CONGRESSIONAL RECORD — HOUSE

June 20, 1966

CIVIL ENGINEER CORPS

Hatter, William H., Jr., Jones, Ernest L.
Henley, John S.
Stamm, John A.

NURSE CORPS

Whitman, Judith M.

Michael G. Lynch, U.S. Navy, for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of lieutenant (junior grade) and in the temporary grade of lieutenant.

William R. Rosenfield, U.S. Navy, for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of lieutenant (junior grade).

The following-named line officers of the Navy for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of ensign:

Edward E. Brightton, Joseph Molichus, Jr., Terry L. Ehrhart, Douglas E. Veum, William T. Lee

James W. Goodspeed, U.S. Navy, for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of lieutenant (junior grade).

The following-named line officers of the Navy for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of ensign:


The following-named candidates to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:


CONFIRMATIONS

Executive nominations confirmed by the Senate June 20, 1966:

DEPARTMENT OF JUSTICE

Alvin G. Grossman, of New York, to be U.S. marshal for the western district of New York for the term of 4 years.

IN THE PUBLIC HEALTH SERVICE

The nominations beginning John H. Waite, to be medical director, and ending Stanley J. Kiesel, Jr., to be senior assistant health services officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 8, 1966.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 20, 1966

The House met at 12 o'clock noon, Rabbi Jacob A. Max, Liberty Jewish Center, Baltimore, Md., offered the following prayer:

And nations shall walk at Thy light and kings at the brightness of Thy rising. Mayest Thou guide us, O Heavenly Father, in our striving to become more like Thee, for Thou hast implanted in each one of us a spark of the divine.

Endow the President and elected Representatives of our beloved country with wisdom and vision for they are charged with guiding the destinies of this citadel of democracy. Grant them the courage and self-confidence to act upon the urgent issues that confront us, so that all of mankind may see in our free community the light of justice.

Reaffirm our traditions of justice for all men. Help us to dedicate ourselves to strive for liberty under law for all in our beloved country.

May we be worthy to continue the noble heritage of the founders of our Nation that Thy blessing may rest upon us and upon all Thy children. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 16, 1966, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arling­ton, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 6438. An act to authorize any executive department or independent establish­
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representation of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof;

H.R. 10357. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the 12th Boy Scouts World Jamboree and 21st Boy Scouts World Conference to be held in the United States of America in 1967, and for other purposes.

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

H.R. 12389. An act to authorize the Comptroller General to make such information as may be necessary concerning certain records of the U.S. Government, for the retirement of JEROME R. TALMADGE, Mr. AIKEN, Mr. JORDAN of North Carolina, and Mr. YOUNG of North Dakota to be appointed as a consultant for the Hebrew Education Association of Baltimore City.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12322) entitled "An act to provide for the establishment of the Arkansas Post National Memorial, in the State of Arkansas," disagreed to by the House; agrees to the conference report on the amendment to Public Law 115, 78th Congress, entitled "A certificate in due form of law showing the election of JEROME R. TALMADGE as a Representative-elect to the 89th Congress from the 14th Congressional District of the State of California, to fill the unexpired term, ending January 3, 1967.

Respectfully yours,

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

The SPEAKER. The Representative-elect will present himself at the bar of the House for the purpose of having the oath of office administered to him.

Mr. WALDIE presented himself at the bar of the House and took the oath of office.

TRIBUTE TO RABBI JACOB A. MAX

Mr. LONG of Maryland. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, it gives me great pleasure to welcome Rabbi Jacob A. Max, guest of my distinguished colleague, Mr. SHIMKUS, who has offered an inspiring prayer before this Chamber this morning.

Rabbi Max has had a distinguished career as a spiritual leader in Baltimore County and Baltimore City. For 13 years he has served the greater Baltimore area as spiritual leader of the Anshe Emanuel Aitz Chaim congregation—Liberty Jewish Center—which is located at 8615 Church Lane in Randallstown, Baltimore County.

Rabbi Max holds an undergraduate degree from the Johns Hopkins University, the University of Maryland, and Yeshiva University. He also studied at the Talmudical Academy, and was ordained at Ner Israel Rabbinical College in Baltimore.

Rabbi Max has served on many boards of various educational institutions in Baltimore, and is presently educational consultant for the Hebrew Education Association of Baltimore City.

I am proud to say that he is also serving on the Governor's committee of the clergy for mental health for the State of Maryland.

This Chamber is indeed honored by the presence of Rabbi Max and will benefit from his invocation.

FORMATION OF NATIONAL COMMITTEE OF ONE MILLION TO SAVE THE UNITED STATES CAPITOL

Mr. STRATTON. 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 New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I take this time to advise my colleagues that applications are now being accepted in my office, for charter membership in the new National Committee of One Million To Save the United States Capitol. I cordially invite the support of all my colleagues who favor our retaining a portion of the original Capitol structure for the enjoyment and education of our citizens rather than covering it up with a costly 7-acre marble facade housing a new Capitol restaurant, two movie houses, and 100 additional congressional office spaces at a currently estimated cost of $34 million.

It was little more than a week ago that we had before us the legislative appropriation of $125,000 for the Architect of the Capitol for taking any further action on the controversial matter of extending the west front of the Capitol. We were assured at that time that no further action was planned and no funds for the west front were included. That bill is presently in the Senate. Yet we are told the Architect will not request funds now but will wait for the supplemental bill which will come to us in the closing hours of the session when there will be no time for debate on a sweeping change in a historic national monument.

Can we stop this action until the House as a whole can study the matter as fully as it deserves? But we need to hear from the people themselves, and that is the job this new national committee can do.

The Nation's schoolchildren, with their pennies, once saved the great historic U.S.S. Constitution, Old Ironsides. Patriotic and educational groups across the country, with their letters and their telephone calls, can surely preserve the Nation's Capitol for generations still to come.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

ARKANSAS POST NATIONAL MEMORIAL

The Clerk called the bill (H.R. 12389) to increase the amount authorized to be appropriated for the development of the Arkansas Post National Memorial. There being no objection, the Clerk read the bill, as follows:

H.R. 12389

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to provide for the establishment of the Arkansas Post National Memorial, in the State of Arkansas," approved July 6, 1960 (74 Stat. 334; Public Law 86-560), is amended by striking out "$125,000" and inserting in lieu thereof "$135,000".

Mr. ASPINALL. 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 Colorado?

There was no objection.

Mr. ASPINALL. 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 Colorado?

There was no objection.
As most of the Members of this House are well aware, I am sure, the Committee on Interior and Insular Affairs recommended, in recent years, that the amounts of money authorized to be appropriated be specifically limited. We feel that this is an important check on the executive branch of the Government, because it has the effect of prohibiting the extension of a project beyond the expectations of Congress at the time of its authorization. The placing of limitations in the authorizing legislation, we help the Committee on Appropriations to understand the scope of the program contemplated so that it can make its recommendations accordingly.

The increased authorization contained in H.R. 12389 does not significantly expand the development plan presented to Congress by the National Park Service before the enactment of Public Law 86-595. At that time, the cost of the development work contemplated was estimated at $344,000; subsequent construction and unforeseen work which was necessary would bring the present costs to about $430,000. The remaining $120,000 authorized by H.R. 12389, then, represents the cost of proposed additions to the project as it was originally undertaken.

Mr. Speaker, the land at this site—some 220 acres—was donated to the Government for the establishment of the Arkansas Post National Memorial. We, in Congress, have appropriated $117,400 for development of the area; however, if the committee agrees with me, as it was originally proposed, then it is necessary to provide this new authority.

Having conducted hearings on this legislation, your committee feels that this increase is justified. It has been a pleasure to work with our colleague the gentleman from Arkansas [Mr. Mills] on this matter and, as chairman of your committee, I urge its adoption.

Mr. SAYLOR. 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 Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the bill, H.R. 13369, seeks to increase the amount authorized to be appropriated for the development of the Arkansas Post National Memorial.

The act of July 6, 1960—74 Stat. 339—authorized the Secretary of the Interior to establish the Arkansas Post National Memorial to commemorate the first permanent European settlement west of the Mississippi River. The act of July 6, 1960, limited the amount appropriated for land acquisition and development to $125,000, of which not more than $25,000 was to be used for land acquisition. The State of Arkansas has donated to the United States 221 acres of land, all of the land needed for the national monument.

H.R. 12389 will increase the amount authorized to be appropriated for the development of the Arkansas Post National Memorial to $550,000. To date, Congress has appropriated $117,400 of the $125,000 authorized for appropriation by the act of July 6, 1960. By the end of fiscal 1966 most, if not all, of this amount will be spent or obligated.

The additional $425,000 requested by H.R. 12389 will enable the National Park Service to complete its plans for the development of the Arkansas Post National Memorial.

Mr. Speaker, I urge the passage of H.R. 12389.

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

THE NATIONAL MUSEUM OF THE SMITHSONIAN INSTITUTION

The called the bill (H.R. 7315) relating to the National Museum of the Smithsonian Institution.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

AMENDING THE ACTS OF MARCH 3, 1931, AND OCTOBER 19, 1962, RELATING TO THE FURNISHING OF BOOKS AND OTHER MATERIALS TO THE BLIND SO AS TO AUTHORIZE THE FURNISHING OF SUCH BOOKS AND OTHER MATERIALS TO OTHER HANDICAPPED PERSONS

The Clerk called the bill (H.R. 13763) to amend the acts of March 3, 1931, and October 19, 1962, relating to the furnishing of books and other materials to the blind so as to authorize the furnishing of such books and other materials to other handicapped persons.

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

There was no objection.

AMENDMENT OFFERED BY MR. GARMATZ

Mr. GARMATZ. Mr. Speaker, I offer an amendment.

The Clerk read the bill, as follows:

An amendment offered by Mr. GARMATZ: Strike out all after the enacting clause of S. 2858 and substitute the following:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the second sentence of subsection (b) of section 502 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1152(b)), is amended by striking out "June 30, 1966", and inserting in lieu thereof "June 30, 1967".

AMENDMENT OFFERED BY MR. GARMATZ

Mr. GARMATZ. Mr. Speaker, I offer an amendment.

The Speaker read the bill, as follows:

AMENDMENT OFFERED BY MR. GARMATZ: Strike out all after the enacting clause of S. 2858 and substitute the following:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the second sentence of subsection (b) of section 502 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1152(b)), is amended by striking out "June 30, 1966", and inserting in lieu thereof "June 30, 1968".

The amendment was agreed to.

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

A similar House bill (H.R. 12591) was laid on the table.

AMENDMENT OF SMALL VESSELS

The called the bill S. 2142, to simplify the admeasurement of small vessels.

There being no objection, the bill was read in part as follows:

AMENDMENT OF SMALL VESSELS

The Clerk called the bill S. 2142, to simplify the admeasurement of small vessels.

There being no objection, the bill was read in part as follows:

"S. 2142. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4148 of the Revised Statutes (46 U.S.C. 71) is amended to read as follows:

"Sec. 4148. (a) Before a vessel is documented and issued a certificate of record she shall be admeasured by the Secretary of the Treat-
The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.


The Clerk called the roll (H. Res. 870), to introduce the provisions of the Oil Pollution Act, 7961 (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.

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

H.R. 8700

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the "Oil Pollution Act, 1961" approved August 30, 1961 (38 U.S.C. 1001-1015), is amended as follows:

(1) Section 1 is amended by inserting after the title "International Convention for the Prevention of the Pollution of the Sea by Oil, 1954" the phrase "as amended," and by changing the designation of the Act from "Oil Pollution Act, 1961," to "Oil Pollution Act, 1961, as amended.".

(2) Section 2 (33 U.S.C. 1001) is amended-(A) in subsection (c) by changing the semicolon to a comma at the end thereof and by adding "as amended;";

(B) in subsection (d) by changing the reference at the end thereof from "D. 158/ 65;" to "D. 86/59/;"

(C) by amending subsection (e) to read as follows:

(1) The term 'oil' means crude oil, fuel oil, heavy diesel oil, and lubricating oil, and 'oily' shall be construed accordingly. An 'oily mixture' means a mixture with an oil content of one hundred parts or more in one million parts of mixture.

(D) by amending subsection (i) to read as follows:

(1) The term 'ship', subject to the exceptions provided in paragraph (1) of this subsection, means any seagoing vessel of any nationality, including floating craft, whether self-propelled or towed by another vessel making a sea voyage, and 'tanker', as a type included within the term 'ship', means a ship in which the greater part of the cargo space is constructed or adapted for the carriage of liquid cargoes in bulk and which is not, for the time being, carrying a cargo other than oil in that part of its cargo space.

(2) The following categories of vessels are excepted from all provisions of the Act:

(i) tankers of under one hundred and fifty tons gross tonnage and other ships of under five hundred tons gross tonnage.

(ii) ships for the time being engaged in the transportation of vessels other than tankers, and other ships of ninety days or less and which are not, for the time being, carrying a cargo other than oil in that part of their cargo space.

(3) The following categories of vessels are excepted from all provisions of the Act:

(i) tankers of under one hundred and fifty tons gross tonnage and other ships of under five hundred tons gross tonnage.

(ii) ships for the time being engaged in the transportation of vessels other than tankers, and other ships of ninety days or less and which are not, for the time being, carrying a cargo other than oil in that part of their cargo space.

(3) The following categories of vessels are excepted from all provisions of the Act:

(i) tankers of under one hundred and fifty tons gross tonnage and other ships of under five hundred tons gross tonnage.

(ii) ships for the time being engaged in the transportation of vessels other than tankers, and other ships of ninety days or less and which are not, for the time being, carrying a cargo other than oil in that part of their cargo space.

(4) disposal from tankers of oily residues from slop tanks or other sources;

(5) ballasting, or cleaning during voyage, of the Great Lakes of North America and the territorial sea of the territory in question...
Providing for the administration and development of Pennsylvania Avenue as a national historic site

The Clerk called the joint resolution (H.J. Res. 1030) to provide for the administration and development of Pennsylvania Avenue as a National Historic Site, and for other purposes.

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

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Pennsylvania?

There was no objection.

Variation of 40-hour workweek of federal employees for educational purposes

The Clerk called the bill (S. 1495) to permit variation of the 40-hour workweek of Federal employees for educational purposes.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 604(a) of the Federal Employees Pay Act of 1943, as amended (3 U.S.C. 1044(a)), is amended by adding a new paragraph to read as follows:

“(3) Notwithstanding the provisions of paragraph (2) of this subsection, the head of each department, establishment, or agency and of the municipal government of the District of Columbia shall establish special tours of duty (of not less than forty hours) without regard to the requirements of paragraph (2) in order to equip such employees for more effective work in the agency. No premium compensation shall be paid to any officer or employee solely because his special tour of duty established pursuant to this paragraph results in his working on a day or as a time of day for which premium compensation is otherwise authorized.”

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

Ad hoc subcommittee on the handicapped of the committee on education and labor

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the ad hoc subcommittee on the Handicapped of the Committee on Education and Labor may be permitted to sit during general debate today while the House is in session.

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

There was no objection.
Mr. Speaker, let me reassure those few who may have doubts as to the wisdom of this legislation that the committee did not, in the exercise of its responsibility, attempted to achieve a balance between a public need to know and a necessary restraint upon access to information in specific instances. The bill provides for public access to documents which may be withheld to protect the national security or permit effective operation of the Government but the burden of proof in every such case is upon the Federal agencies.

That is a reasonable burden for the Government to bear. It is my hope that this fact, in itself, will be a moderating influence on those officials who, on occasion, have an almost proprietary attitude toward their own niche in Government.

Mr. Speaker, I must confess to disquiet at efforts which have been made to paint the Government information problems which we hope to correct here today in the gaudy colors of partisan polemics. Let me be clear and unequivocal that that is the case. Government information problems are political problems—bipartisan or non-partisan, public problems, political problems but not partisan problems.

In assuming the chairmanship of the Special Government Information Subcommittee 11 years ago, I strongly emphasized that the first step in our problem is the need to respect the vital role of the people and the importance of an informed electorate. No person, no matter how well he is informed, can exercise his right to vote intelligently, and thereby, responsibly, if he is denied access to the information on which the vote is based. I have always maintained that the right to be informed is so basic to our system of government that in the face of any official’s denial, it is the public’s responsibility to make known to the citizenry, at every opportunity, the need to know. In this, the Government information committee is no exception. The reason for this is that it is the right of the public to know the truth about our Government.

Let me also emphasize that the President’s efforts to limit access to information are, in effect, efforts to control the people. Mr. Speaker, I believe that the free access of the people to information is of the utmost importance to the functioning of the democratic process. It is essential to the concept of a free and independent press. It is essential to our system of checks and balances. Mr. Speaker, the information which is withheld is always secret. It is never in the public interest. It is never in the public interest to withhold information. It is never in the public interest to withhold any government information.

Mr. Speaker, I am pleased to join the overwhelming majority of the House in expressing support for the purpose of the bill. As you know, it is the purpose of the bill to create the Committee on Government Information, which would, among other things, conduct hearings and studies and make recommendations regarding the availability of Government information.

I am pleased to report the fact of that cooperation and I believe it is vitally important that the recommendations of the Committee be implemented. I believe that it is essential that the public be informed of the operation of the Federal Government, and that it is the responsibility of Government to provide the public with access to information. Mr. Speaker, let me assure you that the bill is an important step towards that end.

The SPEAKER. Is a second demanded?

Mr. REID of New York. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. REID. I yield myself such time as I may consume.

Mr. Speaker, our system of government is based on the participation of the government and, as our population grows in numbers it is essential that it also grow in knowledge and understanding. We must remove every barrier to information about—and understanding of—Government activities consistent with our security. This would fulfill the objectives of the bill. S. 1160 will achieve these goals and provide for the free and open access to information by the public that is necessary to the proper functioning of the Government and the effective functioning of our democratic society.

S. 1160 is a bill which will accomplish that objective by increasing the right of access to the facts of government and, inherently, providing easier access to the officials of government and the public. S. 1160 will grant access to official records of the Federal Government, and, most important, by far the most important, is the fact that this bill provides for just review of the refusal of access and the withholding of information. It is this device which expands the rights of the citizens and which protects them against arbitrary or capricious denials.

Mr. Speaker, let me reassure those few who may have doubts as to the wisdom of this legislation that the committee did not, in the exercise of its responsibility, attempted to achieve a balance between a public need to know and a necessary restraint upon access to information in specific instances. The bill provides for public access to documents which may be withheld to protect the national security or permit effective operation of the Government but the burden of proof in every such case is upon the Federal agencies.

That is a reasonable burden for the Government to bear. It is my hope that this fact, in itself, will be a moderating influence on those officials who, on occasion, have an almost proprietary attitude toward their own niche in Government.

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The individual instances of governmental withholding of information are not dramatic. Again, going back to statements made early in my chairmanship of the Special Subcommittee on Government Information, I repeatedly cautioned that we had to look for dramatic instances that the problems were really the day-to-day barriers, the day-to-day excesses in restriction, the arrogance on occasion, not the special cases. We had a proper attitude toward Government. In fact, at the subcommittee's very first hearing I said:

"Rather than exploiting the sensational, the subcommittee is trying to develop all the pertinent facts and, in effect, lay bare the attitude of the executive agencies on the issue of whether the public is entitled to all possible information about the activities, plans and the policies of the Federal Government."

Now 11 years later I can, with the assurance of experience, reaffirm the lack of dramatic instances of withholding. The barriers to access, the instances of arbitrary and capricious withholding are dramatic only in their totality.

During the last 11 years, the subcommittee, with the fullest cooperation from many in Government and from representatives of every facet of the news media, endeavored to build a greater awareness of the need to remove unjustifiable barriers to information, even if that information did not appear to be overly important. I suppose one could regard information as food. It is a principle of nutrition that the body does not have to qualify as a main course to be important. It might be just a dash of flavor to sharpen the wit or satisfy the curiosity, but it is as basic to the intellectual diet as are proper seasonings to the physical diet.

Our Constitution recognized this need by guaranteeing free speech and press. Mr. Speaker, those wise men who wrote that document—which was then and is now a most radical document—could not have intended to give us empty right of free speech and of free press, the right to know. It is our solemn responsibility as the stewards of the Constitution, business organizations and the Federal Government. We are simply attempting to enforce a basic public right—the right to access to Government information. We have expressed an intent in the report on this bill which we hope the courts will read with great care.

While the bill establishes a procedure to secure the right to know the facts of Government, it provides a protection for the public and for the individual. It is our solemn responsibility as the stewards of the Constitution, business organizations, and the Federal Government. We are simply attempting to enforce a basic public right—the right to access to Government information. We have expressed an intent in the report on this bill which we hope the courts will read with great care.

The present law which S. 1160 amends is the so-called public information section of the 20-year-old Administrative Procedure Act. The law now permits withholding of Federal Government records if secrecy is required "in the public interest" or if the records relate "solely to the internal management of an agency." Government information also may be held confidential "for good cause found." Even if no good cause can be found for secrecy, the records will be made available to "any person who has a proper right and is directly concerned." These phrases are the warp and woof of the blanket of secrecy which can cover the day-to-day administrative actions of the Federal agencies.

Neither in the Administrative Procedure Act nor its legislative history are these broad phrases defined, nor is there a recognition of the basic right of any person—not just those special classes "properly and directly concerned"—to gain access to the records of official Government actions. Above all, there is no general right to a citizen who has been wrongfully denied access to the Government's public records.

S. 1160 would make three major changes in the law:

First, it would eliminate the "properly and directly concerned" test of who shall have access to public records, stating that the great majority of records shall be "publicly available to everyone." So that there would be no undue burden on the operations of Government agencies, reasonable access regulations would be established.

Second, the bill would set up workable standards for the categories of records which may be exempt from public disclosure, replacing the vague phrases "good cause found," "in the public interest" or if the records relate "solely to the internal management of an agency." Government information also may be held confidential "for good cause found." Even if no good cause can be found for secrecy, the records will be made available to "any person who has a proper right and is directly concerned." These phrases are the warp and woof of the blanket of secrecy which can cover the day-to-day administrative actions of the Federal agencies.

Neither in the Administrative Procedure Act nor its legislative history are these broad phrases defined, nor is there a recognition of the basic right of any person—not just those special classes "properly and directly concerned"—to gain access to the records of official Government actions. Above all, there is no general right to a citizen who has been wrongfully denied access to the Government's public records.

S. 1160 would make three major changes in the law:

First, it would eliminate the "properly and directly concerned" test of who shall have access to public records, stating that the great majority of records shall be "publicly available to everyone." So that there would be no undue burden on the operations of Government agencies, reasonable access regulations would be established.

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The free and total flow of information has been stemmed by the very real and very grave cold war crises that threaten our Nation. It is apparent that if we are to survive as a free nation, we must have access to data—data which could provide invaluable assistance to our enemies.

The demands of a growing urban, industrial society have become greater both overt and covert. As our cities and towns grow, so do the problems which confront our Government. The structure of Government commensurate with the demands placed upon it, has given rise to confusion, misunderstanding, and a widening gap between the principle and the practice of the popular right to know. Chairman Moss has summarized this dilemma when he said "Government secrecy tends to grow as Government itself grows."

There are additional factors that must be considered. Paradoxically, the broad and somewhat obscure phraseology of section 3 has fostered numerous misinterpretations. The statement "information disclosure. Without realistic guidelines within which to operate, officials have exercised extreme caution in an effort to avoid the charges of premature, unwise, or unauthorized disclosure of Government information. Remedial action is required for the primary purpose underlining S. 1160 is a long overdue and urgently needed clarification of the public information provisions of the Administrative Procedure Act."

Finally, the present condition of non-availability of public information has perhaps been encouraged by a disregard by the American people of this truism: the freedoms that we daily exercise—the freedoms that are the foundation of our democratic society—were not easily obtained nor are they easily retained. In a growing urban, industrial society, the demands of the people for information and the increasing number of widespread records and documents have contributed to this widespread festooning and fostering of numerous misinterpretations. There is a need for a more realistic and meaningful approach to the problems of the public's right to know the affairs of Government.

If the people are to be informed, they must be accorded the right to sources of knowledge—and one of the initial queries posed by Americans and their English forebears alike was: What is the government's job? Was the initial query posed by Americans and our forebears? What is the role of legislative branch of government? What is the role of the legislative branch of government? Accounts of legislative activities were not always freely known by those whose destinies were to shape. As the close of the 17th century, the House of Commons in England and the House of Lords had adopted regulations prohibiting the publishing of their votes and their debates. Since then, the debates initially provided a haven of refuge from a Sovereign's harsh and often arbitrary reprisals, the elimination of these bans was difficult. Privacy was viewed as offering a means of retaining against all challenges—be they from the Sovereign or an inquiring populace—the prerogatives that the Houses of Parliament were granted. It was not until the late 18th century did the forces favoring public accountability cause significant changes in the milieu that surrounded parliamentary proceedings. When parliamentary proceedings were heretofore imposed never formally repealed, their strict enforcement was no longer feasible. The forces challenging the popular right to know had gained considerable strength and the odds were clearly against Parliament's retaining many of its jealously guarded prerogatives. To save face, both Houses of the United States had adopted regulations with which they were confronted and allowed representatives of the press the eyes and ears of the people—to attend and recount their deliberations.

The annals recording the history of freedom of the press tell of dauntless printers who sought means of circumventing the bans on publishing legislative records. As early as 1703, an Abel Boyer violated the letter and the spirit of the announced restrictions when he published monthly the Political State of Great Britain. He did so, however, with the understanding that the publication of his ventures would be in the public interest. By omitting the full names of participants in debate, and by delaying publication of the accounts of a session's proceedings, the Commons hoped to avoid the full brunt of any accusations that might be brought against them. When, notwithstanding, a member of the Commons, a man of thought and ability, was able to achieve his purpose, others sought to follow the intent and dilute the effectiveness of the restrictions by revealing the activities of a committee of the House of Commons. Let others follow similar suit, the Commons soon after passed a resolution stating:

No news writers do presume in their letters or papers that they disperse as minutes, or under any colors, to intermeddle with the debates, or any other proceedings of this House, or any committee thereof.

Those who insisted on defying official pleasure were quickly brought to task. Many were imprisoned, many were fined; some were released having sworn to cease and desist from further offensive actions. Spurred by public demand for additional information, the House of Commons and the House of Lords adopted regulations prohibiting the publishing of their votes and their debates. Since then, the debates initially provided a haven of refuge from a Sovereign's harsh and often arbitrary reprisals, the elimination of these bans was difficult. Privacy was viewed as offering a means of retaining against all challenges—be they from the Sovereign or an inquiring populace—the prerogatives that the Houses of Parliament were granted. It was not until the late 18th century did the forces favoring public accountability cause significant changes in the milieu that surrounded parliamentary proceedings. When parliamentary proceedings were heretofore imposed never formally repealed, their strict enforcement was no longer feasible. The forces challenging the popular right to know had gained considerable strength and the odds were clearly against Parliament's retaining many of its jealously guarded prerogatives. To save face, both Houses of the United States had adopted regulations with which they were confronted and allowed representatives of the press the eyes and ears of the people—to attend and recount their deliberations.

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demand for the right to know the information of Government had gained a momentum that could not be slowed. In 1789, the public point of view—a point of view that demanded the removal of the shackles of the news media's preliminary modus operandi. For in that year, one James Perry, of the Morning Post, members speaking out against printers and editors, who in their opinion, were unfairly misrepresenting individual points of view; objectivity in reporting Parliament's business became their primary concern.

In the Colonies, too, Americans conducted determined campaigns parallel to those waged in England. Colonial newspapermen and editors found a formidable hostility toward those who earnestly believed that the rank-and-file citizenry was entitled to a full accounting by its government of what knowledge provides was fully understood; some it was feared. In 1671, in correspondence to his lords commissioners, Governor Berkeley, of Virginia, wrote:

I thank God, there are no free schools nor printing; and I hope we shall not have these hundred years, for learning has brought disobedience, and heresy, and sects into the world, and printing has divulged them, and liberty of conscience to the worst purpose.

In 1725, Massachusetts newspaper printers were "ordered upon their peril not to insert in their prints anything of the Public Affairs of this province relating to the war without the order of the Government." Forty-one years were to pass until, in 1776, a motion offered by James Otis was carried and the proceedings of the Massachusetts General Court were opened to the public on the occasion of the debate surrounding the repeal of the onerous Stamp Act.

The clouds of secrecy that hovered over the American Colonies were not quickly dispelled; vestiges of concealment lingered on until well into the 18th century.

The deliberations that produced the Constitution of the United States were closed. Early meetings of the U.S. Senate were not regularly open to the public until February of 1794. Some 177 years ago, the House of Representatives heatedly debated and finally tabled a motion that would have excluded members of the press from its sessions. It was the beginning of the 19th century before representatives of the press were formally granted admission to the Chambers of the Senate and the House of Representatives.

While the American people have long fought to expand the scope of their knowledge about Government, that achievement in this direction are being countered by the tendency to delegate considerable lawmaker authority to executive departments and agencies. Effective protective measures have not always accompanied the exercise of this newly located rulemaking authority.

Access to the affairs of legislative bodies has become increasingly difficult thanks to another factor: the business of rulemaking. The cultivation of the committees of the parent body—committees that may choose to call an executive session and subsequently close their doors to the public.

In short, the trend toward more secrecy in government may be seen in the legislative branch. Can this trend be evidenced in the other two branches?

In 1966, the executive branch of the Government operations ran the full gamut. The public has persevered in its assertion that it has an unquestionable right to the knowledge of the proceedings that constitute the legislative as well as the judicial and executive functions of the Government.

One of the greatest weapons in the arsenal of those who would seek to conceal their actions are arrest, trial, and punishment of those accused of wrongdoing. Individual liberties, regardless of the lip service paid them, become empty and meaningless if such proceedings are suspended or ignored in the darkness of closed judicial proceedings. The dangers to man's freedoms that lurk in secret judicial deliberations were recognized by the insurgent barons who forced King John to grant as one of many demands that "the King's courts of justice shall be stationary; and shall no longer follow his persons; they shall be open to everyone; and justice shall no longer be sold, refused, or delayed by them." This promise was remembered by that generation of Americans that devised our scheme of government. To guarantee the optimum exercise and enjoyment by every man of his fundamental and essential liberties, the authors of the Bill of Rights incorporated these guarantees in the sixth amendment:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial.

Contemporary developments lend support to the thesis that the public's right to know judicial proceedings is being undermined. More and more courtrooms are being closed to the people on the grounds that the thorough and open discussion of a broad category of offenses would be repugnant to society's concensus of good taste. What is more, court powers that were once exercised within the framework of due process guarantees are now being transferred to quasi-judicial agencies, before which many of the due process guarantees have been cast by the wayside.

What is the current status of information available within the executive departments and agencies? Although the public's right to know has not been openly denied, the march of events has worked to restrict the range and types of information that are being freely dispensed to inquiring citizens, their representatives in Congress, and the members of the press.

Counterbalancing the presumption that in a democracy the public has the right to know the business of its Government is the executive privilege theory—a theory whose roots run deep in the American political tradition. This concept holds that the President may authorize the withholding of such information as he deems appropriate to the national well-being.

Thomson stated the principles upon which this privilege rests in these terms:

With respect to papers, there is certainly a public and a private side to our offices. To the former belong grants of land, patents for inventions, certain commissions, proclamations, and other papers patent in their nature. These papers are open to both executive proceedings. All nations have found it necessary, that for the advantageous conduct of their affairs, some of these proceedings, at least, should remain known to their executive functionary only. He, of course, from the nature of the case, must be the sole judge of which of them the public interests will permit publication. Hence, under our Constitution, in requests of papers, from the legislative to the executive branch, an exception is carefully expressed, as to those which he may deem the public welfare may require not to be disclosed.

While the bounds of the executive privilege have, of course, not been widely spelled out and, in effect, narrowed, widespread withholding of Government records by executive agency officials continues in spite of the enactment of legal guarantees. In 1966, Congress passed the Moss-Humphrey bill, which granted agency heads considerable leeway in the handling of agency records but gave no official legislative sanction to the general withholding of such records from the public. The enactment of the Administrative Procedure Act held out promise for introducing a measure of uniformity in the administrative regulations that were applied to agency disclosures. According to the terms of section 3 or the public information section of this act:

Except as the extent that there is involved (1) any function of the United States requiring secrecy in the public interest or (2) any matter relating solely to the internal management of an agency executive agencies are required to publish or make available to the public, their rules, statements of policy, and regulations of organization as well as other data constituting matters of official record.

Quoting subsection (c) of section 3:

Save as otherwise required by statute, matters of official record shall in accordance with published rules be made available to persons properly and directly concerned except information held confidential for good cause found.

A careful analysis of the precise wording of the widely criticized public information section offers ample evidence for doubt as to the effectiveness of the guarantees which its authors and sponsors desired. The public's right to know, as the decision making powers have grown out of the vague and loosely defined terms with which this act is replete. Federal agencies may determine those functions which may remain secret in the public interest. Federal agencies may limit the dissemination of a wide range of information...
June 20, 1966

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that they depend, related "solely to the inter-
nal management" of the agency. What are the limits, if any, that are
attached to this provision? Federal agencies may withhold information "for
good cause found." What constitutes a "good cause?" How is "good
cause" defined? What are the criteria that an individual must present
to classify as "unavailable to the public eye" of the material?

Section (a) of S. 1160 clarifies the types of information which Federal
agencies may be required to publish in the Federal Register. By making requi-
sites the publication of "descriptions of an agency's central and field organiza-
tion and the established places at which, through the use of files, cards, or
other means whereby the public may secure information, make submittals or requests, or
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Mr. MOSS. That is correct. Mr. OLSEN of Montana. I thank the gentleman.

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

Mr. MOSS. I am very pleased to yield to my colleague.

Mr. EDMONDSON. Mr. Speaker, I rise in support of the bill and congratulate the gentleman for the outstanding leadership he has given to this body in a field that vitally affects the basic health of our democracy as this subject matter does.

I think the gentleman from California has won not only the respect and admiration of all his colleagues in the House for the manner in which he has championed this worthwhile cause, but he has also won the respect and admiration of the people of the United States. I was glad to join him by introducing H.R. 5018 on the same subject and urge approval, and, most importantly, section 3 of the act states at the outset that "any function of the United States requiring secrecy in the public interest," does not have to be disclosed.

Section 3 reads in its entirety as follows:

Except to the extent that there is involved (1) matters of direct personal importance, requiring secrecy in the public interest or (2) any matter relating solely to the internal management of an agency.

Mr. MOSS. I am pleased to yield to my colleague.

Mr. MAILLIARD. Mr. Speaker, I also want to compliment the gentleman for bringing to fruition many years of effort in this field.

I would like to ask my colleague a question, and of course I realize the gentleman cannot answer every question in detail. But I am very much interested in the fact that under the Merchant Marine Act where the computation of a construction subsidy is based upon an estimate that is made in the Maritime Administration, to date the Maritime Administration has refused to divulge to the companies their determination of how much the Government pays and how much the individual owner has to pay.

That is based on these computations.

The Maritime Administration has never been willing to reveal to the people directly involved how the determination is made. Mr. Speaker, under this bill, would this kind of information be available to the public?

Mr. MOSS. It is my opinion that that information, unless it is exempted by statute, would be available under the terms of the amendment now before the House.

Mr. MAILLIARD. I appreciate the response of the gentleman very much indeed.

The SPEAKER. The gentleman from California (Mr. Moss) has consumed 20 minutes.

Chair recognizes the gentleman from New York (Mr. Rea).

Mr. REID of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of S. 1160, a bill to clarify and protect the right of the public to information, and for other purposes.

It is, I believe, very clear in these United States that the public’s right of access, their inherent right to know, and strengthened opportunities for a free press in this country are important, are public and should be shored up and sustained to the maximum extent possible. The right of the public to information is paramount and each generation must uphold anew that which sustains a free press.

I believe this legislation is clearly in the public interest and will measurably improve the access of the public and the press. The principle of open Government must be shored up and sus-}

enhanced.

