At the same time, Joan's mother, Mrs. Clem Blonien, and others in the Milwaukee suburb of Wauwatosa began to organize fundraising projects to help support the three Americans and their small staff of unskilled Montagnard assistants. The parish of the church of St. Jude the Apostle founded a Joan Blonien Club which helps buy much-needed food and medical supplies for the hospital. The ladies' auxiliary of the Knights of Columbus Council in Wauwatosa began to send medical supplies to Kontum.

These women face conditions often more primitive than those on our own frontiers over a century ago. The life expectancy of the Montagnard is under 30 and three-fourths of the children die before they reach maturity. Dr. Smith and her assistants have only the most rudimentary equipment—no X-ray machines and a chronic lack of medicine, even vitamins. They desperately need help.

The hospital is completely nonsectarian. Dr. Smith said on a CBS "Twentieth Century" program recently:

We're not here to convert anyone to a political system or even a religious faith.

Their job is dangerous, but they are saving lives and winning hundreds of new friends for America. They deserve all the help the American Government and people can give them. I am sure I speak for my State, Mr. President, when I say Wisconsin is proud of them.

These nurses need the kind of help the AID program in Vietnam and our massive military program should be able to provide; and I intend to do all I can to help them get it.

I am telling the Senate today of what these three remarkable women have done because I hope other Members of Congress and Americans throughout the country will also help these three American women in their great mission of mercy.

SCHOOL MILK PROGRAM NEEDS RAPID ACTION

Mr. PROXMIRE. Mr. President, yesterday the House Rules Committee received a request from the House Agriculture Committee for an early hearing on H.R. 13361, a bill which, among other things, extends the special milk program for schoolchildren for an additional 4 years.

This legislation may be scheduled for action on the floor of the House in the near future. Its passage is essential if school administrators around the Nation are to have any firm assurance that the school milk program will continue to operate after June 30, 1967.

The school milk program provides midmorning and mid-afternoon milk breaks to the Nation's schoolchildren with the help of Federal funds. By providing an inexpensive supply of "nature's perfect food," it greatly aids the child from poorer families to receive the nourishment which is so essential if he is to perform adequately both in and out of school.

There is no disagreement on the value of this program. The administration has abandoned its earlier suggestion that the program be cut by 80 percent. Sixty-seven of my colleagues in the Senate have endorsed my bill to extend the program. Now all that remains is for Congress to speak by giving final approval to legislation extending the program. I hope we will do this in the very near future.

RECESS UNTIL TOMORROW AT 10 A.M.

Mr. LONG of Louisiana. Mr. President, in accordance with the previous order, I move that the Senate stand in recess until 10 o'clock a.m., tomorrow.

The motion was agreed to; and (at 6 o'clock and 6 minutes p.m.) the Senate recessed until Friday, August 5, 1966, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 4 (legislative day of Aug. 3), 1966:

FOREIGN SERVICE

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

Foy D. Kohler, of Ohio.

Douglas MacArthur II, of the District of Columbia.

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

Richard H. Davis, of the District of Columbia.

G. McMurtrie Godley, of the District of Columbia.

Marshall Green, of the District of Columbia.

William Leonhart, of West Virginia.

Henry J. Tasca, of the District of Columbia.

Leonard Unger, of Maryland.

EXTENSIONS OF REMARKS

Dr. Peter G. Berkhout

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1966

Mr. JOELSON. Mr. Speaker, it is with a profound sense of deep regret and loss that I inform the House of the recent death of a man who, to many people in my State and throughout the country, was a source of inspiration and leadership.

Dr. Peter G. Berkhout, of Paterson, N.J., was the epitome of a well-founded, scholarly man. Educated first to be a minister, then to be a doctor of medicine, Dr. Berkhout maintained a consistent and ever-increasing interest in astronomy, music, education, theology, and many other fields.

Dr. Berkhout was not only a doctor of medicine, administering to the needs of the body; he was also interested in the mind and spirit of his fellow man. He was a member of the board of trustees of Calvin College in Grand Rapids, Mich., a member of the board of directors of the Eastern Christian School Association—the largest private school system in the State of New Jersey—and a leading member of the Paterson Rotary Club.

To his wife and family I offer my deepest expression of sympathy and consolation, and I share with our community in the great loss that we all have experienced.

The memory of Dr. Peter G. Berkhout will always remain as that of a man who, steadfast to his beliefs, selflessly and unfailingly served his community to the full measure of his ability.

SENATE

FRIDAY, AUGUST 5, 1966

(Legislative day of Wednesday, August 3, 1966)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by Hon. WILLIAM PROXMIRE, a Senator from the State of Wisconsin.

The Right Reverend Monsignor Denis Patrick Wall, pastor, St. Bede's Catholic Church, Clapham Park, London, United Kingdom, offered the following prayer:

We give thanks to God that He has given us this day. We ask Him that we may use it as He would have us use it.

Help us, Lord, to think and to speak and to act as You would have us to think and to speak and to act.

Help us to see ourselves as You see us. Help us to love others as You love us. Help us to understand others as You understand us. Help us to understand even those who oppose us.

Help us to act as You would have us act—help us to know that when we act, we act for You. Help us to know that all we have, that all we are, is from You, and not for us, but for those whom You have given us.

We pledge to You that, with Your help, we will act as You would have us act; we will be as You would have us be; we will seek to be as You are. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 5, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. WILLIAM PROXMIRE, a Senator from the State of Wisconsin, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. PROXMIRE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 4, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

AUTHORIZATION TO THE SECRETARY OF AGRICULTURE TO CONVEY CERTAIN LANDS AND IMPROVEMENTS THEREON TO THE UNIVERSITY OF ALASKA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1391, S. 3421.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3421) to authorize the Secretary of Agriculture to convey certain lands and improvements thereon to the University of Alaska.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3421

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of law, the Secretary of Agriculture is authorized to determine and to convey by quitclaim deed and without consideration to the University of Alaska for public purposes all the right, title, and interest of the United States in and to the lands of the Alaska Agricultural Experiment Station, including improvements thereon, and such personal property as may be designated, located at Palmer and Matanuska, Alaska.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1426), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill provides for the transfer of the Alaska Agricultural Experiment Station to the University of Alaska. As part of the transition to statehood, the experiment station should become the responsibility of the State and be operated in the same manner as other State experiment stations.

UNEMPLOYMENT INSURANCE AMENDMENTS OF 1966

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which is H.R. 15119.

The Senate resumed the consideration of the bill (H.R. 15119), to extend and improve the Federal-State unemployment compensation program.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Louisiana?

There being no objection, the Senate proceeded to the consideration of executive business.

U.S. ARMY

The legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE NAVY AND MARINE CORPS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of nominations in the Marine Corps and in the Navy.

The ACTING PRESIDENT pro tempore. The nominations will be stated.

The legislative clerk proceeded to read sundry nominations in the Marine Corps and in the Navy.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. LONG of Louisiana, and by unanimous consent, the Senate resumed the consideration of legislative business.

TRANSACTIONS OF ROUTINE BUSINESS

By unanimous consent the following routine business was transacted:

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 13277) to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. O'BRIEN, Mr. ROGERS of Texas, Mr. SAYLOR, and Mr. MORTON were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 7327) to amend a limitation on the salary of the Academic Dean of the Naval Postgraduate School, and it was signed by the Vice President.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON TORT CLAIMS PAID BY GENERAL ACCOUNTING OFFICE

A letter from the Comptroller General of the United States, reporting, pursuant to law, on tort claims paid by the General Accounting Office, during the fiscal year ended June 30, 1966; to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct

of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

REPORTS OF A COMMITTEE

The following report of a committee was submitted:

By Mr. SYMINGTON, from the Committee on Armed Services, with amendments:

H.R. 14088. An act to amend chapter 55 of title 10, United States Code, to authorize an improved health benefits program for retired members and members of the uniformed services and their dependents, and for other purposes (Rept. No. 1434).

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mrs. SMITH:

S. 3694. A bill to authorize an exchange of lands at Acadia National Park, Maine; to the Committee on Interior and Insular Affairs.

THE UNEMPLOYMENT INSURANCE AMENDMENTS OF 1966—AMENDMENT

AMENDMENT NO. 727

Mr. JAVITS (for himself and Mr. HARTKE) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 15119) to extend and improve the Federal-State unemployment compensation program, which was ordered to lie on the table and to be printed.

INDEPENDENT OFFICES APPROPRIATION BILL, 1967—AMENDMENTS

AMENDMENTS NOS. 728 THROUGH 731

Mr. PROXMIRE submitted four amendments, intended to be proposed by him, to the bill (H.R. 14921) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1967, and for other purposes, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of July 28, 1966, the names of Mr. BURDICK, Mr. LONG of Missouri, and Mr. MCCARTHY were added as cosponsors of the bill (S. 3662) to establish a price support level for milk, introduced by Mr. MCGOVERN (for himself and other Senators) on July 28, 1966.

ADDITIONAL COSPONSOR OF BILL

Mr. TALMADGE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from North Carolina [Mr. ERVIN] be added as a cosponsor of the bill (S. 3641) to amend the Internal Revenue Code of 1954 to allow teachers to deduct expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHOOL MILK AUTHORIZATION, APPROPRIATION ESSENTIAL

Mr. PROXMIRE. Mr. President, milk, in addition to being nature's perfect food, is a highly perishable commodity. For this reason milk production must provide a certain amount of surplus above anticipated needs if we are to be sure that fluid milk will be available to meet any excessive demand that may develop. This is simply because we cannot use fluid milk produced last week or last month to meet current demand. We cannot store fluid milk as we can so many other commodities such as wheat and beef.

This surplus milk naturally tends to drive down the price received by the dairy farmer for the supply always exceeds estimated demand. The Congress has attempted to alleviate this problem in several ways. One is the milk price support program. A second is the milk marketing order program which permits the creation of controlled-price markets. A third is the special milk program for schoolchildren which was originally conceived of as a way to utilize surplus milk production although it is now considered primarily as a child nutrition program.

