to instruct his experienced lieutenants on the way things should be done than it is for a corporate boss. The objective in either instance is success and the means is always there to put heavy penalties on failure. Only token votes are obtained by Perez' opposition, and through the years there have been repeated charges about "the muskrats voting down there." But the notorious Plaquemines count was still apparent as late as 1950, and upon FBI evidence, five Plaquemines election commissioners were convicted of vote fraud. Their attorney asked for leniency on grounds that none of the defendants had criminal records. The Federal judge did suspend sentence but observed wryly: "When you're on the right side down there, you're not likely to have a criminal record." "Some of these Plaquemines folks," Perez explained recently, blowing the incident away in a puff of mellow cigar smoke, "don't have any way of getting to the polls, so they used to ask their friends to cast their votes for them. That's all that happened."

A STATE OF OPEN REBELLION

Perez himself got tangled up in the law most spectacularly when his parish took on the State of Louisiana in the "little war" of 1943–44. The Plaquemines sheriff had died in office, which put the appointment of a successor in the eager hands of reform Gov. Sam Jones. Jones jumped at the opportunity of establishing a bridgehead in Perezland; but the judge was just as aware as the Governor of what might happen with a Jones man in the sheriff's office. The sheriff is a powerful personage in Louisiana, much like the old-time sheriffs of England, and charged with such sensitive responsibilities as collecting taxes. The pulling and hauling over this key post finally reached the Louisiana Supreme Court, which ruled in favor of the appointee. Entreaties to accept the Jones appointee went out from Baton Rouge; legalistic catcalls came back from Plaquemines. The State guard held drills in New Orleans. Perez organized a Plaquemines Parish patrol of gun-waving citizens. The Governor proclaimed that a state of "open rebellion" existed in Plaquemines and a battalion of State guardsmen moved down the peninsula to establish martial law at the parish seat of Pointe a la Hache. "General" Perez drew his revolver and marshaled his own forces but, prudently, the first and only "blow" was delivered by Leander the lawyer, as the State guard column drew up to the first roadblock, three Perez deputies attempted to serve a local court order forbidding the invasion. They got nowhere, and within a few hours the last of the barricades had been cleared away, the Jones appointee was established in the courthouse, the parish patrol had metamorphosed into a group of guileless citizens lolling on their front porches, and Leander, his pistol holstered, had long since crossed to the other side of the river on the parish's ferryboat. Though the war was over, legal barrages continued. But only a few months later the Jones sheriff was swept out by the electorate and the man on the white horse was back in the saddle again.

THE FOUNDATIONS OF POWER

Nominally, Perez is just the district attorney, one of whose duties is to act as legal adviser to the police jury, an elective body that functions as a county board. But Perez took his own handpicked slate of police jurors into office with him when first elected D.A. back in the twenties, and has been picking them ever since. All the key instrumentalities of power in Plaquemines—the tax assessor, the school board, the sheriff, the police jurors, the district judge,[1] and so on—are Perez men, "selected" at caucuses of the party faithful. Democracy in action? "Not democracy," growled Perez recently. "I hate that word. Joseph Stalin had the best democracy in the world, and next to him, Franklin Roosevelt."

But even though the police jury gave Perez their "100 percent cooperation" from 1924 on ("we sort of get together before the meetings where there's any issue that might cause dissension. We talk it over and work it out, and then sit down and vote unanimously"), it had very little money to do anything with. Politics without money is like a car without gasoline, but in 1932 Perez had a brilliant scheme for getting some: from the levee boards.

The levee boards, something of an anachronism in that the U.S. Army Engineers had taken over most levee work, had been deeded thousands of acres of land by the State to finance any construction they undertook. This assignment of land meant little to anybody prior to 1928, but that year oil was discovered in Plaquemines. Now not only were the levee boards in a position to make a mint on petroleum leases (while the police jury still went begging), but they were run by appointees of the Governor,

[1] District Judge Bruce Nunez' enthusiasms for Perez are implicit in the statement of a veteran New Orleans lawyer: "It took me 3 years to get a suit through Plaquemines court; Perez got one through in 10 days."

anathema to a home-ruler like Perez. The Judge trotted up to Baton Rouge and introduced just a little old "local bill" in the legislature. The legislators weren't quite hep to Perez at that stage of the game, so they put it through without much thought. What the judge got was a constitutional amendment which permitted a police jury to assume the bonded indebtedness, and consequently the assets, of the levee districts within the parish; in short, Perez' police jury now had a stake in mineral lands potentially worth many millions of dollars.

THE THIRD FORCE

Such political and economic power in the hands of a man like Leander Perez are formidable enough in themselves, but when the two are allied with a third force—the vagaries of geography in the Deep Delta country—they can become well-nigh invincible. The police jury (through its economic power over the levee boards) had financial control of thousands of acres of lands ceded by the State, the State reserving the water bottoms. But what was land and what was water bottom? A survey made in the fall, for example, when the Mississippi was low, would turn up a lot more land than one made during the spring floods. Moreover, it seems that an early surveyor in laying out one of the township lines established it 3 miles too far north. Subsequent surveyors repeated the error. Thus the Payne plats of 1912, on which the Buras Levee Board was to base a land sale, fitted two townships of 6 square miles each into the space of a township and a half; 72 standard sections were shown where there was room for only 54. All section boundary lines and dimensions, in consequence, were unreal.

Perez noticed this error and after discovery of oil in the area, had a suit brought for the Buras Levee Board against the owners of the lands; he claimed certain sections and, repudiating the Payne plats, sought to have the court hold that the board was not bound by the plats. His basis of the board's claim was a replotting of the two townships, which would confirm its title to additional lands.

SOME EXOTIC GEOGRAPHY

When the Perez suit reached the Louisiana Supreme Court (1933), a majority of the justices took a look at his claim and dryly observed that "sections 11, 12, and 13 (in the rich oil and sulfur area of Lake Grande Ecaille) have been, figuratively speaking, pulled down south more than a mile from where the Payne map locates them, and incidentally pulled out of the water and onto land and placed on the exact spot where oil was discovered * * *. (If the levee board) is to be decreed the owner of the oil dome, the location of sections 11, 12, and 13 on the ground must be changed, and that is what it is trying to do." The court decided that the levee board did not own the oil dome, and in broad language declared that the board had sold all the land it could. Perez pressed on, however, and in a subsequent suit won a less damaging interpretation of the Supreme Court's decision; the circuit court of appeals found that title to sections 11, 12, 13 of the particular township "as it is actually located is settled, but no other land is covered by the decree."

Complete confusion now set in. It took a crystal ball to tell where sections 11, 12, and 13 really were, despite the Supreme Court ruling. Freeport Sulphur was in a particularly vulnerable spot with a $3,500,000 operation set down in an area where a lease contest might deprive them of the right to mine. The oil companies—Humble, Gulf, Shell—were just as exposed. "We were all floating around (in 1938), and still are," recollected one oilman. "The only way we could handle it was to pool our leases and work out compromise agreements." To compound the uneasiness and confusion, some newly formed land companies had begun to appear: Delta Development and Louisiana Coastal. These companies got their leases either directly from the local levee boards or by assignment from others who had, then re-leased the land in return for an overriding royalty. It soon became obvious in Plaquemines Parish that the leases with the most powerful backing were to be had from Delta Development or Louisiana Coastal. The reason: Perez himself organized Delta "for the purpose of taking up some leases," had had another attorney organize Louisiana Coastal for him. And Delta Development, incidentally, was the Perez company that figured in the $135-million *Freeport-Mecom* v. *Humble* land dispute described earlier. Concerning Delta, a Gulf executive recently commented: "Every oil company in the business holds leases from Delta Development. They (Perez and Delta) are pretty well synonymous; they're linked up together."

THE SQUEEZE ON FREEPORT

The first real test of Perez' perfected power combination—politics, economics, and geography—occurred in 1936. The victim: Freeport Sulphur. Freeport got into Perez' bad graces by starting to bring in people from outside the parish. That was bad enough in the judge's eyes, for he will tolerate no dilution of his electorate: what made it worse was that the company began laying off a bunch of Plaquemines people in the process. Perez, already in Baton Rouge on other legislation, slipped a "wolf bill" into the works: strictly a shakedown, it proposed raising sulfur severance taxes from 60 cents to $2 per long ton. Freeport's President Langbourne Williams came down to Baton Rouge on the double, was reassured by Gov. Richard Leche that even if the legislature passed the tax, he'd veto it. "Well," snorted a Freeport executive recently, "I don't think Williams' train had even got as far as Atlanta before Leche signed that bill."

The fat was now in the fire so far as Freeport was concerned. No tax relief could be got short of 2 years, when the legislature would meet again. The company chopped back their Louisiana production almost a fourth and boosted that in Texas by over a third, but it was clearly a losing game. At the time, Plaquemines supplied over half their total output, contained the second-biggest sulfur mine in the world. Moreover, the sulfur people were harassed by two suits, one by private parties, the other by Perez acting for the Buras Levee Board. Involved in both were the collection of back royalties, the establishment of a basis for payment of future royalties, and, most important, the security of Freeport's lease on Fractional Section One, the sulfur source for their biggest plant. By 1938, with the legislature preparing to meet, Freeport was ready to say "uncle." It made friendly overtures to the judge, who soon showed himself to be as effective an ally as an antagonist.

First, he took the lead in working out a compromise settlement of the royalty suits against Freeport, about which more later. Then, he concluded a "gentlemen's agreement" between Freeport and Plaquemines to keep the overall property tax rate below 20 mills (Perez recalls it was 35 at the time), and got a commitment that the company would employ a certain percentage of Plaquemines people (currently the payroll is 75 to 80 percent from the parish). Next he had a constitutional amendment put through the legislature establishing the sulfur severance tax at $1.03. Friend Leche who had obligingly signed the 233 percent tax increase in 1936 just as obligingly threw his weight behind the 48 percent tax reduction.

Naturally, the tax element of Perez' 1938 maneuvers has been the subject of much oratory and speculation ever since. So much so in fact that the compromising of the royalty suits against Freeport has not received the scrutiny it deserves. On advice from its statutory counsel (Perez), the board accepted the offer of Freeport (plus other interested parties: Humble, Gulf, Shell, and Ernest Cockrell, Jr.) to settle the claims of the board and two other parties by Freeport's paying 25 cents per long ton on sulfur produced prior to 1938 and 35 cents per long ton thereafter. The board further accepted his recommendations of how this particular melon was to be divided:

(1) The Buras Levee Board did not get the 50 cents a ton specified in its contract. It got 32 percent of that amount for production prior to 1938, 40 percent for total land production in the future.

(2) Robert J. Lobrano and one Herbert Waguespack, the other individual litigants, got a slightly better deal on the pre-1938 royalties (36 percent of their claim) and a substantially better settlement (60 percent of their claim) on future royalties. Between themselves, the Lobrano-Waguespack split was just about equal for pre-1938 royalties, on future payments it could run as much as 5 to 1 in Lobrano's favor. (The main reason: while the two shared royalty rights on Fractional Section One, Lobrano also had mineral rights on some 9,000-odd acres of potential sulfur lands.)

Who was Robert J. Lobrano? A onetime chief deputy clerk of court in Plaquemines, but more important, as the judge explained this past December, he was "one of our boys." He might better be described as Perez' boy, the nominee who had been trading in levee-board mineral leases since the twenties. Back in 1928, the Buras Levee Board upon the advice of Perez, awarded him mineral rights on the 9,000-odd acres that figured in the royalty settlement just described; his yearly rental: $500, some 6 cents an acre. Eight years later, as an officer of Delta Development, Lobrano was to witness the 1936 lease whereby Delta got oil, gas, and mineral rights on a tract of land (estimated at 10,000 to 30,000 acres) from the Grand Prairie Levee Board for no more than 3 cents an acre (even then the going price in the coastal parishes, according to expert opinion, was $1 to $3 an acre). Now, after the sulfur settlement, Lobrano turned around and assigned to Louisiana Coastal, one of the other land companies Perez had had organized, $32,263 of his $43,017 cash settlement and all but 3¼ cents of his future royalties, i.e., 7¼ cents on the first 5 million long tons, 8¾ on the next 5 million, 9¼ cents on the balance. In consideration of this assignment he was paid 500 shares of Louisiana Coastal. But who was Louisiana Coastal? Lobrano, Coastal's president from 1939 to 1941, said it was Judge Perez. Accountant Robert J. Chauvin, onetime secretary of Coastal, now its president, forged the link even more securely. He would not let anyone see the books, unless he'd first talked to Perez; the minute book was in Perez' possession, he said, and all dividends on the stock were turned over to the judge. Not long after the sulfur settlement, according to the New Orleans Item, Perez was confiding to friends that he'd become a millionaire.

AN ARTICLE OF FAITH

One crucial question, of course, is whether the Buras Levee Board knew of Perez' interest in the Lobrano settlement. He himself has murmured he believed they did know it. It seems a curious point to be in doubt about, but perhaps it wouldn't have made any difference if the board had known the full facts. Its president told the Item, long an informed critic of Perez' activities, that he and other members of the levee board had always followed the judge's advice unquestioningly and in good faith.

In this context it is interesting to note that there seems to be a distinct correlation between the profits of the companies the judge created—Delta Development and Lou-

isiana Coastal—and the prosperity of Perez himself. Latest figures (1956) show that $2,450,000 in oil, gas, and sulfur royalties was paid to the Plaquemines Parish police jury by Gulf, $894,000; Tidewater, $650,000; Humble, $513,000; Freeport, $218,000; the California Co., $173,000. These payments to the parish, of course, are the basis for figuring the earnings of Delta and Coastal; the two companies by now have got their hands on much of the mineral land the Plaquemines levee boards can lease, and now release such land to the majors in return for overriding royalties.

The vigilantly guarded figures of Delta and those of Leander Perez for the 5-year period 1946–50 lend much credence to the presumption that one of the judge's mechanisms for getting money out of the companies has been through the receipt of large legal fees. This stratagem would obviate the embarrassment of his being a stockholder, which might become a matter of record, and it would also eliminate double taxation on dividends. The biggest item in Leander's income is business profits; his business is that of a lawyer.

Delta Development, on the other hand, lists deductions as its biggest item of expense, and the biggest element of the deductions is for contract payments. These accounted for over a third of Delta's gross income, 1946–50. In 1947, Delta's contract payments represented money paid to Leander Perez. It is reasonable to suppose that Delta's payments on contracts for the other 4 years also went to the judge; the amounts of Delta's payments on contracts for those years reveal the same correlation with Perez' business profits as in 1947.

Just as provocative is the judge's income from rents and royalties. Almost the whole of this in each of the 5 years is made up of royalties from oil rights. Now Perez' normally torrential conversation has a way of drying up like a desert river at the first mention of personal finances. He will do nothing more than admit to owning 8,000 acres of land for about 20 years. "I've leased it and don't have a well on it." Whence then the royalties from oil rights? The question is unanswered.