To put this legislation in clear perspective, the existing Administrative Procedure Act of 1946 does contain a series of organization clauses dealing by the agency of final authority and the establishment of places at which, and methods whereby, the public may secure information or make submissions or requests; (3) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal or informal procedures available as well as forms and instructions as to the scope of contentus, as well as examinations; and (3) substantive rules adopted as authorized by law and statements of general policy or interpretations formulated by the agency of final authority for the guidance of the public, but not rules addressed to and served upon named persons in accordance with law. No person shall in any manner be required to resort to organization or procedure not so published.

(b) Opinions and Orders.—Every agency shall publish or, in accordance with published rule, make available to public inspection all opinions or orders in the adjudication of cases (except those required for good cause to be held confidential and not cited as precedents) and all rules.

(c) Exclusions.—Anything required by statute, matters of official record shall in accordance with published rule be made available to public inspection and shall not be exempted from disclosure by statute:—(a) Specifically exempted from disclosure by statute:—(b) Exclusively of the public interest and will measurably improve the access of the public and the press. The principle of open Government must be shored up and sus-}
I believe that the present legislation properly limits that practice in several new and significant particulars:

First, any person will now have the right of access to records of Federal Executive and regulatory agencies. Some of the new provisions include the requirement that any “amendment, revisions, or repeal” of material required to be published in the Federal Register must also be published; and the requirement that every agency make available for “public inspection and copying” all final opinions—including dissenting and concurrences—all administrative staff manuals, and a current index of all material it has published. Also, this bill clearly stipulates that this legislation shall not be “authority to withhold information that does not fall within the exemptions set forth in such section.”

Second, in the bill there is a very clear listing of specific categories of exemptions, and they are more narrowly construed than in the existing Administrative Procedures Act.

Under the present law, information may be withheld—under a broad standard—where there is involved “any function of the United States requiring secrecy in and about the interests of the United States.” In contrast, the present bill would create an exemption in this area solely for matters that are “specifically required by Executive order to be kept secret in the interest of the national defense or foreign relations.” In my judgment, this more narrow standard will better serve the public interest.

Third, and perhaps most important, an individual has the right of prompt judicial review in the Federal district court in which he resides or has his principal place of business, or in which the agency records are situated. This is not only a new right but it is a right that must be promptly acted on by the courts, as stated on page 4 of the instant bill:

Proceedings before the district court as a result of the judicial review shall have precedence on the docket over all other causes and shall be assigned for hearing and trial by the most practicable date and expedited in every way.

So the provision for judicial review is, in my judgment, an important one and one that must be expedited.

This legislation also requires an index of all decisions as well as the clear spelling out of the operational mechanics of the agencies and departments, and other certain specifics incidental to the public’s right to know.

It is important also to indicate that this new legislation would cover, for example, the Passport Office of the Department of State, and would require an explanation of procedures which have heretofore never been published.

In addition, the legislation requires that there be the publication of the names and salaries of all those who are Federal employees except, of course, the exemptions that specifically apply. I think this is also a salutory improvement.

The exemptions, I think, are narrowly construed and the public’s right to access is much more firmly and properly upheld.

Our distinguished Chairman of this subcommittee, who has done so much in this House to make this legislation a reality here today, and is deserving of the commendation of this House, has pointed out that a number of groups and newspaper organizations strongly support the legislation. I would merely state that it does enjoy the support of the American Society of Newspaper Editors, the American Newspaper Publishers Association, Sigma Delta Chi, AP Managing Editors, National Newspaper Association, National Press Association, National Editorial Association, the American Bar Association, the American Civil Liberties Union, the National Association of Broadcasters, the New York State Publishers Association, and others.

Specifically, Mr. Eugene Patterson, chairman of the Freedom of Information Committee of the American Society of Newspaper Editors, has said:

We feel this carefully drawn and long debated bill now provides Congress with a sound vehicle for action this year to change the existing Administrative Procedures Act, which has the effect of discouraging agencies to withhold information needed by the public and by the courts. The existing instruction to agencies—that they may withhold any information “for good cause found,” while weighing them as sole judges of the facts of their own “good cause”—naturally has created among some agency heads a feeling that “anything the American people don’t want to know won’t hurt them, whereas anything they do know may hurt me.”

Mr. Edward J. Hughes, chairman of the legislative committee of the New York State Publishers Association, has written me that obtaining “proper and workable Freedom of Information legislation at the Federal level has been of direct and great interest and importance to us. Mr. Hughes continues that passage of this bill “will operate to determine which of its materials and records are available for the purposes of the section (section 3).”

I would also say that were Dr. Harold Cross alone, I believe he would take particular pride in the action I hope this body will take. I knew Dr. Cross and he was perhaps the most knowledgeable man in the United States in this area. He worked closely with the Herald Tribune and I believe he would be particularly happy with regard to this legislation.

Lastly, Mr. Speaker, I believe it is important to make clear not only that this legislation is needed, not only that it specifies more narrowly the areas where information can be withheld by the Government, but not only that it greatly strengthens the right of access, but it also should be stated clearly that it is important—and I have no reason to doubt this—that the President sign this legislation promptly.

I would call attention to the fact that there are in the hearings some reports of agencies who, while agreeing with the objectives of the legislation, have reservations or outright objections to its particular form. I hope the President will take counsel of the importance of the principle here involved, and of the action of this House today, and that he will sign the bill promptly, because this is clearly in the interest of the public’s right to know and, in my judgment, in the interest of the Nation.

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

Mr. REID of New York. Mr. Speaker, I yield to the gentleman from Pennsylvania.

Mr. REID of New York. Mr. Speaker, I compliment my friend the gentleman from Pennsylvania on his excellent statement, and I hope the President will sign it into law because there are a great many instances occurring from time to time which indicate the necessity of having something like this on the statute books. It is a definite step in the right direction—I am counting on the committee doing a good overseeing job to see that it functions as intended.

Mr. REID of New York. I thank the gentleman from Wisconsin.

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

Mr. REID of New York. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I thank the gentleman for yielding to me. I rise in support of this legislation, S. 1160.

Mr. Speaker, this legislation is long overdue, and marks a historic breakthrough for freedom of information in that it puts the burden of proof on official of the bureaus and agencies of the Executive Branch who seek to withhold information from the press and public, rather than on the inquiring individual who is trying to get essential information as a citizen and taxpayer.

Mr. Speaker, this is not a partisan bill—at least not here in the Congress. We have heard that the administration is not happy about it and has delayed its passage for a number of reasons, but the overwhelming support it has received from distinguished members of the Government Operations Committee—both on the majority and minority side—and the absence of any opposition.
here in the House is clear evidence of the very real concern responsible Members feel over what our Ambassador to the U.S. in Indonesia has aptly termed the credibility problem of the U.S. Government. The same concern over the credibility gap is shared by responsible newspapers and publishers, and in the forthcoming political campaign, and it is a great satisfaction to me that the Congress is taking even this first step toward closing it.

Our distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford], at a House Republican policy committee news conference last May 18, challenged the President to sign this bill. I hope the President will sign it, and beyond that, will faithfully execute it so that the people's right to know will be more surely founded in law in the future.

But Mr. Speaker, we cannot legislate candor nor can we compel those who are charged with the life-and-death decisions of this Nation to take the American people into their confidence. We can only plead, as the loyal opposition, that our people are strong, self-reliant, and fed up with the emptiness of such confidence. Americans have faced grave crises in the past and have always responded nobly. It was a great Republican and the people all of the time, and it was a great Democrat, Woodrow Wilson, who warned that you cannot fool all of the people all of the time, and it was a great and courageous, and are worthy of such confidence, and protects the right of the public to essential information. Subject to certain exceptions, the provisions of this bill do not clear evidence of any exceptions and the right to court review, it is of freedom legislation, more and more people are demanding that the American people be shared with the people. The Screen of secrecy which now exists is a barrier to reporters as representatives of the public, to citizens in pursuit of information vital to their welfare, and to Members of Congress as they seek to carry out their constitutional functions.

Under this legislation, if a request for information is denied, the aggrieved person may appeal directly to the U.S. District Court, and such court may order the production of any agency records that are deemed to exist. The court may also consider the propriety of withholding, rather than being restricted to judicial sanctioning of agency discretion, the proceedings are declarative. Hence, the屏 of secrecy which now exists is a barrier to reporters as representatives of the public, to citizens in pursuit of information vital to their welfare, and to Members of Congress as they seek to carry out their constitutional functions.

Certainly, as the Committee report has stated: "No Government employee at any level believes that the public interest would be served by the release of any wrongdoing . . . ." For example, the cost estimates submitted by contractors in connection with the multimillion-dollar deep sea "Mohole" project were withheld from the public even though it appeared that the firm which had won the lucrative contract had not submitted the lowest bid. Moreover, it was only as a result of searching inquiries by the press and Senator Kuchel, (R., Calif.), that the Defense Department was forced to release the National Science Foundation's decision that it would not be "in the public interest" to disclose the information.

The requirements for disclosure in the present law are so hedged with restrictions that it has been cited as the statutory authority for the secrecy, and misstatement by statistic. The fulsome and accurate disclosure in what has been wisely stated that a fully informed public and a fully informed press need never engage in reckless or irresponsible speculations. This legislation goes a long way in giving our free press the tools and the information it needs to disclose the information.

As long as we have a fully informed press in this country, we need never worry about the enduring freedom in America. I congratulate the gentlemen for bringing this legislation to the floor. I yield to the gentleman from California, [Mr. Moss], for bringing this legislation to the floor. I thank the gentleman for yielding.

I commend the distinguished gentleman from New York for his long interest in this struggle. I compliment him also for giving strong bipartisan support, which is necessary for the achievement of this longstanding and vital goal. Mr. Speaker, this is indeed an historic day for the communications media of America and the entire democratic process. It is, I am sure, a particularly gratifying day for our colleague, the distinguished gentleman from California, Mr. Moss.

As chairman of the subcommittee he has worked tirelessly for 11 years to enact this public records disclosure law. His determination, perseverance, and dedication to principle makes possible this action today. I am proud to have been a member of the subcommittee and to have cosponsored this bill.

Mr. Speaker, this House now has under consideration a bill concerned with one of the most fundamental issues of our democracy. This is the right of the people to be fully informed about the policies and activities of the Federal Government. No one would dispute the theoretical validity of this right. But as a matter of practical experience, the people have found the acquisition of full and complete information about the Government to be an increasingly serious problem.

A major cause of this problem can probably be attributed to the sheer size of the Government. The Federal Establishment is now so huge and so complex, with so many departments and agencies responsible for so many functions, that
some confusion, misunderstanding, and contradictions are almost inevitable.

We cannot, however, placidly accept this situation or throw up our hands in a gesture of futility. On the contrary, the importance of the Freedom of Information Act, its vast powers, and its intricate and complicated operations make it all the more important that every citizen should know as much as possible about what is taking place.

We need not endorse the devil theory or conspiratorial theory of government to realize that part of the cause of the information explosion can be attributed to the fact that some Government officials who under certain circumstances may completely withhold or selectively release material that ought to be readily and completely available.

The present bill amends section 3 of the Administrative Procedure Act of 1946. I have been in favor of such an amendment for a long time. In fact, on February 14, 1955, I introduced a bill, H.R. 5013, in this House. Since I first became a member of the Government Information Subcommittee 11 years ago I have felt that legislation along these lines was essential to promote the free flow of Government information, and the case for its passage now is, if anything, even stronger.

At first glance section 3 as now written seems innocent enough. It sets forth rules requiring agencies to publish in the Federal Register methods whereby the public may obtain data, general information, and adopt policies. As a general practice this law appears to make available to the people agency opinions, orders, and public records.

However, 11 years of study, hearings, investigations, and reports have proven that this language has been interpreted so as to defeat its original purpose or the law. Also under present law any citizen who feels that he has been denied information by an agency is left powerless to do anything about it.

The Freedom of Information Act as now written may be rendered meaningless because the agency can withhold from the public such information as in its judgment involves "any function of the United States requiring secrecy in the public interest." This phrase is not defined in the law, nor is there any authority for any review of the way it may be used. Again, the law requires an agency to make available for public scrutiny "final opinions or orders in the adjudication of cases," but then adds, "except those required for good cause to be held confidential."

Subsection (c) orders agencies to make available in general "final opinions or orders in the adjudication of cases," but then adds, "except those required for good cause to be held confidential."

Furthermore, the subsection is not defined in the law, nor is there any authority for any review of the way it may be used.

In the constitutional grant the people expressly revalidated the guarantee of freedom of speech and freedom of the press among other guarantees, recognizing in so doing how basic are these guarantees to a constitutional, representative, and democratic government. There is no doubt about the power of the Congress to make this freedom of information law.

In the constitutional grant the people expressly revalidated the guarantee of freedom of speech and freedom of the press among other guarantees, recognizing in so doing how basic are these guarantees to a constitutional, representative, and democratic government. There is no doubt about the power of the Congress to make this freedom of information law.

Mr. REID of New York. I thank the gentleman from Florida. I note his long and clear dedication to freedom of the press, and his action on behalf of this bill.

Mr. HECHLER. Mr. Speaker, the gentleman yield?

Mr. REID of New York. I am happy to yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Speaker, I add my words of commendation to the gentleman from California, the gentleman from New York, and others who have worked so hard to bring this bill to the House.

Today—June 20—is West Virginia Day. On June 20, 1863, West Virginia was admitted to the Union as the 35th State. The State motto, "Montani Semper Liberi," is particularly appropriate as we consider this freedom of information bill.

I am very proud to support this legislation, because there is much information which is now withheld from the public which really should be made available to the public. We are all familiar with the examples of Government agencies which try to tell only the good things and suppress anything which they think might hurt the image of the agency or embarrass the agency. We are all familiar with the numerous categories of information which would be sprung loose by this legislation.

It seems to me that it would be in the public interest, if the Congress passes this bill, to publicize the views of dissenting members. I understand that six agencies do not presently publicize dissenting views. Also, the Board of Rivers and Harbors, which rules on billions of dollars of Federal construction projects, closes its meetings to the press and declines to divulge the votes of its members on controversial issues.

Therefore, I very much hope that this bill will pass by an overwhelming vote. Under unanimous consent, I include an editorial published in the Huntington, W. Va., Herald-Dispatch, and also an editorial from the Charleston, W. Va., Gazette:

[From the Huntington (W. Va.) Herald-Dispatch, June 16, 1966]

FOR FREEDOM OF INFORMATION, SENATE BILL 1160 IS NEEDED

If ours is truly a government of, by and for the people, then the people should have the right to information on what the government is doing and how it is doing it. Exception should only be made in matters involving national security.

Yet today there are agencies of government which seek to keep a curtain of secrecy over
some of their activities. Records which ought to be available in the public are either resolutely withheld or concealed in such a manner that investigation and disclosure require such complex and expensive techniques.

A good example occurred last summer, when the Post Office Department, in response to a President's directive, hired thousands of young people who were supposed to be "economically and educationally disadvantaged." Suspicions were aroused that the jobs were being distributed as Congressional patronage to people who did not need them. But when reporters tried to get the names of the job holders in order to check their qualifications, the Department cited a regulation forbidding release of such information.

The then Postmaster General John Gronouski finally gave out the names (which confirmed the suspicions of the press), but only after Congressional committees of Congress with jurisdiction over the Post Office Department challenged the secrecy regulations.

This incident, more than any other that has occurred recently, persuaded the U.S. Senate to pass S. 1160, as S. 1160, which stipulates that every agency of the federal government would be required to make all its records accessible to the public on demand. The bill provides for court action in cases of unjustified secrecy. And of course it makes the secret government agencies of this "repressive" government information involving national security.

Congressman Donald Rumsfeld (R-Ill.), one of the supporters of S. 1160, in the House, called the bill "one of the most important measures to be considered by Congress in 20 years."

"This bill really goes to the heart of news management," he declared. "If information is being withheld, if officials can make up their own regulations, if the government is colluding with the press and other information media for falling to make a better campaign on the bill's behalf, he stressed that it was designed for the protection of the public and the public has not been properly warned of the need for the legislation."

If this is true, it is probably because some newspapers fail to emphasize that press freedom is a public right, not a private privilege.

S. 1160 would be a substantial aid in protecting the rights of the people to full information about their government. In the exercise of this right the bill would inpress additional responsibilities, but also additional methods of discharging them.

If S. 1160 comes to the House floor, it will be hard to stop. The problem is to get it to the voting stage.

We urge readers to send a letter or a card to their Congressman, telling him that the whole system of representative government is based on involvement by the people. But through lack of information, the people lose interest and subsequently they lose their rights. S. 1160 will help to prevent both losses.

[From the Charleston (W. Va.) Gazette, June 18, 1966]

BILLS REVEALING INFORMATION TO PUBLIC VIEW NECESSITY

Now pending in the House of Representatives is a Senate-approved bill (S. 1160) to require every government official to make their records and other information, and to authorize suits in federal district courts to compel individual withholding and suppressing of records. This legislation is of vital importance to the American public, for it will prevent the withholding of information in every case, the purpose of covering up wrongdoing or mistakes, and would guard against the practice of...

Mr. REID of New York. I thank the gentleman.

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

Mr. REID of New York. I yield to the gentleman from New York.

Mr. KUPFERMAN. Mr. Speaker, the gentleman from New York (Mr. Rain) has made the point so well that it does not require more discussion from me on behalf of this bill. I commend the gentleman from New York and others who have been instrumental in getting the bill to the floor and helping us pass it today.

Mr. REID of New York. I thank the gentleman.

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

Mr. REID of New York. I yield to the gentleman from Tennessee.

Mr. GRIDER. Mr. Speaker, I rise in support of S. 1160, legislation for clarifying and protecting the right of the public to information.

This legislation has been in preparation for many years. Although a few people question the people's right to know what is going on in their Government, we have quibbled for far too long over the means of making this information available. This is the present bill. The public interest would be served and protected by passage of S. 1160.

Our colleague from California [Mr. Moss] and members of his committee have done a splendid job with this legislation. This bill is clearly in the public interest.

Mr. Speaker, I include at this point in my remarks the editorial "Freedom of Information," which appeared June 16, 1966, in the Memphis Commercial Appeal.

FREEDOM OF INFORMATION

The House of Representatives is scheduled to act Monday on the Freedom of Information bill, an event of the first class in the unending struggle to get people know how governments operate. Such knowledge is an essential if there is to be sound government by the people.

This bill has been in preparation 13 years. It is coming up for a vote now because public feeling in Congress indicated that it will win approval this year in contrast to some other years of foot dragging by members of the House who announce for the principle but doubt the specific procedure.

The Senate has passed an identical bill. The House has voted to pass the bill, pending House action in the Senate. The House has one more chance to prevent the public from being careless in the way they conduct the public business. A law that exposes them to that risk is now on the floor. The House should be careful in the way they conduct the public business. A law that exposes them to that risk is now on the floor. The House should be careful in the way they conduct the public business.

Mr. REID of New York. I thank the gentleman.
But the urge is to use the "classified" stamp to cover blunders, errors and mistakes which the public must know to obtain corrections.

The new law would protect necessary secrecy but the ways of the transgressor against the public interest would be much hastened.

The law intended to open more records to the public has been converted gradually into a shield against questioners. Technically the 1966 proposal is a series of amendments which will clear away the wording behind which government officials have been hiding.

It results from careful preparation by John Moss (D. Calif.) with the help of many others.

It is most reassuring to have Representative Moss say of a bill which seems to be cleared for adoption that we are about to have for the first time a real guarantee of the right of the people to know the facts of government.

Mr. GRIDER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks which I include in this bill.

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

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I am happy to yield to the gentleman from California.

Mr. VAN DEERLIN. Mr. Speaker, those of us who have served with John Moss on the California delegation are well aware of the long and considerable effort which he has applied to this subject.

The Associated Press, in a story published less than a week ago, related that 13 of the 14 years this gentleman has served in the House have been devoted to developing the bill before us today. I join my colleagues in recognizing this effort, and I ask unanimous consent to include that Associated Press article in the Record.

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

There was no objection.

That article is as follows:

[From the Los Angeles (Calif.) Times, June 12, 1966]

**HOUSE APPROVAL SEEN ON RIGHT-TO-KNOW BILL**

**CALIFORNIA DEPUTY SPEAKER, LED BY REPRESENTATIVE MOSS, OF CALIFORNIA, Nears END**

WASHINGTON—A battle most Americans thought was won when the United States was founded is just now moving into its final stage in Congress.

It involves the right of Americans to know what their government is up to. It's a battle against secrecy, locked files and papers standing as roadblock to inspection.

It's been a quiet fight mainly because it has been led by a quiet, careful congressman, Representative John E. Moss, Democrat of California, who has been waging it for 13 of the 14 years he has been in the House.

Now, the House is about to act on the proposal, out of the years of study, hearings, investigations and reports—a bill that in some quarters is regarded as a sort of new Magna Carta, the freedom of information bill, or the right to know.

It would require federal agencies to make available for public inspection and to operate under, the people who run them and their acts, decisions and policies that affect the people. It is a kind of government activity that must of necessity be kept secret would remain secret.

**SENATE BILL IDENTICAL**

House approval is believed certain, and since the Senate has already passed an identical bill, it should wind up on President Johnson's desk the same day as House action.

How it will be received at the White House is not clear. In 1960, as vice president-elect, Mr. Johnson vetoed a corresponding proposal and suggested the executive branch might be able to advise him on the problem of maintaining internal management secrets.

But the 27 federal departments and agencies that proposed their views on the bill to Moss' government information subcommittee opposed its passage.

Norbert A. Schiel, assistant attorney general, who presented the main government case against the bill, said the problem of repressing information in the public was "just too complicated, too ever-changing" to be dealt with in a single piece of legislation.

"If you have enough rules," he said, "you end up with less information getting out because of the complexity of the rule system you establish . . . ."

**I DO NOT THINK YOU CAN TAKE THE WHOLE PROBLEM, FEDERAL GOVERNMENTWIDE, AND WRAP IT UP IN ONE PACKAGE. THAT IS THE BASIC DIFFICULTY OF PROTECTING THE GOVERNMENT AND THE EXECUTIVES AGAINST THE PUBLIC INTEREST."**

Another government witness, Fred Burton Smith, acting general counsel of the Treasury Department, said the executive branch will be unable to execute effectively many of the laws designed to destroy information to the public and will be unable to prevent invasions of privacy among individuals whose records have become government records.

Smith said the exemptions contained in the bill were inadequate and its court provisions inappropriate. In addition, he said, persons with a legitimate interest in a matter would have access to records and added that the whole package was of doubtful constitutionality.

**SECRECY PERMITTED**

Far from deterring him, such testimony has only strengthened Moss' feeling that Congress had to do the job of making more information available to the public because the executive branch obviously wouldn't.

The bill he is bringing to the House floor, June 20, 1966, is an amendment to a law Congress passed in 1946 in the belief it was requiring greater disclosure of government information to the public. And that, for Moss, takes care of the constitutional question.

"If we could pass a weak public information law," he asks, "why can't we strengthen it?"

The 1946 law has many interpretations. And the interpretations made by the executive agencies were such that the law, which was intended to open records to the public, is now the chief statutory office of the agencies for keeping them closed.

**SECRECY PERMITTED**

The law permits withholding of records if secrecy "is required in the public interest," or "if the record contains information 'deliberately kept secret to avoid or to minimize injury to the internal management of an agency.""

And even if secrecy "is required in the public interest," or "if the record contains information 'deliberately kept secret to avoid or to minimize injury to the internal management of an agency," it is specifically provided that the law should be construed to apply only to "governmental and public information that the person who wants the document to be opened feels should be kept secret in the national interest."

For the first time in the history of the government, a law proves in being the executive branch will be required to prove in a court the necessity for classifications that are not specifically given a status by law.

**SAME AS AMENDMENTS TO FEDERAL INFORMATION ACT**

The areas protected against public disclosure are such that the law will force the branches of government to defend their right to keep information secret, in many cases to explain why they have kept information secret, in many cases to explain why they have kept information secret.

In the view of many veterans of the right for the right to know, it's most important provision would require an agency to withhold a document that has been requested. Under the present law the situation is reversed, and the government must have to open up in one package. That is the basic assurance.

The bill would require—and here is where the burden would be placed on the departments—that each agency maintain an index of all documents that become available for public inspection, after the law is enacted. To discourage frivolous requests, fees could be charged for record searches.

Moss is careful not to hide the public's interest. He said in his first term in Congress when the Civil Service Commission refused to open a file, "I decided right then I had better find out about the ground rules," he said in a recent interview. "While I had no background of law, I had served in the California legislature and such a thing was unheard of."

California is one of 37 states that have open records laws.

Moss was given a unique opportunity to learn the ground rules in his second term in Congress when a special subcommittee of the House Government Operations Committee was created to investigate complaints that government agencies were blocking the flow of information to the public.

Although only a junior member of the committee, Moss had already impressed House leaders with his diligence and seriousness of purpose and he was made chairman of the new subcommittee. His characteristics proved valuable in the venture he undertook.

The right of a free people to know how their elected representatives are conducting the public business has been taken for granted by most Americans. But the Constitution contains no requirement that the government keep the people informed.

The right of the people was first enunciated at the first session of Congress when it gave the executive branch, in a "frivolous" law, the power to prescribe the rules for the custody, use and preservation of its record. They flourished in the climate created by the separation of the executive and legislative branches of government.

**EXECUTIVE PRIVILEGE**

Since George Washington, Presidents have relied on a vague concept called "executive privilege" to protect the privacy of documents, including letters and telegrams. They have claimed the right to keep secret in the national interest.

There are constitutional problems involved in the void of the executive privilege. That issue, and S. 1160 seeks to avoid it entirely.
Moss, acting on many complaints he receives, has clashed repeatedly with govern­ mental officials far down the bureaucratic lines who have claimed "executive privilege" in refusing information. Indeed, in 1962 he succeeded in getting a letter from President John F. Kennedy stating that only a pledge to seek, and Cross summed up the idea that the fight against government secrecy must be driven Moss ever since when he said, "the right to speak and the right to print, without the Government's consent, world in which such a policy is there, where the world's emphasis on secrecy, gave a tremendous boost to the trend toward secrecy in government. What the activities of the late Sen. Joseph McCarthy, Republican, of Wisconsin, as a running mate for Ross Perot, has been question raised whether this is the "housekeeping" law to make it possible to challenge any right of agencies to withhold their records.

Opposition to the executive branch blocked any other congressional action. Moss, hoping to win administration support, did not push his bill until he was convinced this year it could not be obtained.

Moss feels S1160 marks a legislative milestone in the United States. "For the first time in the nation's history," he said recently, "the people's right to know the facts of government will be guaranteed."

There is wide agreement with this view, but warnings against too much optimism are also being expressed.

Noting the exemptions written into the bill, a staff member of the House bureau can be sure that there is a system of information, by which certain areas of information must be protected and withheld in order not to jeopardize the security of this Nation.

Mr. REID of New York. I am happy to yield to the gentleman from California [Mr. Moss] on this bill revision.

Mr. Speaker, John Colburn and many other interested citizens have made a strong case for this legislation. It is regrettable that it has been bottled up in committee for so long a time.

This bill clarifies and protects the right of the public to essential information. This bill revises section 3 of the Administrative Procedure Act to provide a true Federal public records statute by requiring the availability, to every member of the public, of all of the executive branch records described in its requirements, except those involving matters which are within the judicial interest.

Under this legislation, if a request for information is denied, the aggrieved person has the right to file an action in a district court, and such court may order the production of any agency records that are improperly withheld. In such a trial, the burden of proof is correctly upon the agency.

We have seen a great deal in recent times about a credibility gap in the presenta­tion of information emanating from official Government sources. In recent years we heard an assistant secretary of defense defend the Government's right to lie. We have seen increasing deletion of testimony by administration spokesmen before congressional committees and there has been question raised whether this was done for security reasons or political reasons.

This legislation should help strengthen the public's confidence in the Government. Our efforts to strengthen the confidence in the Government. Our efforts to strengthen the public's right to know should not stop here. As representatives of the people we also should make sure our own house is in order. While progress has been made in reducing the number of closed-door committee sessions, the Congress must work further to reduce so-called executive privilege of House and Senate committees. Serious consideration should be given to televising and permitting radio coverage of important House committee hearings.

I hope that the Joint Committee on the Organization of the Congress will give serious considerations to these matters in its recommendations and report.

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Under this legislation, if a request for information is denied, the aggrieved person has the right to file an action in a district court, and such court may order the production of any agency records that are improperly withheld. In such a trial, the burden of proof is correctly upon the agency.

The person is exempt up to the American public—or the press—to fight daily battles just to find out how the ordinary business of their government is being conducted. It is a threat to the constitutionality of the agencies and bureaus, who conduct this business, to tell them.

I hope that the Joint Committee on the Organization of the Congress will give serious considerations to these matters in its recommendations and report. 

Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois (Mr. Rumsfeld). 

Mr. Speaker, I yield the distinguished gentleman from Connecticut, who serves on this subcommittee.

Mr. MONAGAN. Mr. Speaker, I wish to express my support for this legislation and also to commend the chairman of our subcommittee, who has personally come from his doctor's care to be here today to lead the House in the acceptance of this monumental piece of legislation. His work has been the sine qua non in bringing this important legislation to fruition.

Mr. Speaker, I am happy to support S. 1160, an act to clarify and protect the right of the public to information.

This legislation is a landmark in the constant struggle in these days of big government to preserve for the people access to the information possessed by their own servants. Certainly it is impossible to vote intelligently on issues unless one knows all the facts surrounding them and it is to keep the people properly informed that this legislation is offered today.

I am glad to take this opportunity to congratulate our chairman, the gentleman from California (Mr. Moss) on
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the passage of this significant bill. Over the years he has fought courageously and relentlessly against executive coverup of information which should be available to the people. The reporting and passage of this bill have come only after many years of patient work by his distinguished friend from Virginia, also served on the Committee on Government Information.

Mr. HARDY. I thank my good friend for yielding and commend him for his work on this bill.

Mr. Speaker, I just wish to express my support of this bill. I should like to refer to the United States. I should like to refer to the Members of the House to know that I wholeheartedly support it, and that I am particularly happy the chairman of our subcommittee, the gentleman from California (Mr. Moss) is back with us today. I know he has not been in good health recently, and I am happy to see him looking so well. I congratulate him for the fine job he has done on this many years of constant work by the House Committee on Government Information.

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

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

Mr. GROSS. I yield to the gentleman from Illinois, in support of this legislation, but I want to add that it will be up to the Congress, and particularly to the committee which has brought the legislation before the House, to see to it that the agencies of Government conform to this mandate of Congress. It will be meaningless unless Congress does do a thorough oversight job. From now on it is important to the Committee on Government Information as well as the efforts of the Defense Department to hide the facts.

Mr. RUMSFIELD. The gentleman's comments are most pertinent. Certainly it has been the nature of Government to play down mistakes and to promote successes. This has been the case in the past administration. Very likely this will be true in the future.

There is no question but that S. 1160 will not change this phenomenon. Rather, the bill will make it considerably more difficult for secrecy-minded bureaucrats to decide arbitrarily that the people should be denied access to information on the conduct of Government or on how an individual Government official is handling his job.

Mr. Speaker, the problem of excessive restrictions on access to Government information has been a persistent problem, and I believe the distinguished chairman, the gentleman from California (Mr. Moss) has said. No matter what party has held the political power of Government, there have been attempts to cover up mistakes and errors.

Significantly, S. 1160 provides for an appeal against arbitrary decisions by seeking the ground rules for access to Government information, and by providing for a court review of agency decisions under these ground rules. S. 1160 assures public access to information which is basic to the effective operation of a democratic society.

The legislation was initially opposed by a number of agencies and departments, but following the hearings and issuance of a careful prepared report—which clarifies legislative intent—much of the opposition seems to have subsided. There still remains some opposition to the part of a few Government administrators who fear any change in the routine of government. They are familiar with the inadequacies of the present law, and over the years have learned to carefully guard its vague phrases. Some possibly believe they hold a vested interest in the machinery of their agencies and bureaus, and there is resentment to any attempt to invade that area by the so-called public, the Congress or appointed Department heads.

But our democratic society is not based upon the vested interests of Government employees. It is based upon the participation of the public who must have full access to the facts of Government to select intelligently their representatives in the executive branch of the Federal Government. Thus in form of government where the ultimate authority must rest in the consent of the governed, it is intolerable in an environment of bureaucratic negativism and indifference.

From the beginning of our Republic until now, Federal agencies have wrongfully withheld information from members of the electorate. This is intolerable in a form of government where the ultimate authority must rest in the consent of the governed. Democracy can only operate effectively when the people have the knowledge upon which to base an intelligent vote.

The bill grants authority to the Federal Department of Government to order production of records improperly withheld and shifts the burden of proof to the agency which chooses to withhold information.

If nothing else, this provision will imbue Government employees with a sense of caution about placing secrecy stamps on documents that a court might be produced at a later time. Thus inefficiency or worse will be less subject to constitutional challenge.

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

Mr. RUMSFIELD. I am happy to yield to the gentleman from Minnesota.

Mr. Que. Mr. Speaker, I ask the gentleman, will this enable a Member of Congress to secure the names of people who work for the Post Office Department or any other department?

Mr. RUMSFIELD. I know the gentleman almost singlehandedly worked very effectively to bring about the disclosure of such information at a previous point in time. It is certainly my opinion, although Congress would ultimately make these decisions, that his efforts would
have been unnecessary had the bill been the law. Certainly there is no provision in this legislation that exempts from disclosure the type of information to which the gentleman refers that I know of.

Mr. QUIE. I thank the gentleman and with his permission I would like to correct the record in this instance. He has done in bringing out this legislation. I believe it is an excellent bill.

GENERAL LEAVE TO EXTEND

Mr. REID of New York. Mr. Speaker, will the gentleman yield to me for 1 second?

Mr. RUMSFELD. I am happy to yield to the gentleman from New York, who serves as the ranking minority member of the subcommittee.

Mr. REID of New York. Mr. Speaker, in the seconds remaining, I do want to commend my colleague and good friend, the gentleman from California. As the able chairman of this subcommittee, he has worked the public, and effectually the past 11 years to secure a very important right for the people of this country. Bringing this legislation to the floor today is a proper tribute to his efforts. Certainly his work and the work of others whose names have been mentioned, the gentleman from Michigan, now a Member of the other body, Mr. Government, that served so effectively as ranking minority member of our subcommittee and the ranking minority member of our full committee, the gentlewoman from New Jersey [Mrs. Dwyer], the efforts on our part that resulted in this most important and thorough piece of legislation.

Mr. Speaker, I do wish to make one other point about the bill. This bill is not just a right to information. It is a right of information. It is a right of people who mean to be their own government. We must understand it to make it function better.

In August of 1922, President James Madison said:

Knowledge will forever govern ignorance. And a people who mean to be their own governors, must arm themselves with the power knowledge gives-a government ignorant as well as without popular information or the means of acquiring it, is but a prologue to a farce or a tragedy, or perhaps both.

Thomas Jefferson, in discussing the obligation of the press to criticize and oversee the conduct of Government in the interest of keeping the public informed, said:

Were it left to me to decide whether we should have a government without newspapers or newspaper without government, I should not hesitate for a moment to prefer the latter. No government can exist in truth without the press. The people are at all times proceeding to inform themselves as to truth, error, and good government. Knowledge will forever govern ignorance. And a people who mean to be their own governors, must arm themselves with the power which knowledge gives-a government ignorant as well as without popular information or the means of acquiring it, is but a prologue to a farce or a tragedy, or perhaps both.

President Woodrow Wilson said in 1913:

Wherever any public business is transacted, wherever the public interest is affected, or enterprises touching the public welfare, comfort or convenience go forward, wherever public programs are formulated, or candidates agreed upon—over that place a voice must speak, with the divine prerogative of a people, will, that public will be heard."