Today we are seeing an increasing exodus from the dairy farm because the farmer is receiving insufficient prices for his milk. The administration has attempted to remedy this by increasing the support price under the price support program to $4. In addition the controlled price for fluid milk in milk marketing orders has been increased in many instances. However a third important step is to adequately fund the school milk program and insure the continuance of the program past June 30, 1967.

Both the House and the Senate have acted to provide funds for the program for fiscal 1967. I hope that House-Senate conferees will meet soon to resolve differences between the House and Senate figures. In addition the Senate has passed legislation extending the program for 4 years. Two House committees have reported similar legislation, but it has not yet been considered on the floor of the House. Here again I am very hopeful that early action will be forthcoming. Both these measures are essential if we are to make sure that all possible steps have been taken to provide our dairy farmers with an adequate income and, as a result, our Nation with an adequate supply of milk.

VOLUNTEERS HONORED

Mr. CHURCH. Mr. President, Americans have long paid public homage to outstanding citizens, both for excellence of service and for exceptional bravery. We hear of scores of honors being rendered daily to men and women in the military services, to career civil servants, to other men and women who are consistently in the public eye. It is right that we do honor those who serve well.

It is for this reason that I am particularly pleased and especially proud that this week 2 Idaho men, together with 28 other men and women selected from all parts of the country, have been honored for a little known, but vitally needed, service to the country.

The two Idahoans, Frank O. Refield, of Burley, and E. A. Finkelnburg, of Hazelton, between them have given nearly a century of volunteer service as weather observers. Mr. Refield has kept continuous and accurate weather observations at Burley, Idaho, since 1917. Mr. Finkelnburg has rendered more than 45 years' outstanding service as a weather observer at Hazelton, Idaho.

It is upon the daily observations of these men, along with the 12,000 other volunteer observers throughout the Nation, that all of us are better able to adjust to the changes in our natural environment, are able to live more prosperous and predictable lives.

These men and women have asked for no compensation, sought no honors, have been satisfied in knowing that they are serving their fellow Americans. This week the Weather Bureau has recognized the service of 30 of these volunteers, including our 2 Idaho men. Mr. Refield has been awarded the Thomas Jefferson Plaque for his work and Mr. Finkelnburg has received the John Campanius Holm Award for his service.

Both deserve well the recognition that has come to them.

AIR AND WATER POLLUTION

Mr. MUSKIE. Mr. President, if this country is to obtain a solution to the great air and water pollution problems which face it, we must have the interest and aid of industry. It has come to my attention that the Baytown, Tex., refinery of the Humble Oil & Refining Co., has received the Honor Roll Award from the Izaak Walton League of America on June 29 of this year. This award was presented in recognition of Humble's efforts to reduce waste discharges substantially below the levels set by public regulations.

The award cites the Baytown refinery for "foresighted leadership in the installation and operation of a three-stage system of water purification before discharge." I have an article on Humble's effluent control efforts, printed in the March 28, 1966, issue of the Oil & Gas Journal, which I should like to have inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW HUMBLE COMBATS WATER AND AIR POLLUTION—COMPANY DOESN'T STOP WITH PUBLIC-REGULATIONS COMPLIANCE, BUT AIMS AT REDUCING WASTE DISCHARGE TO THE LOWEST PRACTICAL LEVEL—HERE'S AN OUTLINE OF METHODS IN USE AT BAYTOWN

Policy of Humble Oil & Refining Co. for controlling effluent quality is to reduce all

waste discharges to air and water to the lowest practical level, not just to the level required by public regulations. This also includes controlling the physical conditions of the effluent so that natural functions of the receiving media are not impaired.

The approach of Humble's Baytown refinery toward implementing this policy involves four basic avenues of attack:

1. Attack at the source. This is considered the best approach but not always the easiest or most practical. When feasible, modifications or additions have been made to equipment and processes to eliminate the production or release of contaminants.

2. Improved processes. This actualy ties in with attack at the source since a new process can retire an existing unit which by its nature is a source of contamination.

3. Installation of special equipment. In some cases where similar wastes are produced at many locations, economics dictates that common treating facilities be installed.

4. Assign responsibility. Pollution control is the responsibility of each process unit operating supervisor; however, in addition, conservation coordinators are assigned full-time to monitor the overall effectiveness of control, assist in identifying possible sources of contamination, and assure that immediate steps are taken when necessary.

Program started. To meet its goal for controlling effluent quality, the Baytown refinery began a program as soon after World War II as technical manpower became available. From that time to the present, a period of less than 20 years, the Baytown refinery has spent more than $10 million to improve the quality of its air and water effluent. This is in addition to the $1.5 million required annually to operate and maintain the facilities installed for this purpose.

This program has resulted in producing an effluent usually of better quality than that of the receiving body and in reducing the amount of contaminants in emissions to the air by 98½% of the levels present prior to the start of the program.

1. WASTE-WATER TREATMENT

Some of the steps that the Baytown refinery has taken to reduce waste-water discharges to the lowest practical level include the installation of:

Oil-water separators (Fig. 2) and an expanded industrial sewer system, which included rebuilding the master separator and installing effective oil-recovery facilities. The total investment in these facilities is about $5 million.

A separate sanitary-sewer system designed to serve a population of 5,000 persons.

Gathering systems of several miles of pipelines to collect waste chemical streams at a central location for further treatment and disposal through sales outlets.

A sewer system to gather special chemical wastes and transport them to a treating facility where these streams are treated and neutralized before they are discharged into the main sewer system.

An effluent filtration unit, built at a cost of $1.4 million. Originally, the unit was designed as a filtering unit for removing undesirable components of waste water and recovering usable slop oils. The unit now primarily recovers by filtration the slop oils from emulsions.

Facilities to strip hydrogen sulfide from sour condensate streams. Installed in 1952, improvements made in 1957 and again in 1964 have resulted in facilities capable of receiving sour water containing as much as 2,000 to 3,000 ppm of sulfides and releasing an effluent normally containing less than 10 ppm. Further treatment of the effluent removes all remaining traces of hydrogen sulfide.

Modern cooling towers to increase the number of times water can be reused and to reduce the volume of water required for process cooling.

Coalescing equipment to remove and recover oils from waste-water streams at the process units.

Surface condenser equipment at the pipe stills to remove oils from the waste-water streams prior to their entry into the main sewer system.

A 20,000-gpm pump near the outfall to permit dilution of final waste waters with twice the volume of bay water and furnish additional oxygen to the effluent before discharge into the Houston Ship Channel.

Effluent improvement: Upon the completion of these and other improvements carried out between 1949 and 1960, the quality of the effluent at that time showed more than a 90% improvement when compared to the effluent quality prior to the start of the water-pollution-control program. Because of these improvements, the effluent quality at this point was generally of better quality than that of its receiving body, the Houston Ship Channel.

In August 1964, facilities were completed which provide further treatment of refinery waste water before its discharge into the channel.

The new facility consists of three lagoons totaling about 380 acres (Figs. 3 and 4) into which refinery effluent is pumped and impounded an additional 45 days. The extended retention time permits oxidation and bacteriological treatment of a nature expected to reduce volumes of pollutants in the effluent by an additional 70% upon completion of auxiliary aeration equipment. The lagoon project is still in the experimental stage, and much needs to be learned about the effect of the many variables.

During 1965, facilities were installed to receive and treat ballast waters from ships docking at Baytown to prevent oil from escaping into the ship channel during ballast-unloading operations.

Monitoring, testing: To insure that effluent of a continuous high quality is discharged into the ship channel and Scott Bay, an extensive monitoring and testing program is carried out where in samples of effluent are analyzed regularly (Fig. 5). Results of these tests are used to improve in-plant controls and to provide data for immediate corrective steps whenever necessary.

The testing and monitoring program includes the determining of the characteristic components of waste water. Reports of these tests, exactly as found by the laboratory, are furnished to the Texas Park and Wildlife Commission each week. A target goal has been established for each characteristic component. In each case, the target goal set is more severe than required by the refinery's permit. As these goals are regularly attained, they are changed to more rigid goals.

2. AIR-POLLUTION CONTROL

As a result of an appraisal made by an outside consulting firm in 1952 and Humble's own investigations, it was determined that the refinery's most pressing air-pollution problem was the discharge of sulfur gases to the atmosphere. This problem resulted from treating processes used during and after World War II to remove the sulfur contained in crude.

The discharge of significant quantities of sulfur dioxide to the atmosphere was caused by (1) the concentration of acid recovered from treating processes, (2) the combustion of waste acid sludge burned at the broiler houses, and (3) burning fuel gas containing large amounts of hydrogen sulfide produced by conversion units.

Sulfur gases discharged to the atmosphere were reduced 95% by (1) the installation of hydrofining and other treating units which eliminated acid treating by converting the sulfur compounds in the hydrocarbon streams to hydrogen sulfide; (2) the disposal of recovered hydrogen sulfide by means of a contract entered into with another chemical company, wherein that company purchases recovered hydrogen sulfide from the refinery to make elemental sulfur; and (3) the sale of the remaining spent sulfuric acid streams to a chemical company which operates a highly efficient plant adjacent to Baytown refinery. Refortification of the spent streams is accomplished with substantially no air pollution.

Regenerator discharges: The second most pressing problem was the discharge of carbon monoxide, hydrocarbons, and particulate matter from the regenerators of the catalytic-cracking units installed in 1942 and succeeding years.

An effective method of treating regenerator gases was provided by equipping the refinery's second catalytic-cracking unit (constructed in 1944) with a furnace, and the third unit (constructed in 1958) with a CO boiler. This equipment, in each case, burns the carbon monoxide and waste gases produced from catalyst regeneration at the respective units to produce steam. The original catalytic-cracking unit, constructed in 1942, has been shut down and dismantled.

Although the present units are equipped with cyclone separators, the refinery has still experienced difficulty at times in controlling the emission of particulate matter (catalyst). It is expected that this problem will be solved next year, when the present catalytic-cracking units are retired and a single, large new unit is placed in operation. It will be equipped with cyclone separators having ultrahigh efficiency which are expected to reduce the emission of particulate matter to a desirable level. The unit will incorporate a CO boiler which will utilize regenerator gases.