THE PRICE OF RETRIBUTION

One thing that argues for Perez' continued prosperity is the fact that the oil companies cannot afford to do anything that would destroy the situation he has so painstakingly created. Years of playing footsie with him have given them a huge financial stake in his survival, however mixed their feelings might be in the matter.

Politically, the judge's future is much less secure—not that he is likely to be defeated for district attorney anytime soon, or lose his grip on his Plaquemines machine, but simply because he is running against time and the times. For some little while now he must have been conscious of how he has had to prop up his prestige through support of tidelands, States rights, white supremacy. The tidelands play has currently been taken away from him by Louisiana Attorney General Jack Gremillion, and the States' Rights Party is an empty anachronism. The only thing left for the judge to make general capital of is "white supremacy." Moreover, the industrialization that he has so feared in Plaquemines is taking place in neighboring St. Bernard Parish. New people have come in (the population has doubled since 1940), independent people with no ties or obligations to the judge. Yet if he is to keep getting elected district attorney of the 25th district, he must get 30 percent of St. Bernard's votes to round out his Plaquemines majority.

A BLOW FROM BATON ROUGE?

A political fight is now raging, with the bulk of the St. Bernard Police Jury arrayed against Perez, and the sheriff oscillating between the two groups. There's reason to believe that in the 1960 elections the newcomers in St. Bernard may tip the scales against Perez' State senator (though Perez himself will doubtless win the district attorneyship). And from Baton Rouge itself, where a hostile Governor sits, may come the severest setback of all. There is considerable pressure to abolish the levee boards and consolidate all their holdings in a single State agency. Perez' diversion of levee-board revenues to his police jury would thus end at a stroke and with it a large measure of his political power. How much of this will come about, of course, depends on timing and the temper of "the new element" in the parishes. One reason the judge has been able to get away with so much so long is because a lot of other people have been getting away with it, too. "He's just like a big ol' tomcat," mused a State representative who had himself been clawed, "lettin' the mice play around, get into mischief. When he's ready, he gets 'em." In the next few years or so, after the thing's been done, it may surprise everybody how few "mice" it took to make mincemeat of a "cat," himself somewhat paw-weary from a generation of mischief.

[From the Washington (D.C.) Post, Apr. 1, 1965]

THE SEGREGATIONISTS' SEGREGATIONIST

(By Mary McCrory)

Leander H. Perez, of Plaquemines Parish, La., is the segregationists' segregationist.

He does not mess around.

He is a short, stocky man with gray hair and a kind of lion's face, with a permanent frown and all the lines going downward. He chain smokes cigars in an ivory holder, bellows at Senators, and is an unblushing white supremacist.

Two southern members of the Senate Judiciary Committee, which heard him as a witness on the voting rights bill, Chairman JAMES EASTLAND, Democrat, of Mississippi, and Senator SAM ERVIN, Democrat, of North Carolina, called the boss of Plaquemines "Judge."

The other members, who seemed slightly stunned at his nonstop invective, did not call him anything until mid-afternoon when Senate Minority Leader EVERETT DIRKSEN, of Illinois, abruptly had enough.

Perez gave the committee a taste of old-fashioned southern demagoguery. By comparison with him, Gov. George C. Wallace, of Alabama, seems an angel of reason and moderation, and ex-Gov. Ross W. Barnett, of Mississippi, a towering intellect.

The patriarch of Plaquemines came to the stand accompanied by the director of public safety. He slapped folders around, flicked pages of long statements, offered exhibits right and left, damned the voting rights bill as "a Thaddeus Stevens bill," said it "goes right down the line for the Communist conspiracy," said it would enfranchise morons, aliens, and perverts, and is "the vilest discrimination against the South."

After one such diatribe, Senator HUGH SCOTT, Republican, of Pennsylvania, said, "I didn't think anyone could add to what Robert Welch has said about the John Birch Society, but I think you have."

Perez seemed to be pleased with this tribute to his testimony.

He was happy too, to provoke an explosion from the normally long-suffering minority leader. DIRKSEN burst out when Perez offered to debate anyone on the proposition that "There is a Communist plan behind this thinking."

"That is about as stupid a statement as has ever been uttered in this room," said the minority leader, who happens to be one of the authors of the voting rights bill, "and it is a reflection on Senators here."

DIRKSEN asked him about a Louisiana parish where out of 4,500 Negroes only 86 were registered."

"I have the answer to that," said Perez. "Here's a committee of Congress who doesn't know the local situation and doesn't understand Negroes, their thinking and their mentality and their lack of interest in voting."

The registration figures "prove nothing with regard to the character of the people involved," said Perez. "They don't try to register."

Perez admitted, "We don't go around beating the bushes to get the Negroes registered."

Then he added triumphantly, "You have to pay them off. You've got to bribe their preachers who control their votes. They come to the candidates and demand money. And for this you are going to condemn us. You don't know the facts."

Finally spoke the racist of Plaquemines Parish. "They are of immoral character. They are a low type of citizenship. They are being well treated. They are being well taken care of. They have good schools. And we are being condemned here by your people who don't know anything about it."

Nothing the protesting Senators said could reach or shame him. Perez thinks Negroes are an inferior, immoral people who have no voting rights in his part of the world and deserve none.

He probably did in his way as much for civil rights as other old-school segregationists like Bull Connor in Birmingham and Sheriff Jim Clark in Selma had done in theirs.

[From Collier's magazine, Dec. 17, 1949]

LEANDER H. PEREZ: KINGFISH OF THE DIXIECRATS

(By Lester Velie)

Salvador Chiappetta, native son of the Louisiana delta country south of New Orleans—free, white, and over 21—has two obsessions. He wants to eat and he wants to vote. About these twin urges, Citizen Chiappetta, father of two boys killed in the war, is quite stubborn. In order to eat, you must have a job, and to vote, you must register. Doing either, for Chiappetta, presents bizarre difficulties.

Six times during the last 8 months he climbed into his ancient jalopy and rattled off to the parish (county) courthouse 25 miles away to register for his fall's voting. The six round trips totaled 300 miles. But for all this mileage, Citizen Chiappetta, as this is written, was still unregistered. To him, mysteriously, the registrar is never in. Neither is the registrar's deputy. In fact, somehow, for Chiappetta, no registrar's office exists, although the State law says plainly that there should be one at the parish seat.

A persistent man, Chiappetta wrapped his huge farmer's fist about a pen and took to the mails. He sent a registered letter to the parish registrar asking when he could register to vote. No reply. Only a receipt for the letter. He got himself a lawyer and wrote the local political boss, who is also district attorney and therefore the guardian of Citizen Chiappetta's civil rights. Still no answer.

Chiappetta tried the U.S. district attorney at New Orleans, the State attorney general at Baton Rouge. Finally, he wrote the President of the United States. The President, through an Assistant Attorney General, said it was a State's affair. The State attorney general, through an assistant, said it was a local affair. After 8 months of arduous penmanship, Citizen Chiappetta was as unregistered as the day he was born.

Oddly, few of Chiappetta's deep delta neighbors suffer his galling frustration. To many, registration is just a lark. They don't even have to seek out the registrar. In neighborly friendliness he comes to them. Or while driving along in his car, the registrar will stop, alight, take the registration

books from the back seat and register lucky passing citizens then and there. Knowing this, Chiappetta regards himself as a political "untouchable."

Even worse, he is an economic outcast. He can't get a job on the highways or the river levees. He can't even get a job in local private employ. Recently, hired as a watchman on a school construction job, he was fired before he could report for work. Word had come down, mysteriously, from above. Even Chiappetta's 17-year-old son, Eugene, can't get summer vacation work cutting grass on the levees like other kids.

Eating and voting are habits to which a man gets strongly attached. How did Citizen Chiappetta get himself into the fix which makes it difficult for him to do either? He says it happened when he got on the wrong side politically. "Fatally," he says, "he opposed and offended the local leader, Leander H. Perez."

The Russians have a name for Chiappetta's offense: "Political deviation." Yet, in an American setting, the consequences did seem drastic.

"But what do you expect?" Chiappetta asks simply. "This is Plaquemines Parish. This is the sort of thing that happens to us who disagree. And there aren't many of us left—who dare."

Plaquemines, situated south of New Orleans, is one of Louisiana's most famous parishes. For one thing, Plaquemines embraces the mouth of the Mississippi. A stubby, 125-mile-long thumb of lushly green, creamy delta earth, Plaquemines pokes out into the Gulf of Mexico, spurting out the Mississippi as from the nozzle of a hose. For another thing, Plaquemines contains fabulous riches of oil, sulfur and natural gas, much of it on public lands. But most important for Plaquemines' fame: it is the bailiwick of Leander H. Perez.

A formidable man, Perez once saved Huey Long from almost certain impeachment. He is one of the few holdovers of the Long era who survived to flourish politically. And in a State which measures its public men against the lengthening legend of the departed Kingfish, Perez is regarded by many as smarter than Huey, and today the most redoubtable man in Louisiana. Perez, for instance, is credited with masterminding Huey's younger brother, Earl, into the Governor's mansion and with naming most of Earl's running mates. Although no member, Perez hasn't missed a Louisiana legislative session for more than 25 years, and is credited with engineering the amendment of many laws affecting local government in the State—including the law under which Citizen Chiappetta finds it so difficult to register.

"A mighty hunter before the Lord," as Bible-wise Louisianians might put it, Perez' voice reaches from the deep delta country even to Washington. A powerhouse in his own State and region, Perez is emerging as an important national figure. He leads the fight for State control of the vast oil riches beneath the tidewaters off their shores. And he is the national leader of the States' Rights Dixiecrats.

Perez is formidable in both roles. As the States' champion in the oil fight, Perez, a brilliant lawyer, went back to colonial times to dig up (and confound Federal attorneys with) a treaty between the English Crown and the original States to support his argument that the States, not the Federal Government, have title to the oil lands.

As the champion of the Dixiecrats, he says he fights for a constitutional amendment to "protect the States against further infringement of their liberties." Says Perez: "The closer you keep government to the people, the more democracy you have."

When a man raises such a hue and cry about "local democracy," and becomes its national advocate, it is interesting to see how local democracy works in his own neighborhood.

In Plaquemines Parish and its neighbor St. Bernard, "Jeffersonian" Democrat Perez has been district attorney and political boss for a longer time than many of his neighbors can remember—25 years. Perez has ruled so long and to such effect that he is often compared to Huey Long. Perez, it turns out, is an ardent admirers of Huey's ("He's the most constructive Governor we ever had") and has created in his own bailiwick a miniature regime reminiscent of Huey's Louisiana, public works and all. New Orleans papers have called him Potentate Perez and his two parishes "the rotten boroughs."

The authentic voice of the Old (and passing) South of Ole Gene Talmadge and That Man Bilbo, Perez—a man of much greater stature and finesse—is one of the South's biggest kingfishes. And you can use any yardstick; political muscle, or legal brains or great wealth.

The crime commission never did get a look at the companies' books and even lost its life in the attempt. For Perez, an inexorable foe, sharpened his legal hatchet for the commission and didn't let up until the State supreme court declared the body unconstitutional on a budgetary technicality. Even the records of the commission's probe of Perez' affairs are no longer available to public scrutiny. So ruled the current attorney general, Bolivar Kemp, a Perez protégé.

But it is known that Perez' personal fortune began to grow when oil and sulfur were discovered on lands owned or controlled by public boards for which Perez, as district attorney, is also officer ex officio and legal adviser.

Plaquemines yields roughly 10 percent more oil than any other Louisiana parish, producing some 18 million barrels yearly, worth about $40 million. It embraces the second largest sulfur dome (of its type) in the world, which yields another $20 million of mineral wealth annually. Most of these riches gush from public lands. Once owned by the Federal and State governments, they were turned over to the local levee and school boards as nest eggs with which to finance levee repair work and education. And from these lands, administered locally, came fortunes for a select few, among them the area's political boss, Leander H. Perez.

COMPLETE SECRECY IS IMPOSSIBLE

A fortune, if carved from public lands, can't be shrouded in complete darkness. There are flickers of light: recorded proceedings of the levee boards and school boards which dispensed wealth-yielding leases. There are notarized contracts. The investigator who digs these out and pieces the involved jigsaw together is rewarded with a series of fascinating tableaux:

In one tableau, we have Leander H. Perez, as legal adviser, say for the Buras levee board, seated on one side of the table. As such, Perez represents and guards the public interest. In this capacity he prepares and approves the legality of leases on lands destined to yield millions in oil and create fortunes in overriding royalties and bonuses for the lucky leaseholders. On the other side of the table are friends who obtain the leases for nominal considerations, sometimes as little as $100 and seldom more than $500 per year rental.

The tableau changes. Now we have Perez sitting on the same side of the table as his friends who have taken the valuable leases. Presto. Perez, who is a guardian of the public interest, is now lawyer for the private interest. As such, he prepares the contracts for the leaseholders in their dealings with major oil companies to whom they assign their leases.

Does Perez, the public's legal adviser, come in conflict with Perez, the private lawyer? Louisiana's attorney general thought so in 1940. When he sought to get the books of the companies for which Perez was lawyer, Perez told him:

"Go to hell."

Where were some of the key levee board leases consummated?

Right in the New Orleans law office of Leander H. Perez, whose private and public chores were so intimately intermingled that his own office telephone and that of one levee board were listed (in 1939 and 1940) under the same number. Vouchers show that the levee board paid bills for that number.

One fortunate friend who obtained oil-land leases which later brought him independent wealth was Robert J. Lobrano, former deputy clerk of the district court (serving Plaquemines and Saint Bernard) where Perez was judge from 1919 to 1924.

Friend Lobrano's name pops up in interesting deals, and popping with him, in the background, is the name of Perez.

Once, for instance, in the early scramble for prospectively valuable oil lands, Lobrano bought some tracts which were foreclosed for unpaid taxes. Nothing remarkable about that. But tax sales must be advertised in the regular editions of the official newspapers to give owners and others a chance to bid. In a sworn and notarized affidavit, the former editor of the official paper, the Plaquemines Gazette, said the advertisement (of the land purchased by Lobrano) never appeared in the regular edition. Instead, he explained, the owner of the paper, Perez, ordered him to have 100 special copies printed, to insert the tax ad therein, and to turn 6 of these copies over to the sheriff to show the sale was advertised as required by law.

Royalty rights on some of the public lands leased by Lobrano from the levee boards were assigned to companies for which Perez is the lawyer. The contracts were drawn in Perez' office, notarized by A. Sidney Cain, Jr., then and now an associate lawyer with Perez, and witnessed by Antia Conrad, Perez' secretary and by Rudolph McBride, Perez' assistant district attorney at Plaquemines.