House Report No. 1497, submitted to the House by the Committee on Government Operations to accompany S. 1160, concluded:

A democratic society requires an informed, intelligent electorate, and the intelligence of the electorate varies as the quantity and quality of its information varies. A danger signal to our democratic society is the United States is the fact that such a political truism needs repeating. And repeated it is, in textbooks and classrooms, in newspapers and broadcasts.

The repetition is necessary because the tendency of democratic society has outpaced the machinery which makes that society work. The needs of the electorate exceed the capacity of the public access to the facts in government. In the time it takes for one generation to grow up and prepare to join the councils of government—from 1946 to 1966—the law which was designed to provide public information about government has become the government's major shield of secrecy.

S. 1160 will correct this situation. It provides the necessary machinery to assure the availability of government information necessary to an informed electorate.

Mr. Speaker, I was interested to learn that Leonard H. Marks, Director of the U.S. Information Agency—USIA—recently suggested before the Overseas Policy Committee in New York the development of a treaty "guaranteeing international freedom of information." To be sure, this is a commendable suggestion, and one which I would be delighted to hear more about. For the time being, however, I am concerned with the freedom-of-information question here in the United States. Here is our basic challenge. And it is one which we have a responsibility to accept.

The political organization that goes by the name of the United States of America consists of thousands of governing units. It is operated by millions of elected and appointed officials. Our Government is so large and so complicated that few understand it well and others barely understand it at all. Yet, we have a responsibility to make it function better.

In this country we have placed all our faith on the intelligence and interest of the people. We have given them the right to govern the Government guided by citizens. From this it follows that Government will serve us well only if the citizens are well informed.

Our system of government is a testiment to our belief that people will find their way to right solutions given sufficient information. This has been a magnificent gamble, but it has worked.

The passage by the House of S. 1160 is an important step toward insuring an informed citizenry which can support or oppose public policy from a position of understanding and knowledge.

The passage of S. 1160 will be an investment in the future; an investment which will guarantee the continuation of our free society and our free people.

Mr. Speaker, I urge the passage of this legislation. It merits the enthusiastic support of each Member of the House of Representatives.

Mr. Speaker, will the gentleman yield?

Mr. RUMSFELD. I am happy to yield to the distinguished gentleman from Missouri.
Mr. HALL. Mr. Speaker, I appreciate the gentleman's comments. I hardly see how it can help but improve the practice of separation of the powers as it is conducted in the executive branch of the Government. However, in the days of the Revolution, it was not so. In those days, there was no Congress and in the days when reportorial services are being asked to be the handmaidens of Government rather than give them full disclosure, I think it is important to have this legislation.

Mr. Speaker, I want to express my strong support, and to urge the support of my colleagues for the freedom of information bill, designed to protect the right of the public to information relating to the actions and policies of Federal agencies. This bill has been a long time in coming, too long I might add, since the withholding of information, it is designed to prevent, has been a fact of life under the present administration.

I believe this bill is one of the most important legislative actions to be considered by Congress, and I support its enactment 100 percent.

As in all such bills, however, the mere passage of legislation will not insure the freedom of information which we hope to achieve. For there are many ways by which executive agencies, determined to conceal public information, can do so, if and when they desire. Where there is a will, there is a way, and while this bill will make that way more difficult, it will take aggressive legislative review and oversight to insure the public's right to know.

To indicate the challenge that lies ahead, I need only refer again to an article from the Overseas Press Club publication Dateline 66, which I inserted in the Congressional Record on May 13. Assistant Secretary of Defense for Public Affairs Arthur Sylvester was quoted by CBS Correspondent Morely Safer as saying at a background meeting that:

"Anyone who expects a public official to tell the truth is stupid—

And as if to emphasize his point, Sylvester was quoted as saying, again:

"Did you hear that? Stupid!"

Subsequently, at Mr. Sylvester's request, I inserted his letter in reply to the charge, but, since that occasion, at least four other correspondents have confirmed the substance of Morely Safer's charges, and to this date to my knowledge, not a single correspondent present at that meeting in July of 1965, has backed up the Sylvester so-called denial.

So, I repeat that the passage of this legislation will not, in itself, insure the public's right to know, but it is an important first step in that direction. As long as there are people in the administration who wish to cover up or put out misleading information, it will take vigorous action by the Congress and the Nation's press to make our objectives a reality. That is why I have taken this step, on the part of the legislative branch of the U.S. Government, toward proper restoration of the tried and true principle of separation of powers.

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

Mr. RUMSFELD. I will be happy to yield to the distinguished gentleman from Kansas, who also serves on the Special Subcommittee on Government Information.

Mr. DOLE. Mr. Speaker, I rise in support of S. 1180, which would clarify and protect the right of the public to information.

Since the beginnings of our Republic, the people and their elected Representatives in Congress have been engaged in a sort of ceremonial contest with the executive bureaucracy over the freedom-of-information issue. The dispute has, to date, failed to produce a practical result.

Government agencies and Federal officials have repeatedly refused to give individuals information to which they were entitled and the documentation of such unauthorized withholdings—from the press and public—has been un­ luminous. However, the continued recital of cases of secrecy will never determine the basic issue involved, for the point has already been more than proven. Any considerations which make the public's right to know cannot be arrived at by congressional committee compilations of instances of withholding, nor can it be fixed by presidential fiat. At some point we must stop restating the problem, authorizing investigations, and holding hearings, and come to grips with the problem.

In a democracy, the public must be well informed if it is to intelligently exercise the franchise. Logically, there is little room for secrecy in a democracy. But, we must be realists as well as rationalists and recognize that certain Government information must be protected and that the right of individual privacy must be respected. It is generally agreed that the public's knowledge of its affairs must be as complete as possible, consonant with the public interest and national security. The President by virtue of his constitutional powers has derived authority to keep secrecy, where there are overriding considerations of national security or foreign policy, in the interest of the national defense, or foreign policy. Thus, the bill takes into consideration the right to know of every citizen while preserving the rights of the public to information.

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Mr. RUMSFELD. Mr. Speaker, the gentleman from Illinois, Mr. Moss, has backed up the Sylvester so-called denial. And as if to emphasize his point, Sylvester was quoted by CBS Correspondent Morely Safer as saying at a background meeting that:

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In S. 1160, we have a chance to modernize the machinery of Government and in so doing, further insures a fundamental political right. Democracies derive legitimacy from the consent of the governed and hence, authority is derived when it is informed. In assuring the right of the citizenry to know the work of its Government, therefore, we provide a permanent check and review of power. And, as evidenced on both sides of the aisle have pointed out, the continuous growth of Federal powers—particularly that of the executive branch—can be cause for general concern.

It is the disposition of bureaucrats to grow. And frequently, they cover and conceal many of their practices. Institutions as well as people can be ruled by self-interest.

Accordingly, the House Government Operations Committee, and its Subcommittee on Foreign Operations and Government Information, have given particular attention to the information policies of our executive agencies. For 20 years, the Administrative Procedure Act are clarified. Thus, new language, to "any person." Instead of the vague language of "good cause..."

Mr. POFF. Mr. Speaker, it was my privilege to support S. 1160 today designed to protect the right of the American public to receive full and complete disclosures from the agencies of their Government.

Today, no longer before, the Federal Government is a complex entity which touches almost every fiber of the fabric of human life. Too often, the overzealously but seemingly necessary withholding of information to blot out a bit of intelligence which the people have the right to know. This is true not only with respect to military activities for which there may, on occasion, be a valid reason for withholding full disclosure until after the execution of a particular military maneuver, but also in the case of strict political decisions in both foreign and domestic fields.

Thomas Jefferson once said that if he could choose between government without newspapers or newspapers without government, he would unhesitatingly choose the latter. And it is in performing its responsibility of digging out facts about the operation of the giant Federal Government should not be restricted. It is true there are some 24 classifications used by Federal agencies to withhold information from the American people. When Government officials make such statements as "a government has the right to lie to protect itself" and "the only thing I fear are the facts," it is obvious that the need for collective congressional action in the field of public information is acute.

In the absence of information, people need to know all the facts in order that their judgments may be based upon those facts. Anything less is a dilution of the republican form of government.

Mr. BENNETT. Mr. Speaker, legislation of this type has been long needed. The delay, however, is easy to understand because it is a difficult subject in which to draw the precise lines needed to ensure that the right of the people to know might be dangerous to our country. It is my belief that the measure before us does handle the matter in a proper and helpful manner and I am glad to support it.

Mr. CLANCY. Mr. Speaker, a number of important duties and engagements in Cincinnati prevent me from being on the House floor today. However, if I were present, I would vote for the Freedom of Information Act, S. 1160.

The problem of Government secrecy and news manipulation has reached alarming proportions under the current administration. Both at home and abroad, the credibility of the U.S. Government has repeatedly been called into question. Not only has the truth frequently been compromised, but in some instances Government spokesmen have more than distorted the facts, they have denied their existence. This shroud of secrecy and deception is deplorable. It is my belief that the measure before us does handle the matter in a proper and helpful manner and I am glad to support it.

This legislation, Mr. Speaker, should be of particular importance to all Members of Congress. We know, as well as anyone, of the need to keep executive information and practices open to public scrutiny. Our committee, and particularly our subcommittee, headed by our energetic colleague from California, has put together proposals which we believe will reinforce public rights and democratic review.

Mr. Speaker, it was my privilege to support S. 1160 today designed to protect the right of the American public to receive full and complete disclosures from the agencies of their Government.

The problem of Government secrecy and news manipulation has reached alarming proportions under the current administration. Both at home and abroad, the credibility of the U.S. Government has repeatedly been called into question. Not only has the truth frequently been compromised, but in some instances Government spokesmen have more than distorted the facts, they have denied their existence. This shroud of secrecy and deception is deplorable. The man in the street has a right to know about his Government, and this includes its mistakes.

The Cincinnati Enquirer has, in two editorials on the subject of the public's right to know the truth about the activities of its Government, called for passage of the legislation we are considering today. I include these editorials with my remarks at this point because I believe they will be of interest to my colleagues:

[From the Cincinnati (Ohio) Enquirer, June 15, 1966]

LET'S OPEN UP FEDERAL RECORDS

Next Monday the House of Representatives is scheduled to come finally to grips with a bill that has been a vital issue in Washington almost since the birth of the Republic—an issue that Congress has been solving inarguably. In brief form, the bill's right to know. Most Americans probably imagine that their right to be informed about what their government is doing is unchallenged. They may wonder about the need for any legislation aimed at reaffirming it. But the fact of the matter is that the cloak of secrecy has been stretched to conceal more and more government activities and procedures from public view. Many of these activities and procedures are wholly unrelated to the nation's security or to individual Americans' legitimate right to privacy. Indeed, they are matters clearly in the public realm.

The legislation due for House consideration next Monday is Senate Bill 1160, the proposal to expand a 19-year-old piece of the entire problem of freedom of information directed by Representative John E. Moss (R., Calif.). The bill has already been passed and only an affirmative House vote next Monday is necessary to send it to President Johnson for his approval.

All of the 27 Federal departments and agencies that have sent witnesses to testify before the House subcommittee that conducted hearings on the bill have opposed the measure for its supposed "unwise" provisions. One complaint is that the issue is too complex to be dealt with in a simple piece of legislation. But Representative Moss feels—and a Senate majority obviously agrees with him—that the right of Federal officials to classify government documents has been grossly misused to conceal errors and to deny the public information it is entitled to have.

The bill makes some necessary exceptions—national defense and foreign policy secrets, trade secrets, investigatory files, material collected in the course of labor-management mediation, reports of financial institutions, medical files and papers designed solely for the internal use of a governmental agency. Most important, perhaps, the bill would prohibit federal agencies from penalizing or punishing officials for the release of such documents. It is the disposition of bureaucrats to grow. And frequently, they cover and conceal many of their practices. Institutions as well as people can be ruled by self-interest.

This legislation, Mr. Speaker, should be of particular importance to all Members of Congress. We know, as well as anyone, of the need to keep executive information and practices open to public scrutiny. Our committee, and particularly our subcommittee, headed by our energetic colleague from California, has put together proposals which we believe will reinforce public rights and democratic review.

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[From the Cincinnati (Ohio) Enquirer, June 29, 1966]

THE RIGHT TO KNOW

It is easy for many Americans to fall into the habit of imagining that the constitutional guarantees of a free press are a matter...
June 20, 1966

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of interest and concern only to America's newspapermen. And in particular, there are still a few publishers who entertain the same notion.

True, however, the right to a free press is a right that belongs to the public. It is the man in the street's right to know—his right, as a citizen who has served his country, to be served by disclosure of his failures or greater ac-

credy in the official affairs of our dem-

The fact is indeed incongruous that although American freedom of expression in the Constitution, including freedom of the press, there is no detailed Federal statute outlining the orderly disclosure of public information so essential to proper functioning of the Government. Yet the steady growth of bigger government multiplies rather than diminishes the need for such disclosure and the neces-

sity for supplying information to the people. Certainly no one can dispute the fact that access to public records is vital to the basic workings of the demo-

cratic process, for it is only when the public business is conducted openly, with appropri-

tate exceptions, that there can be freedom of expression and discussion of policy so vital to an honest national consensus on the issues of the day. It is neces-

sary that freedom be well in-

formed, and we need only to look behind the Iron Curtain to see the unhappy con-

sequences of the other alternative.

The need for legislative protection of public records law has been apparent for a long time. We recognize today that the Ad-

ministrative Procedure Act of 1946, while a step in the right direction, is now mont-

ing inadequate to deal with the problems of disclosure which arise almost daily in a fast-moving and technological age-

problems which serve only to lead our citizens to question the integrity and credibility of their Government and its administrators.

But while I do not condone indiscriminate and unauthorized withhold-

ing of public information by any Gov-

ernment official, the primary responsi-

bility, in my judgment, rests with us in the Congress. We, as the elected repre-

sentatives of the people, must provide a public of the Freedom of Information Act, in the manner which permits most Federal agencies to de-

fine their own rules on the release of informa-

tion and thereby shield themselves from the prying eyes of the public.

The House should press ahead, accept the recommendations of its committee and trans-

late Senate Bill 1160 into law.

Mr. EDWARDS of Alabama. Mr. Speaker, I rise in support of S. 1160 which is effectively the same as the H.R. 6739, introduced March 25, 1965.

This measure should have been ap-

proved and signed into law long ago as a means of giving the American citizen a greater measure of protection against the natural tendencies of the bureaucra-

ty to prevent information from circu-

lating freely.

I am hopeful that in spite of the Presi-

dent's opposition to this bill, and in spite of the opposition of executive branch agencies and departments, the President will not veto it.

This measure will not by any means solve all problems regarding the citizen's right to know what his Government is doing. It will still be true that we must rely on the electorate's vigorous pur-

suit of the Information needed to make self-government work. And we will still rely on the work of an energetic and thorough corps of news reporters.

As an example of the need for this bill I have previously presented information appearing on page 12900 of the Con-

gressional Record for June 8. It shows that one Government agency has made it a practice to refuse to yield informa-

tion which is significant to operation of the law.

This kind of example is being repeated many times over. In a day of swiftly expanding Government power, and in a day when our real concerns as a country over are concerned with the en-

croachment of Government into the lives of all of us, the need for this bill is clear.

Mr. Speaker. Government by secrecy, whether intentional or accidental, benefits no one and, in fact, seriously injures the people it is designed to serve. This legislation will establish a much-needed uniform policy of disclosure without imposing up

on the rights of any citizen. S. 1160 deserves the support of every one of us.

Mr. RHODES of Arizona. Mr. Speaker, at a recent meeting of the Republican Policy Committee the following policy statement regarding S. 1160, freedom-
of-information legislation, was adopted. As chairman of the policy committee, I would like to include at this time the following: the complete text of this statement:

REPUBLICAN POLICY COMMITTEE STATEMENT ON FREEDOM OF INFORMATION LEGISLATION, S. 1160.

The Republican Policy Committee com-

mends the Committee on Government Oper-

ations for reporting S. 1160. This bill clar-

ifies and protects the right of the public to essential information. Subject to certain exceptions and the right to court review, it would require every executive agency to give public notice or to make available to the public its methods of operation, public procedures, rules, policies, and precedents.

The Republican Policy Committee, the Repub-

lican Members of the Committee on Gov-

ernment Operations, and such groups as the National Association of School Principals, the professional journalism society Sigma Delta Chi, the National Editorial Association and the American Newspaper Publishers Association, and to Members of Congress as they seek to carry out their constitutional functions.

Under this legislation, if a request for information is denied, the aggrieved person has a right to file an action in a U.S. District Court, and such court may order the pro-

duction of any agency records that are im-

properly withheld. So that the court may enter an adequate order, rather than being restricted to judicial sanctioning of agency discretion, the proceedings are de-

novo. In the trial, the burden of proof is to be placed on the agency. In this instance the private citizen cannot be asked to prove that an agency has withheld information improperly but rather the agency does not know the basis for the agency action.

Certainly, as the Committee report has stated: 'No Government employee at any level believes that the 'public interest' would be served by disclosure of his failures or wrongdoings..." For example, the cost esti-

mates submitted by contractors in connection with the multimillion-dollar deep sea "Mohole" project were withheld from the public even through it appeared that the firm which had won the lucrative contract had not submitted the lowest bid. Moreover, it was only as a result of searching inquiries by the press and Senator Kuchel (R., Calif.) that President Kennedy intervened to reverse the erroneous restriction so that it would not be "in the public interest" to disclose these estimates.

The requirements for disclosure in the proposed bill are broad, with restrictions that have been cited as the statutory au-

thority for 24 separate classifications devised by the agencies to withhold information from public view. Bureaucratic gobbledegook used to deny access to informa-

tion has included such gems as: "Eyes Only," "Limited Official Use," "Confidential Treat-

ment," and "Limitation on Availability of Equipment for Public Reference." This paper
curtain must be pierced. This bill is an important step in making the process of government open and accountable. In this period of selective disclosures, managed news, half-truths, and admitted distortions, the need for open government is abundantly clear. High officials have warned that our Government is in grave danger of losing the public's confidence both at home and abroad. The credibility gap that has affected the Administration pronouncements on domestic affairs and Vietnam has spread to the world. The issue, again, off-again, obviously less-than-truthful manner in which the reduction of American military might is handled here and in this country the subject of ridicule and jokes. "Would you believe?" has now become more than a clever saying. It is a legitimate inquiry.

We have recognized that men and nations can be no better than their word. This legislation will help to blaze a trail of truthfulness and accuracy disclosures in what has become a jungle of falsification, unjustified misstatement by statistic. The Republicans urge the prompt enactment of S. 1160.

Mr. SCHMIDHAUSER. Mr. Speaker, I believe approval of S. 1160 is absolutely essential to the integrity and strength of our democracy. When the Government has extended its activities to help solve the Nation's problems, the bureaucracy has developed its own form of procedures and case law, which is not always in the best interests of the public. Under the provisions of this measure, these administrative procedures will have to bear the scrutiny of the public as well as that of Congress. This has long been overdue.

Mr. ROUSH. Mr. Speaker, I rise in support of this freedom of information bill. I felt at the time it was acted upon by the Government Operations Committee, of which I am a member, that it was one of the most significant pieces of legislation we ever acted upon. In a democratic society, the business of the Government is the people's business. When we deprive the people of knowledge of what their government is doing then we are indeed embracing bureaucracy. We are trespassing on their right to know. We are depriving them of the opportunity to examine critically the efforts to those who are chosen to labor on their behalf. The strength of our system lies in the fact that we strive for an enlightened and knowledgeable electorate. We defeat this goal when we hide information behind a cloak of secrecy. We realize our goal when we make available, to those who exercise their right to choose, facts and information which will lead them to enlightened decisions.

Mr. ANDERSON of Illinois. Mr. Speaker, I rise in support of S. 1160. The purpose of this bill is to amend section 3 of the Administrative Procedures Act and thereby lift the veil of secrecy that makes many of the information "closets" of executive agencies inaccessible to the public. The basic consideration involved here is an effort which will clarify and protect the right of the public to information, is that in a democracy like ours the people have an inherent right to know, and government does not have an inherent right to conceal.

Certainly to deny to the public information which is essential neither to government security nor to personal and practical functions is to deny any restraints of a personal and practical decision, and, of course, it would be hard to imagine any agency, including those of executive charter, which is entitled to be above public examination and criticism.

The need for action to amend the present section of the Administrative Procedures Act is especially apparent when we consider that much of the information now withheld from the public directly affects matters clearly within the public domain.

For too long and with too much enthusiasm by some Government agencies and too much acquiescence by the public, executive agencies have become little fiefdoms where the head of a particular agency assumes sole power to decide what information shall be made available and then only in an attitude of noblesse oblige.

S. 1160 will amend section 3 of the Administrative Procedures Act by allowing the public to know any person properly and directly concerned. And if access is denied to him he may appeal the agency's decision and apply to the Federal courts.

Consider the contractor whose low bid has been summarily rejected without any logical explanation or the conscientious newspaperman who is seeking material for a serious article that he is preparing on the operations of a particular Government agency. In many instances government records can in one fashion or another be committed to the "agency's use only" or "Government security" filing cabinets, the contractor or newspaperman will be denied information simply by having the agency classify him as a person not "properly and directly concerned." And when this occurs the power of government can thwart an investigation which is in the public interest.

It was Thomas Jefferson who wrote: I have sworn upon the altar of God eternal hostility to every form of tyranny over the mind of man.

It is precisely this tyranny over the "mind of man" which is aided and abetted by a lack of freedom of information within government.

I support the efforts contained within this bill to at least partially unshackle some of the restraints on the free flow of legitimate public information that have grown up within bureaucracy in recent years.

Mr. ROGERS of Florida. Mr. Speaker, in a time when public records are more and more becoming private instruments of the Government and personal records, the contractor or newsman will be denied information simply by having the agency classify him as a person not "properly and directly concerned." When this occurs the power of government can thwart an investigation which is in the public interest.

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I support the efforts contained within this bill to at least partially unshackle some of the restraints on the free flow of legitimate public information that have grown up within bureaucracy in recent years.

Mr. ROGERS of Florida. Mr. Speaker, in a time when public records are more and more becoming private instruments of the Government and personal records, the contractor or newsman will be denied information simply by having the agency classify him as a person not "properly and directly concerned." When this occurs the power of government can thwart an investigation which is in the public interest.

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Congressional Record - House

June 20, 1966

Section 3: The bill was introduced by Mr. Johnson, who said:

"The Administration is now fully aware that it was a logical conclusion that the American people must be protected under this provision. If the American people have to be protected by the Government, they are entitled to a properly considered bill. The American people have the right to know about their Government, the more they know about their Government, the more their confidence is increased. The right to know is a basic human right. And when you take away the right to know, you take away the right to be free. And when you take away the right to be free, you take away the American people's right to vote for the passage of this bill.

The bill is a simple one: that the public's business ought to be open to the public. Too many agencies seem to have lost sight of the fact that the American people want to know about their Government. When this attitude is allowed to flourish, and when the people no longer have the right to information about their Government's activities, our system has become a sham.

The bill we consider today is essential if we are to stop this undermining and restore to our citizens their right to be well-informed participants in their Government.

I urge my colleagues to join me in voting for the passage of this bill."

Mrs. DWYER. Mr. Speaker, the present bill is one of the most important to be considered during the 89th Congress.
It goes to the heart of our representative and democratic form of government. If enacted, and I feel certain it will be, it will be good for the people and good for the Federal Government.

During these 10 years, we have conducted detailed studies, held lengthy repeated hearings, and compiled hundreds of cases of the improper withholding of information by Government agencies. Congress is ready, I am confident, to reject administration claims that it alone has the right to decide what the public can know.

As the ranking minority member of the Committee on Government Operations, I fully support Mr. Moss's legislative effort to make government officials accountable for unauthorized withholding of information. By rejecting administration claims that it alone has the right to decide what the public can know, this bill will give citizens a remedy for improper withholding, since Federal district courts will be authorized to order the production of records which are found to be improperly withheld.

On the other hand, Mr. Speaker, I rise in support of S. 1160, a bill to clarify and protect the right of the public to information, and to commend the gentleman from California (Mr. Moss) and his subcommittee for reporting the bill out. As chairman of the Committee, I believe this gentleman from California (Mr. Moss) has devoted 10 years to a fight for acceptance by the Congress of freedom-of-information legislation. It was not until 1964 that such a bill was passed by the Senate.

Last year the Senate again acted favorably on such a bill and now in the House, the Subcommittee on Government Operations has finally reported the bill to the floor principally through the efforts of the gentleman from California (Mr. Moss).

The passage of this bill is in culmination of his long and determined effort to protect the American public from the evils of secret government. Although there has been some talk that the Government agencies are against this measure, the President will certainly not veto it. When signed into law, this bill will serve as a lasting monument to the distinguished and dedicated public servant from California, Mr. Moss. My absence from the House when the bills were acted upon.

During this period I was in Georgia, where I had the pleasure of addressing the Georgia Press Association, to meet a commitment made several months ago when I was named judge of the Georgia Press Association's annual Better-Newspapers Contest.

Mr. Speaker, I should like to go on record as favoring S. 1160, the freedom of information Act, H.R. 15119, the Federal Public Records Act, a bill authored by my distinguished and capable colleague from Missouri, Senator Edward V. Long, captures the imagination of countless millions of responsible Americans, who know only too well the frustration of being rejected for information which they justly deserve access.

For far too long, guidelines for the proper disclosure of public information by Government agencies have been ambiguous and at times have placed unwarranted restraint on knowledge that, according to our democratic tradition, should be made readily available to a free and literate society.

Mr. Speaker, I congratulate the gentleman from California, (Mr. Moss), chairman of the Government Information Subcommittee of the House of Representatives, and at times have placed unwarranted restraint on knowledge that, according to our democratic tradition, should be made readily available to a free and literate society.

Mr. Speaker, I should like to go on record as favoring S. 1160, the freedom of information Act, H.R. 15119, the Federal Public Records Act, and H.R. 15119, the Unemployment Insurance Amendments of 1966. All of these measures passed the House last week, which was generally on the agenda. My absence from the House when the bills were acted upon.

Mr. Speaker, it is a privilege to associate myself with the passage of the freedom of information bill, which originated in the Government Operations Committee on which I serve.

My absence from the House came at a time when it was apparent that no very controversial legislation would be up for consideration and vote. These three bills were of a very small negative vote. As you might properly assume from the reason for my absence, I am particularly interested in and pleased with the passage of the freedom of information bill, which originated in the Government Operations Committee on which I serve.

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These bills have long been needed, and I am proud to be a Member of the House in the 93d Congress at the time of their passage.

As a newspaper publisher and radio station manager, I have been interested in public access to public records and public business since my journalistic career began. As a member of Sigma Delta Chi, and a past president of the Central Ohio Professional Chapter of Sigma Delta Chi, I am dedicated to the proposition expressed in the biblical adage: "Let the sun shine in all government that shall be made men free." I am also a supporter of Jefferson's view suggesting that, given a choice between government without newspapers and newspapers without government, I would prefer the latter.

If one cannot support the availability to the public of its governmental records, as covered in this bill, one cannot support the principle of freedom and democracy upon which our Nation is built.

While I feel the freedom of information bill could still be strengthened in some respects, I am delighted with it as a tremendous step in reaffirming the peoples' right to know. Every good journalist also rejoices, because the bill will make easier the job of the dedicated, inquiring newspaperman. It will not prevent "government by press release" or the seduction of some reporters by thinking that "handouts" tell the whole story, but it does make life a little easier for all of us who just want to get the facts, Mr. Speaker.

While the record will show that I was paired in favor of all three of these bills, I did want to take this opportunity to express my support publicly for them and, in particular, for the freedom of information bill, which I think is a real milestone for this Nation.

The SPEAKER. The question is on the motion of the gentleman from California (Mr. Moss), that the House suspend the rules and pass the bill S. 2989.

The question was taken; and there were—yeas 308, nays 0, not voting 125, as follows:

Yea—Representatives from the following States:

Abbot—Massachusetts
Adams—Ohio
Albert—Illinois
Anderson, III.—Indiana
Anderson, Tenn.—Tennessee
Andrews, Calif.—California
Andrews, N.C.—North Carolina
Ashbrook—North Carolina
Aspinall—New York
Ayres—California

Nay—Representatives from the following States:

Banda—Michigan
Barnes—New York
Barrett—Indiana
Beard—Indiana
Beatty—Ohio
Becker—Wisconsin
Bennett—New York
Bettis—Ohio
Bingham—New York
Blakely—New York
Brock—Ohio

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 roll was taken; and there were—yeas 308, nays 0, not voting 125, as follows:

Yea—Representatives from the following States:

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Brock—Ohio

The SPEAKER. The Clerk announced the following pairs:

Mr. Hamilton with Mr. King of New York.
Mr. Scott with Mr. Ballenger.
Mr. Cooley with Mr. Jonas.
Mr. Miller with Mr. Fino.
Mr. Edwards with Mr. Ballenger.
Mr. Howard with Mr. Dyer.
Mr. Culver with Mr. Reifel.
Mr. Gubser with Mr. Bow Wilson.
Mr. Hollifield with Mr. Bow Wilson.
Mr. Roberts with Mr. Whaley.
Mr. Long of Louisiana with Mr. Quillen.
Mr. Clay with Mr. Wander.
Mr. Keogh with Mr. Cahill.
Mr. Thomas with Mr. Springer.
Mr. Wolfe with Mr. Firme.
Mr. Pepper with Mr. Martin of Massachusetts.
Mr. Herlong with Mr. Hansha.
Mr. Dunnan of Oregon with Mr. Minnig.
Mr. Jones of North Carolina with Mr. Cranston.
Mr. Steed with Mr. Brown of Ohio.
Mr. Blatnick with Mr. Collier.
Mr. Mack in with Mr. Bow Wilson.
Mr. Addabbo with Mr. Keith.
Mr. Williams with Mr. Walker of Mississippi.
Mr. Davis of Georgia with Mr. Berry.
Mr. Trimble with Mr. Halleck.
Mr. Flood with Mr. Andrews of North Dakota.
Mr. Shipley with Mr. Adair.
Mr. Dingell with Mr. Stafford.
Mr. Wright with Mr. Bouduhnau.
Mr. Everett with Mr. Clancy.
Mr. Willis with Mr. Goodell.
Mr. Frazar with Mr. Ellsworth.
Mr. Morrison with Mr. Curtis.
Mr. Resnick with Mr. Don H. Clausen.
Mr. Brooks with Mr. Cunningham.
Mr. Stephens with Mr. Bray.
Mr. Annunzio with Mr. Watson.
Mr. Celler with Mr. Ashmore.
Mr. Young with Mr. Speno.
Mr. Diggas with Mr. Scheuer.
Mr. Jennings with Mr. Purcell.
Mr. Fallion with Mr. McCullin.
Mr. Dold in with Mr. McCollum.
Mr. Conyers with Mr. O'Brien.
Mr. Hagan of Georgia with Mr. Murray.
Mr. Rooney of New York with Mr. Feighan.
Mr. Davis of Kentucky with Mr. Powell.
Mr. Gilligan with Mr. Ke.
Mr. Huot with Mr. Nix.
Mr. Donohue with Mr. Long of Maryland.
Mr. Sweeney with Mr. O'Connell.
Mr. Flynt with Mr. Passman.
Mr. Corman with Mr. Olson of Minnesota.
The result of the vote was announced as not being a quorum.

The doors were opened.

A motion to reconsider was laid on the table.

GUADALUPE MOUNTAINS NATIONAL PARK, TEX.

Mr. RIVERS of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 698) to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes, as amended.

The Clerk read as follows:

H. R. 698

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve in public ownership an area in the State of Texas possessing outstanding geological values together with scenic and other natural values of great significance, the Secretary of the Interior shall establish the Guadalupe Mountains National Park, consisting of the land and interests in land within the area shown on the drawing entitled "Proposed Guadalupe Mountains National Park, Texas," numbered SA-GM-7100C and dated February 1965, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior.

Notwithstanding the foregoing, however, the Secretary shall exclude from the park, accordingly if the owner of said sections agrees, on behalf of himself, his heirs and assigns that will not be erected thereon any structure which, in the judgment of the Secretary, adversely affects the public use and enjoyment of the park.

Sec. 2. (a) Within the boundaries of the Guadalupe Mountains National Park, the Secretary of the Interior may acquire land or interests therein by donation, purchase with donated or appropriated funds, exchange, or in such other manner as he deems to be in the public interest. Any property, or interest therein, owned by the State of Texas, or any political subdivision thereof, may be acquired only with the concurrence of such owner.

(b) In order to facilitate the acquisition of privately owned lands in the park by exchange and avoid the payment of severance costs, the Secretary of the Interior may acquire approximately 4,667 acres of land or interests in land which lie adjacent to or in the vicinity of the park. Land so acquired outside the park boundary may be exchanged by the Secretary on an equal-value basis, subject to such terms, conditions, and reservations as he may deem necessary, for privately owned land located within the park. The Secretary may pay cash from any funds appropriated for this purpose to the grantor in such exchange in order to equalize the values of the properties exchanged.

Sec. 3. (a) When title to all privately owned land within the boundary of the park, subject to such outstanding interests, rights, and easements as the Secretary determines are not objectionable, with the exception of approximately 4,574 acres which are planned to be acquired by exchange, is vested in the United States and any land which Texas has donated is agreed to donate to the United States whatever rights and interests in minerals underlying the lands within the boundaries of the park which he or other owners of such rights and interests have donated or sold or agreed to donate or sell the same to the United States, notice thereof and notice of the establishment of the Guadalupe Mountains National Park shall be published in the Federal Register. Thereafter, the Secretary may continue to acquire the remaining land and interests in land within the confines of the park. The Secretary is authorized, pending establishment of the park, to negotiate and acquire options for the purchase of lands and interests in land within the boundaries of the park.

He is further authorized to execute contracts for the purchase of such lands and interests, but the liability of the United States under any such contract shall be contingent on the availability of appropriated or donated funds.

(b) In the event said lands or any part thereof are abandoned and/or cease to be used for purposes of the United States on or before the expiration of twenty years from the date of acquisition, the Secretary may convey the same to private parties. Under such circumstances, notice shall be given written notice, mailed to such person's last known address and in such other manner (which may include publication) as the Secretary may deem necessary, of such abandonment and/or cessation of use of said lands or part thereof. Such lands shall be conveyed in the identical land which was originally acquired from such person by the United States at private sale at any time during the period of 180 days following the mailing date of such notice: Provided, That such period shall be extended in any case when such preferential right to purchase has been exercised by such person and such extension is necessary or appropriate to consummate the sale and convey the remaining rights and interests in such minerals under this subsection.

The price to be paid by such person for such lands or part thereof shall be a price not greater than that for which the United States has acquired from such person plus interest at the rate of five per cent per annum. The preferential right to purchase such property shall be inure to the benefit of the successors, heirs, devisees or assigns of such person having or holding such preferential right to purchase.

(c) Such rights and interests in minerals, including the right to use the land in and underlying the lands within the boundaries of the park and which are acquired by purchase or donation under this Act shall be vested in the United States and are hereby withdrawn from leasing and are hereby excluded from the application of the present or future Public Lands Mineral Leasing Act for Acquired Lands (Aug. 7, 1947, c. 518, 81 Stat. 913) or other act or order in lieu thereof having the same purpose, and shall be subject to such terms and conditions and specified by the Secretary from the provisions of all present and future laws affecting the sale of surplus property or of land or interests in land acquired by purchase under this Act by the United States or any department or agency thereof, except that, if such person or entity shall fail or refuses to exercise such preferential right to purchase as provided in subparagraph (b) hereof, the Secretary may acquire such lands or part thereof by purchase, sale, or otherwise.


Sec. 5. Any funds available for the purpose of acquiring the lands and interests in land pursuant to the provisions of this Act, and for the development of the Guadalupe Mountains National Park pursuant to this Act be available to the Secretary for purposes of such park.