Other steps: Humble has also taken these steps to reduce atmospheric contamination:

Installation of floating-roof tanks, thereby reducing the vapor space and controlling the evaporative liquid surface. All highly volatile hydrocarbons are stored either in floating-roof tanks or special tanks that will stand the pressure necessary to control evaporation or in tanks which have connections to a vapor-recovery system which will permit full recovery of vapors created by gasoline blending and by filling and emptying operations.

An additional compressor was installed in 1964 to recover gases from the emergency release system. The compressor provides the capacity necessary to recover large quantities of hydrocarbons formerly vented to air or burned at ground torches.

Two major improvements have been made to the refinery's emergency release system (safety flares) which have resulted in reducing smoke emission from these units.

A smokeless ground flare was installed in 1955 to replace a conventional flare serving the propane lube plant. This system is designed to receive an inventory of 5,000 bbl/hr of liquid propane from the unit in case of emergency. In the present system, a large quantity of primary air is injected with secondary air, produces complete combustion and a smokeless flame.

A smokeless burner was installed on top of each of the 250-ft. flare stacks serving the west side of the refinery early in 1965. Steam is used to assist in supplying adequate air to assure complete combustion of gases supplied to the burners when it becomes necessary to release gas because of an emergency. The smokeless burners eliminate smoke from these flares.

The air-pollution problem caused by incineration has been greatly reduced by burning trash in small, controlled amounts. The refinery is now examining a new type of incinerator recently designed for solids waste burning. If this new incinerator proves

effective, its use will essentially eliminate this problem.

Program effective: An indication of the effectiveness of the refinery's air-pollution-control program is that it has received relatively fewer complaints from neighbors during the last several years. The refinery has an established procedure for following up on each complaint received to determine whether it is in fact responsible for contaminating the atmosphere and, if so, to take immediate action to correct the situation.

The Baytown refinery also has taken steps to prevent future units from contributing to the pollution problem. Before management will permit any new installation to be built, project engineers must indicate, as part of the appropriation request, that the unit is so designed that it will meet requirements for acceptable noise and effluent quality and air-pollution control.

THE ST. LOUIS GLOBE DEMOCRAT

Mr. SYMINGTON. Mr. President, on Thursday of last week, upon coming on the floor of the Senate, I learned there had been an extended colloquy about a letter written by the Director of the Central Intelligence Agency to the St. Louis Globe Democrat, obtained a copy of the letter, and stated my regret that it had been sent.

It was not until later that I learned the Senator from Arkansas had criticized the Globe Democrat and that apparently some people thought I was on the floor when he made his remarks.

For the record, I do not agree with the Senator's characterization of the Globe Democrat as a "rather radical newspaper." I believe it could be more accurately termed "a rather conservative paper."

Nor do I believe the Globe Democrat "takes a radical position on foreign policy." Its position on South Vietnam has been close to my own—"move forward or move out."

I believe Richard Amberg, publisher of the St. Louis Globe Democrat is a man of high character, and an able and patriotic American, and had I been on the floor at the time the Senator from Arkansas made his remarks, I would have so stated.

Some 11 years ago Mr. Amberg came to St. Louis to take over this newspaper. Since then he has worked at least as hard as anyone in Missouri to make our town a finer place in which to live. The worthy causes he has supported are legion; and the area is a better area because of the many fields of civic progress in which he has been a leader. I would not want any record to imply otherwise.

COMPLETING THE INTERSTATE SYSTEM IS NOT ENOUGH

Mr. HARTKE. Mr. President, 1973 is the target date for completion of what is without doubt "the largest public project in history," the Federal Interstate Highway System.

An article discussing its background and its future appeared in the Indianapolis Star for Sunday, July 10, under a Washington dateline. Among the observations made are those which quote Federal Highway Administrator Rex Whitton, who says:

> Personally, I can see no end to the need for improved roads, particularly when we are killing 50,000 persons each year on our highways.

This, Mr. President, is a belief I have frequently stated myself, and which I have sought to put into action by my bill, S. 1272, calling for an extension of the Interstate System from its scheduled 41,000 to 60,000 miles. I am pleased to note that the Federal Highway Administrator also sees well-engineered, modern highways as a necessity in order to reduce the tragic toll of traffic fatalities and injuries. The article continues:

> The greatest contributions to safety on the highway, he added, are controlled access and dividers between lanes. These make a road twice and perhaps even three times as safe as ordinary highways, he said.

Mr. President, I ask unanimous consent that the article, written by Joseph R. Coyne and distributed by the Associated Press, may appear in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Indianapolis (Ind.) Star, July 10, 1966]

INTERSTATE SYSTEM UNDERWAY—COMING BY 1973: COAST-TO-COAST CAR TRIP WITH NO TRAFFIC LIGHT

(By Joseph R. Coyne)

WASHINGTON.—In 1925 two adventuresome young men drove nonstop from Los Angeles to New York in a Packard touring car. It was a dusty, muddy journey which lasted 167 hours and 50 minutes.

That things are better today is due, in good part, to the Federal-aid highway program, which celebrates its 50th birthday on July 11.

Since President Woodrow Wilson signed the first Federal aid highway law, the Federal government alone has spent $45.7 billion helping states build roads. More than $30 billion has been spent during the last decade.

And today, the nation has under construction the most modern system of superhighways yet conceived—the 41,000-mile Interstate System, which is expected to cost more than $50 billion.

But it was a different story in 1925 when Lynton Wells, now director of the Storer Broadcasting Company in Washington, and Leigh Wade, now a retired major general living in Washington, made their much publicized trip in just under seven days.

"I wouldn't want to do it again," Wells says in recalling the trip, "and I don't think anybody else is crazy enough to try it."

He called it the first—last—nonstop automobile trip from coast to coast. While one of the team drove the other slept and they even loaded gasoline from cans while driving around a block.

The roads?

Wells said they saw virtually no paved roads west of the Mississippi River, and in Missouri "the mud was about as bad as I've ever seen in my life."

Wells said it was because of this trip that the government later credited the pair with convincing the Missouri legislature it should approve a $100 million bond issue to build a road between Kansas City and St. Louis.

The Federal government is paying 90 per cent of the cost of the interstate system, and when it's finished in 1973, motorists will be able to travel coast to coast without a traffic light. On other types of non-local highways, the Federal government normally pays half the cost.

But the officials aren't stopping there. Planning has already begun on highways of the future.

Rex M. Whitton, the Federal highway administrator who has spent a lifetime in highway work, said future emphasis will be on safer and more modern facilities, not on simply adding more miles of highway.

"Personally, I can see no end to the need for improved roads, particularly when we are killing 50,000 persons each year on our highways," Whitton said in an interview.

The greatest contributions to safety on the highway, he added, are controlled access and dividers between lanes. These make a road twice and perhaps even three times as safe as ordinary highways, he said.

The interstate system, which officials say will save 8,000 lives yearly when completed, incorporates these features.

Whitton said he sees the need for wider lanes and paved shoulders on highways not a part of the interstate system.

"We now have more than 3.5 million miles of highways and the demand won't be so much for more mileage in the future but for better mileage," he said.

As highways go, Whitton is an expert among experts. The Federal aid highway program was less than four years old when Whitton, on May 1, 1920, took his first job. It was with the Missouri highway department as a levelman on a survey team. He worked for 40 years with that department rising to chief engineer. In 1961 he was named Federal highway administrator by President John F. Kennedy.

Whitton noted a tremendous change in highway construction during his 46 years in the business, and said it's not just in switching from horses to high-powered construction equipment.

Human factors, he said, are important in today's highway planning. Highways must be built to serve people, and social, esthetic, historical and conservation factors must be taken into account in planning.

The first major Federal attempt at highway construction began long before President Wilson signed the first Federal Aid Highway Act.

That was in 1803 when Congress provided for construction of the National Pike of Cumberland Road to ease the movement of westward-bound pioneers. Between 1806 and 1838 Congress appropriated $7 million for this work. But little was done after that as the railroad came into prominence.

There were two major developments in 1893, however—the introduction of the gasoline automobile in the United States and the creation in the Agriculture Department of the Office of Road Inquiry. This was an office with three employes and a $10,000 annual appropriation which was dropped to $8,000 three years later.

Its function was to investigate, educate and disseminate information on road building. It was a far cry from today's Bureau of Public Roads—part of the Commerce Department—with its 5,500 employes and a Federal aid program which will total $4 billion during the year which began July 1.

The pattern for future road building was fixed with the 1916 Federal Aid Highway Act which required states to organize a highway department as a condition for Federal aid. By the end of 1917 every state had done this.

The law provided only $5 million the first year for construction of post roads in rural areas but it was a start.

It also fixed three factors for apportionment of aid—population, area of a state and mileage of its rural delivery and star post routes. The same factors are used in apportioning aid today.

From that beginning—there were 3.6 million motor vehicles registered in 1916—the Federal aid program has grown into one of the government's most important services. Motor vehicles registrations have reached 93 million and are expected to be 120 million by 1975.

In 1916, total road and street mileage was about 2.5 million. Only 10 per cent was surfaced and that mostly with gravel. In 1956—when the Interstate System was begun—there were 3.4 million miles of highway in the nation. Today about 75 per cent of all roads are surfaced.

The Federal aid program hasn't done the entire job, of course. States and localities have done most of the work. Even on a Federally aided road project it's the state which must plan and build the road, not the Federal government.

Only about 880,000 miles of highway have been built since 1916 with Federal aid but that mileage represents the nation's major road network.

And the interstate system when completed will carry more than 20 per cent of all traffic although it will comprise less than 1 per cent of the nation's total mileage. It is the largest public project in history.

EFFECT ON THE RESIDENTS OF SALINA, KANS., OF THE CLOSING OF SCHILLING AIR FORCE BASE, KANS.

Mr. PEARSON. Mr. President, we all remember the closing of 90 military bases as directed by the Secretary of Defense 2 years ago. In Kansas, Schilling Air Force Base was closed by the Secretary's decree in November of 1964.

When Schilling was closed, nearly 40,000 people were affected economically in the community. Yet this severe shock to business did not dampen the enthusiasm of the city to rebound from their setback.