Perez says he does not own the companies which obtained leases and royalty rights on Plaquemines oil and sulfur lands. But his relations with some of these companies are intimate—and lucrative.

FRIENDS IN INFLUENTIAL POSITIONS

The officers are old friends and sometimes associates from Perez' own law office. Perez' law associate, Cain, is vice president of Louisiana Coastal Lands Co., holder of valuable oil-land leases. An officer of Delta Development Co. is Harold Sicard, of Thomas J. Moran Sons, printers, for whom Perez opened up the State's substantial printing business and later served as lawyer.

Perez' mother-in-law, Mrs. Henry Chalin, and another kinswoman by marriage, Mrs. A. B. Pursglove, were the incorporators of a lesser company which obtained trapping rights on public lands. In a series of involved transactions in which a Perez assistant district attorney played a part, some of these rights were vested in the Delta Development Co.

Asked about mineral- and trapping-land leases obtained by intimate from boards he dominates, Perez replied:

"What reason would I have to object that my friends should have leases?"

Tax records and minutes of company meetings reveal that such loyalty was appreciated.

So valued, for instance, were the services of Lawyer Leander Perez that the Delta Development Co. in 1937 authorized the purchase of health, accident, and life insurance for its attorneys and officers.

And in 1938, according to Louisiana tax records, the company paid out $89,000 (more than half of its income after deductions for depletions) in legal fees. In 1939 the company paid out $76,400 in legal fees. Perez'

income that year was $218,000—and the oil rush was still young.

The 1939 State income tax statement of Delta Development Co., notarized by an office associate of Perez, cast further light on Delta's affairs:

The two listed officers, R. J. Lobrano and R. J. Chauvin, each owned only a fraction of 1 percent of the stock.

The outlay in attorney fees was the chief cost of running Delta Development and overshadowed all other expense items. The attorney fees of $76,400 came to $1,460 weekly. The company's general expense as well as rent and telephone totaled $789, or less than $16 weekly.

In New Orleans this writer did not have to seek out Perez.

"This is Judge Leander H. Perez," he boomed into the telephone after I had begun to study the setup of Plaquemines and St. Bernard Parishes.

Face to face soon after, Perez declared cheerfully:

"I hear you've come to get Perez. Well, there ain't nothing to get on Perez.

"I want to show you some of the constructive work we're doing in Plaquemines," Perez said. "We've got the best government out there in the United States." Then he added, "In the whole world."

We got into one of Perez' cars. In the back seat was Mrs. Perez, a pleasant, matronly woman to whom Perez is obviously devoted and who is at his side so constantly that friends laughingly call her his bodyguard.

Turning south from New Orleans we skirted Jefferson Parish, the feudal barony of a Perez ally, Sheriff Frank Clancy (they are frequently together on State issues and candidates), who rules his roost with such an iron hand that he's known as "King Clancy." Soon we were in deep delta country. St. Bernard Parish, which—for red-hot politics and protected commercial gambling—was described to me, along with Jefferson and Plaquemines Parishes, as "one of the hellholes of Louisiana."

THE "SLOTS" OPERATE FREELY

We drew into a gasoline station where three slot machines beckoned unashamedly for business. In the deep delta parishes the "one-armed bandits" are everywhere—in fruit markets, barbershops, in movie lobbies even in shops near schools. Since commercial gambling is barred both by the State constitution and by State statute, I told District Attorney Perez, a State official, about the "slots" at the gas station in his St. Bernard Parish.

We rolled south along the Mississippi River into Plaquemines Parish.

With the pride almost of personal ownership, Perez expanded.

"See that park?" (Braithwaite Park at the entrance to the parish.) Perez pointed. "I gave that to the parish—3,200 feet of frontage."

"See that drainage?" He motioned farther down the road. "I put that in."

"See that church?" Perez pointed to a small chapel under construction. Already built was the facade with three doors.

"One is for white folks," Perez explained. "Another is for dark-skinned Negroes, and the third for light-skinned ones."

"You know, they like it that way," he said. "Yet people ridiculed Bilbo for fighting the hybridization of the race."

The old church had rested on a mound, and the pastor wanted the new edifice on a hillock too.

"Who do you suppose got that mound moved?" Perez asked. "I'm friendly with the U.S. Engineers," he explained, "and I worked out a deal."

It was obvious from what he had done and from the way people treated him that Perez was—on his home grounds—the patroon, the grand seigneur, the master, and sometimes, as he himself told it, the generalissimo. Once, in 1943, when Gov. Sam Jones sought to install his appointed sheriff in Perez' bailiwick, Perez formed a home guard and rallied the countryside to resist the move. When the State militia arrived, scattering Perez' roadblocks and homegrown army, the embattled leader retreated to the river. There he boarded his "navy"—the free Plaquemines Parish ferry that plies the Mississippi. In midstream, Perez breathed defiance against the assembled might of the sovereign State of Louisiana. Under cover of darkness he slipped home, leaving the enemy in possession of the field. This was only a temporary setback, as will be shown later.

Seeing Plaquemines with Perez reveals one of the reasons for his power.

A down-at-the-heel rural parish with a modest budget of $40,000 as recently as the early thirties, Plaquemines today revels in a near-million-dollar budget that is the envy of the whole State. It hums with public construction reminiscent of WPA days. The parish provides free ferry service for all, across the Mississippi. It repairs boats free for fishermen on its own boatways, gives out $20,000 of college scholarships yearly, and owns a luxurious vessel to patrol the shrimp beds and to entertain, in style, visitors to the parish.

A miniature welfare state (a phrase repugnant to Perez) Plaquemines even has a 4-year plan of public works. And like a welfare state it is one of the biggest employers in the area (if part-time jobs are counted).

All this—and lower taxes too. The taxes, halved since 1932, will go still lower this year. How does Perez do it?

He does it with oil wells and sulfur. Perez is literally at the throttle of a well-lubricated civic and political machine.

RICHES FOR PARISH BOARDS

As owners of oil lands, the levee boards and school board in Plaquemines collect one-eighth royalty on oil produced on such lands. This comes to about $1 million yearly and is funneled to the parish governing body, known as the police jury, which handles the boards' money affairs. (The mineral wealth in Plaquemines is so lavish that the parish is rich, and the companies which took leases from it—and for which Perez is lawyer—aren't doing so badly either. These leaseholding companies get their cut from the big oil producers to whom they've assigned their leases. The big producers, of course, have little interest in and no connection at all with local politics. They are strictly in the oil business.)

Besides the royalties it gets, the Plaquemines governing body is the further lucky recipient of another $200,000 yearly—its share by State law of the severance taxes paid by the oil producers to the State.

The good works that can be lubricated with this sort of money are manifest in Plaquemines.

"This will be the most modern consolidated school anywhere, both high and elementary," Perez said proudly as we watched construction work on a handsome and impressive brick structure.

"We'll have an auditorium and a gymnasium. Costs $800,000, including architects' fees. There's nothing even in New Orleans to compare with this," he said.

The school superintendent is Patrick Olinde, an earnest young man who is married to a niece of Perez. (Other Perez kinfolk on the public payroll include nephew, Frank Giordano, the registrar who isn't there to the wrong people, and A. M. Walker, a Perez brother-in-law, who is parish purchasing agent.) Olinde disclosed that 3 new consolidated schools will rise in Plaquemines over the next 2 years to care for 1,500 children. There will be two new schools for Negroes.

In Plaquemines the triple color line goes to school as well as to church. "We have two Negro schools across the river," Perez related. "Because the light-skinned ones won't mix with the dark ones."

But oil-rich Plaquemines can afford even this. On its new schools it will spend $3 million—a tidy sum for a rural southern county of 12,000 souls. In fact, a big-league expenditure anywhere.

At Pointe a la Hache, the parish seat, there was further evidence of the county's bounty.

"You'll see the only parish-owned, free ferry anywhere," Perez said. "There's nothing like it in the whole country.

"Hold the ferry, Rudy," Perez instructed his assistant district attorney, Rudolph McBride, a shy young man in a bow tie. Perez showed me the renovating job being done on the courthouse and rummaged among court records, while the ferry—with its pedestrians and motorists—waited for 15 minutes beyond its starting time until the leader was ready to board it.

We boarded the trim, all-steel ferry and started across the brown, smooth expanse of the Mississippi. A prominent sign on deck read: "Free Ferry—Plaquemines Parish—Police Jury."

"Cost $90,000," said Perez. The cost of running the ferry, $45,000 yearly, is more than Plaquemines spent on its total budget in the thirties. Perez displayed the shipshape restrooms. He called down into the engineroom and, raising his voice above the clatter, made it a point to address the engineer by his first name and inquire after his family.

"We cross thousands of pedestrians daily as well as cars," Perez said. The ferry has a reputation for being on time. But once it stalled. That was when political rival Sam Jones tried to hold a rally across the river. Mysteriously, the ferry suspended, stranding the Jones adherents.

Well-heeled Plaquemines owns still another vessel, a $75,000, 70-foot luxury yacht with a teakwood deck and mahogany superstructure. Perez picked it up at a bargain.

Commissioned to patrol fishing out of season (thus duplicating State patrol work, conservation officials observed), the boat is manned by a skipper and a cook and is used, as Perez says, "to entertain people we think can benefit the parish." The spanking white vessel, known as the *Manta*, has thus been the scene of many happy yachting parties, all calculated to make friends for Plaquemines.

"Last week," Perez said, "I took out a party of men interested in locating new industry. We've also entertained the U.S. Engineers." As hosts, it is necessary of course that parish officials, and sometimes members of Perez' family, take part in the yachting party chores.

Perez beams down on the parish folk with still other free services.

For fishermen he built three boatways which repair their boats free.

Plaquemines is also the only parish in Louisiana that puts up dollar for dollar with the State to build paved roads. As a result we rolled through miles of beehive road-building activity which will soon permit delta motorists (like Lincoln's Father of Waters) to "go unvexed to the sea."

Louisianians like to compare Leander H. Perez with Huey P. Long.

Huey used to boast: "I took Louisiana out of the mud; I gave the kids schoolbooks." Perez likes to point to the schools and roads he's building. Huey openly reveled in the role of dictator, calling himself the Kingfish and boasting of his powers. Leander H. Perez is more modest.

"They tell you Perez is a boss, Perez is a dictator," he complains. "The truth is, Perez is just a darn workhorse."

RESPECTS LAW—AS A WEAPON

Huey's methods were brutally direct. "I can buy legislators like sacks of potatoes," he yelled. He treated the organic law as a scrap of paper. Perez, a man of finesse, is usually to be found behind the scenes rather than in front of them. He respects the law and uses it as a weapon to outwit his opponents.

"I can hold my own with any damned lawyer there is," says Perez.

This is so well recognized in Louisiana that for years legislators have come to Perez for help in framing State laws, and he is acknowledged to be the father of much legislation affecting local government. The recognized master of legislative maneuver, there is a joke in Baton Rouge about the way Perez, as lobbyist for his bailiwick, guides legislation into the hopper.

"Gentlemen, I have a little bill (so the story goes). It only amends the constitution in six places."

Although Perez' job is that of district attorney, the mountain of clippings about him in the New Orleans papers seldom touches on his role as prosecutor. They tell of almost endless political squabbles in the courts; of efforts to impeach Perez (unsuccessful); of his efforts to impeach opponents (successful); of charges of fraud in elections; of fights of rival candidates to get on the ballot—and of Perez' fights to keep them off—through the local court, through the State supreme court. Most of these legal fights Perez wins. One judge said:

"Perez stands on the law, and he is always prepared."

One lesson of Huey's, Perez, his admirer, never forgot. In Huey's Louisiana there was no Lebensraum for enemies. He kept an "s.o.b. book," a terrible little volume into which went the names of offenders: men marked for oblivion as soon as Huey could conveniently get around to them. Perez, who keeps his grudges in his head, is considered by some to be just as implacable as Huey Long.

"Of all the people in the country the one I'd like least to have as an enemy is Perez," one observer said of him.

Salvador Chiappetta, whom we met at the beginning of this story, would agree. Once a highway maintenance foreman, he grumbled to neighbors that Perez was using State highway commission labor to build himself a private road and fishpond on his plantation, Promised Land, a charge Perez denies. Chiappetta has had trouble voting or working ever since.

"People are afraid even to talk to me," says Chiappetta.

Bigger men can feel Perez' wrath too. Because Sam Jones sent the State militia into his bailiwick, Perez wouldn't rest until he found a suitable candidate and built a formidable slate which defeated Jones when Jones sought reelection.

"It was an obsession with me," Perez explains.

A creative man, as well as an observant one, Perez has fashioned from the tools at hand—the local boards, party machinery and customs—his own pattern of political control.

Perez' pattern, like all works of genius, is classically simple.

As district attorney, Perez is the lawyer for the parish police jury (as Louisianians call the county governing board).

The resolutions which settle the parish business are written by Perez, often in his private law offices in New Orleans, and offered to the police jurors for adoption.

"Except in some small instances," Perez couldn't recall for this writer one debate in the police jury.

"There's hardly ever a dissenting note," Perez said. "We work together 100 percent."

But such cooperation from the key police jury was only a start for Perez. There were other boards in the parish. Some of these, like the oil-landowning levee board, are named by the Governor. Soon after he took power, Perez realized that a hostile Governor could fill the boards with local foes.

Perez didn't leave the levee board's cooperation to chance. His next move was a master stroke. He went to Baton Rogue and pushed through a constitutional amendment. Approved by the folks back home, the bill let the police jury take over the debts—and the revenues—of all the public bodies in the parish.

VAST POWER FOR POLICE JURY

Overnight Perez' police jury took over the purse strings—and control—of everything in the bailiwick, including the strategic levee boards which administer lands now producing many millions in oil yearly.

Now, Perez had the cooperation of all the public bodies round about.

When the State dictator, Huey Long, sought to centralize all the levee boards into one State agency under his fist, he found that Perez had been too quick for him. Huey never got Plaquemines.

When oil was discovered and royalties began to flow to the levee boards and school boards and on up to the police jury, Perez had money and political jobs to dispense.

Perez minimizes the number of persons who hold public jobs in Plaquemines. But critics, pointing to this year's $800,000 budget, say it's a rare family in the parish that hasn't at least one member on a public payroll—even if it's only part-time work.

The opportunities for public employ are varied. The parish needs boatwrights for its own boatways; supervisors of front levees (facing the river) and supervisors of back levees (facing the gulf); it needs engineers for its ferryboat and farmhands for its experimental farm; it needs mechanics and oil gagers and drainage foremen and a skipper for its patrol yacht and a cook for its galley; it needs foremen and hands for "clearing and maintenance of streams and canals." And it needs many other workers.

Over all these jobs Perez is the boss.

"I have a hand in everything," he says.