Sec. 6. There are hereby authorized to be appropriated such sums, but not more than $12,162,000 in all as may be necessary for the acquisition of lands and interests in land pursuant to the provisions of this Act, and for the development of the Guadalupe Mountains National Park.

The SPEAKER pro tempore (Mr. ALBERT). Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Alaska (Mr. RIVERS) will be recognized for 20 minutes, and the gentleman from Pennsylvania (Mr. SAYLOR) will be recognized for 20 minutes. The Chair recognizes the gentleman from Alaska.

Mr. RIVERS of Alaska. Mr. Speaker, I yield such time as he may require to the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Speaker, the bill which the Committee on Interior and Insular Affairs is recommending to you at this time would authorize the establishment of Guadalupe Mountains National Park in the State of Texas.

And while during the 88th Congress, we authorized the Canyonlands National Park. It was the first completely new national park created by Congress in almost 10 years. If H.R. 698 is passed, it will be the second wholly new national park since 1956.

The rugged, scenic Guadalupe Mountain area which is embraced in the proposed park would make a significant addition to the national park system.

Scientifically, this area features the world's best known fossil reefs. In effect, what we have is an area which some 200 million years ago was far below the surface of the sea. In other words, man inhabited the area thousands of years ago. Early outdoor kitchens and pictographs are noted references to the area and archeological evidence suggests that man inhabited the area thousands of years ago. Early outdoor kitchens and pictographs are noted references to the area and archeological evidence suggests that man inhabited the area thousands of years ago. Early outdoor kitchens and pictographs are noted references to the area and archeological evidence suggests that man inhabited the area thousands of years ago. Early outdoor kitchens and pictographs are noted references to the area and archeological evidence suggests that man inhabited the area thousands of years ago. Early outdoor kitchens and pictographs are noted references to the area and archeological evidence suggests that man inhabited the area thousands of years ago. Early outdoor kitchens and pictographs are noted references to the area and archeological evidence suggests that man inhabited the area thousands of years ago.
The area embraced in the proposed park totals 77,583 acres. At the present time there are few improvements within the proposed boundaries. Some of the land—over 5,800 acres—has already been donated to the United States. Of the remaining 72,000 acres, all but about 5,000 acres are owned by the State of Texas from Mr. J. C. Hunter, Jr., who has indicated, the committee understands, his hope that the land will be preserved in public ownership and that he is willing to sell to the Government. The remaining 5,000 acres is divided among several individual owners.

It is estimated that the cost for acquisition and development for the proposed Guadalupe National Park will total $122,163,000. Accordingly, the committee will recommend, at the proper time, that the bill be amended to limit the moneys authorized to be appropriated to that amount.

Another amendment which the committee adopted and is recommending to the House involves the subsurface mineral interests. The members of the committee on National Parks and Recreation listened attentively to a considerable amount of discussion on the values, if any, of these subsurface interests and ultimate disposition of the high speculative nature of these values, the committee concluded that if this area should be a national park—and we feel it should be—that it should only be established as such after the Government has acquired all of the outstanding mineral rights in the area. Under the terms of the committee amendment, the State-owned mineral interests would have to be donated; others could be acquired by donation or otherwise.

A further amendment approved by the committee would provide that if the Federal Government should abandon or cease to use this area for national park purposes within the next 20 years, those persons presently owning rights and interests in the minerals under the lands within the proposed park shall have a preferential right to repurchase those—and only those—mineral rights which they had prior to acquisition by the Federal Government. They would be required to pay a price equal to that paid by the United States plus 5 percent interest per year from the date of the Government's purchase to the date it sells it.

The other major amendments recommended by the committee are the ones described in the report at page 5. One provides for the easement from the park of a small area if an appropriate agreement can be negotiated with the landowner to insure the protection of the public interest. Another deletes from the bill, as introduced, provisions for the construction of an access road to the park outside of its boundaries.

Mr. Speaker, your committee made every effort to resolve all of the complications incident to the application of this proposed legislation. I think that the cooperation of all concerned can and will result in the protection and preservation of this area for the use and enjoyment of the American people in the future. I am pleased to have this opportunity to recommend approval of this legislation to all the Members of the House.

Mr. Speaker, I wish to make this statement that legislation has been before our committee for years. Bills were introduced in the present Congress by the gentleman from Texas [Mr. Pool] and by the gentleman from Texas (Mr. Wurzel). We have worked as expeditiously as we could keeping in mind other commitments that we had.

Mr. Speaker, these are important factors in consideration of the Public Service. The Committee on Interior and Insular Affairs of the House can only do so much work and it must work in an orderly way and keep its commitments with the other Members of the Congress, in this body and in the other body, if we are to be able to come up with a recommendation on any kind of a program whatsoever.

This proposed national park is a good proposal and it should receive the unanimous support and approval of the Members of this body.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. Albert). The Chair recognizes the gentleman from Pennsylvania [Mr. Saylor].

Mr. Saylor. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker and Members of the House, I urge that we suspend the rule and pass the bill S. 988, to establish the Guadalupe Mountains National Park in the State of Texas. The Subcommittee on National Parks and Recreation of the Committee on Interior and Insular Affairs visited this area and personally reported to the other Members of the committee that in their opinion, this area qualifies in every respect to be a national park and that is that there shall not be mining in the park.

After careful consideration of all the facts and circumstances of the case by the committee that in their opinion, this area would be a part of the national park system, the minerals under this land will be available to the Federal Government to use them, just as the minerals that underlie the Big Bend National Park are available in case of emergency.

We have set aside a great national park system, but if at any time the welfare of this country should be threatened, I am sure, those who will be occupying the positions in Congress and the executive branch of the Government will be big enough to call upon the American people, and the American people will respond and give whatever rights are necessary in any national park or in any area owned by the Federal Government for the defense of this country.

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

Mr. Saylor. Yes, I am happy to yield to the gentleman from Iowa.

Mr. Gross. In the event of a national emergency and the mining of minerals in this area, would the State of Texas be cut in in any way on the proceeds of the minerals that would be sold as a result of that?

Mr. Saylor. No, it would not. This area would be a part of the national park...
system. There would be no cut in as far as the State of Texas is concerned. The only event that could occur which would entitle Texas to get any part of the minerals would be that if within a 20-year period Congress decided it was not a fit unit for a national park and it was turned back, then the State of Texas would be entitled, just as all other owners, to buy back the minerals.

Mr. GROSS. If the gentleman will yield further, I should like to ask one further question.

Mr. SAYLOR. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Does that mean a turn-back of the entire tract or perhaps a breakout of certain areas that might have more minerals than other areas?

Mr. SAYLOR. I might say to my colleague from Iowa that it may occur in the future that there would be such a determination. The important consideration now is, as near as anyone knows, there are no minerals. The fact is a number of wells have been drilled in this area for gas and oil, and they have hit only dry wells.

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

Mr. SAYLOR. I yield to the gentleman from Colorado.

Mr. ASPINALL. Any abandonment that would take place would have to be done as a result of congressional action; is that correct?

Mr. SAYLOR. That is correct. The matter would have to come back to Congress for action.

Mr. GROSS. Mr. Speaker, will the gentlemen yield further?

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

Mr. GROSS. Noting some of the influence of Texas upon Congress, I just wanted to be sure of the proceedings that would take place, if it is possible to find out.

Mr. SAYLOR. Mr. Speaker, I might say in a rather facetious manner that everything passes.

Mr. RIVERS of Alaska. Mr. Speaker, I yield myself 1 minute. I will speak in favor of this bill.

The legislation we are now considering represents many hours of work and effort on the part of its sponsors—our colleagues the gentlemen from Texas (Mr. White and Mr. Pool)—and on the part of the members of the Subcommittee on National Parks and Recreation and of the full Interior Committee.

I was happy to have an opportunity to inspect this area at the first part of this session and early this year—while we were enjoying the so-called blizzard of '66—and I can say that it is an impressive area worthy of inclusion in the national park system.

Regardless, this area is in a prime location in northwestern Texas. It abuts Lincoln National Forest along the New Mexico line and is only about 30 miles or so from Carlsbad Caverns National Park. It takes only 27 hours of driving from El Paso to reach the area, and it is even closer to Carlsbad, N. Mex.

Included in the wedge-shaped rugged mountain range which falls within the proposed park boundaries is the highest point in the State of Texas—Guadalupe Peak—and an historic landmark visible for over 50 miles—El Capitan. The area is a natural oasis, with clear streams and a wide variety of vegetation. All in all, with the outstanding scientific, archeological, and historical features mentioned by the chairman of the full committee, the gentleman from Colorado (Mr. ASPINALL) this area represents an outstanding outdoor area suitable for inclusion in the national park system.

The Guadalupe Mountains National Park has the full support of the administration. President Johnson, in his message to Congress on natural resources, included it among the major outdoor recreation proposals which he recommended for approval this year.

Mr. Speaker, the only real controversy which arose during the committee's consideration of this legislation involved the potential development of the mineral values in the lands included within the park boundaries. As the chairman of the committee, the gentleman from Colorado (Mr. Pool) indicated we did not feel that the United States should put itself in the position of having to purchase the mineral estate when its value was highly speculative, at best; consequently, the Senate report shows the amount for acquisition of the subsurface mineral estate still to occur, there will be enough lag so that we can meet our commitment in this bill.

Mr. MORTON. Mr. Speaker, I thank the gentleman very much for his explanation. But in conclusion, I do point out the fact that we are authorizing funds for development and for the acquisition of land at a considerably greater rate than we are currently appropriating to meet those authorizations.

Mr. RIVERS of Alaska. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. Pool).

Mr. POOL. Mr. Speaker, first I thank the committee for doing a wonderful job in resolving the differences in this bill. We have guarded the park from oil settlement still to occur, there will be enough lag so that we can meet our commitment in this bill.

Mr. MORTON. Mr. Speaker, I take the gentleman very much for his explanation. But in conclusion, I do point out the fact that we are authorizing funds for development and for the acquisition of land at a considerably greater rate than we are currently appropriating to meet those authorizations.

Mr. RIVERS of Alaska. Mr. Speaker, I yield.

Mr. DEMPSEY of Texas. Mr. Speaker, I want to commend the committee for doing an excellent job in resolving the differences in this bill. I commend the committee for doing an excellent job in resolving those differences.

The subject of a national park can be approached from two directions. The most important reason for setting aside our natural wonders as parklands is the preservation of something which cannot be replaced.

Almost 50 years ago, Theodore Roosevelt wrote:

A grove of giant redwoods or sequoias should be kept just as we keep a great and sacred cathedral.

He might have mentioned, instead of redwood groves, wilderness canyons, or cliffs.

A secondary but substantial reason for the public development and national
promotion of a scenic and historic area is the economic benefit to be derived.

The love of the outdoors has always been in the American character. The 20th century advantages of time, money, automobiles, and highways has made tourism, and in particular that kind of tourism attracted by outdoor recreation, one of the fastest growing industries in the world today. The national parks are an enormous factor in vacation travel in our country.

Four years ago, I proposed a national park area in the Guadalupe Mountains of west Texas to preserve one of the most historic and pristine pieces of our scenery and to attract the hundreds of thousands who could be expected to visit there if facilities for touring families existed.

My bill called for a survey of the park potential of the area. As a result of that bill, Interior Secretary Udall instructed the division of surveys to carry out that survey. The survey showed that the Guadalupe Mountain area definitely warrants inclusion in the national parks system.

At this time I wish to compliment my colleague the gentleman from Texas, Dick Witrz, who is a member of the committee, for carrying on this program and getting this bill passed. To stave off this Congress he and I introduced companion bills. I compliment my colleague for doing a "bumping" job for his district in the Guadalupe Peak National Park legislation.

Mr. Speaker, I close by relating what my friend from Texas, Texas, Mr. Udall, has said so many ways.

There is nothing in the world more beautiful than Yosmite, the groves of giant sequoias and redwoods, the Canyon of the Colorado, the Canyon of Yellowstone, the Tetons, and the people should see to it that they are preserved for their children and their children's children forever, with their majestic beauty all unmarred.

I think that, had he been here in the 1960's, he would have added Guadalupe.

Mr. RIVERS of Alaska. Mr. Speaker, I yield 5 minutes to the gentleman from Texas. Mr. WHITE of Texas. Mr. Speaker, the rapid population growth of our great Nation, and its concentration in teeming cities, have placed us in a position where millions of Americans might forget, or might never know, the glories of the great rugged land that was our national heritage when our country was born. To preserve as much as possible of this immeasurable wealth of natural beauty and history, our national park system was created. This year, on the 50th anniversary of the National Park Service, the system will be welcoming more than 136 million visitors. Even the national parks are overcrowded, and one of our great needs is the establishment of new places of unspoiled natural beauty to be enjoyed by all.

Today, this body is considering my bill, H.R. 698, to establish Guadalupe Mountains National Park in west Texas. The National Park Service has had this majestic area under its attention for possible development since 1925, when it was featured in a National Geographic article concerning Carlsbad Caverns National Park in adjoining New Mexico.

Rising dramatically from the desert floor, the Guadalupe Mountains dominate the surroundings with majestic El Capitan, a 2,000-foot promontory, and then stretch upward to Guadalupe Peak, 8,750 feet above sea level. Within these majestic mountains lies McKittrick Canyon, one of the great gorges of western scenery. In a cool retreat, protected by the mountains from the heat and winds of the surrounding desert, visitors can study a unique assemblage of western trees, shrubs, and flowers, an area where deer, elk, wild turkey, bear, mountain lion, antelope, and mountain trout still flourish.

In the world's best displayed fossil reefs, the geologist can pursue his studies. The historian can visit the still existing remains of a stage station for the Butterfield Overland Mail which blazed a trail across this land a quarter century before the coming of the railroads. The archeologist can study, in ancient campgrounds and long hidden caves, the 10,000 year record of man's occupancy in this sequestered retreat.

A preview of the uses to which this new national park can be put was given the House and Senate National Parks Subcommittees last year by Mr. Wallace Pratt, eminent Texas geologist and retiring vice president of Humble Oil & Refining Co. Mr. Pratt built a ranch house near the entrance to McKittrick Canyon, and found his home a haven for geologists from all the world. Because he wanted this great natural heritage preserved, Mr. Pratt donated 5,533 acres to the National Park Service as the beginning of this great park. The remainder of the area to be acquired is largely the property of J.C. Hunter, Jr., who, like his father before him—has taken the step to save the future for the peace and the pristine beauty of this unpolluted wonderland.

The entire park will cover 77,852 acres. This area can be acquired for approximately a million and a half dollars, for the land not already donated.

The support for the creation of this park is widespread. Virtually every city and county government in the area has pledged its support, as have historical and archeological societies and leading conservation groups. The park has been heartily endorsed by a number of officials of the State of Texas, and the legislation provides that the State share in the creation of the park by donating its mineral interests to the National Government.

The Advisory Board on National Parks, Historic Sites, Buildings and Monuments has recommended the establishment of this park. The Department of the Interior and the House Committee on Interior and Insular Affairs, together with the distinguished Secretary of the Interior, Mr. Udall, and with the unanimous approval of the Committee, in my southwestern homeland this is a heritage we have saved for the enjoyment of generations yet unborn. I respectfully ask the unanimous approval of H.R. 698, to establish Guadalupe Mountains National Park.

The SPEAKER pro tempore. There being no further requests for time, the question is on the motion of the gentleman from Alaska [Mr. Rivas] that the House suspend the rules and pass the bill H.R. 698 as amended.

The question was taken; and (two thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMENDMENT TO CONNALLY HOT OIL ACT

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10880) to promote the general welfare, public policy, and security of the United States, as amended. The Clerk read as follows:

H.R. 10880

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of February 22, 1865, as amended (49 Stat. 30; 15 U.S.C. 715a), commonly referred to as the Connally Hot Oil Act, is amended by striking out the period at the end of paragraph (1) of such section and inserting in lieu thereof a comma and the following: "except parts, title to which has been acquired by a State pursuant to its laws.".

The SPEAKER pro tempore. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from West Virginia [Mr. Staggers] will be recognized for 20 minutes, and the gentleman from Illinois [Mr. Sparranzo] will be recognized for 20 minutes. The Chair now recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, I shall just speak very briefly in behalf of this bill, which came out of our committee unanimously. The purpose of the bill is to allow the States that have concreted oil to be able to sell it in an interstate commerce which they now cannot do under the Connally Act that was passed in 1955. Today we have a network of interstate oil pipelines, so that it is almost impossible to make use of this in any way without involving interstate commerce, and about all the State can do, unless this bill were to be enacted, is to use concreted oil for county roads.
Mr. Speaker, all of the people who appeared and testified before the committee were for the bill. There was no opposition to it whatsoever.

Now, the chairman of the bill, the gentleman from Texas [Mr. ROGERS] is here and I assume the gentleman will describe the request of his State authorities who have a quantity of oil there which they cannot put into interstate commerce under the present situation. The Connally work is being phased out but the Department of the Interior and they hope and their position to it whatsoever.

Mr. Speaker, I have nothing further to say on the bill. I feel it was thoroughly discussed in the hearings and there was no opposition expressed to the legislation at that time.

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

Mr. Speaker, I ask the distinguished chairman, the gentleman from West Virginia [Mr. ROGERS], if the gentleman from Texas [Mr. ROGERS] plans to explain the bill?

Mr. STAGGERS. Yes, the gentleman from Texas says he shall be glad to explain the bill. Therefore, I yield to the gentleman from Texas such time as he may consume.

Mr. ROGERS of Texas. Mr. Speaker, this bill is designed and drawn for the purpose of making it possible for the State of Texas to sell certain oil that has been impounded under State law. This oil has been stored in tanks in the State of Texas. There are about 140,000 or 150,000 barrels of this oil. It has been impounded in tanks at several points in the State of Texas. Also, I am sure there might be some oil in other States which has been impounded in tanks because of State law, and hence shipment would be in violation of the Connally Hot Oil Act.

Mr. Speaker, the State of Texas could have confiscated this oil but they could not ship it in interstate commerce because they have not been sitting there, utilizing tanks that should be used for other purposes and, in fact, going to waste, so to speak, because the only purpose for which the oil can be used at the present time is for non-commercial purposes, using roads, which would represent a flagrant waste of the energy sources of this Nation.

Now, Mr. Speaker, when the Connally Hot Oil Act was in effect the conservation statutes of the State of Texas were being challenged on the question of their constitutionality. However, Mr. Speaker, when the Supreme Court declared these acts constitutional and made it possible for the State of Texas to control its oil and the products of its oil, that oil which was caught between the underground and delivery into interstate commerce fell into this impounded area and it has been there ever since.

Now, Mr. Speaker, under the provisions of this bill, if enacted, would serve only to make it possible for the State of Texas, the State of Louisiana, or any other State, if they have conservation laws, to confiscate illegally produced oil and to sell it at the market price and put it into interstate commerce and place the funds derived therefrom into the proper State coffers, whether it be the school funds or some other funds to be used for State purposes. In Texas there are between 140,000 and 150,000 barrels of oil involved, at a value of about $450,000. Confiscation of this oil would not have any effect on the economics of the energy business, because the amount involved is small, relatively speaking.

If the gentleman has any questions, I would be most happy to try to answer them.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield? This oil has been stored in tanks in the State of Texas, There are about 140,000, or 150,000 barrels of oil involved, at a value of about $450,000. Confiscation of this oil would not have any effect on the economics of the energy business, because the amount involved is small, relatively speaking. If the gentleman has any questions, I would be most happy to try to answer them.

Mr. ROGERS of Texas. I am happy to yield to the distinguished friend, the gentleman from Illinois.

Mr. SPRINGER. As I understand, when the committee had its hearings, the State of Texas appeared as a party to the Connally Hot Oil Act. The Act prevents oil which has been produced in violation of the State law being transported in interstate commerce. That is the Connally Hot Oil Act. Is it not?

Mr. ROGERS of Texas. That is correct.

Mr. SPRINGER. When they drew the act, apparently, no one took it into consideration that the State might have oil which it had confiscated as oil being in violation of the Connally Act. But because of the Connally Act no exception was made and therefore they could not put this oil into interstate commerce. Is that not the situation?

Mr. ROGERS of Texas. The gentleman is correct.

Mr. SPRINGER. What are you attempting to do here is to make it possible for the State as a governing body itself when it has seized oil that is in violation of the Connally Hot Oil Act to be able to sell that oil which they had legally seized under due process of a State court in the State of Texas; is that correct?

Mr. ROGERS of Texas. To a certain extent that is correct. Let me explain this to the gentleman.

The oil would not necessarily have to have been produced in violation of the Connally Hot Oil Act. The courts recognize a majority of the States to pass conservation laws. So, if any oil was produced in violation of the State law, then the State can confiscate that oil and put it into the interstate commerce. But, of course, and unless this bill is passed, if they confiscate the oil, they cannot put it in interstate commerce because they would be in violation of the Connally Hot Oil Act.

Mr. SPRINGER. What you are making possible is for the State to sell oil which the State has seized under due process; is that correct?

Mr. ROGERS of Texas. That is correct.

The Connally Hot Oil Act simply prohibited the shipment in interstate commerce of oil that is produced in violation of the State law.

So until there is a shipment in interstate commerce of unlawfully produced oil, there would not be any violation of the Connally Hot Oil Act. But that is exactly what they forgot was that the oil they did not exempt States. So the Connally Hot Oil Act as it now stands is in interstate commerce because they would be in violation of the Connally Hot Oil Act. So the State of Texas is simply letting them impound this oil. If the State of Texas comes in and confiscates this oil, then the State of Texas cannot ship it in interstate commerce. The State has to pay storage charges.

The realistic picture here is that this oil is being held in these storage tanks and the people who produced it and claimed ownership of it cannot ship it. The State cannot ship it unless this bill is passed. The oil has been in storage so very long that many of the witnesses having to do with the unlawful production are dead, and we have a problem. So the State of Texas has now passed an amendment to their conservation statutes which provides that any oil that has been held in storage for more than five years is presumed to have been unlawfully produced.

Now, this is subject to rebuttal by anybody who wishes to rebut it, but unless it
Mr. SPRINGER. I. just wanted to be sure that the State would be the only one to benefit by virtue of the passage of this piece of legislation.

Mr. ROGERS of Texas. That is correct, because no one else could sell this oil. This amendment is designed only to exempt a State that has exercised its confiscatory powers because of a violation of its own laws.

Mr. SPRINGER. One further question: The State of Texas and all the agencies, Conservation Commission and others, if they were connected with this legislation recommend it?

Mr. ROGERS of Texas. Yes; they are in vigorous support of it for several reasons. One is that they want to get this oil. They want to sell it at a price commensurate with its market value. You understand that the State could take this oil, confiscate it, and sell it for 25 cents a barrel. This would be an utter waste and would actually be in violation of Texas statutes, or against the basic thought in them.

Mr. SPRINGER. There is no opposition to this legislation from any Federal agency?

Mr. ROGERS of Texas. No.

Mr. SPRINGER. There is no opposition to this legislation by any State agency of any State other than the State of Texas?

Mr. ROGERS of Texas. That is correct. The subcommittee had no evidence at all from anyone in opposition to the statute. The Connelly Hot Oil Act is actually being phased out, and although the Department of Interior would be interested in this type of legislation, the have said that their hands were tied in the past. They have been asked to take it up from an executive standpoint and say, "We release this oil. They say, "We can't do it. We can't do it. We simply do not have the authority to do it." So actually I would say that everyone is in support of the measure. The Bureau of the Budget says that they have no objection to the passage of the legislation.

Mr. SPRINGER. I just wanted to be sure of all the facts in connection with this legislation.

Mr. ROGERS of Texas. I thank the gentleman. He has done an excellent job of asking pointed questions.

Mr. SPRINGER. May I ask one further question?

Mr. ROGERS of Texas. Yes.

Mr. SPRINGER. There was a hearing in the subcommittee and that was open to the public?

Mr. ROGERS of Texas. Oh, yes. The hearings are available. They are printed. They are available, and the explanation of the bill is quite clear in the hearings. The gentleman from California [Mr. Young], from the gentleman's party, was present and asked very pertinent and appropriate questions on this subject.

Mr. SPRINGER. Is this matter of confiscation likely to occur again?

Mr. ROGERS of Texas. Here is what could happen under this bill. If oil was produced in any State in violation of State law, the State in which it was produced could confiscate proceedings under its confiscatory statutes and confiscate that oil if it could prove its case and put that oil into interstate commerce. But no one else could.

Mr. SPRINGER. Only the State could do it?

Mr. ROGERS of Texas. Only the State; that is right.

Mr. SPRINGER. I thank the gentleman.

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

Mr. ROGERS of Texas. I yield to the gentleman from Oregon.

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

Mr. GROSS. Does the gentleman agree with me that this is quite a fantastic operation?

Mr. ROGERS of Texas. It is a fantastic operation. But I was told by the Department of State that unless this was allowed to be done, a Mexican port could be built in the northern part of Mexico, and more oil would be coming in over that route than by this method.

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

Mr. ROGERS of Texas. I am happy to yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, Louisiana has some interest in this question. Certainly there is no objection from anyone in the State of Louisiana to this legislation. It is something which needs correcting. I thank the gentleman from Texas for bringing it to the floor at this time.

Mr. ROGERS of Texas. I thank the gentleman from Louisiana.

The SPEAKER. The question is: Will the House suspend the rules and pass the bill H.R. 10860, as amended?

The question was taken.

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.

Mr. ROGERS of Texas. I thank the gentleman from Louisiana.

The SPEAKER. Evidently a quorum is not present.

Mr. ROGERS of Texas. I do not expect the Sergeant at Arms to 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 308, nays 1, not voting 123, as follows:

[Roll No. 143]

YEAS—308

Abbot, L. B. Barnett
Adams, Albert
Anderson, E. L.
Anderson, Glenn
Andrus
Ashbrook
Asgood
Aspinwall
Atkins
Ayres
Baring
Barrett
Barbour
Barlow
Barnett
Baskin
Baskerville
Bartlett
Bartlett, E. M.
Baskin
Bascom, N. C.
Baylor
Bennett, George
Bennett, Dan
Bennett, J. B.
Bennett, McClellan
Beckham
Beckworth
Bell
Bennett
Benson, Harry
Benkert
Bennett
Berger
Bingaman
Bingaman, B. V.
Bingaman, J. P.
Bingaman, S. O.
Bingaman, V. C.
Bingaman, W.
Bingaman, W. P.
Bingaman, W. S.
Bingaman, W. T.
Bingaman, W. W.
Bingaman, W. A.
Bingaman, W. C.
Bingaman, W. E.
Bingaman, W. J.
Bingaman, W. L.
Bingaman, W. M.
Bingaman, W. N.
Bingaman, W. P.
Bingaman, W. R.
Bingaman, W. S.
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Bingaman, W. L.
Bingaman, W. M.
Bingaman, W. N.
Bingaman, W. P.
Bingaman, W. R.
Bingaman, W. S.
CONGRESSIONAL RECORD — HOUSE

June 20, 1966

With an obvious situation like this confronting us, why is it that Spain has not been invited to participate in NATO? The reason is clear. The number of Socialist or Labor governments represented in NATO, which object to Spain's strong rightist government. There also are those who still resent Spain's neutralist attitude toward World War II.

Paradoxically, today Spain offers much greater security against the march of communism than it has been likely to offer to us, and the actions of the French now makes them doubly so. We in the United States understand the value of Spain's support, they can make her anti-Communism, and we should be the first to urge general recognition and acceptance of that support in the family of free nations. The truth is, Spain has been treated like an outcast long enough.

INFLATION AND FARM PRICES

Mr. SCHISLER. 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 Illinois?

There was no objection.

Mr. SCHISLER. Mr. Speaker, earlier in the year several members of the executive branch of the Federal Government took various actions highly likely to increase if not depress farm prices. The Department of Commerce, Department of Defense, Tariff Commission, and Council of Economic Advisers have all in the last 6 months either stated their desire or acted to halt rising farm prices.

These departments and agencies maintained that rising farm prices were contributing to creeping inflation. To be sure, food prices were rising. But farm prices when examined over the last 18 years were not. Unfortunately these executive branch actions have further aggravated the farmer's already precarious position in the American economy.

Farm prices have actually fallen during the last 20 years. During this same period food prices have steadily increased. The Department of Agriculture recently reported that the farm return for commodities has declined from 1947-49 to 1965 by some $87. This was due in large part to the Federal Government's various actions designed to freeze or keep down prices when examined over the last 18 years. Unfortunately these executive branch actions have further aggravated the farmer's already precarious position in the American economy.

Thus food prices may be going up but if not depressing farm prices. The Department of Commerce, Department of Defense, Tariff Commission, and Council of Economic Advisers have all in the last 6 months either stated their desire or acted to halt rising farm prices.

So (two-thirds having voted in favor thereof), the rules were suspended and the bill as amended was passed.

The doors were opened.

A motion to reconsider was laid on the table.

WHY NOT SPAIN?

Mr. REUSS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

So (two-thirds having voted in favor thereof), the rules were suspended and the bill as amended was passed.

The Clerk announced the following pairs:

Mr. Keough with Mr. King of New York.
Mr. Brooks with Mr. Harvey of Indiana.
Mr. Duncan of Oregon with Mr. Rosa.
Mr. Hollifield with Mr. Bob Wilson.
Mr. Carmichael with Mr. Clancy.
Mr. Jennings with Mr. Bob Wilson.
Mr. Morrison with Mr. Roudabush.
Mr. Addabbo with Mr. Andrews of North Dakota.
Mr. Howard with Mr. Norton.
Mr. McMillan with Mr. Eliot.
Mr. Feighan with Mr. Fio.
Mr. Grabowski with Mr. Goodell.
Mr. Pepper with Mr. Brock.
Mr. Williams with Mr. Guilen.
Mr. Stephens with Mr. Callaway.
Mr. Rooney of New York with Mr. Brow.
Mr. Collin with Mr. Wilden.
Mr. Roberts with Mr. Wilson.
Mr. Dingell with Mr. Pirnie.
Mr. Thomas with Mr. Bolton.
Mr. Fallon with Mr. Minshall.
Mr. Lennon with Mr. Jonas.
Mr. Poland with Mr. Mathias.
Mr. Fogarty with Mr. Dwyer.
Mr. Passman with Mr. Cunningham.
Mr. Macdonald with Mr. Davis of Wisconsin.

So (two-thirds having voted in favor thereof), the rules were suspended and the bill as amended was passed.

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Mr. Keough with Mr. King of New York.
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Mr. Jennings with Mr. Bob Wilson.
Mr. Morrison with Mr. Roudabush.
Mr. Addabbo with Mr. Andrews of North Dakota.
Mr. Howard with Mr. Norton.
Mr. McMillan with Mr. Eliot.
Mr. Feighan with Mr. Fio.
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Mr. Dingell with Mr. Pirnie.
Mr. Thomas with Mr. Bolton.
Mr. Fallon with Mr. Minshall.
Mr. Lennon with Mr. Jonas.
Mr. Poland with Mr. Mathias.
Mr. Fogarty with Mr. Dwyer.
Mr. Passman with Mr. Cunningham.
Mr. Macdonald with Mr. Davis of Wisconsin.
June 20, 1966

CONGRESSIONAL RECORD - HOUSE 13669

parity. Executive branch actions to further reduce this already inadequate percentage are indefensible. Surely it is not fair to make the farmer also sacrifice to halt the threat of inflation.

The Congress of the United States in the Agricultural Marketing Agreement Act of 1937, as amended in 1946, stated that the Secretary of Agriculture should make every practicable and reasonable effort to aid the farmer in obtaining parity prices and parity of income. That Congressional policy has now been carried out by the entire executive branch and not just the Department of Agriculture seems to me obvious.

Nevertheless statements and actions taken by previously cited departments and agencies have been completely inconsistent with this policy. I, therefore, Mr. Speaker, offer for the consideration of this body a resolution which makes it clear that Congressional policy of aiding farmers in obtaining parity prices and parity of income was intended to apply to the entire executive branch and not just one department. It is my hope that the bipartisan support this resolution enjoyed in the Senate may be duplicated here.

CONVENTION ON THE SETTLEMENT OF INVESTMENT DISPUTES

Mr. FASCCELL. 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 Florida?

There was no objection.

Mr. FASCCELL. Mr. Speaker, I am today introducing legislation to implement the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States, signed on August 26, 1965, and for other purposes.

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 "Convention on the Settlement of Investment Disputes Act of 1966."

Sect. 2. The President may make such appointments of representatives and panel members as may be provided for under the Convention.

(a) An award of an arbitral tribunal rendered pursuant to chapter IV of the Convention shall create a right arising under a treaty of the United States. The pecuniary obligations imposed by such an award shall be enforced and shall be given the same full faith and credit as if the award were a final judgment of a court of general jurisdiction of any of the several States. The Federal Arbitration Act (9 U.S.C. 1 et seq.) shall not apply to enforcement of awards rendered pursuant to the Convention.

(b) The district courts of the United States (including the courts enumerated in 28 U.S.C. 409) shall have exclusive jurisdiction over actions and proceedings under paragraph (a) of this section, regardless of the amount in controversy.

ADDRESS BY PRESIDENT OF MEXICO

Mr. CHELF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include a speech by President Diaz Ordaz, of Mexico.

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

There was no objection.

Mr. CHELF. Mr. Speaker, it was my pleasure on April 18, 1966, to insert in the Congressional Record the texts of the speeches made by President Lyndon B. Johnson during his visit to Mexico City on April 14 and 15.

I was privileged to be one of those chosen for the official delegation from the Congress in the White House of the President on this trip made upon the occasion of the unveiling of a statue of Abraham Lincoln given to Mexico by the United States.

I requested the text of the speeches made by President Diaz Ordaz, the Honorable Gustavo Diaz Ordaz, during that visit with the thought that it would be appropriate to place them, also, in the Record. I received copies of the speeches from President Diaz Ordaz and upon checking into the matter, I learned that my good friend, Senator Mirkarimi, representing the State of California, had already inserted in the Record the welcoming speech of President Diaz Ordaz. Therefore, I am including at this point in the Record the speech made by the President of Mexico at the luncheon given at his official residence "Los Pinos": This function was highly delightful. The grace and charm of Mrs. Diaz Ordaz was enhanced by her hospitality and the friendship manifested by both she and the President of our splendid neighboring country Mexico.

Viva Estados Unidos y Mexico siempre.

SPEECH BY PRESIDENT DIAZ ORDAZ

Mr. President and Friend of Mexico, and our personal friend, the distinguished Johnson family, distinguished members of President Johnson's party, ladies and gentlemen:

First of all, I want to ask the one who is becoming an old acquaintance and my friend, President Johnson's extraordinary interpreter, to be good enough to translate into English the few words I am going to say this occasion.

In giving the interpretation, Mr. Barnes omitted President Diaz' praise of him. This last remark was the subject of my request? Then he went on to say: "I don't speak English, but I know when they trick me. I know when you are speaking to me," I replied. The Chief of Staff insisted: "Translate that also, please." President Diaz Ordaz then went on.

I was in the midst of the election campaign when the foreign correspondents accredited to Mexico asked me to grant them a press conference—those dangerous, terrifying press conferences where one is bombarded with questions, where one has the best intention to be honest, desire to inform the public: and where some reporter maliciously tries to catch the President of Mexico in an error. (Applause and laughter.)

Among the questions put to me, and in connection with the fact that, since the beginning of the electoral campaign, many jokes had been made, which, to my honor, were concerned basically with my personal home, many jokes had been made, which, to my honor, were concerned basically with my personal home, I transmitted to your Administration, the highest office of his country, that of the President of the Republic, had been opposed on the ground that he was homozygous; and that I would not serve my country as effectively, loyally, and brilliantly, as that man did. The man was Abraham Lincoln. (Applause.)
"That homely man is the one who brings us together today, in the capital of the Mexican Republic, in this house of Congress, to offer a conciliatory, enthusiastic tribute of the government and the people of the United States and the people and government of Mexico."