During the past 18 months, the residents of Salina, Kans., have made an outstanding economic changeover as they injected private enterprise into the abandoned Air Force base.

Probably one of the most complete documentary stories on the changeover at Schilling and the efforts of the Salina people was reported in the July 25 issue of the National Observer.

I ask Mr. President that this article be inserted in the RECORD at this time.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Observer, July 25, 1966]

FIRST AID FOR A WOUNDED TOWN—HOW A CITY AND ITS CITIZENS GAINED NEW LIFE AFTER "MAC'S AX" CLOSED A BIG AIR FORCE BASE

SALINA, KANS.—On Nov. 19, 1964, Defense Secretary Robert McNamara gave the orders of execution. In the name of economy in Government and military redeployment, the Defense Department was closing 95 air bases, naval yards, and other military installations in 33 states. The impact would be felt from Portsmouth, N.H., to Lompoc, Calif.

The citizens of the affected communities reacted with shock and hysteria. By the planeload, delegations of them poured into Washington to argue for reconsideration. Irate and embarrassed senators and congressmen pleaded with the Pentagon and called the White House on behalf of constituents who found themselves about to lose the basis for 10 to 70 per cent of their local economies.

Now, 1½ years later, what actually has happened? Have the affected communities suffered the economic depression they feared, with the dispiriting consequences they predicted?

Many of the military installations still are only in the process of being phased out, and so no conclusive survey is yet possible. But in some communities the question admits of an answer—an answer that involves an incredible and complex mixture of community pride, Chamber of Commerce fervor, and sweeping, multifaceted, Government largess.

The Defense Department has put out a bright, colorful, profusely illustrated booklet about the changeover called *The Challenge of Change*. One of three communities featured therein is this central Kansas farm center whose 41,293 people on Nov. 19, 1964, had no inkling that in so short a time their city was going to be a prime example of any kind of challenge or change.

In fact, the dawn of that day in Salina revealed nothing but good news—an inch of new snow on the ground, a blessing for the drought-stricken wheat farmers of the region and hence for the townspeople who did business with them.

THE DAY OF DECISION

Of course, Salinans, like everyone else, also knew that this was the day on which Secretary McNamara would make public his new list of condemned military installations. And they knew quite well that if Schilling Air Force Base, a huge Strategic Air Command bomber base at the city's edge, were on this list, it would be an economic blow to Salina for which no amount of moisture for the wheat could compensate.

According to Air Force analyses, since the reactivation of the base in 1951, the city's population had jumped 60 per cent to make it the fourth largest in the state. One-third of all residents of Saline County, including the city, derived income directly from Schilling payrolls. Spending from those payrolls accounted for more that one-fourth of the sales in Salina stores. In addition, the base as an institution made purchases in the Salina economy "running at $1,116,200 per fiscal year."

But on Nov. 19, there was little cause for worry. Rep. ROBERT DOLE of the Congressional district that includes Salina had assured Salinans that Schilling was not likely to be affected by Secretary McNamara's new list of closures.

Indeed, Rep. GARNER SHRIVER of an adjoining Congressional district had declared that he had information indicating that *no* Kansas base would be affected. The runways at Schilling had been improved for B-52s that were scheduled to replace the old B-47s there. And at that very time Col. Roy Crompton, commander of Schilling's 310th Aerospace Wing, was at Davis-Monthan Air Force Base in Arizona to receive an award for the best cost-reduction program in the entire 15th Air Force.

Then, out of the clear blue euphoria, the switchboard of the city's daily newspaper, the Salina Journal, received a long-distance call from Sen. JAMES PEARSON in Washington for editor Whitley Austin. Mr. Austin, long a leader in the community's successful efforts to build good relations with the base, and long an editorial defender of the need for manned bombers, picked up his phone and heard the Kansas Republican senator say, "Whit—sit down. . . ."

That afternoon, the Journal's story about the needed snow still made page one. But it sank into obscurity beneath the thick, black, inch-high letters of the nine-column banner headline that announced: "Mac's Ax On Schilling."

At City Hall, several blocks away, City Manager Norris Olson got the news from his wife, who had been listening to the radio.

The next day, reminisces Mr. Olson, "we had meetings—nobody knew much what we were meeting about but we had meetings." Businessmen such as E. G. Anderson, vice president of a plumbing and heating company, simply got together for coffee: "We just sat looking down our noses into our cups. We kept asking each other, 'What are we going to do?' "

The feeling throughout the community quickly came through to a Government official who arrived in Salina not long after: "It was like it was in Washington after Pearl Harbor," he declares. "Everyone you saw you knew was thinking about it, you could feel it, it was like a magnet drawing filings together on a piece of paper. In Salina, it was something of the same thing, only on a lesser scale. You would see people on the street and you knew that everyone you saw had the same thing on his mind—Schilling."

"SAVE OUR SCHILLING"

At a "town-hall" meeting about what editor Austin termed "the rape of Schilling," there were many, as in most other similarly affected communities, who wanted to declare war on the Pentagon and get the decision reversed. The Salinans decided to send a delegation of seven community leaders—accompanied by Congressman DOLE, U.S. Sen. FRANK CARLSON, and Kansas Gov. William Avery—to argue for the excellence of Schilling as a base. This was Salina's "SOS Squad"—"Save Our Schilling."

But unlike many such delegations, this one had made another decision. Explains one member: "We went to Washington to argue, to make the strongest case we could. But should that fail, we also went prepared to do business."

The thing Salinans were most anxious to argue about was that of all the major military installations on the list, Schilling was to go the soonest: June 30. On Nov. 19, it was calculated, Schilling had 5,364 military and civilian employes with 8,000 dependents and an annual payroll in excess of $20,000,000—all to be lost to this relatively small city within seven months.

But at the Pentagon, where the Salinans were given a four-course luncheon in a dining room normally reserved for four-star generals, Deputy Secretary of Defense Cyrus Vance had all the answers. There would be no change; B-47 bombers were being scrapped; the B-52s were being redeployed; Schilling did not figure in the redeployment; it therefore had no "follow-on mission"; therefore it would be closed. Says an SOS Squad member: "It took him about one hour to convince us."

At that point the Salinans, as one Defense Department official admiringly puts it, "rolled up their sleeves" and told Mr. Vance: "You've said you can help us; now tell us how." The deputy Secretary was ready for that too. Already he had phoned a white-haired, loquacious civilian in the Pentagon who in the next few months was to be one of the most important persons in Salinans' lives. "I've got a delegation from Salina and I want to send them over to see you. Can you clear your schedule this afternoon?" Grins Don Bradford, director of the little-known Office of Economic Adjustment (OEA) of the Defense Department, "the deputy Secretary says, 'Can you clear your books?' and I cleared my books."

In the modest suite of offices occupied by the tiny staff of the OEA (Director Bradford, five field men, one economist, and two secretaries), the Salinans found what Mr. Bradford fondly describes as "the Defense Department's heart—no, its conscience."

When Mr. McNamara began juggling and cutting military installations in 1961, he created the OEA because "if these decisions are made in the national interest, everybody should share the burden." It is the OEA's job to "be the Washington advocate" for the injured communities in getting compensatory aid and advice from Federal agencies.

"We had no ground rules," says Mr. Bradford, "except to do what made sense to carry out this responsibility." Salinans—and praise for Mr. Bradford's office is heard not infrequently in Salina—put it less delicately: "Bradford—he's a real red-tape-cutter."

After the Washington talk, says Mr. Bradford, "Salina invited us to come out, and we came out fast—we had a three-year's job to do in six months." And with him he brought both regional and Washington representatives of an array of Government agencies that Salinans would have spent months trying to approach and deal with individually.

Together, the OEA men and the Salinans considered the situation: Salina could not fall back on the area's "declining agricultural population." Too, lower freight costs for wheat than for flour were forcing Salina's mills to relocate elsewhere. Salina needed industry to get new population and payrolls. But so far, Salina's brave talk about getting new industry had amounted to little more than "yackity-yackity," as one OEA man put it. What did Salina have to offer industry? It had become a crossroads for two new, major interstate highways: 1–70, running from the East to the West Coasts, and I–35W, which eventually will reach south to the Gulf of Mexico. What else could Salina develop to offer? Industrial skills. Therefore one of the most profitable uses that could be made of Schilling facilities would be for technical training institutions.

So the thinking went. Then, Salinans remember, Mr. Bradford would tell Federal representatives of such agencies as the Office of Education, "This is what they need here; what can you do to help?" Under Federal surplus-property laws, much of the base could be turned over to Salina free, in effect, if used for activities consistent "with national goals."

The community had been planning an "area vocational-technical training school"; this could go in at Schilling. By this alone, the community was saved a prospective $750,000 bond issue. And explains Mr. Bradford: "It showed things could happen. It provided some payroll and it showed some activity."

But out of those early coffee sessions, Salinans had decided on something else they could do to make the community attractive to newcomers. Economic decline or no, they could carry out previously dragging plans to replace the old, out-grown City Hall, County Courthouse, and Public Library buildings with a big, new, jointly occupied government complex.

It seemed crazy to be thinking about a new bond issue when the economic bottom was dropping out of everything. But when community leaders approached E. G. Anderson about heading the bond drive, he thought it over and decided, "It intrigues me—I'll do it." He discovered that it intrigued nearly everyone else, too. Chamber of Commerce manager Les Matthews proudly describes the situation even now: "You want to get something done? You make some phone calls for help and you get it!"

On Feb. 23, barely more than three months from the closure announcement, and without a Presidential election or even a City Commission contest to attract voters, some 50 per cent of the 14,073 Salina registered voters turned out in a blinding snowstorm that snarled traffic and closed schools. They approved the library and government-building bonds by margins of nearly two to one.

Where at one time hard-nose opposition within the City Commission had all but killed the joint-government-building plan, the community now is cited in the state as a model of city-county co-operation. And to secure the land for the new complex, an application for Federal urban-renewal money that previously had gotten nowhere suddenly came off the bottom of the application stack in Washington. Then Salina put in for another urban-renewal grant that would clear a slum area to open the way for expansion plans of certain Salina industrial and educational plants. Where will the slum residents go? The expectation is that they'll move to low-cost houses vacated by Schilling servicemen—houses that the Federal Housing Agency angelically refused to dump at depressed market prices that would have blackjacked Salina realtors.