And he has, including private jobs. It has long been known that industries moving into the deep delta have to listen to "suggestions" from the parish administration.

"Even the oil-drilling corporations sometimes have to clear with the parish on the matter of employment," one politically wise deep-delta resident told me. Recently, he related, a driller, on orders from the parish, was forced to fire a group of workers from the "outside," so as to make room for Plaquemines men.

[From the Colliers magazine, Dec. 24, 1949]

"DEMOCRACY" IN THE DEEP DELTA—CONCLUDING KINGFISH OF THE DIXIECRATS

(By Lester Velie)

(Boss Perez, who once saved Huey Long from impeachment, runs things in the deep delta. A new national figure, he is No. 1 Dixiecrat and champion of the States in the tidelands oil fight.)

Folks downriver from New Orleans know that the undisputed political overlord of the deep delta country is Leander H. Perez. A master of "Louisiana politics," Perez knows every trick of the trade; how to make it tough for your opponents to get on the ballot, how to run friendly caucuses, how to win a 97 percent majority for your candidate.

To get on the ballot when you're not Perez-picked you must be on guard against the minutest technicality or wage a long fight through the Louisiana courts—against the State's most resourceful lawyer.

Adolph E. "Jake" Woolverton, a restaurant man, learned this when he tried to get on the ballot in 1947 to run for the State legislature against Perez' man.

First, Jake asked the local Democratic executive committee to let him have qualification (candidates') forms to fill out. Some forms came in the mail. Jake didn't know where they came from, because the envelope was unmarked. And he never found out. But Jake's lawyer took one look at the forms and said, "Don't touch."

"They're phonies," said the lawyer. "Fill them out, and you're a dead duck. You'll be disqualified for giving inadequate information."

Jake's lawyer was Sam "Monk" Zelden, who once starred at halfback for Loyola University of the South (New Orleans). Ex-halfback Monk called for an end play around Perez' parish Democratic executive committee. He went directly to the secretary of state to get authentic candidates' forms.

But when these forms were filled out and went up to the Democratic executive committee for checking, lawyer Monk Zelden and candidate Jake Woolverton were thrown for a loss.

"We proceed according to the law, and we see that whoever qualifies does so properly and according to the law," Perez says.

And so, with legal punctilio, Perez and his committee disqualified Jake on a technicality and 24 other "oppositionists" as well.

But the New Orleans Times-Picayune held its nose.

" 'Plaquemines smell' again," the paper observed wryly.

The technicality on which Jake and other Perez foes were barred was that they had failed to post the proper qualifying fee.

"I couldn't find out what it was," Jake complained through his lawyer. None of the Perez candidates had that trouble.

To get on the ballot, Jake's lawyer had to buck his way through the district court—with lawyer Perez resisting stoutly. When ex-halfback Zelden broke through in the lower court, Perez took up a 1-yard stand in the State supreme court. But finally Perez had to give way. The decision came down: Jake Woolverton could run for the State legislature. (Another Perez opponent, however, was ruled off the ballot.)

Candidate Woolverton's fight to get on the ballot was old stuff in Perez' bailiwick. Court records are sprinkled with similar cases.

Technicalities which can be serious enough to throw a citizen off the ballot can sometimes disappear as if by magic—when Perez is willing.

"Once we threw out 12 of Jimmy Noe's (James A. Noe ran for Governor in 1940) local candidates," Perez related to this writer. "As our committee ruled their qualifications were not in order, Noe's lawyer (he was a decent young chap) said, 'Can't you let us have a couple of them?' "

All technical difficulties for "a couple of them" melted.

"I said I had no objection," Perez related amiably.

Of candidates' troubles in Plaquemines the Times-Picayune said (in 1947):

"Political dictatorship in Plaquemines has stained the parish and State records with far too many smelly incidents and unsavory chapters. * * * The political annals and court records of the parish are so smeared with performances like these (disqualification of candidates) that 'Palquemines politics' has become a byword the State over."

Unruffled, last year Perez achieved the ultimate in rousting candidates from ballots. He engineered the Dixiecrat move to keep President Truman off the ballot in Louisiana. In Democratic Louisiana there was no way for Democrats to vote for Democratic Candidate Truman (except by complicated write-in) until Gov. Earl Long asked the State legislature to solve the problem. President Truman went on the ballot, but not under the Democratic emblem. Triumphantly, Perez cast Louisiana's 10 electoral votes for Dixiecrat Candidate STROM THURMOND.

Perez is district attorney and political boss of two Louisiana delta parishes. From this

relatively modest home base he has achieved what is reputedly one of the big fortunes in the South and is emerging as a significant national figure.

A brilliant lawyer, he leads a resourceful fight for State control of the oil riches in the tidelands off the States' shores. For years a Louisiana kingmaker (he is credited with masterminding Earl Long into the Governor's mansion), Perez has projected himself on the national political stage too.. He is the national leader and voice of the States' Rights Dixiecrats, a movement of extreme right-wing southerners. In this role, Perez is the sonorous and scrappy champion of "constitutional government and local self-rule."

"We [the Dixiecrats] are awakening the people of every State to the menace to their right of self-government by the encroachment of the National Government," says Perez.

Local self-rule—deep-delta style—can be viewed close up on Perez' own home grounds: Plaquemines and St. Bernard Parishes.

Perez described proudly how candidates for office are designated in his parish.

"Let me tell you about the real democracy we have here," he said.

He related that as head of the parish administration he issues a call for a parish-wide caucus.

"We write to about 200 people in the parish to come and bring their friends, and we publish a notice in the paper," said Perez. "Sometimes about 800 people come. Then we break them up into smaller meetings, and ward by ward they designate the candidates for office.

"Can you find anything more democratic?" asked Perez. "That word 'democratic' has been so much abused."

Here, critics agree with Perez.

They charge that only friends of "the parish administration" get the written invitations to the caucus. Opponents, uninvited, stay away. The caucus, presided over by Perez, is a model of harmonious agreement.

Has the caucus ever backed an anti-Perez maverick?

"They (the folks at the caucus) know who's knocking the parish administration," Perez said.

Perez revealed the unanimity of feeling that prevails in his area.

"There aren't even half a dozen (in the parish) who knock the administration," he said. "We could easily have them with us if we gave them political favors."

The extraordinary political harmony under Perez is reflected in the election returns.

The Perez-backed candidate for Governor in 1936, Richard W. Leche, who later went to prison for using the mails to defraud, got over 97 percent of the votes in Plaquemines. In a third of the precincts, the anti-Perez-Leche candidate polled not even one vote.

In the 1938 congressional elections, Plaquemines—voting on Perez-supported constitutional amendments—was better than 99.44 percent pure Perez. Of 5,364 ballots, only 3 could be found against the measures. In St. Bernard Parish, the showing was even better. Official records reveal: none against.

This sort of success is astounding in a democracy. Even Hitler didn't do better in his "elections."

It is so astounding that sometimes Perez' foes don't believe it.

When Judge Robert Kennon ran against RUSSELL LONG for the Senate last year, he got only 121 votes out of more than 3,100 cast in St. Bernard Parish. Since the whole statewide race was decided in RUSSELL LONG's favor by a close margin, Judge Kennon was understandably perturbed.

"They're phony and baloney," he stormed of the voting returns from St. Bernard.

"Why, I've got more than 121 personal friends in the parish who told me they voted for me," he agonized.

Even more agonized was the candidate who ran against Huey Long for nomination of Senator in the 1930 primary. In that race the political partisans of St. Bernard Parish achieved a classic in election arithmetic. They counted more votes for Huey than there were persons registered. From 2,194 registered, investigators found, Long received 3,979 votes. There were even some votes left over for Huey's opponent, 9 to be exact. (Perez was district attorney of Plaquemines and St. Bernard at the time. He also was political leader of Plaquemines and an ally of Dr. L. A. Meraux, leader of St. Bernard.)

Perez stands by his boys' election arithmetic and doesn't hold with recounts.

LOSER DEMANDS A RECOUNT

Last year when Candiate Henry G. McCall lost out for the State court of appeals by a hairbreadth—272 votes out of some 150,000 cast in 7 parishes—he charged fraud in Plaquemines and St. Barnard (among others) and demanded a recount.

Over my habeas corpus, was Perez' reaction. Quick to gird on his legal sword when outsiders seek to pry into Plaquemines and St. Bernard affairs, Perez leaped into the fray as lawyer for the successful candidate. Thoroughly familiar with the election law, Perez convinced the district judge that he (the judge) had no jurisdiction in the suit brought by the unsuccessful candidate. There was no recount.

But how does the election machinery operate? In 1943 when Perez' foes showed up at the parish courthouse to take a hand in the election arrangements, they found the courthouse dark. The meeting had been shifted 30 miles up the river. Only Perez' friends showed up.

Bring suit?

"By the time the court gets around to it, the election's been held," one delta native told this writer.

Election Day in the delta has its own customs.

"Some families don't even go down to the polls," one native told me. "Their friends at the voting place know how they feel about things and take care of it for them." (The ballot is voted by marking with X's.)

But others may spend a whole day trying to vote.

In the bayou country, sparsely settled by oyster fishermen and fur trappers, the "voting booth" may be located back among the bays and lakes, hard for the "oppositionists" to reach. Oppositionists tell tales of starting out in the morning to go to the polling place. If they go by boat they may find that canals leading directly to the voting are blocked to them. Forced to make a round-about journey, they arrive to find the polls have just closed for the day.

Even to native Louisiana writers like Harnett T. Kane, the deep delta is a never-never land of "problem parishes."

But Perez, district attorney and political boss, is satisfied that honest elections are assured.

"We have a standing offer of $1,000 reward for information leading to the buying of votes in Plaquemines," he says.

"I always take the offensive," says Leander H. Perez. "The defensive ain't worth a damn."

The seventh of a delta planter's 13 children, Perez, launched his offensive on the world at the age of 24. Fresh out of law school, he challenged the triumvirate of bosses who had ruled the deep delta with an iron fist since the revolt against the carpetbaggers in 1892.

Into the sparsely populated bayou country where thugs often cracked oppositionists' skulls, young Perez carried his offensive.

"Believe it or not, I'm a reformer at heart," he says.

So by boat and by foot, from the crown of a river levee or from in front of a crossroads store, the youthful reformer blasted political bossism. The trimvirate—he charged—stifled all opposition, refused to recognize citizens' rights, controlled the elections which seldom registered less than 90-percent majorities for the machine.

For his crusading pains, young Perez came out with a handful of votes. But he won a reputation as a daring young "good government" man. This paid off 3 years later when reform Gov. John M. Parker named young Perez to fill an unexpired term in the local district court.

But Perez needed another offensive to hoist himself up on the bench. With his cousin John R. Perez, who had helped him get the appointment—John Perez was a leader in Parker's reform administration—Leander started for the courthouse to get himself sworn in. But when he got there, the courthouse was bare. His machine rivals, disregarding the Governor's appointment, had already sworn in a rival jurist named by the chief justice of the State supreme court. Louisiana politics can be full of surprises.

Undaunted, Perez had himself sworn in on the courthouse lawn. Then he unlimbered his lawbooks and launched his first major legal assault. Before the supreme court he argued a point of law: If an elective office is vacated with a year still to run, the Governor can appoint a successor. The supreme court agreed with young Perez.

He ascended the bench. Now, Perez had a grand jury behind him in his battle with the entrenched political machine. With grand jury action as a threat, next year when Perez ran for reelection the voting was honest—for the first time since 1892, observers noted. Perez, elected, was on his way.

A district court in a country parish is usually a quiet place where ordinary legal business drones its routine way. Under young Judge Perez it became a turbulent arena. First, Perez cleaned out the protected commercial gambling run by his political foes in St. Bernard Parish. Then he caused the registrar of voters (another political enemy) to be haled before him. The charge: refusal to register oppositionist voters. Next, Judge Perez himself was haled before a court—the Louisiana State Supreme Court.

His political enemies sought to impeach the young judge. They gave this version of how Perez ran his court:

He acted as investigator, prosecutor, and judge—all in one—it was charged. He was accused of keeping a pearl-handled revolver beside him on the bench, of lobbying in Baton Rouge, of favoring his friends from the bench, of punishing his enemies. There were 23 charges in all.

"He tried to put us in jail because we're against him politically," said one accuser. "If this isn't highhanded dictatorship, then I don't know what is. Perez is a dangerous man to have on the bench."

"Political plot," cried Perez. He accused his enemies of lying and, in detail, told of political graft.

The State supreme court prepared to try a district judge on ouster charges for the first time in 50 years and for the second time in Louisiana history. The justices built themselves a witness stand in the high tribunal and settled down to hear the dozens of witnesses expected from the delta country.

It was a legal free for all.

For 3 weeks witnesses scrubbed Plaquemines' political linen before the State's highest court. Even as a defendant Perez took the offensive. He peppered his accusers with so many charges that soon they were defending themselves as busily as he was.

Then, with the impeachment trial in full swing, with charges and countercharges flying thick and fast, dramatically and suddenly the trial was over.

The prosecution had moved to dismiss. No explanation.

An explanation Perez gave this writer was that his enemies could not support the charges. Asked if his accusers had not been charged with possible irregularities, Perez said this was true but that the incident was not used to influence discontinuance of the case. Perez' foes learned, during the impeachment fracas, that they had, in Perez, a man to reckon with.

The reckoning came the same year. Perez crushed the triumvirate of political bosses who had ruled the delta for a quarter century. He turned his back to the bench, was elected district attorney and carried with him into office his own slate of candidates for judge and police jury. So successful was Perez that he even swept into office as district judge a candidate who was then a fugitive from justice. Perez was master of Plaquemines.

A half dozen years later all Louisiana too knew that it had in Perez a man to reckon with. For, so much did Perez learn from his own impeachment ordeal that in 1930 he saved Gov. Huey Long's political life.

Perez met Long after "Kingfish I" ran unsuccessfully for Governor in 1924. Both were reformers, fighting the Old Ring (Regular Democratic machine). "Kingfish I" had a shrewd eye for ability, and between Long and Perez it was mutual respect at first sight. Perez tied the delta's political fortunes to the tail of the "Kingfish."

Elected Governor in 1928, Long was in difficulty soon after. When it looked as if impeachment might put "Kingfish I" on ice, Perez hopped a train to Baton Rouge.

Perez found Huey Long in his rooms at the Heidelberg Hotel in bed, face downward, his eyes red as from weeping.

"I hardly recognized the poor fellow," Perez relates. "He was haggard, and he hadn't had a wink of sleep for nights."

Perez lost no time in idle commiseration.

An offensive was indicated. Perez reached for his trusty weapon of offense, the law. From the small library of lawbooks adjoining the prostrate Huey's bedroom, Perez took down one covering removal from office and impeachment proceedings. From the legal tome, Perez drew the germ of an idea that was to save Long.