But, sir, I add, in the modest house in which I was born and lived my early years there was water and there were mirrors, and I have read my reply to the reporter who that we Poblanos—as those of us who were born in the State of Puebla are called—are also honorable exceptions, the Poblanos are not like that.

Then I asked the reporter's permission to answer her question with another question, saying: "Do you think that if I had two faces, I would use one for my campaign pictures?" (Laughter and applause.)

These matters about which I have been speaking, and which, happily, have amused you, there may be a shadow of honor on our distinguished guests, because we want them to enjoy themselves and to feel at home, and so the tendency toward which we want to make is in the style in which the Americans make toasts.

If there were of the kind that some people consider "Mexican style," I would have confined myself to talking about blood, suffering, and death. (Laughter and applause.) I think that this is the reason why toasts are so well received in the United States and why people look so unhappy in Mexico when someone gives an after-dinner speech. I shall now go on to that painful part.

I want to express, on behalf of the Mexican people and government, as the Minister of Foreign Relations already did at this morning's ceremony, our gratitude to the beautiful statue that has been given to the Mexican people.

Thank you, because it is a work of art in itself; it is a magnificent expression in the form of sculpture if we consider its classical value; but to us it represents the Lincoln of our country, the man which we have on our货币, which is not an exceptional home, but one like thousands, millions of other homes in Mexico—wishing them much personal happiness, and wishing that the people of the United States, our friends, may progress, live in peace, and attain their ends in life. And I also hope that the friendship between our two nations may be lasting, steadfast, and sincere. To your health. (Loud applause was heard in the hall as the toast was delivered.)

H.R. 14026: THE CERTIFICATES OF DEPOSIT BILL DRAWS LETTERS FROM THE SAVINGS AND LOAN INDUSTRY

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 Mr. Patman's remarks?
First Federal Savings and Loan Association, Titusville, Florida.
Flagler Federal Savings and Loan Association, Melville, Florida.
Ormond Beach Federal Savings and Loan Association, Ormond Beach, Florida.
Tampa Federal Savings, Tampa, Florida.
University Savings and Loan Association, Coral Gables, Florida.

Family Federal Savings and Loan Association, Macon, Georgia.
First Federal Savings and Loan Association, Cedartown, Georgia.
First Federal Savings and Loan Association, Statesboro, Georgia.
Newnan Federal Savings and Loan Association, Newnan, Georgia.
Security Federal Savings and Loan Association, Valdosta, Georgia.

Illinois.

First Federal Savings and Loan Association, Chicago, Illinois.
Greater Belleville Savings and Loan Association, Belleville, Illinois.
Morton Savings and Loan Association, Morton, Illinois.
Prospect Federal Savings, Chicago, Illinois.

Indiana.

Anderson Loan Association, Anderson, Indiana.
First Federal Savings and Loan Association, Kokomo, Indiana.
First Federal Savings and Loan Association, Richmond, Indiana.
Indiana Loan and Savings Association, Noblesville, Indiana.
Mooresville Federal Savings and Loan Association, Mooresville, Indiana.
Muncie Savings and Loan Association, Muncie, Indiana.
Perpetual Savings Association, Lawrenceburg, Indiana.
Steel City Federal Savings and Loan Association, Gary, Indiana.

Iowa.

First Federal Savings and Loan Association, Fort Dodge, Iowa.
Home Federal Savings and Loan Association, Fort Dodge, Iowa.

Kansas.

American Savings Association of Wichita, Wichita, Kansas.
First Federal Savings and Loan Association, Winfield, Kansas.
Goodland Savings and Loan Association, Goodland, Kansas.
Kinsley Savings and Loan Association, Kinsley, Kansas.

Kentucky.

First Federal Savings and Loan Association, Ashland, Kentucky.

Maine.

Hallowell Loan and Building Association, Hallowell, Maine.

Maryland.

Arundel Federal Savings and Loan Association, Baltimore, Maryland.
Premier Building Association, Baltimore, Maryland.
Westview Federal Savings and Loan Association, Baltimore, Maryland.

Massachusetts.

Dorchester Mutual Cooperative Bank, Dorchester, Massachusetts.
Beverly Cooperative Bank, Beverly, Massachusetts.
Merchants Cooperative Bank, Boston, Massachusetts.

Michigan.

First Federal Savings and Loan Association, Owosso, Michigan.
First Federal Savings and Loan Association of Oakland, Pontiac, Michigan.
Michigan Savings and Loan League, Lansing, Michigan.
Metropolitan Federal Savings, Detroit, Michigan.

Minnesota.

First Federal Savings and Loan Association, Brainerd, Minnesota.
First Federal Savings and Loan Association, Willmar, Minnesota.
Home Federal Savings, Minneapolis, Minnesota.
Minneapolis Federal Savings and Loan Association, Minneapolis, Minnesota.
Moorehead Federal Savings and Loan Association, Moorehead, Minnesota.
Owatonna Savings and Loan Association, Owatonna, Minnesota.
Peoples Federal Savings and Loan Association, Minneapolis, Minnesota.
Savings and Loan League of Minnesota, Minneapolis, Minnesota.
United Federal Savings and Loan Association, South St. Paul, Minnesota.
Washington Federal Savings and Loan Association, Stillwater, Minnesota.

Mississippi.

First Federal Savings and Loan Association, Jackson, Mississippi.

Missouri.

Carondelet Savings and Loan Association, St. Louis, Missouri.
Central Federal Savings and Loan Association, Rolla, Missouri.
Community Federal Savings and Loan Association, St. Louis, Missouri.
Joplin Federal Savings and Loan Association, Joplin, Missouri.
Union First Savings and Loan Association, Hannibal, Missouri.

Montana.

First Federal Savings and Loan Association, Great Falls, Montana.
Montana Savings and Loan Association, Great Falls, Montana.

Nebraska.

Columbus Savings and Loan Association, Columbus, Nebraska.

New Jersey.

Boonton-Mountain Lakes Savings and Loan Association, Boonton, New Jersey.

New Mexico.

Albuquerque Federal Savings and Loan Association, Albuquerque, New Mexico.

New York.

Columbia Savings and Loan Association, Woodhaven, New York.
Dollar Savings Bank, Bronx, New York.
Emman Savings and Loan Association, Rochester, New York.
First Federal Savings and Loan Association, Middletown, New York.
First Federal Savings and Loan Association, Port Jervis, New York.
Geddes Savings and Loan Association, Syracuse, New York.
Hudson Savings and Loan Association, Hudson, New York.
Island Federal Savings and Loan Association, Rempstead, New York.
South Short Federal Savings and Loan Association, Massapequa, New York.
Woodside Savings Loan Association, Long Island City, New York.

North Carolina.

Enfield Savings and Loan Association, Enfield, North Carolina.
Martin County Savings and Loan Association, Williamston, North Carolina.
North Carolina Savings and Loan Association, Charlottetown, North Carolina.
Peoples Savings and Loan Association, Whitetown, North Carolina.
Sanford Savings and Loan Association, Sanford, North Carolina.

North Dakota.

First Federal of Fargo, Fargo, North Dakota.
Metropolitan Savings & Loan Association, Fargo, North Dakota.

Ohio.

The Broadview Savings & Loan Company, Cleveland, Ohio.
Cleveland Federal Savings & Loan Association of Cuyahoga County, Cleveland, Ohio.
Home Federal Savings & Loan Association of Lakeview, Lekewood, Ohio.
Cen City Savings Association, Dayton, Ohio.
Mansfield Building & Loan Association, Mansfield, Ohio.
Ohio Home Builders Association, Columbus, Ohio.
Washington Federal Savings & Loan Association, University Heights, Ohio.

Ohio.

First Federal, Elk City, Oklahoma.
First Federal Savings & Loan Association, Seminole, Oklahoma.
State Federal Savings, Tulsa, Oklahoma.
Atalachequah Savings & Loan Association, Tahlequah, Oklahoma.
Tulsa Federal Savings & Loan Association, Tulsa, Oklahoma.

Pennsylvania.

Charleroi Federal Savings & Loan Association, Charleroi, Pennsylvania.
CONGRESSIONAL RECORD — HOUSE

June 29, 1966

First Federal Savings & Loan Association of Lansdale, Lansdale, Pennsylvania.
First Federal Savings & Loan Association of New Castle, New Castle, Pennsylvania.
First Federal Savings & Loan Association of Pittsburgh, Pennsylvania.
First Federal Savings & Loan Association of New Castle, New Castle, Pennsylvania.
First Federal Savings & Loan Association of York, Pennsylvania.
First Federal Savings & Loan Association of North Wales, Pennsylvania.
First Federal Savings & Loan Association, South Carolina.
First Federal Savings & Loan Association, Charleston, South Carolina.
Beresford, South Dakota.
Johnson City, Tennessee.
Memphis, Tennessee.
Freeport, Texas.
Brownsville, Texas.
Alamo, Texas.
First Federal Savings & Loan Association, Columbus, Texas.
Dallas, Texas.
Waco, Texas.
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I am of the opinion that your committee is strictly on the right track—first, in increasing the investment demand for both passbook and time deposits of all denominations under $100,000, and second, in raising the rate of interest on passbook and time deposits of all denominations under $100,000. This regulation brings negotiable certificates in the right category and satisfactorily under the right category, since I wish to compliment you on your study of the evidence that you have collected, and I hope for an early enactment of the legislation by both House and Senate.

I now know by a study of the market, and I refer to the quotations in the "American Bankers Association Bulletin", that the street, bidding 5¼ for deposits; and I also note that they are resorting to borrowing from the big banks for the reason I think that they have made money by paying 5¼% for deposits, that is strictly their business. But I don't "get" or "borrowed reserves" in any sense of the word.

Greater Belleville Savings & Loan Association, Belleville, Ill.:

The first item on the agenda would be to convince the bankers that the transfer of mortgage savings to the commercial banks and savings and loan associations and the banks is in actuality a transfer of funds from the demand deposits account of the association which exist at some local banks to the time deposit accounts of possibly the same bank or some other bank. The net effect and end result of this shift of money is the loss of deposits in the banks as a deterrent on the nation, slowing down economic activity and retarding growth.

The second item is that we must convince the banker that Savings and Loan Associations are different and distinct animals. The Savings and Loan Associations are financial intermediaries, that is, they act as an intermediary between the saver and the borrower. The banker is not the same thing. The banker is the saver and the borrower. Whatever funds the saver or the borrower has, is in the hands of the bank.

The third and most important item, is that we must convince the banker that when the Savings and Loan Associations grow, the banks grow. From the end of 1939 to the end of 1959, the First Federal Savings Banks grew by $277.1 billion; Savings and Loan Associations, by $572.9 billion; and Life Insurance Companies, by $64.4 billion. Those are the three largest financial intermediaries, and their combined growth was $169.4 billion, or $10 billion less than the Commercial Banks alone over the same period.

First Federal Savings & Loan Association, Fort Dodge, Iowa:

We are only a small 30,000 population town 90 miles north of our big metropolitan area of Des Moines. The effects of rate changes are quick and dramatic.

A few months ago the prevailing rate on passbook savings in Iowa was 4% to 4 ½% from banks and savings and loan associations. A few banks were offering 4 ½% on 1-year CD's. Ample funds were coming in to both banks and S and L's and interest rates on home mortgages was 5 ½ to 6%. Most of us were also in the FHA and GI markets with modest discount of 1% or 2 points. We were in healthy balance.

Then when Regulation Q was changed a harmful effect was seen going to the various savings and loan associations. They made a move to 5% on consumer-size CD's, using a small minimum, paying quarterly and small amounts. The country banks felt they had to follow for self-preservation. The S and L's stayed at 4 ½% with some moves to 4 ½% with 4 ½% on year certificates.

With a low-yielding portfolio of long-term home mortgages most of us can barely pay 4 ½% and hold our reserve ratio intact and at 4 ½% our reserve ratio will probably decline. Yet, we are faced with 5% bank CD's paying quarterly, so the large city S and L's are probably moving up to 4 ½% on passbook savings.

Because we cannot afford to pay 4 ½% we are planning to stay at 4% if our local banks in Fort Dodge do not panic and move up to 5%. We think that what we should expect in withdraws from money seeking a higher rate that will be available in a Des Moines bank. If we reduce our volume by withdrawing from the FHA, GI, Insured Conventional, Commercial, Out-of-Town Loans, and renewing automatically. Many small bank and time deposits of all denominations under the bank CD's would have averted this housing crisis.

American Savings Association, Winita, Kans.:

We urgently encourage passage of legislation to reduce establish a 4½% maximum rate on commercial bank certificates of deposit issued in amounts of less than $100,000. We are convinced this would relieve the pressure on our business and it would also give needed relief to a great many commercial banks that cannot advantageously enter the competition for time deposits at high interest rates.

A continued drain on savings from thrift institutions will cause serious repercussions in the residential building business and all related industries. If this important segment of our industry is not stabilized, it would take years for it to recover.

Beverly Cooperative Bank, Beverly, Mass.:

We are in the Savings and Loan business and believe that Certificates of Deposits in larger amounts would help stop the drain on our industry and give us a chance to serve the home-financing field, which, of course, is our business.

We certainly hope that your committee will be able to develop new legislation which will assist us in carrying on its policy of thrift and home-financing.

Dorchester Minot Cooperative Bank, Dorchester, Mass.:

Many of the small banks are in a very rough competing position with local commercial banks. Any further raise on rate by First Federal would only trigger a rate war which we could not win (and it would not be good business for anyone if we could do so).

As a result of (1) above, our savings funds are not what it should be and likewise insufficient to meet our demand for home loan financing.

As a result of (2) above, our savings funds are not what it should be and likewise insufficient to meet our demand for home loan financing.

We are not on the right track and we have a strong concern for the possible serious harm to the monetary system that could develop if proper legislation is delayed. This evaluation finds support in the recent liquidity condition faced by a number of large commercial banks in December prior to the increase in the CD rate ceiling. As you know, the liquidity crisis caused by the early withdrawal of maturing CDs was averted only through relief granted by the Federal Reserve in the form of a rate ceiling boost to 5½% on time deposits.

First Federal Savings & Loan Association of Willmar, Willmar, Minn.:

We congratulate you on your efforts in placing the bank CDs in their proper perspective. The commercial banks have at their disposal savings passbooks as we do to promote savings for mortgage lending. The passbook savings, which is the true thrift and savings media, has been neglected and can be modernized to the same high plane that it has been in the thrift industry. The CD has been designed for another purpose and should be restricted by legislation, to that purpose.

First Federal Savings & Loan Association, Kalkispell, Mont.:

(1) The action of the Federal Reserve Board in raising ceilings on C.D.'s to 5½% indicates that they did not have control thereby giving commercial banks a long and distinct advantage over other home financing institutions such as our own association.

(2) As a result of (1) above we are in a very rough competing position with local commercial banks. Any further raise on rate by First Federal would only trigger a rate war which we could not win (and it would not be good business for anyone if we could do so).

(3) As a result of (2) above, our savings funds are not what it should be and likewise insufficient to meet our demand for home loan financing.

(4) Therefore, as in the past we must look to our line of lending credit at our Federal Home Loan Bank. But we find the said credit practically dried up for lending purposes, due to Federal Home Loan Bank policy of restriction on mortgage extension credit since long-term mortgage credits has not been flowing through the channels (necessitated by heavy savings withdrawals and loan funds demand).

We are back to the point of beginning: Until reasonable control is placed on commercial bank rate and use of C.D.'s we will continue to have the imbalance in the home financing field due to the home owner too high interest rates, when he can get a loan.
At the same time the present situation is discouraging normal savings flow into our various savings institutions, from whence the great bulk of all long term home loan financing originates. Furthermore, the irony of it is that home buyers have plenty of cash and are continuing to go on the market to try to sell their homes, whereas we should be buying. The borrower has lost out on the opportunity to renew that note every 90 days at a possibly higher rate of interest than the market elsewhere. One of the reasons for the present shortage of money seems to stem from the fact that banks and loan associations as low as 20.00 bearing 5% and 5½% interest. A representative at a White Sulphur Springs meeting told me he was having to compete with this situation in Pennsylvania.

First Savings & Loan Association, Alvin, Tex.

I am writing this letter regarding the Bill that you are sponsoring. If I understand correctly, the certificates of deposits. I must say that I greatly appreciate your thinking in regards to this very critical matter. It is my understanding that you will amend this Bill to limit CDs at the 5 ½% rate only on deposits of $100,000.00. On CDs in denominations of $100,000.00, the rate will be 4%. I believe that this is a regulation that the commercial banks and savings and loan businesses can live with.

I know that you are aware that a considerable amount of funds have been transferred from savings and loan associations to commercial banks. If no action is taken regarding this matter, it will unquestionably be of great harm to the savings and loan industry. In order for funds available through the country, it is essential that the savings and loan associations be at least on a competitive basis with the commercial banks.

Bay City Federal Savings & Loan Association, Bay City, Tex.

I know that you have always been a friend of the Savings & Loan business and I fear that the new purchaser to "reap havoc" on the Savings & Loan business, which will indicate the onus of deposits. In order to have ample funds available through the country, it is essential that the savings and loan associations be on a competitive basis with the commercial banks.

Exchange Savings & Loan Association, Dallas, Tex.

The three proposals which you recommend are all imperative, and I trust that you will get a favorable reply from the nine agencies.

It is important, as you indicate, that some action be taken before July 1st, if possible, because we anticipate another big drain on the savings and loan association, and material it will take that much longer to recover and continue to do the job that we were elected to do in helping the homeowner build his home at a reasonable rate. This rate war has caused the new purchaser to restructure and it has not helped the commercial banks.

Rusk Federal Savings & Loan Association, Rusk, Tex.

I think your position is indeed well taken and unless it prevails and interest rates generally decline, the only serious decline of interest rates in the banking industry and the savings and loan industry is going to be "rap havoc" on the savings and loan industry. The Federal Reserve Board should be forced to reduce its present 5½% limit back to 4½% and I hope you will be able to force them to do so.
June 20, 1966
CONGRESSIONAL RECORD

HOMEBUILDERS, REAL ESTATE AGENTS, AND PRIVATE CITIZENS ASK FOR CD LEGISLATION

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, for the past month while the Banking and Currency Committee has been conducting hearings on the alleged inability of the housing market in the money market caused by high-interest, short-term negotiable certificates of deposit, I have received hundreds of letters from the thrift industry, commercial bankers, homeowners, home buyers, homebuilders, and real estate agents urging our committee to pass some remedial legislation to avert a depression turn down in the mortgage market and the crippling of the thrift industry.

Much attention has been focused on the savings and loan industry. It has been the natural inclination of many to blame the savings and loan industry for the present situation. But this would also close down the homebuilders and real estate agents. The shortage of funds in the real estate industry has always been the savings and loan industry. The efforts of the savings and loan industry must take action for the good of many groups who are facing black days ahead, instead of preserving the present status quo.

Mr. Speaker, I would like to include in the Record following my remarks these letters from homebuilders, real estate agents, and private citizens, expressing grave concern over the present situation.

Storerland Homes, Inc., Alton, Ill.:

"I am the owner of a small and young building company near Detroit. The area seems to be expanding or at least indicating a greater demand for housing. I am having difficulty in obtaining a mortgage from the bank as my company's reputation and worth is not yet great enough. I am sure the project would be successful otherwise I would not dare take the risk. I've even had calls from people wanting to rent yet cannot start to build. My lot is about 20 miles north of Detroit, farther than most companies have started to build. But the area is developing rapidly in business and industry and soon the larger building companies will begin to move in."

"It is my opinion that if you could make it possible for people like me to obtain easier money, it would be a considerable drain of savings dollars from Savings and Loan Associations (these institutions provide money from Savings Banks and Savings and Loan Associations (these institutions provide 80% of the funds for home mortgages) there would be much more available for homes in our economy. Please bear in mind with new home constructions go dresses, furniture, carpeting, building supplies, household equipment, etc. I think the new homes being built are a back to work program for the economy of Ohio and the Nation."

Mr. Charles V. Simms, president, Ohio Home Builders Association, Columbus, Ohio:

"Our home building business has virtually stopped. I am sure a substantial increase in prime interest rates and the ensuing scramble for money, the burden of home financing, has been the chief reason for the decrease in home construction."

Mr. William D. Davis, Los Alamitos, Calif.:

"I would like to ask why the commercial banks have been allowed to misuse their power in the short-term funding of the mortgage market and causing considerable unemployment in the construction field, real estate sales people, and personnel in mortgage financing firms."

"The situation is desperate. In the garden spot of Orange County, the fastest growing area in the country, there has come to a standstill. Permitting banks to pay a higher rate of interest on time deposits is taking away the money needed for our business to survive."

Mr. Palmer, Inc., sales management, Newport Beach, Calif.:

"Savings and loan associations have just about stopped lending money for the construction, or refinancing of homes and buildings. If there isn't some relief in this direction, a major unemployment situation will result. When one of the largest income producing businesses in the economy is stopped, everyone suffers. In this case the suffering is going to be severe. Builders, real estate firms, architects, plumbers, building supply companies, etc. have been forced to shut down. With our funds to finance home purchases, older homes also are not selling. The main buyers of homes are married couples who can't possibly pay cash."

"H", Inc., home builders, Gaineville, Fla.:

"For the past year there has been experience unusually tight mortgage money in this area. I realize that this is brought about by banks, but it has been a bit ridiculous for an economic to be getting along so well, such as in the Gainesville, Florida, area, and then be choked to death by something like control over."

"This is already deplorable and is getting worse. Would you please advise if there is anything that you know that we in Gainesville might be able to do to alter this situation."

Storeyland Homes, Inc., Atlon, Ill.:

"Unless some change is made in the situation, I will be compelled to discontinue my home construction business and there will be a loss of employment of at least 25 people directly hired by me. This will also concern the employment of subcontractors and materials suppliers."

A. Weisman Building Co., Southfield, Mich.:

"I am the owner of a small and young building company near Detroit. The area seems to be expanding or at least indicating a greater demand for housing. I am having difficulty in obtaining a mortgage from the bank as my company's reputation and worth is not yet great enough. I am sure the project would be successful otherwise I would not dare take the risk. I've even had calls from people wanting to rent yet cannot start to build. My lot is about 20 miles north of Detroit, farther than most companies have started to build. But the area is developing rapidly in business and industry and soon the larger building companies will begin to move in."
of money. Withdrawals have been extremely heavy-to be specific, more than 20% of our total deposits. We are quite concerned, but we are going to be more concerned, if the trend continues.

Dando Construction Co., Lake Jackson, Tex.: "As a building contractor in the Brazosport area, I am well aware of the effect that the interest to home mortgagors is having on the conventional home mortgage lenders in this locality are unable to make further commitments either for speculative purposes, the conventional home mortgage lenders are not real estate-mortgage oriented or mortgage blind oriented for mortgages of the length of time that is necessary for the bulk of real estate mortgages, particularly home mortgages; nor are they interested, willing or able to grant mortgages in the amount necessary for the average real estate loan."

SMALL BANKS URGE ACTION ON CERTIFICATES OF DEPOSIT

Mr. PATMAN. Mr. Speaker, I call to the attention of the Members these letters from small bankers expressing deep concern over the CD problem. "We have kept our loan rates down and do not anticipate raising them." "We pay 4% on the CDs and I was and am opposed to the action taken by Federal Reserve to raise the rate on negotiable CDs to 4½% without restrictions. Feel that the majority of the smaller banks should not be penalized by the action of some banks in raising rates, which I feel are beyond the ability to pay without subjecting their bank to some unanswer and risky loans and investments."

We have put most of our savings and CD money into local home, farm, and business mortgages. We also have been a Federal Home Loan Bank member and have helped others to buy their homes, farms, and businesses. We have kept our loan rates down and do not anticipate raising them."

Delaware Trust Co., Wilmington, Del.: "In the interest of preserving the relationship among various financial institutions, we urge the reduction of the rate ceiling on certificates of deposit of less than $100,000 to four and one half percent and we oppose any increase above four percent in the rate limits on passbook savings."

Lake View Trust & Savings Bank, Chicago, Ill.: "While the general public is not averse in principle to receiving higher interest on their deposit accounts, there is considerable misunderstanding giving on the part of many to the eventual solvency of our banking system if we are forced to pay higher rates without abatement. Competition on the basis of service rendered will have their ap-

 nograf, but they are quick to recognize the weakening effect of large interest payments on the efficiency of the banking system."

State Bank of East Moline, East Moline, Ill.: "Remember, the prime rate and the allowable interest paid on savings accounts and CD's was not done for the benefit of the smaller banks. We are the smaller banks and we are hit the hardest."

people who make up the bulk of our population."

Anderer Realty Co., Milwaukee, Wis.: "Please add my name to your growing list of dissenters about the existing CD's now being sold by the banks. This practice has had a crippling effect on our Savings and Loans and therefore has reflected in the Real Estate industry and the construction field. The Savings and Loans are not even taking deposits on their own books. Right now they wouldn't take an application for a $10,000 mortgage on the Alamo or the Milwaukee real estate, if you were willing to pay 10% interest."

Mr. Charles R. Dykstra, real estate broker, Racine, Wis.: "In fact that action be taken to impose a ceiling of 4½% interest rate for certificates of deposit paid by all banks, and a-like and equal interest rate imposed for all personal and loan associations. "It is my opinion that such action would have yielded an immediate increase in the amount of the home-owner market in the state. The present imbalance of interest rates is reflected in the banks. In fact, it is most surely must be throughout the rest of the state."
interest rate will have to give a long hard
fair rate of interest and charge a reasonable
gether with savings and loans, should
marks at this point in the RECORD and
will move his account from time to time to
Simple economics states that the more we
interest payable on time deposits, includ­
effective that this would have on the borrower.
The committee addressed the public hearing
define and to advance one group to the detri­
ons of others.

The First National Bank, Marshall, Tex.: The
the borrower.

"I am in favor of Regulation Q being amended so that banks can pay up to four and one-half per cent on savings accounts, together with savings and loans, should pay a fair rate of interest and charge a reasonable rate to their borrowers.

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"A very important consideration is the effect that increased interest rates would have on the borrower. Simple economics states that the more we pay for money the more we will have to charge; this would have an adverse effect on business, and would add to the cost of living to every individual. I believe that savings accounts banks, together with savings and loans, should pay a fair rate of interest and charge a reasonable rate to their borrowers.

INDEPENDENT BANKERS, 6,400 STRONG, CALL FOR END TO HIGH INTEREST RATE WAR—4½ PERCENT CONSIDERED FAIR AND EQUITABLE

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, to end the terrible interest rate competition between all the Nation's financial institutions, I recently introduced House Joint Resolution 1148, to fix for a temporary period a 4½ percent maximum rate of interest payable on time deposits, including the notorious CD's.

My purpose is to provide for the liquidity of all our financial institutions and to insure adequate mortgage credit for the home buyer, and the home buyer, which has almost entirely dried up. Interest rate upon home loans are very high because of this rate competition prompted by the defeat Federal Reserve Board's money stockpiling policy.

So I have with great pleasure, I received and read the telegram from the top officials of the Independent Bankers Association informing me of their sup-

MINNESOTA CREDIT UNIONS ASK CONGRESS TO CONTROL FEDERAL RESERVE BOARD

Mr. PATMAN, Mr. Speaker, I ask unanimous consent to extend my remarks on 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 Minnesota Credit Union league meeting recently at its 37th annual meeting, adopted a resolution in opposition to the Federal Reserve Board's stand on higher interest rates.

The resolution calls on Members of Congress to amend the Federal Reserve Act to place restraints on the Federal Reserve Board's power to increase interest rates without approval of Congress.

Savings institutions and home buyers throughout the country have been seriously damaged by the December action of the Federal Reserve Board in raising interest rates 3.75 percent. This action has already caused a cut off mortgage loans in many sections of our country and has made it extremely difficult for middle- and low-income families to obtain much-needed mortgage money.

The tight money situation which the Federal Reserve Board has arbitrarily thrust upon the American people is a typical example of the utter disregard for low interest rates which the Federal Reserve Board has shown.

Many economists do not understand how the Federal Reserve Board operates, but it does not require any economic skill to realize that the Federal Reserve Board has raised in our economy a floating rate system that has been all right with us.

A copy of the resolution adopted by the Minnesota League of Credit Unions follows:

RESOLUTION No. 1—FEDERAL RESERVE BOARD—ACTION ON INTEREST RATES

Whereas, Article I, Section 8, paragraph 5 of the Constitution of the United States provides that Congress shall have the power to coin money and regulate its value, and

Whereas, this provision of the Constitution places the responsibility directly upon Congress to control inflation, deflation, and economic stability, and

Whereas, Congress has created the Federal Reserve Board as its agent, subject to no other control but itself, and

Whereas, the Federal Reserve Board has on repeated occasions taken steps to increase interest rates for the avowed purpose of controlling inflation, and

Whereas, such actions have failed to ade­quately limit the creation of money by the banking system during periods of inflation, and have added a crushing burden of debt to consumers, wage earners, home owners, and tax payers, as well as having served to add to the rising cost of living and interest on personal loans.

Be it resolved, that the Minnesota League of Credit Unions at its annual meeting in Rochester, Minnesota, on April 23, 1966, does hereby go on record as opposed to the policy of increased interest rates as an inflationary practice, and requests the members of Congress to amend the Federal Reserve Act to place restraints on the Federal Reserve Board.
Board’s power to increase interest rates without approval of Congress, and
Be it further resolved, that a copy of this resolution be sent to Congressional members of the Senate and House from Minnesota, as well as to the Chairman of the Banking and Currency Committee of the House, and a copy to the Legislative Committee of CUNA International, Inc.

SAXON ATTEMPTS PROPAGANDA SMOKESCREEN TO HIDE TRAGIC TOLL OF HIGH INTEREST

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 truth about the tragic toll of high interest rates is at last coming before the American people. The facts about this situation be hidden behind the public relations propaganda of the Federal Reserve Board and its big bank allies. Thousands of people are hurting and hurting badly from the Federal Reserve’s high interest, tight money policies for this propaganda smokescreen to succeed.

As a result, the defenders of the big banks and high interest are growing desper­ate in their attempts to come up with a justification for this heavy blow against the American people and the American economy.

The latest defense for high interest comes from the Comptroller of the Currency, James J. Saxon, in an article in Sunday’s Washington Post. Mr. Saxon, a former registered lobbyist for the American Bankers Association, has this amazing justification for gouging the public with high interest rates:

Most of the recent discussion of high interest rates and competition for funds has neglected certain important aspects of the current situation. Perhaps most important, high interest rates are forcing millions of people with savings in financial institutions to a higher return on their funds.

It is not surprising that Mr. Saxon takes this myopic view of the U.S. economy. The Comptroller apparently assumes that everyone in the country is either a banker, a corporation president, or at least a millionaire.

But the facts simply do not support him. No, Mr. Saxon, not everyone is so fortunate as to have several hundred thousand dollars invested in certificates of deposit at 5½ percent.

I would suggest that the Comptroller, before making more public statements of this nature, take a look at the Nation’s income distribution figures.

The fact is that more than half of the population has annual incomes of less than $4,600. Surely Mr. Saxon does not suggest that this group has amassed huge fortunes in savings accounts.

A glance at the Nation’s families and single individuals have no liquid assets—that is, no savings. On the other hand, virtually all of this group must borrow to survive. Higher interest rates take more dollars, out of the already inadequate incomes of this segment of the population.

Another 28 percent have liquid assets or savings of under $500 and another 12 percent have between $500 and $999. In other words, 64 percent of the Nation’s families and single individu­als have savings of less than $1,000.

But the big quest is how much debt is on the backs of the group of non­savers and small savers which make up the great majority of the population? The interest on this debt is staggering and does not begin to pay the minimal interest gained on small savings accounts.

Millions of Americans have home mort­gages ranging between $10,000 and $30,000. Millions of these same Americans also owe $1,000 or $1,500 on an automo­bile. Millions of small businessmen and farmers are deeply in debt for capital.

I hope Mr. Saxon is not suggesting that the small saver who may draw interest on a $300 or $400 savings account is bene­fited when he must pay 25 percent more for interest on a $20,000 home. For exam­ple, a 1-percent increase in interest rates adds $4,734 in interest costs to a $20,000 loan over a 30-year schedule of maturity. This is roughly equivalent to the annual income for more than half the population. In other words millions of people will have to work a full year just to pay the added interest costs on their home mortgage as a result of the Federal Reserve Board’s action.

Mr. Saxon’s upside-down economics notwithstanding, the truth is that interest income goes primarily to a handful of high income groups, large corpora­tions, and financial institutions. It takes money from the pockets of the average and low-income citizen.

Now not even the Comptroller of the Currency can escape the fact that it takes money to make money with money.

In his Washington Post article, Mr. Saxon plays down the effect of high interest costs on the building industry and high housing prices. The truth of this article must have read like a cruel bit of bureaucratic hypocrisy to everyone concerned with housing.

I place in the record two articles which appeared in the Wall Street Journal only last week. These articles illustrate some of the serious crises faced in housing as a result of high interest rates.

[From the Wall Street Journal, June 13, 1966]

HORNE’S EMERGENCY PLAN: SLUMP IN HOUSING STARTS ANTICIPATED BY S. & L. OVERSEER BECAUSE OF CD’S

By Richard F. Janssen

WASHINGTON—Housing starts will fall steeply soon unless the ability of banks to drain funds from mortgage-issuing savings and loan associations is restricted, cautioned John E. Horne, the Comptroller of the S&Ls.

Mr. Horne is discussing with banking authorities the possibility of special rules for savings and loan associations, in case of emergency, pump newly created money directly into the savings and loan system.

Mr. Horne, chairman of the Federal Home Loan Bank Board, predicted in an interview yesterday that, unless Congress acts to regulate the Federal Reserve Board curbs banks in issuing high­yielding certificates of deposit, housing starts in the second half of this year will decline to an average annual rate of 1,270,000 to 1,100,000. That would put the full year’s total around 1,300,000, down 18% from the 1,505,000 of last year. Mr. Horne said 1961 have housing starts been under 1,400,000.

The chairman said he wishes Congress would slice 3% or even 4½% of the march­rate ceiling on smaller certificates—4½% the maximum allowed—so he could use them as a tool to finance savings and loans. In contrast, Federal Reserve Board Chairman William McChesney Martin and his colleagues argued recently favor a ceiling, of 5% on these “consumer sized” CDs. The present limit is 5½% annually.

HORNE’S EMERGENCY PLAN

The Horne emergency plan for bolstering savings and loan resources would require action by Congress to make securities issued by the Federal Home Loan Bank eligible for purchase by the Federal Reserve. Some of these securities would be sold directly to the reserve system instead of being offered on the open market to compete for existing savings. If the Federal Reserve were to buy such issues, it would mean a net increase in the Federal Reserve’s power to create the funds with which it makes securities purchases.

The Horne plan would make the Home Loan banks “in a better position to re­lieve some of the strain on the mortgage market. For example, a new federal Home Loan Bank debenture can’t be offered more than once a month and “there is some limit to how big a chunk of funds we can ob­tain” as any one time. Selling these de­bentures provides funds for the 12 district Home Loan banks to lend to member associations.

The Federal Reserve would decide whether to make such purchases, and they probably would be made to meet the “emergen­cy” needs of associations. So far, board officials haven’t had any response from the Federal Reserve, and they believe there’s something to the idea for Congress.

HOUSE HOME LOANS RESOURCES

The Home Loan Board will have exhausted its ability to add the competitive stance of its financial resources to the mortgage market in the event of any changes in the rule changes it proposed in mid-May, Mr. Horne said. Unless Congress, in the next few weeks, relaxes the Federal Reserve Board curbs on CDs, on July 1 the board probably will begin letting associations, among other things, pay up to 5% on regular savings accounts in California and Nevada without losing their borrowing power at the district banks. If Congress does curb bank CD rates, though, Mr. Horne asserted, the
board might be less liberal in its rule changes.