As Salinans see it, miracle followed miracle. For the first time in years, the Community Chest fund campaign exceeded its annual goal. A fretful Chamber of Commerce, fearing the worst about attracting new members in 1965, found itself getting 113, only 6 fewer than in 1964. And the $10,000 that these new members brought in Chamber financial subscriptions was more than double the 1964 total.

A MATTER OF PURE PRIDE

Part of the decision to go ahead with the government complex, at least, involved simply a desire to provide public works, "to keep some breadwinners in here." But chamber manager Matthews talks also of pure community pride. "I hate to use a cliche," he says, "but the people just got together and refused to be beaten." Agrees editor Austin: "It's like in any catastrophe—and this was a catastrophe: It unites the community."

Everybody in Salina wants to tell you about somebody else who "put in 14 hours a day" or "hasn't sold a car in his car dealership for months" or "has spent only half-days in his law office" in order to give time to what now has become a Save Our Salina effort. The city is annexing 3,033 acres at the base to increase Salina's geographical size by some 50 percent. The municipal airport is moving to the better facilities at Schilling this month, and a Salina Airport Authority was created. To get power to create the airport authority, Salinans had to lobby for special legislation in the Legislature at Topeka. The necessary bill, capital observers say, went through the Legislature in near-record time.

A co-ordinator is needed for all the activity at Schilling, recommended the OEA. Wilson and Co., a large engineering concern based in Salina, donated one—Bob McAuliffe, who served the first three months at Wilson's expense.

It's a weary Mr. McAuliffe who, with his phone ringing or somebody coming in his office to see him every few minutes, tries to enumerate all the things Salina is getting at the base.

Beech Aircraft of Wichita is leasing five big Schilling buildings for aircraft-modification and missile work; eventually Beech will have an estimated 1,200 employes there. Funk Aviation of Salina, a manufacturer of crop-dusting aircraft, leased a hangar. A seed company is establishing a district warehouse at Schilling. A company will build mobile-home components there. A local developer will establish a plant for making artificial marble. There will be a humidifier-manufacturing plant and a frozen-food distribution center. Says Mr. McAuliffe wryly, "If you stick around another quarter-hour, something else probably will be announced."

The State Highway Patrol not only is basing its aircraft at Schilling but has turned the old bomber-crew ready-room into a police academy. The Government is turning over the base hospital intact for a new state vocational-rehabilitation center.

Perhaps most important of all, Schilling Institute is to open this fall. A state school offering degrees in various kinds of technological training, it is establishing a 185-acre campus at Schilling to serve, in three to five years, an estimated 2,500 students. State legislation was needed for it, also, and because of screams from competition-fearful state junior colleges, this took longer than the airport-authority bill. But Salina got it.

The speed with which the Air Force left Salina, once considered a blow that other communities were spared, now is hailed as an advantage the others didn't have. A Salinan explains: "Many people said that industry didn't want to locate where there was a base, and there was some truth to this. Now, because the Air Force left so soon, we not only have facilities to offer but industry can get into them right away."

Even so, Salina at first was so anxious to get something to replace the base that it made the common mistake of making offers to industry without being sure what would be available, and on what terms, at Schilling. The city frightened away at least one industrial prospect this way before it heeded OEA's warning to "slow down."

One of the city's largest plums, however, seems simply to have dropped out of the sky. Over a period of time, the chamber kept getting calls from someone asking questions about Salina. Finally the chamber manager made a credit check on the caller, who had given only his name, to find out whom he represented. The answer sent the chamber into high gear to provide any information requested and more. The man represented Westinghouse, and in an industrial area south of Salina you now can see the framework for a huge new Westinghouse fluorescent light-bulb plant estimated to cost $4,000,000 and expected to employ 500 people to start.

Through the not-immediately authorized efforts of base commander Col. John F. "Sundown" Scanlan (so nicknamed because Schilling was not the first base closed out from under him), Capehart housing units vacated at the base now are the home of the "waiting wives" of servicemen fighting in Vietnam. The wives' 1,800 children will necessitate the reopening of the Salina school board's Schilling elementary school. But having so many Schilling homes occupied is a relief to the local real-estate market, and the wives spend money in Salina stores.

HUNTING FOR FUNDS

"An air base can become a cancer on a community, destroying its initiative," observes Mr. Bradford. And City Manager Olson admits of Salina: "We had just taken the base for granted." But on the other hand, little seems to have so stimulated the initiative of Salinans as opportunities for Federal assistance that now are available. In addition to achievements already enumerated, the city is seeking Federal aid for two new parks, one of them totaling 98 acres, and for a golf course to go on the old airport grounds. Says Mr. Olson: "I never saw so many people go into action so fast."

Nor in this politically conservative community does one hear much noise about "Federal control." Salinans who are mad at the Government at all are mad because the urban-renewal project's "final-final" approval seems slow in coming through. Says one lifelong Democrat, "This bureaucracy is enough to make a conservative out of me!" Where Government operations were concerned, grimaces another Salinan, "We were babes in the woods."

But Mr. Bradford's logic generally seems accepted so far: "If you want to buy a base for $50,000,000, that's fine. But if you want it on surplus terms, then—for good reasons—there are going to be some hookers."

Has political pull been a factor in all this Federal assistance? Hardly, since the entire Kansas Congressional delegation is stanchly Republican. "That's one of the fascinating things about it," says editor Aus-

tin: "Partisan politics have in no way been involved." Says an OEA official: "We were in town for a solid month before we knew whether the mayor was Republican or Democrat or what." The truth is that communities who try to exert political pull may only create delays caused by the necessity to release all developments through the offices of senators and congressman trying to exert pressure. It's also true that some Federal agencies that might have come into Salina—the Job Corps, the Bureau of Prisons—were deliberately discouraged because it was decided that in the long run other uses of Schilling facilities would be more beneficial to Salina. The OEA says two major factors are making Salina's comeback possible. One is the prosperity of America's economy as a whole: "Salina isn't stealing industry; industry is expanding." The other, in Mr. Bradford's words, is that "Salina has broad-based leadership, talent in depth."

PADLOCKING POCKETBOOKS

Not everything has gone well in Salina, of course. Some fund campaigns, for example, unlike Community Chest, did find after the base closed that, as one campaigner puts it, "people put a padlock on their pocketbooks." But community spirit ran high enough, and things went well enough, so that the Chamber of Commerce replaced its slogan for 1965, "Response to our Challenge," with the more confident sign that now graces innumerable Salina business fronts: "Ask us about Salina—City on the Move." And delegations from communities losing military installations in Oklahoma, Washington State, Nebraska, and New Mexico have been into Salina to see how Salina did it.

When the base closed, 60 to 80 percent of Salina's skilled tradesmen left, seeking work elsewhere. But now, says Clem Blangers, president of the Salina Building and Trades Council, they are coming back. At one time some 3,750 homes stood vacant. Now the Chamber estimates there are but 1,000 to 1,100 vacancies. In the first five months of this year, more new-dwelling buildings permits were issued than in all of 1965. And the valuation of new business buildings for which permits have been issued already exceeds the valuation recorded for business-building permits in 1965.

"I don't know how much longer the spirit will last," says Mr. Austin. "A tide of emotion can't keep up forever. It's dwindling some now. And we're still going along mainly on hopes and expectations.

"But by next spring [and in this estimate he gets agreement from the OEA] we should be back where we were economically, if not in population, before the base closed." Throughout town, you hear the declaration, "It's the best thing that ever happened."

Indeed, with something of the same patriotic sentiment that inspired Betsy Ross, a contest is under way for still another new thing in this community—an official City of Salina flag.

GERALD GEORGE.

THE MAKING OF A SENATOR

Mr. McGOVERN. Mr. President, the July 25 San Francisco Chronicle carries an eloquent tribute to our colleague, Senator FRANK CHURCH, of Idaho, written by the distinguished columnist, Arthur Hoppe. It is one of the most sensitive and moving tributes that I have seen offered to a Member of the U.S. Senate.

No one familiar with the record of the Senator from Idaho will dispute Mr. Hoppe's verdict:

Senator FRANK CHURCH, of Idaho, is a politician and a good one.

Neither will those of us who have been impressed by his service to his State, to the Nation, and to the cause of world peace be surprised to read Mr. Hoppe's words:

He holds firm to what he believes. You may, if you will, question his stand. But you can question neither his independence, his integrity nor his courage.

Mr. President, the easiest course for a politician to take is to go along with prevailing opinion or administration pressure on major issues. The harder course is the one which Senator CHURCH has chosen—that is the course of independence and absolute personal loyalty to his intellect and his conscience.

In my judgment, Senator CHURCH has authored several of the most penetrating articles and addresses on the need for new foreign policy initiatives ever to come from the pen or the lips of a U.S. Senator. I am firmly convinced that if we are to know lasting peace in our time, we must begin to move more quickly along the lines spelled out by the Senator from Idaho.

I ask unanimous consent that the well-deserved tribute by Mr. Hoppe be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the San Francisco (Calif.) Chronicle, July 25, 1966]

THE MAKING OF A SENATOR

(By Arthur Hoppe)

WASHINGTON.—It is hot in Washington. And cynical. And, I think, a trifle weary and uncaring.

You hear little talk of Vietnam any more, other than its effect on the November elections and whether the President can pull a rabbit out of the hat to save the Democrats. "What else," a lady at a cocktail party said with a shrug, "is there to say about it?"

And after a week here the cynical feeling grows that we have evolved a political system that produces political leaders who think only in political terms. Politics is all here and all are politicians. And politically it's always safest to go along with the crowd.

Senator FRANK CHURCH, of Idaho, is a politician and a good one. He came to the Senate in 1957 at the age of 33—handsome, dapper, an American Legion oratory contest winner, a Junior Chamber of Commerce "Outstanding Young Man," the model for an Arrow Collar ad of the thirties, a boy wonder. You would have pegged him as one predestined to go along with the crowd.