At Huey's bedside, Perez expounded the impeachment law.

"My views seemed to reassure him," says Perez.

From the posture of despair, face down, on his stomach, "Kingfish I" flipped over on his back and was soon lost in refreshing sleep, his first in days.

Under Louisiana law, the house of representatives (of the legislature) draws up the articles of impeachment, and the senate tries them. Perez now plunged into the bedlam that raged in Baton Rouge as the lower house debated the evidence on which to draw the impeachment articles.

Daily, Perez held a pep rally with Long's contingent in the lower house and sent them forth to raise legal technicalities with which to slow down the impeachment debate. Perez had a plan. The debate was being waged during a special session which, under the law, ends on a date set by the Governor when he calls the special session. If the impeachment trial could be prolonged beyond the Governor's announced closing date, Long would be saved.

"The legislature would stop being a lawmaking body and become just a crowd of men," Perez explained.

On the day set by Long's foes for the impeachment vote (in the house) Perez and the Long contingent were ready.

"As the impeachment resolution was read," Perez relates, "our 30 legislators all jumped up at once. They shouted and booed and raised hell. They took the opposition by surprise and caused them to withdraw the resolution and redraft it." (Lawyer Perez' contention was that Long could be tried on only one charge at a time, not the lumped charges made by his foes.)

Then when the impeachment was voted and Long awaited trial before the Senate, Perez prepared the coup de grace.

Long's ouster on charges of "misusing State moneys," "gross misconduct in public places," "habitually carrying concealed weapons," "coercion" and others seemed certain. The lower house, close to the people and reflecting public opinion, had voted impeachment. The required two-thirds majority in the senate seemed ready to go along.

"Huey's a dying duck. Too bad," was the street talk.

But again, Perez was on the offensive. He organized the famous "round robin" of 15 senators. Banded together, these lawmakers announced that they would not vote for impeachment regardless of the evidence. Since a two-thirds majority was needed to impeach the round robineers' 15 nays doomed it in advance.

On what grounds did they take this stand?

The special session of the legislature had expired, they argued. It was no longer a lawmaking body, just a crowd of men.

The legislature gave up and went home.

The 15 round robineers went on, some to become judges, others to get lucrative legal fees and, for their constituents, windfall public work. Long went on to launch the wild Louisiana hayride which ended in death for him and prison terms for some of his chief, boodling henchmen. Perez, now a proved legal strategist of high rank, went on to become the biggest political powerhouse behind the Louisiana scenes.

During the next 10 years he consolidated his political mastery of the deep delta and built a fortune reputedly in the millions.

TWO NAMES FOR THE SAME WAR

Then, during the war, Perez took Louisianians' eyes away from Europe and the Pacific with a vest-pocket war of his own. New Orleans newspapers called it a "Perez Putsch." Gov. Sam Jones called it insurrection and rebellion. Perez called it resistance to gestapo methods.

Louisiana's little war started in 1943 when Gov. Sam Jones appointed and sought to install a sheriff to replace one who had died in Plaquemines.

Jones was the Governor who only a few years before had sought to pry into Plaquemines' (and Perez') affairs with an investigation into the leasing of rich oil lands belonging to public boards in the parish. Leases on public lands had been granted to individuals and companies for which District Attorney Perez had become the lawyer. The Governor wanted to look at the leaseholding companies' books. Perez blocked him.

Now the reform Governor was butting into Plaquemines again. If he succeeded in installing his sheriff, Plaquemines would have its first anti-Perez official in Perez' political regime. Perez said the Governor was out of bounds legally and insisted that his man, the local coroner, was the legal successor.

Perez' sheriff and deputies locked themselves in behind barricaded doors in the courthouse and posted armed guards outside. As a further precaution, Perez went before the Plaquemines district judge—sitting in the same courthouse—and obtained an order barring the Governor's man from taking office. (The judge was suspended temporarily several months later by the State supreme court as an "interested party.")

Up to the supreme court the Governor's sheriff took his case. Meanwhile the Governor, with the National Guard away to war, ordered the newly formed State Guard to limber up with a few drills. On the alert in the delta, Perez started drilling, too. If the Governor could have an army, so could he. His parish police jury (governing body) proclaimed a "Plaquemines Parish Emergency Patrol," empowered to "bear arms concealed or openly."

Perez rallied every able-bodied man, and specifically the local American Legion post, to resist invasion.

Down came the State supreme court opinion.

"There is no doubt that the Governor had the authority to appoint Blaize (Walter J. Blaize, the anti-Perez man) to the office of sheriff," said the highest tribunal.

But Perez would not climb down from the barricades. Technically, the supreme court's opinion was not binding, he argued. The court had rendered no decree. Besides, the Governor's man did not bring the proper suit to test squarely who had the right to the job, said Perez.

From Camp Pontchartrain in New Orleans a convey of a dozen trucks, bearing a few hundred State guardsmen in battle dress, moved on Plaquemines. At its head was a brigadier general. An armored scout car prowled in front. Tractors rumbled along behind to clear the enemy's roadblocks and fortifications.

At the entrance to Plaquemines, the State troops "made contact" with parish forces: three armed sheriff's deputies who had stood behind a parish stop sign and halted all traffic. The deputies were disarmed and hustled into a staff car. One vainly tried to serve the guard officers with a court writ restraining the military.

Midway to the parish courthouse, the State guard found the road blocked. In front of the Perez home on the Promised Land Plantation, trucks had been driven into the ditches on either side of the road. A third was stalled between them on the highway. For some time, everyone who traveled the highway had to detour into Perez's backyard and pass inspection by armed guards posted there. Stopping there the day before, reporters found a dozen guards in the Perez home. The yard and the highway swarmed with armed men. Mrs. Perez, unperturbed, was serving up a roast-chicken dinner.

Now, as the guardsmen deployed in front of the barrier and an armored car headed straight for it, armed defenders behind it were seen to flee. A tractor cleared the road, and the war went on.

Down the road a piece the State guard ran into a barricade of fire. The Plaquemines forces had dumped several truckloads of oyster shells (used in road surfacing) across the road, soaked the pile with gasoline and set it afire. Guardsmen got out of their trucks and shoveled this barrier aside.

As the military convoy rolled into the parish seat, Pointe a la Hache, some 75 men with Perez at their head evacuated their courthouse citadel. Perez had called for a mass meeting of citizens. But with the military on the way, the deltans thought it wiser to stay home. Perez' Plaquemines Parish Patrol retreated to the free parish ferry and backed away into midstream. Plaquemines fell without a shot.

But the parish was not entirely undefended. Encamping in Plaquemines, the guardsmen sent an emergency call to New Orleans.

"Rush mosquito lotion," they pleaded.

With the Governors' sheriff installed under martial law, the nonshooting war in Plaquemines was over. But the war of words had only begun. Both sides filed charges against each other of "conspiracy to murder." Busily, lawyer Perez fired away in the courts, and at one time had 15 suits going at the same time; against the Governor, against the militia, against the sheriff, against the State attorney general. The Governor's sheriff, installed in office, appealed to the supreme court to stop some of Perez' suits.

Siding with Perez, the supreme court said, "No."

And in the end, Perez again had the last word.

A judge from outside Plaquemines, sitting in the Plaquemines courthouse while troops patrolled outside, ruled that Perez' man—not the Governor's—was the legal sheriff after all. (The Governor had appointed his man legally all right, ruled the judge, but the sheriff had neglected to qualify properly.) Besides, the same judge ruled later, the State militia had no business in Plaquemines in the first place. The civil power was superior to the military. The judge ordered the troops out. By that time 4 months of martial law had elapsed, and only a handful of State guardsmen remained in the parish. Next month, Governor Jones ended martial law altogether. In the election soon after, Perez' man was elected and took undisputed office. The Governor's man wasn't even paid for the hectic time he spent in office.

Perez never forgave Governor Jones.

When the war was over (the country's war, not Perez') he looked for a man with whom to beat Jones and found him in Earl Long, younger brother of Huey. Perez named most of the candidates on Long's slate (to strengthen it) and, behind the scenes, guided Long's campaign.

"I stuck close to Earl so he wouldn't make mistakes," says Perez.

President Truman is another man Perez can't forgive.

"I'm a Democrat," says Perez. "But I don't go along with the radicals who have taken over the National Government."

Radical to Perez, in President Truman's administration, is the Federal fight for the riches of oil in the tidelands off the States' shores. Radical, also, to Perez is proposed civil liberties legislation.

DELVING INTO COLONIAL LORE

Against the Government, on the tidelands oil issue, Perez has turned out to be a brilliant and lucidly plausible antagonist. With a scholar's love for the law, he rummaged through Washington bookshops for contemporary works on colonial history. He reread Benjamin Franklin's autobiography and pored over the proceedings of the Constitutional Convention. His object: to find out who had original title to the tidelands.

Perez' devoted scholarship was rewarded. He discovered a 1782 treaty between the British crown and the original States (then banded in the Congress of Confederation). The treaty acknowledged the States as free, independent and sovereign, and relinquished to them (as such sovereign States) the crown's territorial and proprietary rights. Perez argues from this that the U.S. Government never had title to the tidelands, and such underwater lands have always belonged and still belong to the States.

Against the administration's fight for civil liberties legislation Perez (as the head of the Dixiecrats and their voice) has been less plausible.

Before a Senate committee, Perez argued that enforcement of civil liberties legislation would require "a Federal gestapo" that would soon transform America into a totalitarian state. To clinch his argument he cited provisions from the Soviet Union's Constitution which call for "equality of rights" to all citizens of the U.S.S.R.

"I want to file these articles (from the Soviet Constitution) in the record," Perez told Senate committeemen.

Here, the committee chairman, J. Howard McGrath (then Senator, now U.S. Attorney General) observed:

"We will file that right beside a paragraph from our own Constitution guaranteeing these rights."

As head of the Dixiecrats, Perez says he is fighting to keep the Federal Government out of State and local affairs and to preserve local self-rule.

Most Americans would agree with Perez that local self-rule is the foundation of our democracy. But under the kind of self-rule that exists in the parishes bossed by Perez, citizens of the delta have had to appeal to the Federal Government to safeguard their rights.

One delta citizen, still trying to register after months of fruitless effort, appealed to the Federal district attorney and even to the President of the United States. Other delta citizens, protesting elections which gave the local machine over 90 percent majorities, year after year, have called for—and at least once obtained—Federal investigators to watch the balloting.

Perhaps Perez' kind of rule is asking for what Perez hates most: Federal intervention.

"CBS REPORTS": "THE PRIEST AND THE POLITICIAN," WEDNESDAY, SEPTEMBER 18, 1963

(Reporter: Dan Rather. Coproducers: William Peters and David Buksbaum. Executive producer: Fred W. Friendly.)

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(DAN RATHER. Buras, La., 1 year ago—the church, the graveyard, the street, and the school have been photographed so often they begin to resemble a stage set for the third act of a classic tragedy. For 15 days, until the last student dropped out, this newly, desegregated parochial school was in a state of virtual siege. Television flashed the scene to the Nation last fall. The central characters in the drama could almost be the leading players in an allegory on the ancient contest between good and evil. The pastor, a Franciscan priest, Father Chris Schneider.)

Father SCHNEIDER. Parents want to send their children and simply were afraid of economic reprisals and damage to property, and also threats of physical violence.

(Mr. RATHER. A year ago, newspapers throughout America front-paged a four-column picture of the protestors. Prominent in the picture was the rural political boss, credited with making sure the school had no students. Leander Henry Perez.)

Mr. PEREZ. I'm not bragging, sir, but I said we are not surrendering our schools to anybody and that means anyone. I say the archbishop and I've said it before, I think he's earned the punishment of hell for selling out on his people.

(Mr. RATHER. Father Schneider's last student dropped out of this school almost exactly 1 year ago today, and for 349 days, these open doors of an empty schoolhouse symbolized the duel between the spiritual power of religion and the politics of race. Then, 3 weeks ago, one of the sisters at the school received a phone call.)

Sister BERNADETTE. When I answered the phone, it was a woman's voice. She asked when school would begin and in what school we would be teaching. Before she hung up, she said, "If you take those Negroes into our new white school, it will be blown to pieces with you in it."

(Mr. RATHER. That same night, a blast rocked the school.)

(ANNOUNCER. Now, here is Dan Rather, chief of CBS news, southern bureau, New Orleans.)

(Mr. RATHER. Good evening. In the intensive coverage of the 9-year racial crisis in the South, two elements of the overall story have gone almost unreported. One is the role of the church, where, indeed, it has chosen to play any role. The other is the anatomy of the rural political leader and the sources of his sometimes crucial power. In Plaquemines Parish, La., these two forces have met head on. There, in the absence of Negro organization, where the courts and the Federal Government have yet to act, the church—in this instance, the Roman Catholic Church—has taken a determined stand. Father Chris Schneider is the priest on the scene, armed with whatever spiritual power his small pulpit and the backing of his church give him. Facing him in a duel of wills is Leander Perez, perhaps the most powerful, old-style political boss remaining in the United States, a southern segregationist, whose grip on his people is all but absolute. In the short-term look at this story, seen through day-to-day flashes of violence, it might appear that Judge Perez is winning. This report is a long-range appraisal of the struggle, as our camera watched it over the past 18 months. To understand the duel between the priest and the politician, one must first understand the politician—and the rural Louisiana parish—or county—that bred him.)

Mr. PEREZ. Some of my friends call me "the shack bully." Do you know what a "shack bully" is?

MAN. No, I don't.

Mr. PEREZ. Well, a "shack bully" is a foreman out in the timber areas, you know, and they have these log cutting camps, and he's the guy who is the head man who has to get the work out of these fellows. A pretty difficult job, you see. So I have to work harder than they do sometimes to get the work out of them—so they call me the shack bully.

(Mr. RATHER. Plaquemines Parish lies on both sides of the milewide Mississippi on rich, marshy soil that has, over the centuries, washed down the 2,350 miles of twisting river to push its delta even farther into the Gulf of Mexico. In the years when Leander Perez was growing up, 1 of 13 children of a sugar and rice planter, the flat prairie, the swamps and bayous of Plaquemines Parish were the source of its chief industry—the trapping of muskrats. Today, all that is changed. Oil, discovered in 1928, has altered both the parish and Perez, and neither have been the same since. The parish, today, with its oil, sulfur, and natural gas; its oysters and shrimp, is one of the richest counties in the Nation. As the money began to roll in, Leander Perez, through shrewd manipulation in the State legislature, managed to siphon off a good deal of it for the parish.)

Mr. PEREZ. Back in 1930, when oil was first produced in Plaquemines, I saw the potential, and I had special legislation and constitutional amendments passed, which authorized not only our parish, but any other parish in the State, which might take advantage of the provisions of law, to assume the outstanding bonded and other indebtedness of local districts, and then succeed to the revenues and resources. We have two levied districts situated wholly within the parish, and those two districts owned quite a bit of land, and it developed that those lands were productive. As a result, the parish has secured a great deal of revenues.