Some associations, Mr. Horne complained, have entered "a state of undue caution" about mortgage-fund shortages by telling would-be buyers, "don't buy now or you're going to get left out of the lending business." Some banks and insurance companies have said the same thing about mortgage-backed bonds by setting aside "unavailability funds to provide for future needs." Thus, by saying this "obviously an extreme response to a difficult situation." He expressed hope that associations soon will remove restrictions on lending, and that S&Ls provide funds for new loans even though their new-savings inflow is small or nonexistent.

Yesterday, in Atlanta, C. A. Duncan, Jr., president of the U.S. Savings and Loan League, said that new loan applications to S&Ls fell 50% in May from the year-earlier level. The calculation was derived from a special survey made by the trade group of league members with 20% of the nation's savings and loan assets, he said.

The May decline, plus a 20% year-to-year drop in April, "casts a severe cutback in home building and real estate sales as the year moves along," Mr. Duncan told the annual meeting of the Georgia Savings and Loan League.

[From the Wall Street Journal, June 14, 1966]

USED HOUSING Woes: SALES OF EXISTING HOMES FALL EVEN MORE SHARPLY THAN NEW HOUSE RATE—SHORTAGE OF MORTGAGE MONEY IS WORKING AGAINST RELOCATING—WILL LOAN RATE REACH 6 7/8 PERCENT

(A Wall Street Journal News Roundup)

Troubled by the housing industry has shown up most dramatically in figures that report the number of new homes started across the nation each month—the total has been dropping steadily. However, it is becoming increasingly evident that in many areas the used home market is getting into an even more serious bind.

As is the case with new homes, the culprit in the used home picture is tight money. It is getting a steady deal tougher for a prospective used home buyer to get a mortgage loan.

A Wall Street Journal survey of mortgage lending agents shows that at the same time, the survey indicates, used homes are becoming much harder to sell in many parts of the country.

In the San Francisco area, for instance, real estate market experts estimate that sales of used homes are running some 50% behind the year-earlier rate. In Los Angeles,.experienced by a 30% drop in new home sales in the area. Robert King, vice president of Colwell Co., a California mortgage banking firm, says that he is finding the blame squarely on tight money. "It's the key factor," he says. A San Francisco realtor decries: "Money has dried up and the used home market is being hit as a result."

OFFICES CLOSE

In the past three weeks, in fact, Colwell Co. has closed two of its major offices in Northern California and laid off some 40% of its real estate agents. In both cases, one in the San Francisco Bay area, 16 real estate offices have been closed in the past year. In both instances, slumping home sales, especially used homes, have been to blame.

The relatively mild drop in new home sales, according to April, "forecasts can be traced to the fact that many builders take considerable pains to be sure mortgage money will be available for the sales they have on their hands. This obviously is not a factor where used homes are involved. In addition, housing market agents say used homes are more difficult to sell because they are the wrong size or are in unattractive neighborhoods.

"Too many small used homes, built after World War II," says Charles Moc-
a percentage point, would go into effect immediately.

The new rates will range from 4¾ per cent for automobile loans without insurance on the life of the borrower to 5½ per cent on most other types of consumer loans that the bank makes.

These rates are quoted on a "discount" basis, the interest charge is deducted at the time the loan is made from the amount borrowed, with the result that a one percentage point increase in simple annual interest rate on the loan is approximately double the stated rate.

Thus, the half-point increase actually means an increase of 9½ per cent, and the 5½ per cent rate involves an increase of 10½ per cent.

The new rates apply only to consumer-type loans up to $5,000.

INCREASE COULD SPREAD

However, Chase Manhattan's rate increase immediately touched off speculation that increases in other lending rates might also be in the works.

Some bankers, for example, have been saying lately that their prime, or minimum business lending rate, now about 5½ per cent—simple interest—is beginning to "look cheap" relative to the cost of borrowing in the open market.

The prime rate has been increased twice since last December—from 4½ per cent to 5 per cent on Dec. 6, and to 5½ per cent on March 19.

At the present time, however, the consensus among bankers seems to be that a general increase in business lending rates is not imminent.

Other major banks in New York and in the submarkets were caught off guard by the Chase increase.

GENERAL LEAVE TO EXTEND

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may extend their remarks on the life of former Congressman Harry Sauthoff.

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

There was no objection.

APPROPRIATION FOR JOB CORPS AID IN TOPEKA

Mr. PUCINSKI. 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 Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, we have heard considerable criticism in this Chamber of the Job Corps. Undoubtedly some of this criticism may be exaggerated and some of it may be justified. I believe if we are going to criticize, we ought also to praise where praise is due.

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

There was no objection.

TRIBUTE TO HARRY SAUTHOFF—JUNE 3, 1878—JUNE 17, 1966

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

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

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, it is my sad duty to inform the House of Representatives of the passing of one of our former colleagues, Harry Sauthoff of Madison, Wis., who represented the Second District of Wisconsin for 8 years in the Congress of the United States. His colorful political career spanned over 30 years during which time he served his county, State, and National government.

His death recalls for many in Wisconsin and throughout the country the prominent role he played in the life of the Progressive Party and the Progressive political era of the 1930's and the 1940's.

He was the newly elected Progressive Party's first—and successful—candidate for Congress in 1934 from the Second District of Wisconsin. He served there for terms, four in all, and in 1944 was the unsuccessful candidate for the U.S. Senate on the Progressive ticket.

The years he served in Congress were difficult times, marked first by deep depression and then by war. He distinguished himself and the State of Wisconsin in bringing his own vitality and that of the Wisconsin-born Progressive Party to bear on the problems of this era.

A unanimous consent of Madison, Wis., Mr. Sauthoff was a graduate of the University of Wisconsin and its law school. He served as Dane County district attorney soon after graduating from law school and was secretary to Governor John J. Blaine. He subsequently was elected to the Wisconsin State Senate, and practiced law in Madison before being elected to Congress in 1934.
June 20, 1966

CONGRESSIONAL RECORD — HOUSE 13681

potency. "They came in here and saw the challenge and really tore into it."

Eighty of the 196 job-year-old corporals pleased to be allowed to help finish the job and they are staying. The others returned Saturday to Fort Lewis, Bluff, Mo., Fuxico, Mo., and McCook, Nebr.

Lacking chain saws and highackers, they have used their bare hands in helping clear debris from private property of people who already were in lower income groups.

I believe, to be fair, we ought to recog- nize where the Job Corps is doing a good job, and that it deserves a great deal of credit.

LOWER FARM PRICES

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may ex- tend 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 Alabama?

There was no objection.

Mr. LANGEN. Mr. Speaker, the John- son-Humphrey administration may be losing the war on poverty but it is clearly winning its battle for lower farm prices. This is the most striking economic phenomenon of the past few months and the administration has pointed out, that the inflationary pressure may lie ahead and that effective action is needed now. An editorial in the June 4 issue of Business Week notes both of these points and gives the impression that it will be placed in the Record at this time.

The BOOM IS STILL GOING TOO FAST

There is an unfortunate tendency in Wash- ington just now to assume that the threat of inflation is receding and that there will be no need for President Johnson to ask for a tax increase. This is dangerous because, even though the breakneck pace of business has slowed a bit, the worst of the inflationary pressure facing the U.S. economy may still lie ahead.

The excellent record of growth combined with price stability during the period 1961- 1966 now has been broken. The climb in the consumer price index at an annual rate close to 4% thus far this year has gravely weakened the Administration's wage guide- line of 4% which was supposed to keep the current average increase in labor's compensation in line with productivity gains. If labor seeks to get enough to cover both productivity increases and cost-of-living hikes when the big wage contracts come up next year, this may encourage inflation even if the economy is by then losing altitude.

The reluctance to take adequate fiscal action to temper the boom already has generated problems that may have painful consequences in the future. The boom has stimulated a rate of capital spending for new plant and equipment that may not be sustainable. It has pushed up the de- mands for money (especially under- rate policy restrictions of the Federal Reserve) that interest rates have climbed and pushed higher still the financing costs of businesses, institutions, mutual savings banks, and housing construction—with the full im- pact to come.

The inflationary boom has also hurt the nation's balance of payments by stepping up imports and curbing exports—at a time when Vietnam is adding its own strains to the nation's external position.

THE NEW ECONOMICS

As yet, the Administration is still far from ready to acknowledge that much of the trouble could have been avoided if it had followed through on its own commitment to modern economic policy. The so-called new economics is a symptomological body of thought. It calls for (1) stimulating a sluggish economy suffering from unemployment but (2) curbing the soaring supply of money without stimulating physical limits. The Administration found the stimulating job pleasant and politically popular. But it is far from easy to undertake, essentially because it was painful and unpopular.

The problem now, however, is not to argue about what might have been but to con- struct a policy that at a minimum will avoid aggravating present and future difficulties and that may, if we are lucky, keep the economy on a reasonably steady growth course. The job of fashioning such a policy is hard- er—not easier—now that the economy is showing some hesitancy.

Although it is barely possible that this present modest tempering of the boom may be the start of a genuine decline, it seems highly improbable. Rather, the forecast of the overwhelming majority of economists is that the U.S. economy will keep growing quickly for at least the first half of the year fast enough to lift gross national product 8% or more over 1965 in current dollars—while the real gain in output is likely to fall below 5% for at least two years. If so, the prospective rate of advance still needs to be moderated.

The money supply has been growing too fast; its 6.4% growth rate over the past 12 months has been the fastest for any years since World War II. The Fed, therefore, should try to hold the growth of money down to no more than a 5% rate—and 4% would be better.

Monetary policy, however, cannot succeed unless it is accompanied by adequate fiscal restraint. If the Administration refuses to fiscal restraint is not to the advantage of a democracy like the United States in which the government of a democracy is able to find the courage to do the right thing even when it is unpopular.

The problem now, however, is not to argue about what might have been but to con- struct a policy that at a minimum will avoid aggravating present and future difficulties and that may, if we are lucky, keep the economy on a reasonably steady growth course. The job of fashioning such a policy is harder—not easier—now that the economy is showing some hesitancy.

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Monetary policy, however, cannot succeed unless it is accompanied by adequate fiscal restraint. If the Administration refuses to fiscal restraint the U.S. economy will risk dis­

Fiscal restraint should be applied to both the expenditure and tax sides of the budget. Though most of us hate the thought of higher taxes, it must be made clear that this may be the only course if more paying higher taxes, it must be made clear that this may be the only course if more
danger arises from the Vietnam war and not from any miscalculation in domestic policy. But the need for restraint is not less urgent on that account. The Administration has shown its determination to protect the U.S. and is incurring the cost of that action in Asia, as well as in Europe and elsewhere. It now must show equal determination to take the steps necessary to guard the health and stability of the U.S. economy. The two are inextricably linked together.

ADMINISTRATION POLICY THREATENS SAVINGS AND LOAN INSTITUTIONS

Mr. BUCHANAN. 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 pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the sources of instability in the economy today is the competition among savings institutions for deposits. The chief objection to the request of the gentleman lies in the drain in deposits suffered by the savings and loan institutions. In order to forestall a serious liquidity crisis among these institutions, a number of suggestions are already being made for curbing the interest which commercial banks can pay on time and savings deposits.

It is interesting to note that one of the main reasons for the current squeeze on the savings and loan institutions is the administration's overreliance on monetary policy to control inflation. As a New York Times editorial of June 15, 1966, points out, the result of this policy—combined with the sales of high-yield participations in Government-owned loans—has been to make money scarce and increase its cost.

Arbitrary ceilings on interest which commercial banks can pay offers no solution to the problem as long as underlying demand for credit remains at an extraordinary high level. The most useful step the administration could take would be to apply fiscal restraint through a reduction and deferral of nonessential civilian spending.

Under unanimous consent, I include in the Record the Times editorial of June 15, 1966.

THE SAVINGS WAR

In intervening in the interest rate war between banks and other savings institutions, the Treasury is supporting a proposal to ban commercial banks from paying more than 5 percent on deposits of up to $100,000 and is reportedly considering legislation to keep them from paying more than 4½ percent on deposits of up to $100,000.

The Treasury, going along with Mr. PATMAN wants to preserve the differences between the banks and the savings and loan institutions, which traditionally channel funds from small savers into the housing market.

The Administration's own policies have worsened the situation. It's over-reliance on credit policy has made money scarce and expensive. It's new practice of selling participations in Government-owned loans—a move designed to attract thrift institutions to the public market—has also contributed to what Mr. CURTIS has called a "drastic" decline in interest rates. As long as this drain on the savings and loan institutions goes on, the Administration's policies could prove disastrous to the savings institutions even if the power of the banks were to be curbed.

The THE ECONOMISTS SPEAK OUT

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. L. J. Robertson, vice chairman of the Joint Committee on the Economic Report] 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 Alabama?

There was no objection.

Mr. CURTIS. Mr. Speaker, hardly a day goes by without an administration statement noting the good health and balance of the Nation's economy. As a contrast to this daily diet of administration optimism, it is refreshing and enlightening to hear what the professional economists have to say.

The Chase Manhattan Bank recently polled professional economists in universities and business to try to determine a consensus on the major economic issues facing our country. The results in many cases show a striking divergence from the views generally expressed by the administration.

A majority of both the 340 university economists and the 269 business economists who answered the questionnaire stated that inflation was the most pressing economic problem facing us today, and nearly all respondents thought inflation was now underway. As a remedy for this inflation, a significant number of respondents supported reduced Federal spending and tighter money. It is especially interesting to note that half of the university economists and 60 percent of the business economists did not favor the wage-price guideposts as a basis for fighting inflation.

An additional issue on which the economists polled was the proposed increase in the minimum wage. A significant majority of both business and university economists favor an increase to $1.40 in February 1967. Many were opposed outright to minimum wage laws.

There is no time to hear all the time about polls on many economic issues. I would like to think that this one presents especially responsible and well-informed opinions on economic issues. I think the administration would do well to give more weight to the views of professional economists outside government in developing its own policy positions.

ECONOMISTS COMMENT ON PUBLIC ISSUES

What do economists, both academic and business, think about key public issues like price-wage policies, the Vietnam war, and the economic impact of discrimination?

To find answers to these and other questions, the Chase Manhattan's Economic Research Department mailed questionnaires this April to 500 economists teaching in universities, and to 300 economists working for business. About half of the university group completed the form and returned it to us. About 220, or nearly 80%, of the business group did so.

Here are the conclusions drawn from their replies:

Economists are now more worried about inflation than about unemployment and poverty. They recommend a broad-based attack against inflation, including curbs in government spending, tighter money and higher taxes.

Economists give widespread support to many of the Administration's welfare programs, but they also display considerable interest in the impact of the free-market forces in directing the economy.

The majority of university and business economists see eye-to-eye on many issues. But university economists line up somewhat more heavily on the "liberal" side than do business economists.

INFLATION IS THE MOST PRESSING PROBLEM

The first question asked was: "What do you consider the most pressing economic problem now facing the U.S.7?" The majority of both business economists, 59%, and university economists, 51%, answer inflation. But the two groups differ about the second most pressing problem, with business economists favoring home ownership, interest rates, the Vietnam war, and university economists citing poverty.

Emphasizing the concern about inflation are answers to the question: "Do you think inflation is now underway across the U.S.?" Almost 85% of business economists and over 95% of university economists answer yes. But business economists put more emphasis on reducing federal spending, while university economists put more emphasis on raising interest rates.

Despite 6 years of steady gains in general business activity, neither group is willing to buy the proposition that the business cycle
in dead. Over 90% of both groups say they disagree with this notion, although 50% or more of the business economists consider it unlikely that the next business downturn will be as deep or as long as the downturn of 1957-58. Many of these more optimistic reasons that do not believe the nation will ever undergo another Great Depression of the 1930s variety.

**SUPPORT FOR WELFARE MEASURES**

Support for some of the government’s economic programs and proposals shows up in answers to specific questions. For instance, near 60% of university economists and almost 75% of business economists say they generally agree with the idea of a government “war on poverty.” Much smaller percentages, however, approve the direction of the “war” has taken so far. Less than 60% of university economists approve, and less than 45% of business economists do so.

Additional support for government innovations is revealed by answers to questions about state and local governments. Almost 80% of our university respondents agree that state and local governments are a serious obstacle to economic activity, while less than 20% of university economists believe that inflation is “the most pressing problem now facing the United States.”

**FINDS ALREADY**

The academic economists expressed views about the wage-price guideposts as a technique for containing inflation. Half the university economists oppose the guideposts. Business economists opposed the guideposts by a margin of 60% to 40%. And many of those who registered themselves in favor of the guideposts remark that they do so with some reluctance and with the hope that they will be used only temporarily and in a strictly voluntary way.

But perhaps the strongest opposition to government interference with market mechanisms shows up in the question on minimum-wage legislation. Over 90% of university economists and almost 80% of business economists oppose increasing minimum wages to $1 an hour. The primary reason they oppose the boost is that they dislike minimum-wage laws in general.

**NEED FOR EDUCATION**

Whereas both university and business economists believe racial discrimination constitutes a serious obstacle to economic efficiency, only the university group believet the problem is attacked through further federal legislation. Some 65% of the academics now think further legislation is needed, as compared with 5% who thought so when we asked the same question in 1965.

One issue on which virtually all economists agree is the need for teaching more economics in high school. Almost 95% of the business economists and 90% of the university economists agreed that “one group of the subject should be taught in high school. And the vast majority of both groups believe that the effort deserves either a major or moderate effort.

**Technical Note:** This survey is based on a sample drawn from the American Economic Association's 1964 Handbook and from the National Association of Business Economists’ 1965-66 Membership Directory.

Of the 500 economists asked to participate, about 320, representing colleges and universities in 46 states, filled out the questionnaire and returned it. Of the 300 business economists asked to participate, about 220, representing business firms in 29 states, did so.

Owing to a lack of space, this report does not contain all the questions posed. If you would like a copy of the complete results, just drop us a note requesting it.

**Highlights from the Chase Manhattan survey of university and business economists**

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If your answer is “yes,” what policies should be stressed in containing it? | 34 |
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3. After about 6 years of steady gains in general business activity, a rumor has begun making the rounds to the effect that the business cycle is dead. Do you disagree? | 93 |
| Yes | 65 |

4. In general, do you support the idea of a Government “war on poverty”? | 88 |
| Yes | 74 |
| No | 12 |

If your answer is “yes,” do you generally approve the direction the war has taken? | 57 |
| Yes | 44 |
| No | 13 |

5. Do you believe there is a growing need for Federal aid to state and local governments? | 78 |
| Yes | 68 |
| No | 22 |

If so, what form should the increased aid take? | 44 |
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| Greater assistance from State governments | 67 |
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If your answer is “other levels of government,” what do you think are the most important changes in the business activity over the past few years? | 43 |
| Forming new metropolitan areas to accommodate population growth | 43 |
| Greater Federal responsibility for local problems | 27 |
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| Yes | 60 |
| No | 40 |

If your answer is "no," is it primarily because: | 42 |
| There are better ways of regulating the overall price level | 32 |
| Guideposts involve too much interference in the market | 32 |
| Other | 16 |

8. Unemployment is causing a rise in the minimum wage from $1.25 an hour to $1.40 in February 1967. Do you favor such action? | 61 |
| Yes | 79 |
| No | 21 |

If your answer is "no," it is primarily because: | 74 |
| You generally oppose minimum-wage laws | 60 |
| The boost is too small--"too much trouble" | 19 |
| Too small--"the interests at stake are not important" | 16 |

9. Does racial discrimination constitute a serious obstacle to economic efficiency? | 74 |
| Yes | 62 |
| No | 26 |

If your answer is "yes," should the problem be met through further Federal legislation? | 64 |
| Yes | 44 |
| No | 20 |

10. Should economics be taught in high school? | 90 |
| Yes | 94 |
| No | 6 |

[From the New York Times, June 8, 1966]
Mr. ASHBROOK. Mr. Speaker, that food prices are expected to level off. But it is pointing out mobile sales and the decline in the stock market will help to cool inflationary psychology. If businessmen and consumers show less concern about inflation, Administration economista rest, inflationary pressures may subside. Certainly one of the reasons that inflation has been so slow to make itself felt during the current expansion is that inflationary psychology was conspicuously absent for so long. During the first two years of the Eisenhower Administration and did not show itself again until late last year. Inflation was also slow because most of the important industrial wage settlements that now prevail took place when unemployment was relatively high. As a result, labor unions probably settled for less than they would have if unemployment was relatively low.

The Administration will have a lot going for it if inflationary psychology fades once again. But it is doubtful that it will be as lucky again when it comes to labor. Economic Advisers, conceited that if price rises are not checked now, both upcoming labor negotiations and "market forces" would generate a tendency for wages to catch up. Those who think that inflation will accelerate argue that the economy does not have spare resources. So even if the rate of climb slows, they see price and wage pressures intensifying.

There is a question whether inflationary psychology is really dead. They think that it could start up again if there was a fresh increase in spending for the Vietnam war or considerable consumer spending growth. Unquestionably, there is still a real risk of a serious inflationary problem. Business activity, which has been beyond what psychologists had predicted, is still rising. And prices, if not expectations, are following suit.

Prices must be stabilized now to avoid a sharp rise in labor demands later on. Admittedly, inflation has had a slow start, but if labor is driven to demand excessive wage increases in a period of low unemployment, inflation will probably linger on long after the expansion has passed its peak.

A POSITIVE APPROACH

Mr. BUCHANAN. 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 pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the Joint Council on Economic Education, a nonprofit group set up to encourage instruction in economics in the schools, reports that this year some 1,500,000 students in more than 4,500 elementary schools are receiving courses in basic economics. It has long been recognized that instruction in rudimentary economics was lacking in the curriculums of many schools.

For some time now a noteworthy effort has been made to give more emphasis to this subject by the U.S. Jaycees in a project entitled "Freedom Versus Communism: The Economics of Survival." These study sessions seek to give participants an opportunity to make an informed approach to the Communist challenge by comparing our private competitive enterprise system with the economic system of Communist Russia. The course material was developed by the Chamber of Commerce of the United States and the success of the venture can be judged by typical comments from Jaycees:

From the Glasgow, Ky., Jaycees:

When the Glasgow Jaycees agreed to sponsor Freedom vs. Communism, they expected to organize a single class. But four times as many people enrolled and completed the course.

These people represented a cross section of the community including lawyers, educators, objective appraisal of the program of the Carlsbad, N. Mex., has this to say.

Freedoms Foundation at Valley Forge, held prior to this.

The project brought the local Jaycees more sustained publicity than any project held prior to this.

An editorial from the Current-Argus, Carlsbad, N. Mex., has this to say about the program of the Carlsbad Jaycees:

At least nine other local civic organizations have joined the Jaycees in promoting this program, Freedom vs. Communism. The Freedoms Foundation at Valley Forge, Pennsylvania, lends its support to the program, as does the Chamber of Commerce of the United States, FBI Director J. Edgar Hoover and Jaycee President J. Cameron Campbell. The program is deserving of support.

The reason for the success of the Freedom Versus Communism course is not difficult to discern. Authorities on communism from the executive and legislative branches of the U.S. Government were consulted in the preparation of the course material. In addition, leading economists and educators and training experts made qualified contributions to the effort. The course consists of eight informal discussion sessions with case studies and workshop problems lending variety to every 2-hour session. Pamphlets of basic materials provide a preparation for each session. The subjects covered in the sessions include:

First. The Communist challenge—what communism is and how it threatens the free world.

Second. Consumer control or controlled consumers—how consumer influence in a competitive enterprise economy differs from consumer influence in a controlled economy.

Third. Profit motive or master plan—how the profit motive influences what resources are used and distributed; contrasted with how, in a Communist country, production and distribution are controlled.

Fourth. Who gets what—how the rewards of production are distributed under the two contrasting systems.

Fifth. The role of government—the effect of government on an economic system.

Sixth. The big picture—how the private and government sectors of an economic system influence one another, their impact on people and the economy of a country.

Seventh. Meeting the economic challenge—what can be done to solve the problems of inflation, unemployment, and economic growth in the battle for economic survival.

Eighth. What you can do about communism—what concerned citizens can do to help fight communism.

The U.S. Chamber of Commerce is certainly to be commended for making this worthwhile training program available to the public. In addition, the efforts of the U.S. Jaycees give the program wider dissemination should be supported wherever possible.

When one reads of campus riots, draft card burnings, and disrespect for law enforcement, it is refreshing and reassuring to learn of responsible programs which seek to accentuate the positive in our way of life. And more importantly, it is comforting to know that the Jaycees creed will serve as a guideline to an increasingly larger number of citizens in confronting the crises of these troublous times.

We believe—

That faith in God gives meaning and purpose to human life;

That the brotherhood of man transcends the sovereignty of nations;

That economic justice can best be won by free men through free enterprise;

That government should be of laws rather than of men;

That earth's great treasure lies in human personality;

And that service to humanity is the best work of life.

FREEDOM TO BE LOYAL

Mr. BUCHANAN. 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 pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, today the House passed the freedom of information bill for which there has been a crying need for many years. By means of misclassification and outright refusals, executive branch agencies have withheld information which properly belonged to Congress and the people. Equally important is the fate of those in executive offices who forthrightly provide information to Congress derogatory to their particular agency. The case of Otto Otepka and the State Department is an excellent case in point.

As is generally known, Otepka testified before Congress concerning bad security practices in the State Department and was fired in November 1963. Otepka's sin consisted in literally believing rule 1
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of the "Code of Ethics for Government Service" which was passed by Congress on July 11, 1958: "Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department."

The Otepka treatment by the State Department reads like a James Bond thriller, complete with wiretaps, inspection of documents, and formal hearings. The subcommittee's work, however, was not complimentary to the State Department. Fortunately, the Senate Subcommittee on Internal Security has made public for all to read the record of this magnificent fight to "put loyalty to country above loyalty to Government department."

The latest development in the case is especially pertinent in view of the passage of the Freedom of Information bill in the House. As reported by William Edwards of the Washington office of the Chicago Tribune on June 2, 1966, the use of the classification "secret," is once again being employed to keep from the public awareness of which apparently is not complimentary to the State Department. Because the freedom of our Government employees to be loyal is at stake, I include Mr. Edwards' excellent article, "Suppression Bid Bared in Otepka Case," in the Record at this point:

SUPPRESSION BID BARED IN OTEPKA CASE — PLAIA MADE BY STATE DEPARTMENT

(By William Edwards)

WASHINGTON, June 1.—The State Department fought for two years and nine months against public release of documents and testimony baring details of the Otepka treatment of Abba Schwartz, a state department officer who was fired because of his alleged security risks.

The Otepka treatment by the State Department seemed designed to operate to the benefit of the Government by preventing Otepka, a former bureau of security and consular affairs employee, from publishing a book about the case. The Otepka treatment by the State Department was especially pertinent in view of the passage of the Freedom of Information bill.

The suppression bid bared in Otepka Case.

Two years ago the State Department fought for two years against release of the hearings. As the volumes were released periodically, in the last 10 months, the reasons for its opposition became apparent. A tale of intrigue was disclosed and a pattern of procedures which seemed designed to operate to the benefit of the State Department.

Otepka appealed his dismissal and is still awaiting an opportunity to present his defense. It was July 11, 1958: The State Department dismissed Otepka. He has been tentatively promised a hearing in July. Altho he has remonstrated repeatedly because of his appeal, he has been stripped of all security duties and assigned to clerical work in virtual isolation.

Availability of Ammunition to Men Serving in Vietnam

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentlemen from Ohio [Mr. Ayres] may extend his remarks at this point in the Record and include extraneous matter.

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

No objection.

Mr. BUCHANAN. Mr. Speaker, I would like to know if there is anything that could be done about this situation. We would appreciate any help that you could give to us.

Sincerely,


The letter that I received from 29 members of the 94th Ordinance Company follows:

The letter which I received from 29 members of the 94th Ordinance Company follows:

APO SAN FRANCISCO, June 6, 1966

Dear Sir: I don't know for sure whether I have a legitimate complaint or not. I thought that I would like to know if there is anything that could be done about this situation.

We are serving our country in Viet Nam, with our ammunition locked up in a conex. Even though we have been the second safest place in Viet Nam there have been several incidents where people on guard duty have been shot.

Too, G.I.'s were shot and killed just 1,500 feet from where we are based.

At this time we are being attacked. We would like to know if there is anything that could be done about this situation.

We would appreciate any help that you could give to us.

Sincerely,

The Gt's from the 94th Ordinance Co.


DISTRICT OF COLUMBIA SCHOOLS "REPORT"

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentlemen from Florida [Mr. Guney] 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 Alabama?

No objection.

Mr. GURNEY. Mr. Speaker, I spoke on Friday morning, June 17, there was a released a committee print entitled "A Task Force Study of the Public School System in the District of Columbia as It Relates to the War on Poverty." The report further states that this study was conducted by the Task Force on Anti-poverty in the District of Columbia of the Committee on Education and Labor.

Mr. Speaker, I am a member of that task force, and the first time I saw that report was Friday morning. I was not afforded an opportunity to participate in the drafting of the report; I was not informed that it was about to be published. The report was not discussed at a meeting of the subcommittee called for that purpose.

Furthermore the minority staff of the committee was not notified, nor were they given an opportunity to even read the report before it was released. In short, that report is not the work of any task force in which I participated, although it purports itself to be such. I wish at this time to disassociate myself.
from the report and to make it very clear that I had no part in determining its contents.

CLARIFYING AND PROTECTING THE RIGHT OF THE PUBLIC TO INFORMATION

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois (Mr. Finley) continue 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 Alabama?

There was no objection.

Mr. CRAMER. Mr. Speaker, I was unavoidably detained at an important meeting and missed by a few minutes being present for the vote on S. 1160, clarifying and protecting the right of the public to information. Had I been present, I would have voted for passage of the bill. I am proud to announce my position in support of the legislation, which is best evidenced by my introduction of a similar bill, H.R. 1419.

In support of this position, I can do no better than to quote the conclusion of the Committee on Government Operations in reporting the bill to the House: A democratic society requires an informed, intelligent electorate, and the intelligence of the electorate varies as the quality and quantity of its information varies. A danger signal to our democratic society in the United States is the fact that such a political truism needs repeating. And repeated it is, in textbooks and classrooms, in newspapers and broadcasts.

The repetition is necessary because the ideals of our democratic society have outpaced the machinery which makes that society work. The needs of the electorate have outpaced the laws which guarantee public access to the facts in Government. In the time it takes for one generation to grow up and prepare to join the councils of Government, a new and crowded field—what was designed to provide public information about Government activities has become the Government's major shield of secrecy. S. 1160 will correct this situation. It provides the necessary machinery to assure the availability of Government information necessary to an informed electorate.

THE FUTURE FOR CORN

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois (Mr. Finley) may extend his remarks at this point in the Record and include extraneous matter.

There was no objection.

Mr. FINLEY. Mr. Speaker, on June 6, 1966, at a meeting, I had the privilege of addressing the Corn Industries Research Foundation, Inc., which is composed of the companies which process corn for industrial and food uses, made an unusual speech at French Lick, Ind. He discussed corn and its importance in most interesting terms, but he went further and stated firmly and persuasively that farmers should be given a fair price in the market for their products. He also criticized recent efforts to beat down farm prices, pointing out that these prices are low in comparison to wages and industrial prices.

Below are extracts from his excellent speech:

THE PROCESSOR MARKET—PRESENT AND FUTURE

A booming and an exciting processor market lies ahead for today's corn producers. By this time next year, it is a marketing value will be increased in the years ahead.

Much of this is due to the versatility of corn, our top crop. Much of this is due to the imaginative efforts of our corn farmers, seed producers, the agribusiness community—and to processors like those I represent.

Nor should we overlook the vital marketing role played by grain and feed dealers, the commodity exchanges, our transportation industries—and many others. Their teamwork makes it possible for the 7 percent of our population which are farmers to feed the other 93 percent of us, and have food left over for some of the rest of the world to be better fed.

All of us are dedicated to doing a better job for agriculture. This we can do, but there are some stern tests of our patience and our ability just ahead of us.

First, let me say that the health of corn processing is and will continue to be excellent. No other crop I represent will be an important— and growing—market for corn producers and the grain trade for years to come.

Last year's record corn crop was produced only through the cooperation of the farmer and all of agribusiness. The approximately 58 billion bushels of corn which are moving through marketing channels so efficiently are a tribute to the know-how and efficiency of the men and women who made all of our great association and others in other states.

I think it is unfortunate that so few of us take time to consider some of the measures of corn's importance to this economy of ours. One indication of this importance is the fact that the value of the crop raised by American corn farmers each year is exceeded by no other crop. The 1965 crop value amounted to more than $4 billion, and the proportion of corn sold at prices above parity is trending upward. Corn is the real King!

Corn refiners purchase about 5 percent of our total corn production. This percentage varies slightly with the size of the total crop. If we consider only that corn which is marketed, by the corn refining pur­ chases rise to 10 percent to 12 percent of the total crop available for sale—and this, let me remind you, is the part that you handle.

One more measure of our importance to your business is this: corn refiners purchase more than half the corn crop that is neither exported nor fed to livestock.

And in our domestic economy—as many of you know—the products of corn refining go into everything: paper, textile, metal-working, medical and other uses so essential to our life.

Recently, we of Corn Industries wanted to describe the contributions of corn refining to America in a few words. We finally said: "Corn refining affects all Americans."

So basic is corn in so many food and nonfood uses in our economy today that its use normally is not subject to the economic cycle of oil and other energy sources. Power from corn.

Since the beginning of the present century a marked change has occurred in diets. Price changes, taste, the introduction of convenience foods, rising incomes, changes in occupations and continuing farm-to-city migration all are factors in this change.

A few months ago, R. F. Daly and A. C. Eggert, two U.S. Department of Agriculture economists, published a most interesting study of what U.S. food consumption patterns might be in 1980.

Between now and 1980, according to Daly and Eggert, our per capita consumption of beef, veal, chicken and turkey will increase, while we will eat less pork. Our use of milk, milk products and cheese will increase more, but not as much as the experience of the last two decades. Our consumption of food fats and oils will remain steady, and the shift from animal to vegetable sources of fats and oils—which is now well under way—will continue.

Turning to grains, Daly and Eggert indicate our per capita wheat consumption will continue downward, although it is estimated that our wheat consumption has declined by 500 pounds in 1980 in comparison to 165 pounds in 1959-61.

Corn consumption, however, follows a different pattern, and this really interests us. One would expect our consumption of corn to parallel the decline in wheat. Cornmeal consumption has been declining steadily over the years. What could possibly take its place? The answer is all sorts of things, among them corn sweeteners and foods, including two products of corn refining produced in rising volume. Daly and Eggert tell us we may expect per capita food consumption of corn to continue at or near the present level through 1980.

Remember, the proportion of the grain equivalent of per capita U.S. food consumption of corn will be 52 pounds.

Another of the growth products of corn refining is oil. U.S. corn refiners have doubled their output since 1948, and today margarine usage accounts for 36 percent of the total domestic use of corn oil. A decade ago margarine use was negligible.

Corn processors, of necessity, have certain quotas for their products. One important element they emphasize is that corn they use should not be overheated during drying. We are proud that Purdue trained an educational program on proper corn drying for a number of years, and the Federal Government supports extensive research in this same subject.

Correct drying procedures are all the more important today. First, artificial drying of corn is a growing and valuable practice. Second, the amount of corn that is field-shelled is increasing year after year. We question, much that is being done in this area because we know they represent the type of producer efficiencies our farmers must have if they are to keep their costs in line with the value of their marketings.

All of us have a real stake in corn drying. We cannot afford to sit on this one alone in this. Distillers report lower yields of alcoh­ olic, and dry millers and breakfast food man­ ufacturers are troubled by shattered and broken kernels also. Even exporters find customers abroad who complain about broken corn.

I mention these facts because I think orga­ nizations like your own which link corn pro­ ducers with corn processors have a special responsibility to the farmer. Corn refiners, perhaps, are closest to the producer. You are his first point of contact with his market. This is why we would encourage and welcome your support of the corn drying program and other campaigns designed to improve the marketing of corn for the benefit of producers.

One new development which may have serious implications is a worldwide scale is high lysine corn. This research is being carried on by scientists at your own Purdue University.