Today, Senator CHURCH is one of the leaders of what Doves there are left—a score in the Senate, a handful in the House, none publicly in the Administration. Each day the pressures of an ever-escalating war tighten on him. He knows that the vast majority of his constituents are Hawks. He knows that the President's irritation with dissenters grows. Worst of all, he knows, as he puts it, "that at any moment an incident could so inflame American opinion that past opposition to the war would be equated with treason."

He smiled wryly. "You feel a little like a Volkswagen sitting on a railroad track not knowing when the train is coming around the bend."

He frowned. "I think it's not so much the present political consequences, but the potential ones that keep most men from coming over to our side."

Yet, despite all this, he holds firm to what he believes. You may, if you will, question his stand. But you can question neither his independence, his integrity nor his courage. The one-time shallow-seeming boy wonder hasn't gone along.

"I would hope I've changed," he said with a smile as he lit a cigar in a quiet office off the Senate floor. "Partly of course, it's because this job is a tremendous post-graduate course in what the world's all about."

He talked for a while of a recent trip he had made to Europe as a member of the Senate Foreign Relations Committee. And you could picture the one-time boy wonder from Idaho, conferring with Adenauer and De Gaulle.

"And partly," he said, with a wave of his hand that included all the mystique of the Senate, "it's this place itself."

As I left his office and walked up the marble steps where Webster and Calhoun, Taft and Borah had walked, I think I understood a little of what he meant. I thought of the pride these men had taken in the duty of the Senate to advise as well as to consent—to refrain from listlessly "going along."

It is the heart of our system. And the system, while it produces hacks, also produces in some mysterious way, those who are essential to it. And I felt better.

But then, out in the sticky sunlight, the headlines were crying about the possible execution of American flyers by North Vietnam. And for a chilling moment, I thought I could hear a train whistle around the bend.

THE DOSSIER

Mr. LONG of Missouri. Mr. President, when the Subcommittee on Administrative Practice and Procedure first started looking into electronic eavesdropping equipment, there were many who called us "dreamers." They said we would not find anything, that the privacy of the American citizen was being protected. The record that the subcommittee has made speaks for itself.

Monday's New York Times carried an article about a computer plan for personal dossiers in Santa Clara, Calif. It is reported that a Mr. Carl Sheel, sometimes known as "the father of the Santa Clara system" has said that persons who were concerned about an invasion of privacy were "the higher educated people—you might call them the dreamers."

Mr. President, only time will tell whether we are dreamers or not. Nevertheless, we are concerned with proposals at all levels of government, and in the private sphere, which would incorporate in a single file basic information about an individual from the cradle to the grave. The Senate Subcommittee on Administrative Practice and Procedure will soon send a questionnaire to all Federal departments and agencies asking them to list the type of information which they maintain in their files. The results should be very interesting. Only then will we be able to determine whether we are, in fact, dreamers.

Mr. President, I ask unanimous consent to insert, at this point in the RECORD, the article from the August 1 New York Times.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 1, 1966]

COMPUTER PLAN FOR PERSONAL DOSSIERS IN SANTA CLARA STIRS FEARS OF INVASION OF PRIVACY

(By Lawrence E. Davies)

SAN JOSE, CALIF., July 31.—Many residents of the big, rapidly growing Santa Clara

County will find their names indexed within the next year in a centralized computer system, which will provide at least sketchy information in personal "dossiers" to authorized inquirers in seconds or minutes.

As the county of nearly one million residents goes into "computer government" to save paper work, manpower and dollars, some officials themselves have raised questions about "invasion of privacy" and the concept of a close watch on activities of individuals "by big brother."

These doubts have been dissolved in some instances by assurances of county spokesmen that confidential information would continue to be protected. Nevertheless there remains concern in some quarters over the system's potential misuse despite safeguards.

These fears were reflected last week at hearings conducted in Washington by a special subcommittee of the House Operations Committee on invasion of privacy.

One of the proposals under attack was that of the Budget Bureau for a National Data Center. Under the plan 20 Federal departments and agencies now guarding their own data would make this available to a centralized computer for use by those agencies.

Representative CORNELIUS F. GALLAGHER, Democrat of New Jersey, the subcommittee chairman, said the pooled information could include data on a person's education, grades, credit rating, income, military services, employment and almost anything else, all wrapped in one package.

The alphabetical persons index record in the Santa Clara system, dubbed LOGIC for Local Government Information Control will include the following data: name, alias, Social Security number, address, birth record, driver's license data, vehicle license number, position if a county employe, and other data if the subject has been involved with the Welfare or Health Departments, the District Attorney, adult or juvenile probation, sheriff, court and so on.

Also included would be his voter and jury status and property holdings.

Howard W. Campen, the County Executive, has made a number of speeches in which he referred to the personal "dossiers" and the speed with which they could be made available to persons entitled to the information.

After one such talk Clarence Wadleigh, of Palo Alto, a graduate student in education at Stanford University, who has familiarized himself with some aspects of the computer program, wrote to The Palo Alto Times of his fears about the system's potential.

"Unlimited capacity for information storage combined with instantaneous retrieval," Mr. Wadleigh stated, "would seem almost irresistible temptation to 'record' more than is warranted and 'retrieve' for unethical and/or illegal purposes. The toy could easily become a monster."

Mr. Wadleigh said yesterday that he was still concerned that "many people out there are saying, 'We're going to have to build a case against somebody in the future, let's start building his history now.' "

He called for "some kind of reviewing system to be set up to see what kind of information is programmed."

Newton R. Holcomb, Assistant County Executive, Robert R. Sorensen, director of the county's General Services Agency, and Thomas Johnson, data processing systems programmer, all have asserted in interviews that the computer would be programmed for limited access.

During the Washington subcommittee hearing, witnesses suggested that records covering a juvenile misdemeanor might be fed into a computer and then follow the offender for the rest of his life, interfering with ability to get and hold a job.

Mr. Johnson said this would be impossible under California law, which requires eradication from the records of details about rehabilitated juvenile offenders after a specific period.

"Whatever rules are maintained now in this connection will be maintained under the new system," Mr. Johnson said. "If it were decided to put the information into the computer it could only be entered and retrieved by those directly concerned."

"If you ask, " he went on, " 'would it remain there forever?,' the answer is 'absolutely not.' It would in many respects be harder to get at, while it was there, than it is now, for it would require technical knowledge of how to get at the computer records."

"Juvenile records," he stressed, "are completely confidential and only used in line of correctional and preventive police work. California law takes the position that anybody can make a mistake."

Mr. Johnson said that there remained questions about whether such data as venereal disease records would be added to the personal dossiers.

If the decision were yes, he asserted, "complete confidentiality" would be the rule as in juvenile matters. "There won't be a dossier of every little fact about a Santa Clara resident," he said.

"This is no big brother system," Mr. Sorensen said. "It is a way of maintaining more efficient records. You can distort and misuse information but you can do it now."

This is the way the computer would work:

Confidential information protected by law would be fed into it along with open, public data. But the only access to the data would be through any one of about 100 teleprocessing units manned by trained operators.

When a county department asks for data to which it was not legally entitled, the computer, according to the officials, would say the data were not available.

"Welfare Department information," Mr. Sorensen related, "is protected by law, as are juvenile records, and records of the Health Department, especially in the venereal disease category."

"Suppose a sheriff's deputy arrests a man he is pretty sure is a relief recipient," Mr. Sorensen continued. He wants full data. The teleprocessor at the sheriff's office sits down at the unit and asks for the information. But the computer slaps the sheriff down. He is told it is not available."

Social workers in Santa Clara County were among those who had reservations about "the availability of broad access to the names of clients."

"These fears have somewhat abated," Frederick B. Gillette, County Welfare Director, reported.

Karl Sheel of the data processing division, who is sometimes called "the father of the Santa Clara system," said that persons who were concerned about an "invasion of privacy" were "the higher educated people—you might call them dreamers."

Mr. Sheel said there was no reason to fear anything "if you have no arrests, no outstanding warrants against you or if you're not on welfare or if you've stayed out of the clutches of adult probation."

SBA, JUSTICE AGREE ON PLAN TO GET SBIC LITIGATION MOVING

Mr. PROXMIRE. Mr. President, the Small Business Subcommittee of the Banking and Currency Committee, of which I am chairman, recently held hearings to review the Small Business Investment Company program.

On July 19, 1966, the subcommittee received the testimony of Mr. Richard E. Kelley, the former Deputy Administrator of the Small Business Administration in charge of the SBIC program. In his testimony Mr. Kelley recommended that SBA be permitted to conduct its own SBIC litigation in civil cases rather than the Department of Justice. He pointed out that he felt that there had been an unreasonable delay in the prosecution of SBIC litigation by the Department of Justice. Mr. Kelley stated:

> No single matter was more frustrating to all of us at the agency than our relations with the Department. (Meaning the Department of Justice.)

He testified that several SBIC cases had been referred to the Department of Justice and had remained there for as long as 2 years.

As a result of this testimony, I invited representatives of SBA and the Department of Justice to my office to discuss this matter with me. Mr. Philip Zeidman, General Counsel of SBA, and Mr. John Douglas, Assistant Attorney General in charge of the Civil Division, Department of Justice, represented their two agencies. In our discussion, the substance of Mr. Kelley's complaint was affirmed and there was indication that there had been a considerable amount of delay in the handling of SBIC litigation.

I think we all recognize clearly the responsibility that the Department of Justice has for all Federal litigation. It must have sole authority to control the litigation because a diffusion of authority would result in conflicting policies. The resulting confusion would not be in the best interest of the Government.

There has been some discussion of this problem of SBIC litigation between the two agencies in the past. In 1963 the Department of Justice and SBA entered into an agreement regarding SBIC litigation. This agreement recognizes at the beginning that:

> The Department of Justice has supervisory control over all litigation.

However, it goes on to say:

> None of the above is to qualify the right of SBA attorneys to go into court and conduct litigation arising under the Small Business Investment Act, although Justice believes that there may be a few very unusual cases which it will desire to handle itself.

I think that this agreement was a very sensible and logical one. It placed the authority for litigation where it should be, that is, the Department of Justice. It also would permit SBA to handle most of their own civil SBIC cases in court. Somehow there has been some trouble in implementing this agreement.