(Mr. RATHER. To his credit, Perez used much of this revenue to reclaim thousands of acres of swampland, to build roads, a tunnel, schools, hospitals, public libraries, water purification and sewage disposal plants, levees to hold back the river, and two free ferries to cross it—all at no cost to the taxpayers.)

Mr. PEREZ. We could be tax free, but I don't think it's a good policy. I think that everybody should pay some tax and be conscious of the fact that they owe an obligation to government.

(Mr. RATHER. Each of these improvements, of course, put hundreds of parish citizens on the public payroll, thus adding to the long list of voters indebted to Leander Perez.)

Mr. ANSARDI. Of course, there is only one Judge Perez. Let's don't kid ourself. There is only one Judge Perez, and as I said, that man was a gift from God to us.

Mr. FARAC. I think the judge is one of the finest men that I ever worked for and ever knew.

Mrs. EDNA LA FRANCE. The judge, I think—practically all of the people in Plaquemines consider him a prince.

Sheriff CHESTER WOONTON. I definitely think that he could be considered as one of the natural resources of the parish.

(Mr. RATHER. There are, of course, dissenters—mostly from outside Plaquemines Parish.)

VICTOR BUSSIE. To me, Judge Perez is a very egotistical sort of character. He's arrogant, generally, self-righteous, but I think most of the time completely wrong. He's anti-Negro. He's antilabor, antiarchbishop, anti-Supreme Court, anti-Federal Government, anti-State government, anti almost anything except when Judge Perez believes in. He's very pro-Judge Perez.

SAM MONK ZELDEN. Everybody in that parish better play ball with Leander Perez, one way or another. They'd better, because there's too many ways that he can make it very obnoxious. It is my personal opinion that Mr. Perez, over a period of years, has established a tighter dynasty and has a better setup than Mr. Khrushchev has.

(Mr. RATHER. The grip of that dynasty was demonstrated in 1952 when Perez delivered his overwhelmingly Democratic parish almost solidly to the Republicans.)

Mr. PEREZ. When we supported Eisenhower in his first election, our parish of Plaquemines gave to Eisenhower the largest percentage of votes of any parish, county, or municipality of the whole country. We gave Eisenhower a 98-percent vote.

(Mr. RATHER. But, judge, how do you do it? Khrushchev doesn't get a 98-percent vote in his bailiwick?)

Mr. PEREZ. Well, we did it. If you had heard speeches made by Adlai Stevenson, especially the speech he made in the Mormon Tabernacle, and when we get the message to our people about those matters, and we convince them, they go along with us.

(Mr. RATHER. Once a district judge, the highest elective office Leander Perez has ever held is district attorney of Plaquemines and St. Bernard Parishes—combined population 54,731. Yet, for years, he dominated the Louisiana State Legislature. He is supposed to have written much of its constitution, was a political colleague of Huey Long. He still likes to pose beneath Long's statue.)

Mr. PEREZ. I represented him, by the way, in his impeachment proceedings and helped save him from impeachment, and I know the tactics used by some of his opponents in that situation. I didn't approve of everything that Huey did politically. I did support him, and as a result, incurred the enmity of certain people here in New Orleans, you know, some of the theoretical do-gooders and some of the newspapers as well.

(Mr. RATHER. Though he has never been elected to it, Judge Perez has been faithful in his attendance at sessions of the Louisiana Legislature. The New Orleans Item once called him its third house.)

Mr. PEREZ. I've devoted more time to the legislature than any nonmember of the legislature over the years. I have not missed a regular session of the legislature in the last 50 years—that's quite a record, but as a result, I have had a lot of beneficial legislation—constitutional amendments which I sponsored that were adopted for the general good of the public, and the particular advantage of our parish.

Well, hello, how are you feeling, kid?

FIRST MAN. Judge, fine. You working with those people now? I thought you were a friend of mine, Judge.

Mr. PEREZ. Hey, Chester, how do you do?

SECOND MAN. How do you do?

Mr. PEREZ. Hi, August. By the way, can you get out of here our legislative program? I want to check it with Udell. There's some confusion about that one bill that I asked you not to take up with the committee at the time. The joint services.

THIRD MAN. 401?

Mr. PEREZ. I don't know, but it's joint services stated there.

FOURTH MAN. Hello, Judge, how do you do?

FIFTH MAN. Want to get behind Judge Chassez here?

Mr. PEREZ. Oh, a hundred percent; oh, we're going all out for him. Sure.

SIXTH MAN. I got those two bills out of committee yesterday.

Mr. PEREZ. Which?

SIXTH MAN. The piggy-back——

Mr. PEREZ. Oh, did you get the letter—emergency?

SIXTH MAN. Oh, yeah. The clerk already read——

Mr. PEREZ. Fine. Now, then, is there a provision in the bill declaring any emergency legislation? I don't recall that.

SIXTH MAN. No, sir.

Mr. PEREZ. Well, then, we can put it in by floor amendment possibly.

SIXTH MAN. I imagine so.

(Mr. RATHER. Here, the judge and house majority leader, Pappy Trish, of Ascension Parish, discuss a pet piece of legislation.)

Mr. PEREZ. I don't know how in the hell they let Jackson's office write the bill instead of the one we were working on. Why didn't they introduce the one Jackson's office wrote? We don't know anything about it.

PAPPY TRISH. I'll get together with them.

Mr. PEREZ. But what we want to do is the one that we worked on. And I want to have—I had our bonded attorney in the other day to check on the last provision. You know, we checked on it. We're going to have a good bill, not a half-baked, half-hearted thing like Jackson's working on.

(Mr. RATHER. And the judge is thanked for one of his many good deeds.)

Mr. PEREZ. Now, let's see—this says——

MAN. I just want to shake your hand and thank you. I found out you took care of the——

Mr. PEREZ. Well, you put me in the hot seat, didn't you? You said, "Sit at the head of the table." How did you find out?

MAN. I'm the one planned that party for this gang.

Mr. PEREZ. Well, I'm glad I was able to help you out there.

MAN. And here I go invite you to talk——

Mr. PEREZ. Well, I enjoyed it.

MAN. Thank you, Judge.

Mr. PEREZ. All right. Yes.

(Mr. RATHER. Rejecting the findings of modern anthropologists, the judge quotes his own favorite.)

Mr. PEREZ. I know there's—one of the old Encyclopaedia Britannica had an article on that by a British scientist, who says that the Negro child will develop until he gets to be about 11 years of age, and then because of the thickness on his cranium and the limited size of the brain area, he stops expanding. He goes so far and no further.

MAN. That's pretty good—this friend of mine who wrote that.

Mr. PEREZ. Yes.

MAN. I'm glad you enjoyed it, Judge.

Mr. PEREZ. So long.

Politics, of course, is a science of fooling the people and getting by. I can work through certain of the leaders and men who are effective in the legislature. I hardly ever lobby any member of the legislature in support of any bill, and I just sell the bill on their merits. I just hate politics, and I say that politics is the curse of the country. I believe in government. I believe in the public business, but I despise politics, because politics will bring about the destruction of our country. Politicians will reach out for any influences to get them votes for their own self-aggrandizement, regardless of the public welfare.

(Mr. RATHER. To Judge Perez, there is no such thing as a "loyal opposition" in Plaquemines Parish.)

Mr. PEREZ. Oh, there's a little group that are always—we call them soreheads. There's a little group who are disappointed because they've tried to get on the political payroll and we wouldn't hire them as deadheads. There's just a half dozen or so of those and they can always stir up a little opposition, you know.

(Mr. RATHER. Opposition candidates often have problems even qualifying to run for office in Plaquemines Parish. A New Orleans lawyer, Sam Monk Zelden, fought one such case.)

Mr. ZELDEN. On this specific occasion in question, I recall that the matter was tried in the parish courthouse at Pointe a la Hache, La., in Plaquemines, and to the best of my recollection, I believe, there was 11 members of the committee. This committee hears the issues and the matters brought before it as to the question of whether a person is properly qualified, and so forth, and so on, and at the time of the hearing, when we walked into court, there was only two members of the committee present, Mr. Perez and somebody else, and Mr. Perez had, I believe, nine proxies. We went forward with the hearing which lasted, oh, I would say 3 days. I'm not certain about the time. The counsel that was appointed to represent our opposition was advised by Mr. Perez to sit down, that he wasn't doing too well, that he, Mr. Perez, would take over. So a very peculiar legal situation arose at several stages during the hearings which Mr. Perez was the parish committee; he also was the counsel for the other side, and then he was a witness at the same time.

(Mr. RATHER. Judge Perez defends such practices.)

Mr. PEREZ. I have always followed a policy of never helping my political opponents, or political enemies, and if they didn't come right under the law, I would take advantage of the law. I've always done that. So they made it difficult on themselves by not qualifying properly and we took advantage of their errors.

(Mr. RATHER. He calls himself the shack bully. This is his "shack." The amount and the sources of Judge Perez' personal wealth are obscure.)

Mr. PEREZ. Well, I've learned the philosophy of living. Now see, I live on a dollar and a half a day, and I can make that any time, so I'm not worried about money.

Mr. RATHER. A dollar and a half a day wouldn't take care of your cigars, would it?

Mr. PEREZ. Well, you see, I smoke a given number of cigars, usually as many as are given to me.

(Mr. RATHER. Two years ago, an ad appeared in local papers when FBI agents were investigating alleged discrimination against Negro voters. Citizens were advised: "Answer no questions. Tell them they are not welcome.")

Mr. PEREZ. Yes, we'll put an advertisement in the newspaper. We'll put it on the radio as well. When you say, "FBI," it's like the Gestapo in certain parts of Europe among the people. They are very feared of secret police and that is developing more and more in this country. Of course, we advised our people that their registration and their right to vote was none of the business of any FBI or any other Federal agent and that's correct.

(Mr. RATHER. In 1956, Archbishop Joseph F. Rummel, in a pastoral letter, declared that segregation was sinful. Later, he announced that the parochial schools of the New Orleans archdiocese would be desegregated. The final order came in 1962. Leander Perez, himself a Catholic, reacted with public attacks on the archbishop and his order.)

Mr. PEREZ. The men who led our Catholic church and who had our respect before have lost the right to all decency and respect of their fellow men. That is how low a person will stoop when he gets caught; when he has sold his soul, he has no decency left.

(Mr. RATHER. On April 16, 1962, Archbishop Rummel excommunicated Leander Perez for "provoking the devoted people of this venerable archdiocese to disobedience and rebellion." The Right Reverend Monsignor Charles J. Plauche explains.)

Rt. Rev. Msgr. C. J. PLAUCHE. Excommunication is the most serious penalty which the Catholic Church ever invokes. In effect, it means expulsion from the communion of the faithful. It means that the one who is excommunicated does not participate in the prayers, or the blessings of the church, and is not admitted to the sacraments of the church.

Mr. PEREZ. You must remember that the darkest pages in the history of government was when certain parts of Europe were governed by bishops. You might remember that Joan of Arc was convicted of heresy and burned at the stake at the order of this bishop. And later on, years following, she was canonized as a saint. Those bishops made a horrible mistake, didn't they? I don't believe I have been excommunicated. I think it's a monumental fraud and a bluff to try to intimidate other people.

(Mr. RATHER. Leander Perez, the politician; absolute political boss of Plaquemines Parish. His confrontation with the priest, immediately after this message.

(Commercial.)

(ANNOUNCER. "CBS Reports": "The Priest and the Politician." Here, again, is Dan Rather.)

(Mr. RATHER. Plaquemines Parish is equally divided between Catholics and Protestants. Twenty-nine percent of the people are Negroes. Last month, stories datelined Plaquemines, La., reported Negro demonstrations and mass arrests. The city of Plaquemines lies 100 miles north of Perez, and Plaquemines Parish, where no such demonstrations have occurred. In Plaquemines Parish, there is no NAACP, no urban league. There is no Medgar Evers, no Martin Luther King. And so the role of opposition to Leander Perez, so long uncast, fell at last to a Franciscan priest, Father Chris Schneider.)

Father SCHNEIDER. Fourteen years ago, the school No. 1, the present school No. 1 for mulattoes was opened. This was the first Catholic school on the delta. There was no public school for the mulattoes as such. They could not attend the white school and would not themselves go to the colored school, and, therefore, to give them some kind of education, we opened up our Catholic school for them. And then, 8 years ago, we built the present new school, and that was known as school No. 2 for the whites up until the directive to open our doors to all Catholic children.

(Mr. RATHER. Quick to respond to that directive were a successful Negro contractor and his wife, who registered two of their children in the school, Mr. and Mrs. Marcus Prout.)

MARCUS PROUT. Well, I first heard of it—that they were going to integrate parochial school, and well, we decided we'd send our kids to try to get them a Catholic education, and that's the reason I send my kids to school—not trying to get above myself, or anything else. I was just—just wanted a better education for my children. That's all. As I came up—I didn't have any school. During the time when I was raised, we had 3 months' school and we'd go to school just a half a day, and then many days we didn't have any out of them 3 months.

Mrs. PROUT. We thought it was better for them to go to Catholic school, and that they learned more at Catholic school, and by me not having no education when we were going to school, I thought I would just try to get my children some kind of education, because I wasn't able to send them to no boarding school to get no Catholic education.

(Mr. RATHER. Even before the school opened, word leaked out that Marcus Prout had entered two of his children.)

MARCUS PROUT. The man that I was working along with called me up, or I called him, and he said, "What you doing today?" I said, "I ain't doing anything." So he said, "Come up, I want to talk with you." So I went where he was working. He was working in his yard. Had a bunch of mens. Well, the man didn't tell me anything in front of the other mens, so he called me to the side and we sat down. He said, "Marcus," he says, "I don't know what you did, but," he says, "Judge Perez told me to—I have to get rid of you, or he'll get rid of me." He says, "And, Marcus, I have to stick with the people with the money." And when he told me that, well, I knew then there was no way out for me, that my work was just done with—in the parish.

Father SCHNEIDER. The Monday night before school opened, there was a mass meeting held at the Buras auditorium, and that Monday, they had men on the highway giving this leaflet to all the automobiles who passed, so that they would be sure to know about the meeting. Also, as they usually do, they'd have this flyer in the paper. They put it in the paper so that every home would have it.

(Mr. RATHER. At that, and other meetings, Leander Perez described parochial school desegregation as the payoff of a conspiracy and bribe involving Communists, the Jews, the President, and the Catholic hierarchy.)