I am a member of the Purdue University board of visitors, and my good friend, Dr. W. W. Egbert, Purdue's Dean of Agriculture, told me last week that the discovery of high lysine corn will likely prove to be one of the most important break­ throughs of this decade, having great con­ sequences in those parts of the world where the basic energy source of the human diet would be corn.
If—and while it is a big "if," no one says it can't be done—high lysine corn can be developed commercially that is of consistent high content, and if the yield of this corn can reach that of present hybrids, we will see within the next decade a corn crop that will change the pattern, as the one which followed Henry Wallace's successful development of hybrid seed corn four decades ago.

There is a strong, compelling reason why it is so essential that agriculture throughout the world develop to its fullest potential post-1947. In the last 10 years, the developing countries have more than doubled per capita food production, given their rapidly rising populations. The protein content of this increased production is considerably higher than that of the developing countries' food production a generation ago, and the lysine content, which is critical to the development of children, has risen at a similar rate.

The yield of this corn can reach that of present hybrids, we will see within the next decade a corn crop that will change the pattern, as the one which followed Henry Wallace's successful development of hybrid seed corn four decades ago. But the challenge of the developing countries is to develop the necessary infrastructure to ensure that this corn, when it becomes available, is used effectively to improve the nutritional status of their populations.

It is the job confronting us, therefore, that is a different equation in the developing countries. The developed countries must be modernized. We need to maintain a balance between increased shipments of foodstuffs from this country and the administrative assistance that can help the less developed nations increase their own agricultural productivity.

It is third most important element to this new equation. That is that we do all this and yet preserve enlightened farmer/producer here a home which improve the income position of the American farmer.

Despite the recent growth of the American economy, the farmer has not been re-ceiving his fair share. Claude W. Gifford, economics editor of Farm Journal, observed recently that since 1947–49, average weekly wages in manufacturing industries rose 107 percent, Federal Government spending increased 173 percent, and farmers themselves were buying 26 percent more for what they buy. Yet, says Gifford, over-all farm prices received in 1966 fall 9 percent below 1947–49. "Hardly an excuse for a cap on farm prices," Gifford added.

In this I agree. And whether one attempts to measure parity, or even "parity of income," a new term of rather unprecise meaning, it seems obvious to me that we are permitting a vicious double-standard to exist in our economic life today.

All around us we see evidence of increases in price for goods and services. Wages are climbing—particularly in manufacturing industries and the construction trades—both within and without the Administration's guidelines. The farmer, the family farmer, is harnessed to a price structure that is not reflective of wages and price advances that are achieved elsewhere in the economy.

The 7 percent of our population who comprise our farm families take the risks of early frost, flood, disease and insects, drought—industries in manufacturing in addition to the uncertainty of the markets. When they can complete the harvest, they face uncertain markets. While we can do little to ensure high prices for a given crop as a nation—and I speak for the 93 percent which is nourished by its crops—do we also recognize our responsibility to the farmer, who can offer remuneration more in keeping with the advances achieved by others.

Recently, we witnessed market actions which did little to hold down food costs but which cut into farm income. I think it is not only politically unwise to do this, but morally wrong. If we seek scapegoats for inflation, let us not overlook the food consumer. Obviously, as a consumer I want low food prices, but I do not want such prices at the expense of my fellow man's income and stability—particularly at a time when other segments of the economy are experiencing a great increase in income. The per capita income of our farm population is only about two-thirds that of our non-farm population. Although the average farm income is $11.7 billion of 1960 to the $18.1 billion recently reported for 1965, farm operating expenses also reached an all-time high of $31.8 billion during the same period. Farm debt at the beginning of 1966 was $41.1 billion—a record high that mounts heavily each passing year.

When industrial wages, salaries and all prices are taken into account, farm prices are low. Consumers have been accustomed to food prices that are based on farm prices that are substantially below parity. Naturally, when food prices begin to move up, there is inevitable criticism and it makes little sense to the consumer to blame the inflation they see on the higher food costs they have to pay. The consuming public would be in for a rude awakening if the prices received by farmers were representative of the same guidelines. When the marketing system, of course, subjects the farmer to supply and demand and we cannot guarantee his continuing price advances. But, by the same token, we should not relegate them to a permanent economic status below the prevailing market level. It is evident that our own domestic requirements and the world food situation make it necessary that we maintain adequate food supplies. Government stocks should, under ordinary circumstances, be insulated from the market. Otherwise, it is clear that the political posts—to the detriment of farmers and the entire national economy.

The conditions under which such reserves would be maintained and the basis for distribution of such stocks should be announced in advance. But most important of all, the prices received by farmers should substantially higher than present law provides. To the maximum extent possible, the CCC sales prices should reflect the prevailing supply-demand situation.

Ordinary stocks essential to normal business operations should be carried by the private trade. Management stocks should be given to the private trade to carry its own inventories. The Commodity Credit Corporation was not designed to be a great national agricultural warehouse. Since the 1940's this country has given away mountains of foodstuffs to other countries. Some nations showed little gratitude and, while eating our provender, assailed the system which kept them from starving. Nevertheless, in an unstable world, there is little question that American food—supplied at sacrifice by the American farmer—has been a great tool of stability and peace. It will be a great tool of security. It will be a great tool of peace. It will be a great tool of the American public which has little appreciation for, and even less understanding of, agriculture.

We will not advance and progress as a nation unless each segment of our economy shares fairly in the abundant which all help to produce, process and distribute. Each of us in the agriculture community has a responsibility in this. Let us resolve to carry the program forward. Thank you.

**PERSONAL ANNOUNCEMENT**

Mr. CHAMBERLAIN. Mr. Speaker, I was absent on Thursday last, and therefore am not recorded on rollcall No. 145. Had I been present, I would have voted "nay," and would have like to have the Record so indicate.

**HUMAN INVESTMENT ACT OF 1966**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 30 minutes.

Mr. MICHEL. Mr. Speaker, economists have been in a dilemma for several years over the paradox of persistent unemployment during the most prosperous period in the Nation's history. When prodded into offering a solution, the Democratic administration fell back on programs pursued by the New Deal three decades ago—programs that were questionable even then. Although war was declared on poverty, the fight has been largely on a piece-meal basis, with little concern by machine politicians more concerned with patronage than with progress. Even when the phrase "retraining the unemployed" was heard, it was accompanied by the New Deal's inegalitarian impulse of Federal coins being doled out in large sums. The average cost per trainee of the Job Corps, for example, has been far greater than the cost of Federal grants to the most expensive universities in the Nation.

Republicans have been offering a solution of their own—one that is being given more and more attention daily and which will not stray from traditional...
American principles. It is called the Human Investment Act.

With industry doing the training, a man is certain to be prepared for skills needed by the economy. Any loss of revenue under this plan would be repaid many times to the Federal Treasury as the unemployed once again become tax-paying members of society.

The bill which I propose to introduce, like other bills on the subject, provides a tax credit to business as an incentive to assist the economy by training unemployed persons so that they may take advantage of this goal, however, my bill differs in several important respects from the other bills. The effect of these differences is that my bill gives greater assurance that the legislative intent of a human investment credit is realized. The bill is much more specific than other bills, and thus narrows the area for interpretation and for abuse. It places emphasis on vocational training, making it perfectly clear that financial incentive of this magnitude probably is greater than is necessary and causes an undue large loss of revenue to the Treasury.

The definition of employees' training expenses in my bill parallels that of other bills to some extent: namely, wages and salaries paid employees who are appren­
tices in approved apprenticeship pro­grams or who are enrolled in an on-the­job training program under the Man­power Development and Training Act qualify as training expenses. There are significant differences, however, which underscore the fact that the credit is intended to encourage vocational educa­tion. Other bills, although excluding from the credit expense incurred in training or operating semiprofessional or professional education schools as defined in the National Defense Education Act of 1965. In my bill tuition and fees paid on behalf of a student which are eligible to be taken as a credit, either fully or at the 25-percent rate, is a flat 7 percent of the allowable training expenses. The proposed bill uses a graduated scale instead. Specifically 40 percent of the first $25,000 of the allowable training expenses, 20 percent of the next $75,000, and 7 percent of the allowable expenses in excess of $100,000. Small businesses that could not afford a training program under the flat 7 percent of cost formula will be attracted to the program under the graduated scale of my bill. It might be noted that S. 3184 permits 100 percent of the first $25,000 of allowable training expenses to be taken as a full credit and one-fourth of the second $25,000 as a credit.

The plan, which must be formulated or approved by the Secretary of Labor, as required under S. 2343. Moreover, my bill should provide a broader base of participants because it undoubtedly will attract the participation of more businesses than would the other bills.

I present a brief summary of my proposed bill within the framework of the chief points of differences between it and the other human investment credit bills. My bill, like the other bills, allows an employer to take as a credit against his tax liability the entire first $25,000 of the creditable amount of his training expenses. Above $25,000, one-fourth of the cost of allowable training expenses under the flat 7 percent of cost formula permits a 3-year carryback and a 5-year carryover of unused credits.

Unlike the other bills, however, my bill places a maximum upon the total amount that may be taken as a credit. On page 259 of part I of the Labor-HEW hearings held by the appropriations subcommittee on which I serve, Mr. Stanley Ruttenberg, Manpower Administrator, pointed out:

The average estimated cost for on-the-job training was $570 per trainee in 1966. That will go to $900 in 1967 because the basic education component of getting a job will be paid for out of the general fund of the government. That will be paid for out of the general fund of the government. That expenditure includes a 3-year carryover of unused credits.

In checking with industry in my own district, I find that the liberal estimate for fiscal year 1967 for the on-the-job training of an individual will be $500, or about one third of the Federal Government cost.

The Department of Labor recently announced six on-the-job training programs in Maryland, Connecticut, Illinois, Kansas, and Pennsylvania averaging about $85,000 per project. These, I feel, present a good cross section of a typical Government program, so the $40,000 limitation for private industry, to my mind, is reasonable.

In addition, this bill uses a different method of calculating the amount of training expenses that make up the creditable amount. The amount eligible to be taken as a credit, either fully or at the 25-percent rate, is a flat 7 percent of the allowable training expenses. The proposed bill uses a graduated scale instead.

Thus the area for possible controversy present in the proposed bill.

The proposed bill defines in careful detail "organized group instruction" in other bills. To assure the greatest flexibility in getting the type of training needed, the bill permits such training to be given either through a labor-management apprenticeship committee, or through other nonprofit associations. If the employer, which may be the organization giving the training, is approved by the taxpayer, must give full details including the job objectives for which the individuals are being trained, the length of the training period for the various operations to be learned, the wages to be paid at the different stages of the training period, and the wages that employees with such training receive. Such detail helps to prevent abuses such as the indefinite continuation of a training program or the padding of wages claimed for credit.

I have eliminated the requirement of 90 percent of the first $25,000 of the training expenses not being considered gross income to the individual, thus giving him an incentive to encourage vocational education. This is likely to enable the employer to include his training expenses as a safe­guard against abuse. Without it, a primarily full-time worker might spend a token amount of time in studying merely to enable the employer to include his wage toward the human investment credit. Or conversely, an individual might be primarily a student but he paid a wage by being assigned a token volume of work. Moreover, in a cooperative education program my bill does not permit the inclusion of wages and salaries paid persons attending either secondary schools or schools of higher education as a credit under the National Defense Education Act.

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In my bill tuition and fees paid on behalf of an individual works for the taxpayer for at least 3 months following his training period. This commitment might discourage employers from providing opportunities for training. But if the employer will participate, they might be cautious and train the minimum number. In bills requiring this commitment, poor business conditions are not a sufficient reason to permit the firing of a former trainee before he has worked 3 months. An individual may only be fired for cause based on his behavior.
WOMEN ARE BEING DEPRIVED OF LEGAL RIGHTS BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan [Mrs. GRIFFITHS] is recognized for 1 hour.

Mrs. GRIFFITHS. Mr. Speaker, I regret that it has become necessary to tell this House about the disregard for the enforcement of the law shown by key officials of the Equal Employment Opportunity Commission toward the provisions of title VII of the Civil Rights Act of 1964, which forbid employment discrimination on the basis of sex. These EEOC officials are completely out of step with the President, the rest of the administration, the courts, and indeed the country as a whole. They disregard the fact that Congress, by enacting title VII, declared a national policy against discrimination in employment based on sex. They close their eyes to the prevailing insistence on encouraging greater employment of women at every level. It apparently makes no difference to them that a three-judge Federal Court ruled in February—White adherence to the 14th Amendment protects women from discriminatory State laws; pertaining to jury duty, or that 48 States have established commissions to determine the status of women in employment.

I charge that the officials of the Equal Employment Opportunity Commission have displayed a wholly negative attitude toward the sex provisions of title VII. I would remind them that they took an oath to uphold the law—not just the part of it that they are interested in.

In the beginning, I excused their unprofessional attitude on the assumption that these men had not even thought about sex discrimination. Surely, I thought, when the evidence of discrimination began to pile up in the form of court decisions and reports, these men would understand the necessity of prohibiting discrimination because of sex. I had expected that these men would have a high degree of cooperation in this fight against sex discrimination and respect for facts. Surely, I thought, they could not fail to see the close relationship between race discrimination and sex discrimination in employment. It would be only half eradicated if employment discrimination continued on the basis of sex. Surely, I thought, they would not ignore the fact that women's wages are much less than the men's and that the poorest families in the Nation are those headed by women.

But their negative attitude has changed in the meantime. They started out by casting disrespect and ridicule on the law. At the White House Conference on Equal Opportunity in August 1965 they focused their attention on such silly oddities as whether the law permits a man to hire a woman as a dog warden, or a man as a "house mother" for a college sorority house, violates the law.

This emphasis on odd or hypothetical cases has fostered public ridicule which undermines the effectiveness of the law, and disregards the real problems of sex discrimination in employment. By emphasizing the difficulties of applying the law in these odd cases, the impression is created that compliance with the law is unnecessary and that its enforcement can and will be delayed indefinitely or wholly.

I ask in all seriousness: What is this sickness that causes an official to ridicule the law he swore to uphold and enforce? Are such men qualified professionally to enforce title VII? Are they qualified temperamentally? Can they properly enforce this law when they are hostile to one of the groups the law was designed to protect? Is it humanly possible for a person to be genuinely concerned about the rights of "some" others but not "all" others?

What kind of mentality is it that can ignore the fact that a woman's wages are much less than men's, and that Negro women's wages are least of all?

Here are the facts for workers employed year-round full time: the median earnings of white women are $3,597, of Negro women $3,585, and of Negro men $4,285. White men earn $6,497; white women $3,853; Negro men $6,073; Negro women $3,436.

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At this point in the Record I include three tables showing data on earnings, education, and unemployment, by sex and by race. I believe these facts are conclusive evidence of the great need to protect women against discrimination in employment.

**TABLE I—Average earnings of workers, 1964 (median earnings in dollars, balanced annual averages, annual earnings)**

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Nonwhite</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>$6,497</td>
<td>$4,285</td>
</tr>
<tr>
<td>Women</td>
<td>3,853</td>
<td>3,436</td>
</tr>
</tbody>
</table>

**TABLE II—Average education of persons in labor force, 1965**

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Nonwhite</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>12.2</td>
<td>11.1</td>
</tr>
<tr>
<td>Women</td>
<td>11.5</td>
<td>11.0</td>
</tr>
</tbody>
</table>

**TABLE III—Unemployment rates, April 1966**

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Nonwhite</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>2.9</td>
<td>5.9</td>
</tr>
<tr>
<td>Women</td>
<td>4.1</td>
<td>7.7</td>
</tr>
</tbody>
</table>
Unbelievable as it is, the EEOC interprets the identical words of section 704(b) of the law as meaning one thing when applied to race or color, but entirely the opposite when applied to sex. This is a legal schizophrenia which has no basis in the law or in ethics, and is in my judgment intellectually dishonest.

There is not the slightest factual justification in the court case for the EEOC's twisting and distortion. Nor is there the slightest basis in the legislative history of the law for permitting such discrimination against sex in the law or in ethics, and is in my judgment intellectually dishonest.

The Acting Chairman of the EEOC, Mr. Luther Holcomb, wrote the Commission's reply to me on June 1, 1966. His response in every way discredits both the law and the inconsistencies which riddle his letter. It rejects the basic purpose of the law to prohibit sex discrimination in job opportunities and throws in the towel with naive assumptions and superficial thinking.

Here is the text of Mr. Holcomb's letter:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Washington, D.C., June 1, 1966.

Dear Martha W. Griffiths, House of Representatives, Washington, D.C.

Dear Mrs. Griffiths: Thank you for your May 19 letter, affording us your thoughts on the recent revision of the Commission's sex guidelines in the area of job opportunities advertising.

You ask how section 106.44, as amended, of our guidelines can be reconciled with section 704(b) of Title VII, which provides that it shall be an unlawful employment practice for an employer to print, publish, or cause to be-printed or published any advertisement relating to employment which indicates any preference, etc., based on sex.

That statement is true only because the EEOC fails to enforce the law that the individual advertiser may select the heading under which the ad will appear. It is only because the EEOC fails to enforce the law that the individual advertiser may not lawfully select a list with a racial heading in which to put his ad. The law prohibits every employer from engaging in any discriminatory employment action on the basis of sex. It is not the Commission's function to determine whether a company is generally based principally, if not entirely, on his desire to obtain a maximum reader response and not on a desire to exclude applicants of a particular sex. For example, we have been informed that the individual advertiser who, in the early days of the operation of Title VII, moved their advertising from the "male" or the "female" column to the "male and female" column found that the response to these ads dropped off markedly. Thus, it is primarily the reading habits of job seekers which presently dictate the placement of sex guidelines. It should be noted that these column headings do not prevent persons of either sex from scanning the area of the "jobs available" page where jobs of particular interest to the individual may be found. Nor do the headings indicate that qualified persons of either sex will not be considered on an equal basis for the advertised job.

It may well be that the best solution to this problem of help wanted ads would be to substitute in the column headings words which are not illegal under the law but which are not sex-specific. However, the newspaper industry does not regard this as a solution. A helpful amendment to section 704(b) is not applicable to the policies of the newspapers in classifying advertising.

We do not regard the classification of help wanted advertisements by sex as completely analogous to such classification by race. While some job categories are and are likely to remain of particular interest to members of one sex or the other, the Commission's sex guidelines are intended to accomplish such discrimination. There is an extraordinary insensitivity
Mr. Holcomb tries to gloss over this inadmissible practice by saying that "these column headings do not prevent persons of either sex from scanning the area of the jobs available page." My answer is, I have never entered a newspaper labeled "men" and I doubt that Mr. Holcomb has frequently entered the women's room. The long standing custom that women do not enter a men's washroom and men do not enter women's washroom, is an effective barrier in almost all instances.

The same principle operates in the job seeking process. There has been a long standing tradition in this country that it is the custom to label the job advertisements by sex. Even though the Supreme Court has repeatedly ruled that racial segregation in interstate transportation facilities was unlawful, Mitchell v. United States (1941); Morgan v. Virginia, 328 U.S. 373 (1946); Henderson v. United States, 339 U.S. 816 (1950).

I totally reject Mr. Holcomb's statement that the headings do not "indicate the type of work," that they are merely "descriptive of the fields to which the job seeker can apply." The headings "male" or "female" are simply "categorizing the help wanted advertisements." It is an inevitable consequence of putting the ad in the "male"—or "female"—column is to cut off at the outset any further reading of the ad by persons of the opposite sex. Mr. Holcomb squarely admits this when he referred to the "reading habits of job seekers." Mr. Holcomb tries to gloss over this inadmissible practice by saying that "these column headings do not prevent persons of either sex from scanning the area of the jobs available page." My answer is, I have never entered a newspaper labeled "men" and I doubt that Mr. Holcomb has frequently entered the women's room.

Secondly, it is the Congress, not the classified ad managers of the newspapers, that writes our Nation's laws. The law prohibits employers, employment agencies, and unions from publishing job advertisements "indicating any preference, limitation, specification, or discrimination, based on race, religion, sex or national origin." The sex headings over the job ads constitute a direct violation of that prohibition. I agree that the sanction of these headings as a device to evade the law is nothing short of disregar for the law and total insensitivity to the adverse effects which these headings exert on equal job opportunity.

Thirdly, Mr. Holcomb's statement that section 704(b) "is not applicable to the policies of the newspapers in classifying job advertisements," is simply this—that the result of using the label "men" only or "women" only for jobs that ought to be, and can be, performed by either a man or a woman is to perpetuate the traditional discriminations based on sex that title VII was specifically designed to prevent.

One would suppose, from the lack of understanding that the EEOC officials, that the Commission's sex advertising guidelines were issued inadvertently or without having adequate advice about them.

I want the House to know that the Commission's sex advertising guidelines were not issued inadvertently. They were promulgated in flat disregard of the views of other Government agencies which administer similar laws—in flat disregard of the views of prominent business leaders and in flat disregard of the experience of various newspapers operating under State laws which forbid employment discrimination on the basis of sex.

The citizens advisory council on the status of women

This Council consists of 20 distinguished private citizens—men and women—appointed by the President under Executive Order 11128. Its chairman is Dr. Richard A. Lester, professor of economics at Princeton University; Miss Dorothy Height, president of the National Council of Negro Women; Mrs. Viola H. Hymes, chairman of the Governor's Commission on the Status of Women, Minnesota, and former president, National Council of Jewish Women; Mr. Maurice Lazarus, vice chairman of the Federated Department Stores; Dr. Richard A. Lester, professor of economics at Princeton University; Miss Margaret Mealey, executive director of the National Council of Catholic Women; Mr. Norman Nicholson, vice president of Kaiser Industries Corp.; Dr. Dr. John C. Condon; Miss Margaretite Rawalt, a dis­

C.C.I. 13691
civic leader; and Dr. Cynthia C. Welde, assistant general secretary of the National Council of Churches.

On May 19, 1966, the Citizens Advisory Council sent a memorandum on policy to the EEOC. I want to emphasize that that memorandum was approved by the Interdepartmental Committee on the Status of Women under the Chairmanship of the Attorney General and the Secretaries of State, Defense, Agriculture, Commerce, Labor, Health, Education, and Welfare, and the Commissioner of the Civil Service Commission. The Council's memorandum on policy stated—page 8—as follows:

Under section 704(b) of the Act, it is an unlawful employment practice for an employer, labor organization or employment agency to publish any advertisement which indicates any preference, limitation, specification, or discrimination as to sex, with only one exception—when sex is a bona fide occupational qualification for employment.

The Council is alarmed at the lack of compliance with this provision as evidenced by the continued advertising in sex-segregated newspaper columns. Separate "help-wanted men" and "help-wanted women" columns in newspapers serve only to advise prospective job applicants where they are not wanted, thereby perpetuating discrimination. Moreover, sex-segregated newspaper columns actually encourage employers to place a sex label on jobs, which unintentionally, restricts the employment opportunities of both men and women.

The Council urges that the EEOC make clear to employers that the law prohibits placing an employment advertisement in a newspaper column which indicates a sex preference unless they can show that being a man or a woman is necessary in order to be a bona fide occupational qualification for the job. The cooperation of the newspapers should also be sought. The Council believes that the adoption by the EEOC of a firm position on advertising would yield ready cooperation from the newspapers.

The Phoenix Gazette and the Honolulu Star-Bulletin, for example, no longer segregate their employment advertisements. (The advertising provisions in the Arizona and Hawaii State fair employment laws are similar to the Federal law.) Where an employer can show that sex is a bona fide occupational qualification the EEOC has no hesitation in expressing the individual advertisement.

The discontinuance of sex-segregated newspaper advertisements also helps eliminate sex discrimination in employment not covered by Title VII. Moreover, the lack of a strong Federal position on advertising may hamper effective implementation of advertising provisions of State fair employment laws which do not have numerical limitations of coverage.

OTHER GOVERNMENT AGENCIES

The President's Commission on the Status of Women stated in its 1963 report "American Women."

The EEOC guideline of April 22, 1966, permitting job advertising in separate columns for men and women encourages violation of the law which the EEOC was set up to enforce. It also violates the fifth amendment of the Constitution. All government officials—State and Federal—are obligated to carry out their duties in compliance with the due process and equal protection of the law guarantees of the 14th and 15th amendments of the U.S. Constitution. There is reason to believe, at long last, that women are protected by the Constitution from arbitrary class discrimination.

The President's Commission on the Status of Women stated in its 1963 report "American Women."

This view was adopted and approved by the three-judge court in Alabama on February 7, 1966, which held that the Alabama law discriminating...

The argument that the Fourteenth Amendment was not historically intended to require the states to make women eligible for jury service is a misconceived view of the function of the Constitution and this Court’s obligation in interpreting it. The Constitution of the United States must be relevant to the problems which are current today. It is not in the Constitution to govern the state and the institutions of government as they evolve through time. It is in the Constitution itself which acts as an apparatus to govern the Constitution as a living document to the legal cases and controversies of contemporary society. When such an application to the facts in this case is made, the conclusion is inescapable that the complete exclusion of women from jury service in Alabama is arbitrary.

The Alabama statute that denies women the right to serve on juries in the State of Alabama thereby violates the provision of the Fourteenth Amendment to the Constitution of the United States that forbids a State to deny to any person, within its jurisdiction, the equal protection of the law. The plain effect of this constitutional provision is to prohibit prejudicial disparities before the law. This means prejudicial disparities for all citizens—including women.

On the basis of this decision, the Circuit Court of the First Judicial District of the State of Mississippi has held that a similar Mississippi jury exclusion law is also unconstitutional. Mississippi against Pendergraft.

The White against Crook decision was a departure from previous confused court cases denying claims of women to equal protection under the Constitution. Those cases are summarized in the “Report of the Committee on Civil and Political Rights,” President’s Commission on the Status of Women, appendix B, U.S. Government Printing Office, 1963.

There is every reason to believe that this enlightened view of human rights for women will be extended to areas other than jury service. On February 23, 1966, the Los Angeles Municipal Court stated that it had never permitted the prosecution of women from working as bar-tenders—although the law permitted them to serve liquor in the lower paid jobs as waitresses—would likely be found by a higher court to be inconsistent with the 14th amendment, California v. Gardner—L.A. Mun. Ct. No. 247555; 53 Labor Cases 6567, par. 9015.

The protections of the 14th amendment to the Constitution are not dependent on the existence of the 15th amendment, as has previously been thought. Thus, the law is unconstitutional as to women from working as bar-tenders—although the law permitted them to serve liquor in the lower paid jobs as waitresses—would likely be found by a higher court to be inconsistent with the 14th amendment, California v. Gardner—L.A. Mun. Ct. No. 247555; 53 Labor Cases 6567, par. 9015.

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to the normal operation" of the airlines? How would such a "bona fide occupational qualification" exception apply to an airline that had been employing only stewardesses, or to an airline that had been employing only men, or to those that had been employing both men and women?

This so-called "BFOQ" exception is applicable only to "those certain instances where religion, sex, or national origin is a bona fide occupational qualification necessary to the normal operation of that particular occupation or facility," 7 Boston College Industrial L. Rev. 417, 428-29, spring 1966: "It is quite evident that some of the EEOC officials simply refuse, or cannot accept, the fact that sex discrimination in employment is as immoral and as prevalent as discrimination because of race. Once these gentlemen face up to the fact that sex discrimination cases exist, they will not have very much trouble with the lack of legislative history.

Third. The third excuse I often hear is that sex discrimination cases take too much time and thus interfere with the EEOC's "main" business of eliminating racial discrimination. This problem, even if it exists, could be substantially reduced if EEOC acted vigorously to enforce the law as prescribed by Congress. Once employers understand that EEOC means business, they will be fewer violations by employers and fewer petitions from employers for EFOQ exceptions. There is no rational reason for the sex cases to take a disproportionate amount of EEOC time. Executive Director and a majority of the Commissioners continue to wring their hands and discuss the motives of the perpetrators of this law in every case, the sex cases do not usually increase and to create further difficulties. But that is a problem internal to them—not one they should blame on the Congress. Little honest introspection, perhaps with professional assistance, would do more to help some of the EEOC staff than all the legislative history in the world.

SUGGESTIONS FOR ACTION

I suggest the following action:

First. The EEOC should immediately conform the law by revising its guideline on advertising to read substantially as follows: "An advertisement for a job should be judged on its merits, perhaps with professional assistance, would do more to help some of the EEOC staff than all the legislative history in the world.

Second. If the EEOC does not promptly adopt the foregoing suggestion, I hope that appropriate organizations, such as the American Civil Liberties Union, the Association of Women Lawyers, the Federation of Business and Professional Women's Clubs, the General Federation of Women's Clubs, the National Council of Negro Women, the National Council of Jewish Women, and the National Organization for Women, among others, will give serious consideration to bringing legal action to require the EEOC to observe the law. Women are being deprived of their civil rights by the EEOC's inaction since April 27, 1966.

Third. I recommend that the President nominate for appointment to the EEOC only such persons whose concern for justice and fairness encompasses all persons, and whose will to enforce the law will be clear to everyone. The women of this country need reassurance of the President's intent to offset the doubts which the EEOC has raised as to the administration's good faith in administering the equal job opportunity provisions of the law.

Fourth. I recommend to the newspapers that they witness their concern for human rights by voluntarily complying with the law.

Fifth. I recommend that organizations and individuals concerned with human rights vigorously protest to the President against the unlawful action of the EEOC and their generally negative attitude toward the sex discrimination provisions of the act. I commend the District of Columbia Federation of Business and Professional Women's Clubs for doing so at its convention in May 1966, and I include the text of the declaration adopted at that point in the Resolution, as follows:

RESOLUTION PASSED UNANIMOUSLY BY THE DISTRICT OF COLUMBIA FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS AT THEIR 17TH ANNUAL CONVENTION, HELD MAY 6-7, 1966, WASHINGTON, D.C.

Resolved, That the above resolutions be sent to other appropriate organizations.
GI SPURNS RIFLE, IS PUNISHED

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. VIVIAN. Mr. Speaker, I should like to call to the attention of my colleagues a news story which came to my attention over the past weekend. According to this story in the Sunday, June 12, edition of the Washington Post, U.S. Army Pvt. Adam R. Weber recently was sentenced at an Army court-martial to a 1-year term at hard labor and loss of pay and allowances, because he was unwilling to carry a weapon in combat. However, according to the story, Private Weber had indicated he would be willing to carry a weapon if such a weapon were prescribed by a medical aide. I presume he still is willing to so serve. Again, according to the story from Vietnam, at the time the private was drafted into the U.S. Army, he had, with permission, recorded in his processing papers that it was his personal belief that “I cannot take the life of another human being.”

Mr. Speaker, it seems to me that an injustice has been done. Private Weber appears to have made clear that he was willing to face all the dangers of warfare—but only so long as he could protect himself. He appears to have made his convictions clear at an early date.

In years past, Mr. Speaker, we have recognized that men of strong pacifist convictions but evident courage to face danger are worthy of better treatment. I ask that this individual be given another hearing.

I append, at this point in the Record, the article from the Sunday, June 12, edition of the Washington Post, relating his story:

GI Who “Can’t Take Life” Spurs RIFLE, Is Punished

(Compiled by Jack Polster)

CHICHI, SOUTH VIETNAM, June 11— Pvt. Adam R. Weber Jr. stood before a board of officers at an Army base here and said he was willing to face all the dangers of war—even without a weapon with which he was asked to serve on the battlefield as a combat GI who best symbolized a widespread desire for an interlude of stability. A group of U.S. observers, who included Norman Thomas and Victor Reuther, both of them Bosch supporters, could find no evidence of “mass frauds” in the big Balaguer vote.

The Right managed to win by a narrow margin at the polls.

What neither set of critics envisaged was a relatively calm election which would produce a comparatively honest victory for the man who best represented the will of the people for a return to normalcy. The choice of this “Leftist” would assuredly end in a Communist takeover by one means or another.

These weapons would be used to take a victorious Bosch captive, or to throw the nation into a bloody shambles in case the Right managed to win by a narrow margin at the polls.

JOHNSON SCORES OVER DOMINICAN CRITICS

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. Mosaski] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. MOSASKI. Mr. Speaker, last Friday, June 17, I read an article appearing in the Washington Post by John Chamberlain, titled “These Days: Johnson Scores Over Dominican Critics,” which I intended to bring to the body of the Record at this point:

[From the Washington (D.C.) Post, June 17, 1966]

These Days: Johnson Scores Over Dominican Critics

(Compiled by John Polet)

After a year of bickering and puffing by Cassandras at two ends of the political spectrum, a moderate, Joaquin Balaguer, finds himself in the driver’s seat in the Dominican Republic by a margin (56 per cent of the vote) that would be called a landslide had it happened in a free U.S. or British election.

The interesting thing is that Balaguer doesn’t hate Yankees. His victory is thus a victory—and a vindication—for Lyndon Johnson. But it is a vindication for Mr. Johnson for calling him all sorts of names because of his policies toward the Dominican Republic during the past year? Nobody that I can see.

According to LBJ’s numerous hecklers on the left, the Dominican Republic in April of 1965 was a terrible thing. In the name of combating Castromism it had stopped a legitimate revolution in the Dominican Republic. Would the President Juan Bosch to a power that was deemed rightfully his. The United States would do nothing to recover the 8000 weapons that had been distributed to Castroites and Communists in April of 1965.

These weapons would be used to take a victorious Bosch captive, or to throw the nation into a bloody shambles in case the Right managed to win by a narrow margin at the polls.

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ago, and the former Ambassador to the Dominican Republic, W. Tapley Bennett, Jr., who just returned from Lisbon, Portugal.

The irony is that the whole business has resulted in an uncoerced vice by Mann with an unwillingness to follow a cooperative "middle way" course. The Irony business has resulted in an uncoerced vice by Mann with an unwillingness to follow a cooperative "middle way" course. The Irony business has resulted in an uncoerced vice by Mann with an unwillingness to follow a cooperative "middle

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut (Mr. Giaimo) may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. GIAIMO. Mr. Speaker, I have introduced this bill to remedy a provision of the Internal Revenue Code which is ambiguous as read and inequitable as interpreted by the courts. Under the existing section one can deduct from gross income expenses incurred for education if his primary purpose in seeking that education was to sharpen his present skills but not if he was learning to develop new skills. In other words, Mr. Speaker, under the decision in Ramon M. Greenburg before the Tax Court a mechanic can deduct expenses incurred in studying to be a better mechanic, but if he chooses to study to be a TV repairman he cannot deduct those expenses. This is a bit difficult to understand. There are areas where a person will not know until he goes through the expensive process of litigation whether he is sharpening present skills or learning new ones. Medicine is a field which best exemplifies the latter case. I want to make it clear, however, that this bill will only apply to those who are primarily engaged in education. By this, I mean that it would not apply to students in universities or secondary schools who may hold jobs which are incidental to their education. They are being educated to begin a trade or business and not to perfect or broaden skills already acquired.

Mr. Speaker, it has been the policy of this Government to encourage people to retrain, to learn new skills, in order to cope with the changing economy. We consistently stress education and the need for bettering oneself, yet ironically, our tax laws discourage people from taking a step important not only to their own personal well being but to the future needs of society.

Should we not, Mr. Speaker, alleviate a burden which can be prohibitive, especially to those who have families and must live on a close budget. This bill, I believe, would be the best means of effecting that result and is in keeping with our tax and education policies.

A UNIQUE CELEBRATION OF SENIOR CITIZENS MONTH

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. Ottinger) may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

A BILL TO REMEDY A PROVISION IN THE INTERNAL REVENUE CODE

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut (Mr. Giaimo) may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. OTTINGER. Mr. Speaker, last month many communities throughout the United States celebrated Senior Citizens Month. One of the most unique observances took place in Westchester County, N.Y.

On May 24, 12 members of the Senior Citizens Club of Crompton, N.Y., participated in a discussion of various issues concerning older Americans. Among the topics discussed were: When does a person become old? At what age? What are the seniors' views about older people? Do they have a correct picture? What is the Government doing for older people? How can a closer relationship be established between the young and old.