As a result of my conference with Mr. Zeidman and Mr. Douglas, I sent a letter to the Administrator of SBA, Mr. Bernard L. Boutin, and to the Attorney General, Mr. Nicholas deB. Katzenbach. In my letter I reviewed the allegations of delay made by Mr. Kelley. I also pointed out that there were differences in opinion between the two agencies as to the exact limits of the agreement reached in 1963. I urged the two agencies to resolve their differences and to reaffirm and to adhere to the agreement. I also requested a report on the status of SBIC litigation every 6 months.

On July 27, 1966, I received a reply to my letter from Attorney General Katzen-

bach in which he says that the SBA and the Department of Justice "have agreed to work out the specific methods by which the 1963 agreement can be carried out in a manner satisfactory to both agencies." I have also received a reply from SBA Administrator Boutin expressing a willingness to cooperate in this matter. The agencies both agreed to report to the Small Business Subcommittee every 6 months on this litigation.

Mr. President, I intend to follow this matter very carefully. I am well pleased with the response I have received to my efforts to improve the progress and effectiveness of SBIC litigation. This is an important matter affecting the regulatory and enforcement powers of the SBA. The delays in the handling of this litigation must not be permitted to continue.

I think that if SBA conducts more of its civil SBIC cases they will be handled promptly and efficiently. I am convinced that this can be done without eroding the ultimate responsibility that the Department of Justice has over Federal litigation.

Mr. President, I want to stress that this agreement dates from 1963 when the Department of Justice and the Small Business Administration exchanged letters affirming the agreement.

However, it has been a dead letter. It has not been honored.

Now, Mr. President, how are we to see that this logical agreement will be honored, not dishonored, from now on?

The answer is that the Department of Justice and the SBA will report every 6 months beginning in January 1967 to the Small Business Subcommittee of the Banking Committee on the status of SBIC litigation.

We will have the facts. We will know whether or not SBA attorneys have in fact been able "to go into court and conduct litigation arising under the Small Business Investment Act," and to do so except "in a few very unusual cases."

We will not be reluctant to make these reports available to the Senate, and if this agreement is not honored, we will recommend legislation to the Congress to assure that these cases are handled expeditiously and competently.

Mr. President, I ask unanimous consent that there be placed in the RECORD a copy of the 1963 agreement between SBA and the Department of Justice; a copy of a letter dated October 18, 1963, from Mr. Eugene P. Foley, Administrator of SBA, to Mr. Nicholas deB. Katzenbach, Deputy Attorney General; a letter from me to Mr. Katzenbach dated July 22, 1966; a copy of Mr. Katzenbach's reply to my letter dated July 27, 1966; and a copy of a reply dated July 28, 1966, of Mr. Bernard L. Boutin, Administrator of SBA, to my letter to him dated July 22, 1966.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE 1963 AGREEMENT BETWEEN SBA AND THE DEPARTMENT OF JUSTICE

The Department of Justice has supervisory control over all litigation in courts, including SBA litigation. Therefore, prior to initiating any litigation, SBA is to receive clearance from the Department of Justice. The most important reason for such clearance is to determine that the proposed litigation will not adversely affect criminal prosecutions, civil fraud litigation, or other litigation in which Justice is or may become involved. Further, SBA attorneys during the course of litigation will receive clearance from the appropriate U. S. Attorney prior to taking any steps which will significantly affect the outcome of the case. Again, the most important reason for such clearance would be the same as above. Nor will SBA knowingly take any action out of court which will affect pending litigation.

None of the above is to qualify the right of SBA attorneys to go into court and conduct litigation arising under the Small Business Investment Act, although Justice believes that there may be a few very unusual cases which it will desire to handle itself. Nor does any of the above imply any desire on the part of Justice to control investigations or administrative matters conducted by SBA unless such matters directly affect litigation being conducted or to be conducted by Justice.

In all documents filed in court proceedings, the name of the U. S. Attorney will be of equal rank with the first-listed SBA attorney.

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., October 18, 1963.
Hon. NICHOLAS DEB. KATZENBACH,
Deputy Attorney General, Department of Justice, Washington, D.C.

DEAR MR. KATZENBACH: As you know, members of our staffs have met to discuss the respective functions of the Department of Justice and of this Agency with regard to litigation arising out of the Small Business Investment Act of 1958. They have not been able to reach complete agreement on all particulars. We have, however, been reassured by your staff that, when we have determined that a particular course of action best serves the needs of the small business investment company program, the Department does not contemplate frequent instances of either delay or serious questioning of the proposed action.

I recognize that instances in which our proposed action might have an adverse effect on pending or proposed litigation within your exclusive jurisdiction, such as criminal prosecutions, must represent an exception to this understanding. I further recognize that it is impossible to lay down rules to govern every possible contingency; to a considerable extent we must each rely upon the good faith of the other, and upon our mutual desire to protect the interests of the United States as effectively as possible.

You will appreciate, I am sure, that I have statutory duties to discharge. In the light of the reassurances noted above, I believe that I can discharge those duties within the framework of your staff's proposed arrangement, a copy of which is enclosed. I have therefore instructed my staff to work out the details of such an arrangement, and I have been informed by them that they contemplate no great difficulty in doing so.

Sincerely,

EUGENE P. FOLEY,
Administrator.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE
DEPUTY ATTORNEY GENERAL,
Washington, D.C., October 30, 1963.
Hon. EUGENE P. FOLEY,
Administrator,
Small Business Administration,
Washington, D.C.

DEAR MR. FOLEY: Thank you for your letter of October 18, 1963, expressing the willingness of your agency to recognize the authority of the Department of Justice to control SBA litigation, within the framework of a statement you attached which had been prepared by your staff. I am confident that if the mutual assurances set forth in your letter and statement are adhered to generously and in good faith we will encounter no further difficulties in carrying out our respective statutory responsibilities.

Your letter speaks only in terms of litigation under the Small Business Investment Act of 1958. I assume that your agency will continue to recognize the authority of the Department of Justice to control all other SBA litigation, as you have in the past (see, for example, your general counsel's letters to Assistant Attorney General Douglas, March 25, 1963, and to Acting Assistant Attorney General Guilfoyle, January 29, 1963).

I should also note that references to the United States Attorneys in the statement attached to your letter should be considered as comprehending Assistant Attorneys General and other attorneys of the Department of Justice, where appropriate. Many actions in relation to litigation are not within the delegated authority of the United States Attorneys and must be cleared at the departmental level. The recent discussions and correspondence between your agency and the Department cannot, of course, be construed as any enlargement of the authority of United States Attorneys with respect to SBA litigation.

I am pleased that this problem has been resolved amicably and to the mutual satisfaction of our respective agencies. We look forward to working with you on a fully cooperative basis in the future.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Deputy Attorney General.

JULY 22, 1966.

Hon. BERNARD L. BOUTIN,
Administrator,
Small Business Administration,
Washington, D.C.

DEAR MR. BOUTIN: On July 19, 1966, Mr. Richard E. Kelley, former Deputy Administrator for Investment, Small Business Administration, testified before the Senate Small Business Subcommittee of which I am chairman. In his testimony Mr. Kelley complained about the delay in the handling of SBIC cases by the Department of Justice. Mr. Kelley said, "No single matter was more frustrating to all of us at the agency than our relations with the Department."

As a result of this testimony, I invited representatives of the Department of Justice and the Small Business Administration to discuss this matter with me. On the afternoon of July 21, 1966, Mr. John Douglas, Assistant Attorney General, Civil Division, and Mr. Philip Zeidman, General Counsel, SBA, came to my office to talk to me.

During the course of our meeting it was brought out that in October, 1963, an agreement had been entered into by the Department of Justice and SBA regarding the handling of litigation arising out of the Small Business Investment Act of 1958.

This agreement recognizes the need for Justice Department control of the litigation when it states, "The Department of Justice has supervisory control over all litigation in courts, including SBA litigation." However, it recognizes that SBA should play an important role in the handling of court cases except in rare instances as follows:

"None of the above is to qualify the right of SBA attorneys to go into court and conduct litigation arising under the Small Business Investment Act, although Justice believes that there may be a few unusual cases which it will desire to handle itself."

There was some question regarding the interpretation of the agreement. Mr. Douglas indicated that he would need time to study the agreement and its background.

It appears to me that this agreement meets the legitimate responsibilities of both the

Department of Justice and the Small Business Administration in the conduct of SBIC litigation. I would like to urge both the Department of Justice and the Small Business Administration to reaffirm and to adhere to this agreement so that SBIC litigation will not suffer the delays to which it has been subjected in the past.

I would like to receive a periodic report on the status of SBIC litigation. It seems to me that a report every six months would be sufficient to keep the Small Business Subcommittee informed on the progress of this litigation.

Please let me know as soon as possible the conclusions that the Department of Justice and the Small Business Administration reach on this very important matter. This delay must not be allowed to continue.

I am sending an identical letter to Attorney General Katzenbach.

Sincerely yours,

WILLIAM PROXMIRE,
Chairman, Subcommittee on Small Business.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: I welcome your suggestion of July 22 that the Department of Justice and the Small Business Administration reaffirm and adhere to the agreement reached in 1963 between the Department of Justice and the Small Business Administration regarding the handling of litigation arising out of the Small Business Investment Act of 1958. While we do not, of course, accept Mr. Kelley's statements, I share your view that the 1963 agreement meets the legitimate responsibilities of the Department and the Small Business Administration in the conduct of SBIC litigation.

I have spoken to Mr. Boutin, the present Administrator of the Small Business Administration and we have agreed to work out specific methods by which the 1963 agreement can be carried out in a manner satisfactory to both agencies. Staff members of the respective agencies will confer on this matter in the near future and should be able to reach common ground. We in the Department of Justice pledge every effort to reach an accommodation in a way which will permit SBA attorneys to get into court in civil cases more frequently than in the past.

Pursuant to your request, we are preparing a report on the present status of all SBIC litigation and will provide your committee with such a report every six months. We appreciate your constructive interest in this matter.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Attorney General.