Mr. PEREZ. But $3 million grant to the hierarchy in New Orleans supposedly to build an apartment house for old folks. Well, now that Mr. Catholic President Kennedy has set the example of paying off $3 million to the Catholic hierarchy here what's he going to do when the pressure is put on him by the Protestant Christian leaders such as this Bishop Oxnam a fellow traveler in Atlanta? That takes us back just 1,962 years ago, when a Judas took 30 pieces of silver, but the price has gone up, my friends. Three million is the first installment. But regardless of the price there's no such thing as "the price is right" on the heads of our fine little girls and boys. Out of 34 parochial schools, if you will check, you'll see that 16 of them had only 1 or 2 burr heads. There were four others that had three or four little pickaninnies. There's just barely a hundred in the 24 integrated schools, but that's only the foot-in-the-door policy, because they will pour into those schools in the proportion that the white people lose their nerve and lose their courage and abandon their children to a life of immorality and indecency with these filthy little Negroes who don't know what legitimacy means in the first place. Can you imagine the future of America with all the white children being driven out of our public schools, in the end, and that's what is going to happen gradually. What is the future of our country? Why are the Communists conspiring to deprive our white youth of educational opportunities? Does Mr. Kennedy see that, or does he give a damn? Did President Eisenhower see it surrounded by his Zionist advisers, Max Rabinowitz? Goldfine and company? Did Harry Truman see it? No. I don't suppose Franklin Roosevelt gave a darn, either. I was nauseated, sick in the stomach, when I saw the performance by the mayor and the chief of police and the fire chief in New Orleans, saying, "We're ready. We're going to use the force of the police against these good people when they come out to protest against their parochial school properties being stolen and taken away from them and their children dispossessed." But you're not going to get that kind of reception here, my friends, in Plaquemines Parish—here.

(Mr. RATHER. The day before school opened, Father Schneider went out to gas up the school buses.)

Father SCHNEIDER. So I went out to the churchyard, where we keep the buses during the summer months and took the old bus first, and started out the driveway, and it didn't take long to find out that I had no brakes on that bus. Both of the buses had been gone over during the summer, and the new bus, just two or three weeks before, had made a rather lengthy trip. I believe it was to Covington. I took that one next to gas it up and the same thing happened. I had no brakes on that bus either.

HAROLD MITCHELL, (bus driver). We found that the master cylinders on both school buses was drained of all the brake fluid.

(Mr. RATHER. That night the Prouts received a phone call.)

Mrs. PROUT. They called before day that morning. They called around 3 o'clock that morning—they started calling, and the first call they said that they heard that we were sending our children to the integrated school, and that if we would send our children, they was "going to burn us out and every other nigger in Boothsville." That's the way they said it.

Mr. PROUT. They had took everything I had there, so there ain't nothing much more could happen, so I just sent them to school anyway then.

(Mr. RATHER. At the school, the first act of an outdoor drama was about to begin. Folding chairs were unloaded and arranged in neat rows. Umbrellas were set up to shield the audience from a blistering sun that would soon heat the humid gulf air to 100°. Ice water and paper cups were also provided by the management—the county government of Plaquemines Parish, headed by its president, Leander Perez. An air of carnival pervaded the scene long before the children assembled at the church.

Father SCHNEIDER. We could see from our rectory and as we went over to church, that there was already a large crowd gathered over in front of school No. 2. No doubt to see if there would be any colored children go in the school. Actually five showed up. Father Adrian, one of the assistants, had the mass that morning, and I helped with the children to see that they went into church orderly, and so forth. Whenever we bring the children from mass, we walk through the cemetery, and over to the school. So as we went through the cemetery, we prayed the rosary so that we would be busy ourselves, and if anybody said anything, we wouldn't answer—as there were many people gathered out in front of the school. We crossed the highway, and there were people all around, but no one blocked our entrances to the school, and we went into the school, and then the children went to their respective classes. The sisters gave out the textbooks and paper and pencil, and so forth, and we noticed that the crowd kept getting larger and larger, so we decided then to have a half day of school. We dismissed the children, put them on the school bus to go down to Venice at 12 noon. When we left the school someone said, "You haven't seen the end of this." Mr. Perez was also in front of our school for a speech to the people.

Mr. PEREZ. Our people in Plaquemines Parish have stood the test of ravaging hurricanes. This is the worst, because this would strike at the very foundation of your homes, the protection of your children, and your right to raise your children as good, moral, American citizens.

(Mr. RATHER. That night, Marcus Prout received a phone call from Sheriff Chester Woonton.)

Mr. PROUT. So Mr. Woonton got on the line, he said to me, he says, "Marcus," he says. "I've been a friend to you and a friend to the family." He says, "This is not an order. This is just only a request. Take

the children out of school till I can get this thing under control, because it's out of hand and something dreadful might happen." So I called Mr. Haidel in New Orleans and I asked him about a job, so he told me, he said, "Come on up" he says, "and we'll see what we can do." So the morning I left to come up to go to work, I took my family with me.

Mr. PEREZ. But I can tell you that the five Negroes that they got to sign up at the parochial school in Buras all summer didn't want to go to that school, and some of our friends simply went to them and said, "Did you ask to go to that school? Is that what you wanted to do? Put your children in that white school? You know that you didn't put up any money to help build that school—isn't that right?" "Yes, that's right." And they took them out.

(Mr. RATHER. The next day, crowds were at the school again. No Negro children appeared. With the closing of school that day, the hours of terror began. A mechanic for a large company in the parish, Harold Mitchell, kept two of his children in the school.)

HAROLD MITCHELL. At 2 in the morning, I received a call from a representative of my company wanting to talk to me at the office, and I told him at present time, that I couldn't leave my home, and if they wanted to talk with me, that he'd have to come to my house and—which they did about 2:30 in the morning, they came to my house and they explained to me why they were there, and that they had had a call from top brass of my company that—asking them to talk with me and see if I wouldn't step out of this school situation, that the pressure had been put on the company, with a threat of closing the company down if I didn't get out of this school situation, and closing down of the company would have put roughly 500 men out of work. Well, there's only one man in the parish with that kind of power. No one else has anywhere near the power to do that. There's only one man it could have been and that's Leander Perez.

(Mr. RATHER. Told he had been blamed for such threats, Judge Perez had an answer.)

Mr. PEREZ. Well, you know damn well that isn't true, and if they received threats, that might be expected in the ordinary course of human events, because people resented them sending their children to the school that was integrated against the general wishes of the public and those who had supported and paid for the parochial school, but I doubt if there was any serious threats made.

Mr. MITCHELL. I decided the best thing that I could do would be to leave the parish and to get my family out of the parish for their safety, which I did the same night.

Father SCHNEIDER. This one family, with children in our school, reported to me that the sisters and priests would be tarred and feathered the next morning. The next morning when I went over to school, the front walk all the way up to the school doors was littered with feathers as if someone had cut apart several mattresses. Both Father Malachi and myself stood right in the middle of the feathers, and I called the press over on the church grounds and asked to see their credentials, and then I made the statement that "There will be no school today because of numerous threats of physical violence and fear of insufficient police protection."

(Mr. RATHER. Parish police maintained that such fears were groundless—that sufficient protection existed around the school at all times. The Labor Day weekend of 1962 followed, providing 3 days of calm. Then, it all began again. This time, some of the people in the crowd wanted to talk.)

FIRST WOMAN. Well, I have a little girl that went to Catholic school for 4 years, and this year since they're integrating it, I put her in a public school, and I'm like everybody else over here, I hate to see that happen, because I don't want my children to go with the Negroes.

SECOND WOMAN. I have about 20 colored people working for me on my boats, and not one of them has a child in this school, and they told me that they did not want to go to school—they were just forced into it, and the priest here will go all out for the colored people. He carries those colored people to and from school. Their school, they pay $3 a month for their children to school and we pay $5. They pay $1 for registration and we pay $2. Now, why? I don't know. I was coming from Venice one day and there was a colored man standing on the road and a white woman walking. The priest passed that white woman up and he stopped and picked up that colored man. Everywhere you see these priests—they have colored people in their cars—in their cars with them.

(Mr. RATHER. Leander Perez was there again.)

Mr. PEREZ. We, your parish officials, are not only backing you up—we're right out in front with you.

(Mr. RATHER. But Leander Perez was not backing up these women—mothers with children in the school.)

THIRD WOMAN. I'm concerned about my child's education, not who she's in school with, but what she is there for. That's what I believe in, and I think if we are a Catholic, we should stand up and act like one and live like one. That's what I think.

FOURTH WOMAN. My children don't think anything at all of it. They know what's right. I have taught them. Since they were born I've tried to teach them right from wrong and they know what's right, and my little teenaged daughter told me just yesterday, "Mama, can't those children—those people see they're doing wrong?"

THIRD WOMAN. I know of many mothers at home crying their hearts out because their children aren't here, because they are afraid to send them, because of losing their jobs.

DAVID BUSKBAUM. Where does your courage come from?

THIRD WOMAN. My Catholic faith. That's where my courage comes from, and I know I'm right, and I'm going to continue to do what I think is right.

Father SCHNEIDER. The families with children in the school tried to ask other families who they knew had registered, to please send their children, feeling that if enough sent their children that we could keep our school open, and they could send their children, and in union there is strength. That's the way they felt. But every time a few more would come, the next day it would drop again. So as a result, after 2 weeks of that, and the number going down to about six or seven, the parents themselves saw that it was useless, and no one showed up after that. Since that time, we have opened up school each day of the school year to show that our school was open to all Catholic children even though no children came. I have asked myself why did this happen? What could I have done, or what should I have done to avoid a situation which is unpleasant for all? It's unfair to call it a boycott on the part of Catholic parents. The only reason the parents did not send their children, or continue to send them, was because of fear. We would open the school doors and stay there for 30 minutes to an hour. As soon as we would leave, someone would close the doors. One morning, the doors were chained shut and padlocked so that our janitor had to cut the chain with a hacksaw in order to get in our own school.

(Mr. RATHER. As the time neared for the reopening of the parochial school in Buras this fall, we asked Father Schneider about the atmosphere in the parish.

Father SCHNEIDER. I think that the people are certainly uneasy in our parish down there right now. You almost—a priest almost senses that they're even afraid to talk to us any more, or to wave to us, because something might happen if they get too friendly with a priest. Even in going to church at hours other than regular church services, some people are afraid to come to church to make a visit, or a holy hour, because something might happen. That's the way they put it.

(ANNOUNCER. Something did happen—the story of the violence of recent weeks and the bombing of the school, after this message.)

(Commercial.)

(ANNOUNCER. CBS reports: "The Priest and the Politician." Here, again is CBS News Correspondent Dan Rather.)

(Mr. RATHER. On Monday afternoon August 26, 3 weeks ago, Sister Ann Bernadette received a telephone call.)

Sister ANN BERNADETTE. When I answered the phone, it was a woman's voice. She asked when school would begin and in what school we would be teaching. Before she hung up, she said, "If you take those Negroes into our new white school, it will be blown to pieces with you in it."

(Mr. RATHER. That night, a man, or men, climbed a willow tree to the roof of the schoolhouse carrying three 5-gallon cans of gasoline. A fuse was made from 40 feet of string. Most of the gasoline was poured down this vent to a heater in the classroom below. More gasoline was poured along the line of the string. And, finally, just before midnight, the fuse was lit. After the explosion, Father Schneider told us about the damage.)

Father SCHNEIDER. We found the room still full of smoke and it was apparent that a pretty good deal of damage had been done. The both walls were blown out—the one on the upper side more severely than the one on the low side of the building. The ceiling of the room was completely charred, and the blocks—top blocks of the wall leading to the adjoining classroom were blown out.

(Mr. RATHER. The day after the explosion, Archbishop John P. Cody, of the New Orleans archdiocese, expressed his indignation.)

Archibishop JOHN P. CODY. To protect the lives of our sisters, priests, and the children of Our Lady of Good Harbor parish, I can do nothing else but order the immediate closing of Our Lady of Good Harbor Parochial School No. 2, which was scheduled to reopen on September the 3d. I do this with the greatest reluctance. I sincerely trust that the destruction of property, in this instance, will bring the people of Buras together to oppose the hateful influences that have long hampered the work of Holy Mother Church in this area.

Mr. RATHER. Judge, you acknowledge you are the genuine leader of these people in this parish. Let's suppose that the people who were responsible for, say, the explosion at the school turned out to be influenced by you and what you have said about the school. How would you feel about that?

Mr. PEREZ. Now, look, you are not going to pin any responsibility, directly, or indirectly, upon me, for any overt act which is improper. I do not decry the activities of our people in resisting and in objecting in any way they can to the unlawful, un-Christian, unmoral actions of the hierarchy, or of their local priest to deprive them of their property, to deprive their children of the private Christian education which they had planned and for which they paid.

Mr. RATHER. You don't condone violence such as the explosion, do you?

Mr. PEREZ. Now, let me say—You're not going to have me to say that I am against violence if it is a matter of self-defense. I am not going to surrender and I don't want to see our people surrender to the Communist conspiracy. Violence, in certain cases, is absolutely justified under the law, and I will

not say that I'm against violence as a matter of self-defense. I, personally, would use violence as a matter of self-defense.

Mr. RATHER. If the parochial school in Buras is reopened on an integrated basis, would you recommend that the people do the same as they did before?

Mr. PEREZ. I don't have to recommend. I know that the people will resist it. Oh, we'll resist it to the utmost with whatever may be necessary to prevent the archbishop from stealing their school and turning it over to the Negroes.

Mr. RATHER. Now, judge, this is going to be a long question, and it may be our last. You now have as your enemies, your opponents, at least the last four Presidents of the United States—President Kennedy, President Eisenhower, President Truman, President Roosevelt, the Chief Justice of the Supreme Court, Earl Warren; other Justices of the Supreme Court; the late Pope John; Cardinal Cushing of Boston, a man that some people consider in the forefront of the fight against communism; the last two Attorneys General; a number of Governors of this State of Louisiana. You also have as your enemies, your sworn opponents, such institutions as the U.S. Government; parts, at least, of the Roman Catholic Church; the National Council of Churches; the Departments of Justice, Interior; to some extent, the Department of Defense; the U.S. Navy; United Nations—this is a formidable list. Many of these people and many of these institutions are considered among the most popular, the most respected of our time and our era. Now, where does all of this end? Can you win?

Mr. PEREZ. Well, if that question is correct, then I must be completely annihilated and liquidated. I don't concede it, however.

Mr. RATHER. Well, isn't the tide of history running against you?

Mr. PEREZ. I cannot subscribe to the principle of surrender and the brainwash technique of saying. "It's bound to happen, so what? Let's lie down and die. Let them kick our teeth out. Let the American people forget that they are men. Let them forget our proud tradition of standing up for America. It's bound to happen, so what? Let it happen." And then let the American people be reduced to the condition of degraded slaves to a foreign ideology. I can't subscribe to that and I don't believe I'm as loathsome as your question would imply. I'm not alone.