This was a highly successful program and all those concerned felt it was most worthwhile. It afforded an opportunity to the community to discuss the problems which confront our senior citizens.

I believe that Mr. Paul Leith, president of the Crompton Senior Citizens Club, should be commended for organizing and directing this outstanding program.

I believe that if our colleagues may learn more about this program, Mr. Speaker, I present herewith for inclusion in the Record two articles which appeared in the Peekskill Evening Star and the Paterson Trader, as well as a copy of the letter of commendation which Mr. Leith received from the New York State Office of Aging:

NEW YORK STATE, EXECUTIVE DEPARTMENT, OFFICE FOR THE AGING, Albany, N.Y.

Mr. PAUL LEITH, President, Senior Citizens Club of Crompton, Crompton, N.Y.

DEAR MR. LEITH: Thank you for your May 27th letter and the copies of the newspaper clippings on your new program involving high school students and senior citizens.

You are to be commended for your creative thinking in exposing these high school students to one another. I think this is a fine pioneering effort. The senior center in Brooklyn is undertaking a similar program among older people as instructors in local elementary schools, and I agree with your thinking that the experience and wisdom of our older citizens can be a great contribution to the learning of our younger students.

I will be pleased to keep these materials on file and to submit them to Mr. O'Malley for possible use in a forthcoming issue of the CAMEO newsletter.

Thank you for your splendid cooperation with this office.

Sincerely,

MRS. MARCELLA G. LEVY, Director.

From the Peekskill Evening Star, May 25, 1966]

IN LAKELAND HISTORY CLASSES: OLD, YOUNG, NARROW GAP OF MISUNDERSTANDING

[By Margaret Laino]

Lakeland high school seniors felt growing pains yesterday as they stretched their way 50 years into the future. Celebrating May thirtieth in a special class for senior citizens, students tried to narrow the gap of misunderstanding between old and young through spontaneous discussions with their elders.

Ten senior high school classes were visited by local senior citizens, whose social and eco-
nomic positions were subsequently explored and often challenged by the younger set. Stories understanding of aging problems were students whose grandparents lived with them. They agreed they could never "pitch a tent and hide all the old people" for that purpose. Although most did not want their parents or grandparents to live in nursing homes, many students felt that the "foster grandparents" at Springvale would be the ideal retiring spot.

Senior Citizen Bessie Herskowitz vetoed this plan. "I just can't see the idea," she put on, with their milk stales as they come in for 5 o'clock cocktails."  

STILL VERY MUCH ALIVE  
Fellow Senior Citizens stressed that they are still very much alive and wish to be free to live in the manner they choose. Paul Leith, President of the Senior Citizens Clubs of Crompond, presented research uncovering taboos imposed on the old by the young such as not dancing, remarrying, wearing gay clothes, or doing work not considered appropriate for them.

The problem of independence for the elderly is a concern of the citizen's economic status. Most students were unaware of the average $60 monthly benefits received under social security by a single person to the lack of recognition opportunities for the elderly the question of "Who can we turn to for help?" was thrown by the members to their hosts.

NOT SNATCHING JOBS  
One student speculated that older people were trying to snatch jobs away from fathers of young people, but. the citizens disagreed, saying that the answer is not in young and old competing for jobs. Going further, Mr. Leith said the solution to the work problem is to develop a new age group, or group with the government.

A girl hotly defending the American tradition of freedom and self-reliance (free government socialism) was reminded by Mrs. Dorothy Rich, a retired school teacher, that "In any state, we elect our representatives ... we are the government."

OLD AGE PROBLEM  
The Industrial Revolution was cited as a reason for the "old age" problem as we know it today. It created an industral system that thrives on man's peak productivity, and beekons children to the cities, often leaving the parents alone.

He then suggested that these were unalterable circumstances of society, that same society has a responsibility to take care of the old, and by its changes.

Emphasizing the Economic Opportunities Act's concentration on young people, Mr. Leith suggested that programs under it, such as the Foster Grandparents, and Training of Elderly People to be enlarged upon, as only 11% of old people are restricted to their homes or institutions.

A need for keeping busy was seen as essential to the "dignity and self-worth" of the individual in this society which views work as a virtue. As one woman put it, "My husband and I don't want to retire. I tell him he's crazy."

Such early morning enthusiasm left one visiting teacher stunned; I just can't argue religion, politics or girls with older people. When my grandmother yells at me for coming in at 2 a.m. I just look at her."  

A teacher added, "That's early, my son comes in at 5 a.m. and that's on school nights."

Attending were Mrs. Clara Boreba, Mrs. Pauline Brody, Mrs. Bessie Herskowitz, Paul Leith, Mrs. Esther Leith, Mrs. Dorothy Rich, Abe Rottenberg, member of the School Board of Adult Education; Committee; Mrs. Sophie Rottenberg, Mrs. Mary Lister, Walter Schwartz, President, Mohegan Colony Association; and Mrs. Bella Vulcan.

[From the Patent Trader, May 26, 1966]  
EXPERIENCES SHARED: LAKELAND HIGH HOSTS  
SENIOR CITIZENS CLUB  
LAKELAND.—Lakeland High School was host to members of the Senior Citizens Club of Crompond Tuesday and a retired school teacher and everyone involved—students, teachers, and the guests themselves—seemed pleased with the entire encounter.

In observance of Senior Citizens Month, senior history classes were devoted to discussion of old age and the 13 visitors added first-hand information to the classes.

Students tried to define old age and discuss the problems specific to this area: the necessity to choose between living on a small fixed income, adjusting to the loss of family and friends and other problems they talked also of Medicare and school taxes.

At a coffee break midway through the day, the students were enthusiastic about the results so far and unanimous in the opinion that the experiment should be repeated next year. And at least two of the senior citizens agreed to leave at noon asked to remain to attend afternoon classes.

The visitors also had advice for the students: "Get a good education and then save money so you can be independent in your old age," advised Mrs. Bessie Herskowitz (a Crompond resident whose appearance belies her 75 years).

"What you are now is what you will be when you are in your 75 years," Mr. Leith, president of the Crompond Senior Citizens, pointed out. "If you're grumpy now, you'll be grumpy when you're old."

They also pointed out some of the problems specific to this area: the necessity to maintain and drive a car and the lack of mobility for the disabled, the high taxes place on a couple trying to live on a few hundred dollars a month, the inadvisability of a club meeting if you decide to live in a Leisure Village or Springvale would be to alter your circumstances of society, that same reason for the "old age" problem as we know it today. Mr. Leith said an industrial society thrives on man's peak productivity, and beekons children to the cities, often leaving the parents alone.

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The 34TH ANNIVERSARY OF DISABLED AMERICAN VETERANS  
Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PURCELL] may extend his remarks at this point in the Recess and include extraneous matter.

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

There was no objection.

Mr. PURCELL. Mr. Speaker, it is my distinct privilege to join my colleagues in recognizing the contributions over the past 34 years of the Disabled American Veterans.

This fine organization was chartered by the Congress as a veterans' service organization back in 1933.

The DAV was organized in Cincinnati, Ohio, in 1919 by a group of disabled veterans of World War I. This original group was made up of about 200 veterans. A testimony to the service the organization has provided is the fact that it has now grown to over 1,800 local chapters with almost a quarter of a million members.

We would like to pay tribute on this occasion, Mr. Speaker, to the present Texas commander of the DAV, Mr. P. D. Jackson of Dallas, Tex. He was a member of the organization when it was chartered by the Congress. In fact, he was serving as Texas DAV adjutant at that time in 1932. All these years he has been a part of the growing and outstanding service provided by the DAV to American's wartime disabled.

Mr. Speaker, we are deeply indebted to the men who make up the membership of the DAV. These are the men who gave more than their time and energy to their country during time of war. These are the men who risked their lives on the frontlines and paid a price for that risk.

Except for those valiant men who gave their lives in the protection of our freedom, these are the veterans to whom we owe the most. They gave part of themselves to the battle to protect our freedom and our land.

It is an honor for me, Mr. Speaker, to take a small part in the tribute being paid today to this great group of citizens, the Disabled American Veterans.

Thank you, Mr. Speaker.

PERSONAL ANNOUNCEMENT  
Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Washington (Mr. MEEDS) may extend his remarks at this point in the Recess and include extraneous matter.

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

There was no objection.

Mr. MEEDS. Mr. Speaker, on Monday and Tuesday last, June 13 and 14, I was unavoidably absent on official business. During that period, rollcall No. 141, the defense procurement authorization, came to a vote. Had I been present, I would have voted "aye" on each of these rollcalls.
NATIONAL SENIOR SERVICE CORPS

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. Rosenthal) may extend his remarks to the record and include extraneous matter.

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

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I am today introducing legislation to establish a National Senior Service Corps within the Administration on Aging.

The bill would authorize grants for States which organize part-time employment programs for senior citizens in community service projects. For particularly valuable service, small salaries would be paid—up to $125 per month. In most projects, however, services would be volunteered. Expenses would be minimal—commutation, meals, and so forth.

In addition, the resources of idealistic Americans have been put to use in the Peace Corps and, more recently in the VISTA program of the war on poverty. In this spirit, I believe we can be proud of the success of our senior citizens whose wisdom and experience can be a source of great community benefit and progress. Many examples of activity ranging to mind: work in hospitals, day-care centers for children of working mothers, assistance to house-bound people in poverty groups, remedial teaching, Headstart programs for disadvantaged children. These are projects which would not displace regular services and can be volunteered. Expenses would be minimal—commutation, meals, and so forth.

In the 34 years since this charter was issued, the record of service of this fine organization to the disabled veterans of this Nation indicates that they have achieved this goal with great success. The 150 professionally trained national service officers employed by the Disabled American Veterans have provided free assistance, counsel, and guidance to more than a million and a half disabled veterans. In obtaining medical care, hospitalization, rehabilitation, job training, and other benefits. We can all be proud of the work which the "DAV" have performed over the years, and I want to add my voice in congratulating them for a job extremely well done.

SECRETARY FOWLER RIGHTEOUSLY CALLS ATTENTION TO THE ABUSE OF MUNICIPAL INDUSTRIAL DEVELOPMENT BONDS

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin (Mr. Reuss) may extend his remarks at this point in the record and include extraneous matter.

There was no objection.

Mr. REUSS. Mr. Speaker, I applaud last Thursday's remarks of Treasury Secretary John H. Fowler before the White House Conference for State Legislative Leaders. He disclosed that measures are being considered to do away with Federal income tax benefits which now encourage municipal industrial development bonds.

The Federal Government has long given the privilege to State and local governments of issuing tax-exempt bonds to finance needed public facilities. By giving up these tax revenues, the Federal Government in effect extends a subsidy to local governments which enables them to build schools, hospitals, roads, and the like. These facilities are for a public purpose, and the net Federal revenues can be justified.

But in the past decade State and local governments have increasingly issued tax-exempt bonds to finance the construction of industrial and commercial facilities for sale or lease to private profit-making corporations. The Federal tax exemption are passed on to private corporations who acquire land, plants, and equipment at greatly reduced financing costs—in one recent case, at an estimated saving to the corporation of nearly $10 million. Many of these issues finance the expenditures of corporate enterprises whose capital in conventional securities markets—corporations such as Cutler-Hammer, Nekoosa-Edwards Paper Co., Olin-Mathieson, Safeway Stores, U.S. Rubber. The stiff competition among localities across the country to attract job-providing and tax-revenue-producing industry has caused municipal industrial development bond financing to snowball. As late as 1963, 26 States permitted local governments to engage in tax-exempt industrial financing. In self-defense today some 38 States have legislation on their statute books which authorized issuance of such bonds.

By a count of the Investment Bankers Association, municipal industrial development financing has grown from $12 million in 1953 to $100 million in 1963 to $200 million in 1965. In the first 5 months of this year this financing has amounted to $275 million—already in excess of the 1965 annual figure. An estimate made by the trade journal Journal of April 1, 1966, places 1965 municipal industrial development bond issues at nearly $1 billion.

There is little doubt that this financing will be growing in 1966 on account of more communities offering it, the higher interest rates on conventional borrowings, and a larger volume of corporate investment.

As Secretary Fowler said:

The advantage to any State or municipality decreases as more States and localities enter the field.

Moreover, as the Secretary also pointed out, municipal industrial development bond financing will have an adverse effect on legitimate municipal bond financing for needed public facilities "not so much to attract new business as to cut the tide of business leaving the city." The day is rapidly approaching when all cities in the United States will, like New York City, be compelled to offer tax advantages which are the expense of the Federal taxpayer, and when no corporation can afford to expand without shopping around for the greatest subsidy.

CONGRATULATIONS TO THE DAY

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from California (Mr. Johnson) may extend his remarks at this point in the record and include extraneous matter.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I rise to take note of the work which has been accomplished by the Disabled American Veterans during the years since its creation Christmas Day, 1919.
for the former chairman of the Council of Economic Advisers.

The core of the plan is that Federal revenues would be set aside in an amount equal to one or two percent of the Federal individual income tax base. This sum would be distributed to the States for general government purposes—with no strings attached—by the states bonds.

I didn’t come here to shoot the Heller plan down. I understand its attraction. But I believe it is essential to keep this plan-and all the other proposals and related plans—in proper perspective.

When Mr. Heller proposed the plan in late 1964, the Federal budget was such that the Federal government would lend $15 billion in grants to State and local governments. This would result in an estimated $100 from the Federal government for every $18.50 they raised from their own resources. But in 1964, they received $1.10 in Federal funds for every $1 they earned in local revenues. I cite these figures only to show that there is convincing evidence of Federal recognition of the need to assist State and local governments with their financial problems.

We all recognize the need for cooperation among the levels of government in the field of finances. But we don’t always remember that cooperation is a two-way street. And sometimes a cooperative effort goes wrong. This is a case in point. I would like to begin by pointing out that it can usually be remedied if the will to cooperate is maintained.

One of the cooperative efforts which has turned into a disadvantage for both the Federal government and at least some of the State and local governments is the tax-exemption program. For some time I have shared with many others, some in the Administration, some in the Congress, and some in responsible financial positions in State and local governments, a growing concern about certain uses of the tax-exemption privilege which is accorded to State and municipal bonds.

Since the inauguration of the Federal income tax in 1913, the interest on obligations issued by States and municipalities under exemption provisions has been exempted income. The justification for the exemption is that it reduces the cost of publicly-subsidized endeavors and thereby encourages the carrying out of essential Government functions. But, as with any wide-contrasted and related questions which could not be foreseen when it was granted, have occurred.

One area that has raised doubts and disapproval is the use of exempt income for industrial development bonds. This practice has been defended on the ground that increased industrial activity will result in a net increase in Federal tax revenues. It has also been said to help attract business to low-income areas. But the economic benefits do not necessarily outweigh the costs. One of the problems with these bonds is that the Federal government has not been able to recover the cost of the tax-exemption privilege which has been granted.

The Federal government has not been able to recover the cost of the tax-exemption privilege which has been granted. This has resulted in a loss of revenue which could have been used to meet other needs.

We know that action at one level often affects other levels, and we know that the problems we face cannot, in the long run, be beneficial to the others. We realize that successful action undertaken by one level may have drawbacks for other levels. It is important that we regard as its own responsibilities, frequently results in handsome benefits for the others.

The tax-exemption bonds have been a great source of revenue to the Federal government. However, their use has caused problems for both the Federal government and the States. The Federal government has lost revenue, and the States have been forced to increase their own taxes in order to pay for the services that are paid for by the tax-exemption bonds.

The Federal government has been aware of the problems caused by the tax-exemption bonds, but it has continued to use them. The Federal government has been willing to continue to use the tax-exemption bonds because it has been able to recover the cost of the tax-exemption privilege which has been granted.

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The Federal government has been able to recover the cost of the tax-exemption privilege which has been granted. This has resulted in a loss of revenue which could have been used to meet other needs.
economic resurgence which has now brought us into our sixth year of expansion. The addition of resources on which the States and municipalities can draw and which have come into existence in this period of vigorous growth, has broadened and reinforced the revenue base from which all levels of government can draw.

Our accomplishments are not all in the past. I have spoken of the heightened vitality of the States. But do not underestimate the power of President Johnson's concept of creative Federalism at the national level. This concept makes clear that the various levels of government are—and must be—members of a partnership in which each has definite—though differing—responsibilities with respect to each function and activity. The President charged his Administration to take the initiative in these words: "Many of our critical new programs involve the Federal Government in joint ventures with State and local governments in thousands of communities throughout the Nation. Growth of the Federal programs depends largely on timely and effective communications and on readiness for action on the part of Congress and the Federal agencies in the field and State and local governmental units. We must strengthen the coordination of the various levels of government on the field and must open channels of responsibility. We must give more freedom of action and judgment to the people on the firing line."

It is obvious that the cooperation required by this approach to Federalism must extend throughout the financial field if our mutual efforts far outweigh the advantages that we have in our successful and proud record on which to build. Behind President's leadership we intend to advance the concept of creative Federalism to the highest limits of our imagination and energies.

COL. LEVI R. CHASE, USAF, COMMANDING OFFICER, 12TH TACTICAL FIGHTER WING, VIETNAM, AN OUTSTANDING NATIVE OF CORTLAND, N.Y.

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. STRATTON) may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. STRATTON. Mr. Speaker, in April when our subcommittee of the House Armed Services Committee went to Vietnam on an inspection trip, we had the opportunity of visiting the 12th Tactical Fighter Wing of the U.S. Air Force located at Cam Ranh Bay. This group, composed largely of P-43 Phantom fighter aircraft, has the duty of furnishing close air support to ground forces engaged with the enemy in the central portion of South Vietnam. We were given an excellent briefing on the accomplishments of this group by their commanding officer, Col. Levi R. Chase, U.S. Air Force.

I was delighted to learn that Colonel Chase is a native of my congressional district, having been born and raised in Cortland, N.Y. The people of Cortland can be justly proud of the job that Colonel Chase is doing in support of our current military effort in Vietnam. We are all indebted to him.

Under leave to extend my remarks I include a splendid editorial from the Cortland Standard of June 14, 1966, on the background and achievements of one of our great heroes in Vietnam, Col. Levi R. Chase:

CORTLAND'S FLYING ACE—"HERE'S ONE FOR THE FIGHTER WING CASUALTS!"

"Here's one for the draft card burners!"

That was the comment delivered personally by a friend of Col. Levi R. Chase along with a clipping from the Air Force Times of June 6, 1966.

Col. Chase of Cortland was an Air Force ace in World War II and the Korean War. Now, at age 49 and still flying combat, he is a wing commander in Viet Nam.

Chances are that Col. Chase entered the Armed Forces even before he could be issued a draft card. So he might not have had a chance to join the long-haired torchlight procession of the 60's to the draft board. I happen to think much about them because he is too busy fighting his and their war.

The contrast is striking in the light of the article from the Air Force Times with a Salzburg dateline. It tells that during the 1965-66 school year, the wing of the 4th Tactical Fighter Wing logged 1,288 combat sorties against the Viet Cong targets in South Viet Nam.

The article states:

"F-4C crews of the 12th Tactical Fighter Wing at Cam Ranh Bay Air Base started the week with a new record. On May 21, they passed their ten-thousandth combat sortie.

The milestone mission was flown by the wing commander, Col. Levi R. Chase. The wing has survived in Viet Nam for two years.

Col. Chase has been setting records in the air ever since he entered service. He was graduated from Cortland High in 1946 and left Syracuse University to join the Armed Forces to become a "one man wave of destruction" during World War II. He downed 19 planes in 240 missions. He re-entered service and during the Korean War the then, lieutenant colonel, won a Unit Citation in Korea.

"This kind of thing, defending his country, has become a way of life for Col. Chase, ever since he entered service in 1941. The Cortland native has won a place of distinction for himself and his home town in the combat records of the United States Armed Forces. Colonel Chase, who will get on with the job of winning the war in Viet Nam to which they and we are committed.

ANNIVERSARY OF SOVIET OCCUPATION OF ESTONIA, LATVIA, AND LITHUANIA

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey (Mr. McGrath) may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. McGrath. Mr. Speaker, this month marks the 26th anniversary of the occupation of Estonia, Latvia, and Lithuania by the armed forces of the Soviet Union of the Republics of Estonia, Latvia, and Lithuania, and the 25th anniversary of the mass deportations of citizens of those Baltic States—both sad anniversaries, but anniversaries which should be marked so that we in the free world do not lose sight of what communism holds in store for nations it "liberates."

The occupation by Red military forces ended the existence of Estonia, Latvia, and Lithuania as free and independent nations and the invasions were flagrant acts of aggression. The people of the Soviet-enslaved Baltic States have been deprived of their published changes of culture and their individual liberties. The murders of thousands of inhabitants and deportations to Russia of over a half million people from the Baltic countries have been reported—this regardless of the fact that the U.S.S.R. was a signatory to the Geneva Convention. The Soviet Union has been systematically exploiting the natural resources, labor, and national and ethnic groups, Estonian, Latvian, and Lithuanian people are induced to "volunteer" for permanent resettlement in remote and undeveloped parts of the Soviet land. Despite the death of Stalin and the widely published changes which followed, the fundamental injustice still remains and the process of extermination of every vestige of former independence continues in those former Republics.

Mr. Speaker, for 26 years the Baltic peoples in the free world as well as in the homelands have been striving to return to freedom, democracy, and independence to the Baltic States. Although the Baltic peoples have often before demonstrated their will and ability to survive, the forces presently holding them down are too strong to be overcome with their present numbers. I feel that these coincident, sad anniversaries will not only remind Americans of the manner in which the Soviet Union engages in colonialism, but may also give hope to the Baltic peoples in their homelands that the free world is cognizant of their plight and interested in the return of their nations to the free world.

WHY HARASS THE SIERRA CLUB?

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa (Mr. Schmidhauser) may ex-
tend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. SCHMIDHAUSER, Mr. Speaker. I would like to call to the attention of my colleagues in the House of Representatives an excellent editorial pertaining to recent actions by the Internal Revenue Service which was in the June 14 issue of the Washington Journal. I believe the editor has pointed out very perceptively the implications of the ruling on the Sierra Club by the Internal Revenue Service. The editorial follows:

OUTRAGEOUS TAX ACTION

Few acts by the federal government have brought such a sense of outrage as the recent threat by the Internal Revenue service to cancel the tax-exempt status of the Sierra Club (a nationwide conservation group) because of advertisements the club ran opposing the presence of two federal dams in the Grand Canyon.

Actually, the tax people did more than threaten the tax privileges of the conservation group immediately, before starting their "inquiry." In other words, the conservationists are being punished before they are proved guilty of anything.

The Sierra Club is one of the largest conservation groups in the country; it has members in every state; it is devoted to protecting the natural resources of America, notably the national parks, wildlands—for future generations. It objects strenuously to the proposed dams in the Grand Canyon because they see no need for the dams and because they would certainly ruin one of the great natural wonders in the world.

Of course the Sierra Club is attempting to influence legislation. What is wrong with that? So does the Instant Walton League attempt to influence legislation, so do the labor unions, so does the League of Women Voters. What could be more proper than for the Sierra Club to state plainly and publicly, in the newspapers, their opposition to the destruction of the Grand Canyon and their reasons for it?

The present action of the Internal Revenue service strikes us as an intolerable use of the government's tax power to squash any human opposition. It seems to say: if you dare oppose anything the administration favors, we will punish you, we will sack the tax boys on you, we will rub you out.

Fortunately we are not the only ones infuriated by this high-handed ruthlessness on the part of the Internal Revenue service. There is already evidence that a good many Congressmen and Senators are reacting the same way. Let us hope they smash down the Revenue Service resoundingly, and so decisively it won't soon again try to act as a goon squad to silence honest opposition.

DO WE HAVE SHORTAGES IN SUPPLIES IN SOUTH VIETNAM?

Mr. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey (Mr. JOELSON) may insert his name at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. JOELSON. Mr. Speaker, I insert herewith a news item which appeared in the Paterson News of June 17, 1966, expressing the views of my distinguished predecessor, Gordon Canfield:

CANFIELD EXPRESSES OUTRAGE OVER REPORTS MARINES HAD TO THROW ROCKS

Former Congressman Gordon Canfield expressed outrage today at reports from Saigon describing how an outnumbered and surrounded Marine patrol was forced to throw rocks to defend itself when it ran out of ammunition during an engagement with the Viet Cong.

"I am a veteran of World War II. I served in Congress during World War II and during the Korean War, and I never heard of such a deplorable situation," Canfield said.

The Paterson Congressman said he now understands why the U.S. Ambassador to Viet Nam, Henry Cabot Lodge, has indicated that the war there may last 20 years.

"This is the most powerful nation in the world. We simply should not be in the position of having our men fight with rocks. I cannot understand how such a condition could exist," Canfield, who is community relations director for the First National Bank, declared.

Canfield said he felt there would be a "very unwholesome public reaction" to the situation.

"It is about time the administration and the defense establishment began telling the truth about the Viet War to the American people," Canfield said. "I have no doubt Congress will want to investigate this situation.

I agree with Mr. Canfield that there is no reason why our men in South Vietnam should not have all the equipment necessary to carry on their own protection. My experience has been, however, that in many cases the shortages which are alleged do not exist. Furthermore, those that do exist are often the result of supply problems in Vietnam, and do not reflect a general shortage. I agree with Congressman Canfield that the American people are entitled to know the full truth about this problem, and I urge the Committee on Armed Services to investigate the matter and to insure that if shortages do exist, they are promptly and effectively remedied.

Mr. FALLON (at the request of Mr. ALBRIGHT). Mr. Speaker, I ask unanimous consent that the following Members may insert their names at this point in the Record and include extraneous matter:

Mr. CLARENCE J. BROWN, Jr. Mr. MCCLOY. Mr. KEITH. The following Members (at the request of Mr. KREBS) and to include extraneous matter:

Mr. LEGGETT in three instances. Mr. CALLAN. Mr. RYAN of South Carolina. Mr. TEAGUE of Texas.

SENATE BILL, CONCURRENT RESOLUTION, AND JOINT RESOLUTION REFERRED

A bill and a concurrent resolution and joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2150. An act to make further provision for the retirement of the Comptroller General; to the Committee on Government Operations.

S. Con. Res. 88. Concurrent resolution relating to parity prices for agricultural commodities; to the Committee on Agriculture.

S. J. Res. 150. Joint resolution to provide for the striking of medals in commemoration of the fiftieth anniversary of the Federal land bank system in the United States; to the Committee on Banking and Currency.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that the following Members have signed and found and truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 12020. An act to provide, for the period beginning on July 1, 1966, and ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that the following Members had signed and found and truly enrolled a bill of the House of the following title:

H.R. 14266. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1967, and for other purposes; and


ADJOURNMENT

Mr. KREBS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly, at 12 o'clock and 37 minutes p.m., the House adjourned until tomorrow, Tuesday, June 21, 1966, 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:

2497. A letter from the Assistant Secretary for Administration, Department of Agriculture, transmitting a report of a violation of section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

2498. A letter from the Deputy Administrator, Veterans' Administration, transmitting a draft of proposed legislation to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance compensation to the Committee on Armed Services.

2499. A letter from the Acting Assistant Secretary of Defense (Properties and Installations), transmitting a report of procurement from small and other business firms for July 1966, pursuant to the provisions of section 10(c) of the Small Business Act, as amended; to the Committee on Banking and Currency.

2500. A letter from the Comptroller General of the United States, transmitting a report of review readiness status of idle munition-production facilities, Department of the Army; to the Committee on Government Operations.

2501. A letter from the Deputy Administrator, General Services Administration, transmitting a report of prejudgment garnishment proceedings against federal employees who are entitled to section 2 of the Immigration and Nationality Act of 1965, as amended; to the Committee on the Judiciary.

2502. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a report for the withdrawal and return of a certain case involving suspension of deportation, pursuant to section 241(a) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

2503. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, concerning visa petitions approved, accruing the beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 16, 1966, the following bills were reported on:

H.R. 15781. A bill to permit employees of the Architect of the Capitol to remodel the existing structures of the U.S. Botanic Garden for use as a visitor's center or exhibition area (Rept. No. 1637). Referred to the Committee of the Whole House on the State of the Union.

H.R. 15780. A bill to amend title 10, United States Code, to authorize increasing the number of major general and major, with an amendment (Rept. No. 1638). Referred to the Committee of the Whole House on the State of the Union.

H.R. 15779. A bill to amend title I of the Housing Act of 1949, to authorize financial assistance programs involving the central business district of a community without regard to certain requirements otherwise applicable; to the Committee on Banking and Currency.

H.R. 15790. A bill to make certain expenditures of the city of Dayton, Ohio, eligible for credit against income taxes, to the Committee on Banking and Currency.

By Mr. MITCHELL:

H.R. 15791. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax for certain expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. PELLEGRINI:

H.R. 15792. A bill to enlarge the boundaries of Grand Canyon National Park in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Texas:

H.R. 15793. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 15794. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Government Operations.

By Mr. THOMPSON of Texas:

H.R. 15795. A bill relating to the Federal estate tax treatment of contributions paid to survivors of members and former members of the uniformed services; to the Committee on Ways and Means.

By Mr. WHITE of Texas:

H.R. 15796. A bill to create a new division for the western district of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHARLES H. WILSON:

H.R. 15797. A bill to provide for a comprehensive program for the control of noise; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 15798. A bill to amend the Internal Revenue Code of 1954, to the Committee on Ways and Means.

By Mr. DOWBY:

H.R. 15799. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. FASCCELL:

H.R. 15780. A bill to facilitate the carrying out of the obligations of the United States under the Convention on the Settlement of Disputes between States and Nationals of Other States, signed on August 27, 1965, and for other purposes; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 15781. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GIAMATTI:

H.R. 15782. A bill to amend the Internal Revenue Code of 1954 to provide that the pay and allowances of members of the Armed Forces who are entitled to section 2 of the Immigration and Nationality Act of 1952 be continued through the end of the month in which their death occurs; to the Committee on Armed Services.

By Mr. BROWN of California:

H.R. 15783. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. DOWBY:

H.R. 15784. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. FASCCELL:

H.R. 15785. A bill to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mr. REES:

H.R. 15786. A bill to provide for a comprehensive program for the control of noise; to the Committee on the Judiciary.

By Mr. SCHISLER:

H.Con. Res. 790. Concurrent resolution relative to parity prices for agricultural commodities; to the Committee on Agriculture.

By Mr. ZABLOCKI:

H.Con. Res. 791. Resolution providing for the printing of certain proceedings in the House Committee on the District of Columbia; to the Committee on House Administration.
IN THE HOUSE OF REPRESENTATIVES

Mr. KEITH. Mr. Speaker, I wish to draw the attention of my colleagues to a resolution passed recently by the Senate—Senate Joint Resolution 29—which would authorize the Secretary of the Interior to conduct surveys of the fishery resources available to this Nation.

The resolution points out that we have the richest and most extensive coastal and inland fishery resources of any nation, but that we have failed to fully develop or conserve them. The fact that our coastal waters now provide about 5 billion pounds of fish and could potentially yield 28 billion pounds a year on a sustained basis clearly indicates our failure to develop this resource. At the same time, we may very well be overfishing some species.

The resolution also is based on the fact that our rich coastal resources are attracting many foreign vessels into the waters off our shores. This is dramatized by the increased activity of the Soviet fleet off the coast of Oregon. My own area—Cape Cod and the islands—has had this problem for several years and we are, of course, aware of the potential problem of foreign fishermen, who may not follow good conservation principles and over whom our regulations have no control. Moreover, my recent trip to the Soviet Union made it clear to me that the Soviets will be fishing more and more intensively off our coasts. They are building large factory ships and mother ships in great numbers which will go anywhere in the world.

The resolution also mentions the 1958 Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas, which was ratified about 3 months ago. This convention establishes an international principle that coastal nations have a special interest in fishery resources in the high seas off their shores. Moreover, it states that the nations may adopt regulations to protect these resources for the future. In view of the rich harvest in the waters in and around our country, it is important that we take prompt steps to implement this convention.

Our total annual catch has declined in recent years, and we have dropped to fifth place among fishing nations of the world. Foreign fishermen are going to take a growing share of the fish off our coasts. Our fishermen have traditionally taken the vast majority of their catch in our coastal waters, so they have a vital stake in the good management of these resources. But the foreign fishermen, equipped with large, ocean-gong vessels that can easily move on to other waters. Unless we take action, it is likely they will not automatically practice the conservation measures we feel are necessary.

However, we cannot make reasonable regulations for fisheries without information about the population and migrations of fish; nor can we exploit these resources without such information. Unfortunately, then, we do not have the data we will need for both conservation and exploitation.

The resolution asks only for a small amount of money to begin the critically important job of surveying fishery resources. The House has failed to take action on this kind of resolution when it was before us in the past. I hope—and strongly urge—that this year we concur in Senate Joint Resolution 29.

H.R. 15803. A bill for the relief of Dr. Arvind Adyanthaya; to the Committee on the Judiciary.

By Mr. ADDABBO: H.R. 15799. A bill for the relief of Amelia Aloi; to the Committee on the Judiciary.

H.R. 15800. A bill for the relief of Giuseppe Naso; to the Committee on the Judiciary.

H.R. 15801. A bill for the relief of Marilyn Judith Grove; to the Committee on the Judiciary.

By Mr. EDMONDSON: H.R. 15602. A bill for the relief of Jack Brown; to the Committee on the Judiciary.

H.R. 15603. A bill for the relief of Sun-Set Wu; to the Committee on the Judiciary.

By Mr. FRIEDEL: H.R. 15604. A bill for the relief of Dr. Arvind Adyanthaya; to the Committee on the Judiciary.

By Mr. MOORE: H.R. 15805. A bill for the relief of Niko Lencak; to the Committee on the Judiciary.

H.R. 15806. A bill for the relief of Jean M. Vorbe; to the Committee on the Judiciary.

By Mr. SMITH of California: H.R. 15807. A bill for the relief of Carmela Asero Gelardi; to the Committee on the Judiciary.

By Mr. EVINS of Tennessee: H.R. 15801. A bill for the relief of Jack Brown; to the Committee on the Judiciary.

By Mr. FRIEDEL: H.R. 15603. A bill for the relief of Dr. Arvind Adyanthaya; to the Committee on the Judiciary.

Mr. KEITH. Mr. Speaker, I wish to advise the Members of the House of Representatives of a significant breakthrough in efforts to solve the problem of world hunger. On June 14, 1966, Governor of Nebraska, Frank B. Morrison, and Pearle F. Finigan, Nebraska Director of Agriculture, announced the development of the Nebraska freedom meal. The freedom meal was developed by Mr. O. B. Gerrish, head, food sciences section of the Midwest Research Institute, Kansas City, Mo.

This new meal, a cereal, developed under Nebraska's agricultural products research program, is a nutritious food that meets the specifications of USDA for a foodstuff in the food-for-peace program. It meets tentative guidelines for food for infants and children, which include:

First. Wheat or corn should be the basic component.

Second. It should contain approximately 20 percent protein.

Third. The protein supplementation should be nonfat dry milk.

Fifth. It should have a bland flavor and a low bran content.

Sixth. It should be fully cooked and ready for serving after 1 to 2 minutes boiling.

The freedom meal is composed of Nebraska's agricultural products: the basic elements are wheat, corn, soy, and nonfat dry milk. It is the first major development of a milo into a food for commercial use and it is estimated that commercial use of the freedom meal could result in the sale of millions of bushels of grain each year.

In accordance with the President's message to Congress on February 19, 1966, the new freedom meal not only provides new markets for agricultural products, but also provides an easily prepared food served in a form familiar to the people of the poorer nations of the world.

This new food does much to answer the problems presented to the House Agriculture Committee. Hearings held on February 14 to 18, 1966, as it was pointed out by those hearings, it is not enough to look at the world's food deficit only in terms of calories per person. A person's diet is very important. A shortage of protein for example in the diet weakens the body so that it easily falls prey to other diseases.