Mr. MITCHELL. Mr. Perez, I understand, through the years, has had a lot of power, but I think about all the power he's got left now is to stand in front of one little parochial school and shake his fist and declare that it won't be opened.

(Mr. RATHER. We asked Father Schneider if the school would ever be reopened.)

Father SCHNEIDER. Definitely, this school will be reopened. It's just a matter of when we will reopen.

(Mr. RATHER. The power of the Federal Government is not involved here; nor are States rights. Simply put, the issue is whether the clergymen charged with the leadership of Our Lady of Good Harbor School will be permitted to run their school as they see fit. In the running conflict between segregationists and integrationists there are sharp differences and room for opposing points of view, but the struggle between Judge Perez and his kind, and Father Schneider and his kind, is something more than that. "A contest between good and evil," we called it at the start of this report, and neither side is likely to deny it. Each denounces the other as evil. Each sees himself on God's side. The political power and glory of Leander Perez has been challenged by a different kind of power and glory, and the final outcome is likely to be felt far beyond the bayous of Plaquemines Parish.)

Father SCHNEIDER. God wanted this for some reason, and I think it's apparent that this is a blessing in disguise for our parish, that even though right now it's hard or difficult, and we are suffering and would like to have it otherwise, yet, good people are becoming better people because of this. I believe that when a better day dawns materially, and there's no longer the atmosphere that we have to work in at present, when that is no longer around, people will say thanks to God for giving them this chance to show their true color in the sense of being loyal to their faith and to Holy Mother of the church, and for being a part of the crucifixion themselves in adding to our Lord's suffering for those who are not yet actually saved.

(Mr. RATHER. The explosion at Our Lady of Good Harbor School was not the first to rock the South. Nor is it even the most recent. Here, in Birmingham, Ala., where we are taping an epilog to this report, this Negro church was bombed 3 days ago. Four children were killed. Nor is there even any assurance that this will be the last in the long series of acts of terror that has plagued the South over the past 9 years. The real question is not, Who threw the dynamite that killed four children here, or Who pulled the trigger of the gun that killed Medgar Evers, or Who lit the gasoline-soaked fuse that blasted the parochial school in Plaquemines Parish? The real question is, Who put the fire of hate in the men who performed those acts of destruction and death? A final footnote: Archbishop John P. Cody, of New Orleans, announced today that Our Lady of Good Harbor School will reopen for all Catholic children the week of October 14. Children's mass will be held at 8 a.m., classes at 8:30. Schoolbuses will be available for all registered children. The story of "The Priest and the Politician" goes on.)

(ANNOUNCER. A word about the next "CBS Reports" in a moment. "CBS Reports": "The Priest and the Politican," was filmed and edited by the staff of "CBS Reports" under the supervision and control of CBS news.)

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PURCELL (at the request of Mr. ALBERT), for today, and the balance of the week on account of official business.

Mr. JACOBS, for June 7 to June 10, on account of Indiana 11th District business within district.

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. WHITE of Idaho, for 60 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. ZABLOCKI, for 20 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. CONTE, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. FINDLEY, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. BROCK) to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 5 minutes, today.

Mr. ASHBROOK, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. POAGE and to include a speech by the President of the United States.

Mr. WOLFF and to include extraneous matter.

Mr. O'KONSKI.

Mr. O'HARA of Illinois and to include extraneous matter.

Mr. TENZER.

(The following Members (at the request of Mr. BROCK) and to include extraneous matter:)

Mr. DERWINSKI.

Mr. PELLY.

(The following Members (at the request of Mr. DYAL) and to include extraneous matter:)

Mr. JONES of Alabama.

Mr. PICKLE.

Mr. ROGERS of Florida.

Mr. ANNUNZIO.

Mr. ROSENTHAL.

Mr. DIGGS.

Mr. WHITE of Idaho.

Mr. KIRWAN.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2054. An act to further amend the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. DYAL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until Monday, June 7, 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:

1190. A communication from the President of the United States, transmitting proposed amendments to the request for appropriations for the mutual defense and development programs, for the fiscal year 1966 (H. Doc. No. 197); to the Committee on Appropriations, and ordered to be printed with accompanying papers.

1191. A letter from the Secretary of the Treasury, Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting a report on proposed increase in International Bank for Reconstruction and Development assistance to private enterprise through the International Finance Corporation and associated matters (H. Doc. No. 198); to the Committee on Banking and Currency and ordered printed.

1192. A letter from the Chairman, Federal Home Loan Bank Board, transmitting a draft of proposed legislation to amend section 402 of the National Housing Act and section 14 of the Federal Deposit Insurance Act, and for other purposes; to the Committee on Banking and Currency.

1193. 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: Crooked Creek, Ala.; Haney Creek, Ark.; Upper Crooked Creek, Ark.; Muddy Fork of Silver Creek, Ind.; Cub Creek, Nebr.; Assunpink Creek, N.J.; St. Thomas Lodema, N. Dak.; and Buffalo Creek, Ohio; to the Committee on Agriculture.

1194. A letter from the Comptroller General of the United States, transmitting a report of substantial savings available through change in method of obtaining space and utilities for small post offices, Post Office Department; to the Committee on Government Operations.

1195. A letter from the Comptroller General of the United States, transmitting a report of duplicate payments to Westclox Division of General Time Corp., for artillery fuses destroyed in testing, Department of the Army; to the Committee on Government Operations.

1196. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel cost for applicants invited by a department to visit it for purposes connected with employment; to the Committee on Government Operations.

1197. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of S. Sgt. Robert E. Martin, U.S. Air Force (retired); to the Committee on the Judiciary.

1198. 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: Lower Little Tallapoosa River, Ga.; Uncle Tom Creek, Okla.; Wilson Spring Creek, Tenn.; Attoyac Bayou, Tex.; Castleman Creek, Tex.; Donahoe Creek, Tex.; 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. STEED: Committee on Appropriations. H.R. 8775. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1966, and for other purposes; without amendment (Rept. No. 442). 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. HALEY:

H.R. 8743. A bill to provide for the conveyance of certain real property of the United States to the State of Florida; to the Committee on Armed Services.

By Mr. McCARTHY:

H.R. 8744. A bill to expand and improve existing law and to provide for the establishment of regulations for the purpose of controlling pollution from vessels and certain other sources in the Great Lakes and other navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. MEEDS:

H.R. 8745. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 8746. A bill to provide for the coinage of the United States; to the Committee on Banking and Currency.

By Mr. ROBISON:

H.R. 8747. A bill to correct certain inequities with respect to the granting of survivor annuities under the Civil Service Retirement Act to certain students, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8748. A bill to amend Public Law 409, 74th Congress, to authorize the appropriations necessary to carry out authorized improvements in the project for the Great Lakes-Hudson River Waterway; to the Committee on Public Works.

By Mr. ANDREWS of North Dakota:

H.R. 8749. A bill to provide for a voluntary wheat certificate program, under which the price of all wheat would be supported at not less than $2 per bushel; to the Committee on Agriculture.

By Mr. ASPINALL (by request):

H.R. 8750. A bill to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT:

H.R. 8751. A bill to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, optometry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 8752. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CALLAN:

H.R. 8753. A bill to authorize the President to maintain reserve inventories feeds, and fibers, and for other purposes; to the Committee on Agriculture.

By Mr. CLEVELAND:

H.R. 8754. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to provide that benefits and payments thereunder shall be computed on the basis of annual rather than monthly compensation; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS:

H.R. 8755. A bill to modernize congressional control and review over the budgetary process for the purpose of achieving efficiency and economy in the Federal Government, to provide that the Director and the Deputy Director of the Bureau of the Budget shall be appointed by and with the advice and consent of the Senate, to establish a Joint Subcommittee on the Federal Budget and Fiscal Policy in the Joint Economic Committee, to strengthen the functions of the General Accounting Office, and for other purposes; to the Committee on Rules.

By Mr. ERLENBORN:

H.R. 8756. A bill to provide for the issuance of a special postage stamp in honor of the memory of the late President of the United States, Herbert Clark Hoover; to the Committee on Post Office and Civil Service.

H.R. 8757. A bill to provide for the issuance of a special postage stamp in honor of the memory of the late General of the Army Douglas MacArthur; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.R. 8758. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

H.R. 8759. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GARMATZ:

H.R. 8760. A bill to amend the provisions of the Oil Pollution Act, 1961 (33 U.S.C. 1001–1015), to implement the provisions of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 8761. A bill to provide an increase in the retired pay of certain members of the former Lighthouse Service; to the Committee on Merchant Marine and Fisheries.

By Mr. HALPERN:

H.R. 8762. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARVEY of Michigan:

H.R. 8763. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 8764. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8765. A bill to provide for the control of junkyards along certain Federal-aid highways; to the Committee on Public Works.

H.R. 8766. A bill to amend the Internal Revenue Code, act of February 10, 1939; to the Committee on Ways and Means.

H.R. 8767. A bill to amend the Social Security Act to permit the use of social security records to aid in locating runaway parents who are failing to comply with court orders for the support of their children; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 8768. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 8769. A bill to establish a Federal policy of uniform procedures for the acquisition of real property in the course of development programs carried out or assisted by the United States, and to provide relocation payments for persons displaced by activities under any of such programs; to the Committee on Public Works.

By Mr. MURPHY of New York:

H.R. 8770. A bill to provide an increase in the retired pay of certain members of the former Lighthouse Service; to the Committee on Merchant Marine and Fisheries.

By Mr. PEPPER:

H.R. 8771. A bill to establish a Department of Housing and Urban Development, and for other purposes; to the Committee on Government Operations.

By Mr. RIVERS of Alaska:

H.R. 8772. A bill to promote the replacement and expansion of the U.S. nonsubsidized merchant and fishing fleets; to the Committee on Merchant Marine and Fisheries.

By Mr. ROBISON:

H.R. 8773. A bill arranging for orderly marketing of certain imported articles; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H.R. 8774. A bill to amend the National Defense Education Act of 1958 to make equipment purchased under title III thereof available to all children attending public and private nonprofit elementary and secondary schools; to the Committee on Education and Labor.

By Mr. STEED:

H.R. 8775. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1966, and for other purposes.

By Mr. BYRNE of Pennsylvania:

H.R. 8776. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 8777. A bill to amend section 204 of the Communications Act of 1934, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. LANDRUM:

H.R. 8778. A bill to amend title I of the Tariff Act of 1930 with respect to certain processed yarns of manmade fibers; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 8779. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mrs. BOLTON:

H.J. Res. 496. Joint resolution extending for 1 year the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune; to the Committee on House Administration.

By Mr. ROBISON:

H.J. Res. 497. Joint resolution to provide for a study of needed Federal-aid highway programs for 10 years following the termination of the present interstate and defense highway program by requiring the Secretary of Commerce to make a comprehensive investigation and study of highway traffic and needs forecast for the year 1992, and the changes determined necessary in the Federal-aid highway systems as a result thereof, and to report to Congress the results of such study and his recommendations for a 10-year highway program commencing July 1, 1971; to the Committee on Public Works.

By Mr. O'HARA of Illinois:

H.J. Res. 498. Joint resolution relating to U.S. diplomatic relations with the Republics of Ukraine and Byelorussia; to the Committee on Rules.

By Mr. BURLESON:

H. Con. Res. 428. Concurrent resolution authorizing the printing of a revised edition of "History of the House of Representatives," and for other purposes; to the Committee on House Administration.

By Mr. ROBISON:

H. Res. 410. Resolution creating in the House of Representatives a Committee on Grievances to study complaints concerning the conduct of Members of the House of Representatives and to make investigations and appropriate recommendations thereon; to the Committee on Rules.

By Mr. ASHMORE:

H. Res. 411. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

296. The SPEAKER presented a memorial of the Legislature of the State of Hawaii, relative to eliminating virtually all excise taxes; which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DELANEY:

H.R. 8780. A bill for the relief of Angela Vendetti; to the Committee on the Judiciary.

By Mr. DUNCAN of Tennessee:

H.R. 8781. A bill for the relief of Hyoun Chul Chai and wife, Chung Nem Oh-Chai; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 8782. A bill for the relief of Eva Craig; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 8783. A bill for the relief of Donald W. Mitchell; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 8784. A bill for the relief of Maria Schinaraki; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 8785. A bill for the relief of Francisco Coelho Ferreira da Silva; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 8786. A bill for the relief of Maria Lukacs; to the Committee on the Judiciary.

By Mr. MACKAY:

H.R. 8787. A bill for the relief of Mr. and Mrs Jorge Tzavaras; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 8788. A bill for the relief of Gyongyi Erzsebet Szakasits; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 8789. A bill for the relief of Theodosios N. Kogionis; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 8790. A bill for the relief of Yue Hei-Chi (Edward Yu); to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8791. A bill for the relief of Lerlyn and Thomas Bonaparte; to the Committee on the Judiciary.

H.R. 8792. A bill for the relief of Filipo Rappa; to the Committee on the Judiciary.

By Mr. RIVERS of South Carolina:

H.R. 8793. A bill for the relief of Eugene J. Bennett; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8794. A bill for the relief of Yung Jae Kim; to the Committee on the Judiciary.

By Mr. TUCK:

H.R. 8795. A bill for the relief of Miss I-Pang Ho; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 8796. A bill for the relief of Kathryn Choi Ast; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 8797. A bill for the relief of Ivana Jancar; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

221. The SPEAKER presented a petition of American Association of Airport Executives, Wilmington, Del., relative to airline management policies; which was referred to the Committee on Interstate and Foreign Commerce.

SENATE

THURSDAY, JUNE 3, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

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

O God, our Father, the sky and the earth showeth Thy handiwork. Thou hast taught us to love beauty in form and color—in the glory of the garden, in the tint of the tiniest flower, in the glint of a bird's wing, and in the leafy loveliness of trees that lift their arms to pray. O God of growing things, who doth walk in gardens: Coming through the arbor gate of the holiness of beauty, may we be partakers of the beauty of holiness.

Open our inner eyes, that with all our seeing, we may not miss the beauty and strength of the spiritual world, more real even than the dust beneath our feet or the feathered songsters that wing their trackless way above our heads.

In spite of suspicions, animosities, disappointments, and misunderstandings which plague the councils of men, gird our hearts to seek righteous peace and to pursue it, that the sadly sundered family of mankind may at last be bound by golden cords of universal fellowship around the feet of one God.

We ask it in the Redeemer's name, Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 2, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on May 27, 1965, the President had approved and signed the act (S. 702) to provide for the disposition of judgment funds on deposit to the credit of the Quinaielt Tribe of Indians.

THE COINAGE ACT OF 1965—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 199)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States on coinage. Without objection, the message will be printed in the RECORD without being read, and appropriately referred.

The message from the President was referred to the Committee on Banking and Currency, as follows:

To the Congress of the United States:

From the early days of our independence the United States has used a system