SMALL BUSINESS ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR,
Washington, D.C.

Hon. WILLIAM PROXMIRE,
Chairman, Subcommittee on Small Business, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR SENATOR PROXMIRE: Thank you for your letter of July 22, 1966, summarizing the meeting of July 21, attended by Mr. Philip Zeidman, General Counsel of this Agency, at which you explored the relationship between the Department of Justice and the Small Business Administration. I am grateful for your interest in the speedy and effective enforcement of the Small Business Investment Act and regulations. I want to assure you that this is an interest which I share. I am determined to achieve that objective.

We will be pleased to comply with your request for a semi-annual report on the status of SBIC litigation. If agreeable with you, we will make our first report in January of 1967, effective as of December 31, 1966.

Sincerely yours,

BERNARD L. BOUTIN,
Administrator.

NEGROES AND THE OPEN SOCIETY

Mr. JAVITS. Mr. President, on August 2, the Honorable Edward W. Brooke, the Attorney General of the Commonwealth of Massachusetts, issued a statement entitled "Negroes and the Open Society." In this paper, Attorney General Brooke surveys the plight of Negroes in this country and offers his suggestions for State and Federal action in the areas of education, housing, employment, health, and equal justice.

Mr. Brooke, himself an eminent Negro, has outlined a constructive, comprehensive program which should be of interest to the Congress. I therefore ask unanimous consent to have printed in the RECORD the text of his statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NEGROES AND THE OPEN SOCIETY

(By Edward W. Brooke, Attorney General of the Commonwealth of Massachusetts and Republican candidate for U.S. Senator)

Racial discrimination has struck at the heart of the American dream—the promise of freedom and equality of opportunity—for over two hundred years. It has gnawed at the political and social fabric of America, at times threatening to overwhelm us. It has exacted high costs—in human suffering, economic loss (a loss that approached $27 billion in 1966), inferior education, blighted neighborhoods, and infant mortality to mention only a few. Radical discrimination has been a serious handicap to our foreign policy, especially in our relations with the peoples of the developing nations of Asia, Africa, and Latin America.

I advocate a broadly-based, massive assault against all remaining forms of discrimination in American life.

I call for an Open Society—a society which extends to *all* Americans the freedom and opportunity to have equal justice under law, to obtain quality education, to enjoy decent housing and good health, and to gain equal access to the economic benefits available in a free enterprise system. In order to achieve an Open Society, the thinking and approach to the problem of civil rights must be redirected. There must be a major shift in emphasis in current programs. I suggest three guidelines.

1. *A Coordinated, Comprehensive, Strategic Attack.*

The problems of racial discrimination are interrelated. They occur in discernible patterns. Patterns of segregation in housing are reflected in *de facto* segregation in schools. Substandard education is correlated with high rates of unemployment. Limitations on employment and the opportunity for vocational advancement, in turn, restrict income and economic mobility.

Discrimination is a *system* that will yield only to a coordinated, comprehensive, strategic attack. In recent years, other than civil rights groups, the Federal Government has borne the brunt of this attack. But state and local governments and the private sector of our nation—our universities, churches, our labor unions, businesses and civic associations—must be allies. An excellent example has been Massachusetts, whiich has actually moved in a direction that is well in advance of the Federal Government.

If this nation is to deal with more than the individual symptoms, a constructive partnership will be needed between the public and the private sectors at all levels.

2. *Metropolitan Planning.*

The problem of discrimination against the Negro is no longer a regional problem. The experiences of depression, war, and population migration have made it a problem of national scope, increasingly focused in our metropolitan centers of population. Negroes who have moved to the nation's cities, have been excluded by economic and racial barriers from the predominantly white residential suburbs. The growing ghettos of our central cities, with their deteriorating housing, inferior schools and generally inadequate public facilities now stand as the greatest challenge to the achievement of an Open Society.

If the nation is to resolve the problems stemming from racial concentration in our cities it will need metropolitan-wide planning. It cannot be bound by local prejudice or by the inertia of poorly conceived governmental programs. Too many Federal programs stop with the central city when the basic problems of discrimination are much wider. Here must be a willingness to experiment with enlarged governmental districts, intergovernmental compacts, new site locations for housing, schools, and other public facilities, and programs that link two or more communities in the metropolitan area.

In substance, a new metropolitan perspective must be applied to virtually all facets of discrimination in our urban society. Without such planning, the problems of the ghetto will become insurmountable.

3. *Vigorous Enforcement of the Law.*—Another guideline of any effective civil rights program is vigorous enforcement of the law. The national Administration's failure to enforce civil rights laws has caused great disappointment.

Title VI of the Civil Rights Act of 1964 bans discrimination in all Federally assisted programs. But not until May of 1966 did the Secretary of Health, Education and Welfare announce that Federal funds would be withheld from school districts that practice discrimination. One year after passage of the Civil Rights Act, the United States Commission on Civil Rights found that there were discernible patterns of noncompliance in nearly two-thirds of the hospitals surveyed—despite the fact that each hospital had received financial assistance from the Federal Government. And to date, the Justice Department has failed to appoint any Federal registrars to Georgia under provisions of the Voting Rights Act of 1965, even though that state has the largest number of unregistered Negroes of voting age. These are only the most blatant examples of executive inaction.

Weak enforcement can be traced in other areas to inadequate planning and staffing. Moreover, some enforcement procedures have proved to be ineffective tools in rooting out discrimination. The complaint system, for example, has generally proved useless because the burden of filing court suits has been placed on the victims of discrimination.

Existing civil rights law must be a more potent weapon in the war against segregation and discrimination. Legislation must be vigorously enforced. Enforcement agencies must be provided with adequate staffs to provide the necessary leadership. And those laws which contain inadequate enforcement procedures must be amended.

These principles should guide our attack in the following major areas of discrimination in American society.

I. EDUCATION

Twelve years after the Supreme Court decision on school segregation, virtually no progress has been made in desegregating our schools. Only about 6 percent of Southern Negro children attend school with white children.

In both the North and South Negro schools are almost always inferior in quality to white

schools; and both Negro and white school children now receive an inferior education to the extent that they are not being prepared to live in a pluralistic society. The elimination of segregation from the schools is the most critical issue facing American education today.

The United States Office of Education sets the guidelines under which school systems must desegregate. The most recent guidelines of March 1966 are considerably stronger than those issued in the past. However, despite the May deadline for filing compliance agreements for the 1966–1967 school year, by mid July, 78 school systems in the South had failed to submit plans for desegregation as a first step for meeting government demands. Close to 90 more schools districts had submitted agreements but attached conditions that may prove unacceptable upon review.

In the face of this open defiance of the Civil Rights Act of 1964, no Federal funds were withdrawn from school districts that discriminate until May of this year and only 12 districts were affected at the time.

Whereas segregation in the South has traditionally been supported by law, Northern style segregation, commonly referred to as *de facto* segregation, has risen primarily from community custom and indifference, segregated patterns of housing and gerrymandered school districts.

In Philadelphia, 58 percent of the pupils enrolled in public schools are Negro; in Manhattan, 75 percent of the children are nonwhite in Washington, D.C., 89 percent of the pupils in public schools are Negro. And the percentages are increasing.

The tragedy of the ghetto, however, involves more than the racial concentration of our schools. As psychologist Dr. Kenneth Clark states, "segregation and inferior education reinforce each other." The quality of education invariably suffers.

The Federal Government has taken no action in the North in the mistaken belief that the mere *threat* of withholding funds would force school districts to take steps toward ending *de facto* segregation. But even this threat has been removed with the recent announcement by Secretary of Health, Education, and Welfare John Gardner that Title VI of the Civil Rights Act of 1964 did not apply to *de facto* segregation.

Recommendations

To meet the crisis in education faced in the North and South alike, I strongly urge that the following steps be taken:

1. *Action on School Desegregation.*

Prompt and vigorous enforcement of Title VI of the Civil Rights Act of 1964 (banning discrimination in all Federally assisted programs) is required. The Federal Government must not hesitate to cut off funds from school districts which fail to meet the Government's standard. To assure this end:

Congress should provide adequate staff and funding for the enforcement operation of the Office of Education and should increase its initial appropriation of $3 million to desegregating school districts.

Congress should enact Title II of the Administration's Civil Rights Bill of 1966 which would strengthen the Office of the Attorney General in desegregation suits. This section would allow the Attorney General to file desegregation suits, even if he did not have a written complaint and local residents were financially able to sue on their own behalf.

2. *Reducing Racial Concentration.*

Short-term measures such as the pairing of schools, busing (for example, the Metropolitan Council for Educational Opportunities—better known as METCO—in Massachusetts) and open enrollment while quite useful, should not be regarded as permanent solutions to the problem of racial imbalance. An adequate solution will require metropolitan area planning.

Congress should move to clarify the ambiguities contained in Title VI of the Civil Rights Act of 1964 by enacting legislation which makes *de facto* segregation of schools illegal and provides for the withholding of funds from school districts which practice *de facto* segregation. The Federal courts should be given the authority to enforce the provisions of the law. At present, Massachusetts is faced with an anomalous situation in which state funds have been withheld because of *de facto* segregation in the Boston school system, while millions of dollars are poured into the City by the Federal Government.

Federal grants issued under Title I of the Elementary and Secondary School Act should be used as incentives to metropolitan planning. Federal funds issued for school construction should be used to break up, rather than strengthen, the patterns of segregation.

The states, in cooperation with the Federal government, localities, and private sector, should implement effective metropolitan planning in education. Such planning should include the enlargement of school districts, new transportation patterns, and the construction of new schools aimed at reducing racial concentration.

Educational parks, in particular represent a promising, bold approach to the problem of achieving quality education and more racially balanced schools. These school complexes would assemble on a single large campus children from an attendance area broad enough to include both majority and minority children. The concentration of students, teachers and resources would result in richer programs and more services than any individual school could provide. Their strategic location would help alleviate the problem of racial imbalance as well.

3. *Teachers and Curriculum*

Teachers can play a vital role in upgrading the quality of education and in school integration.

Where practice teaching is done on a segregated basis, the Federal Government should take action under Title VI of the Civil Rights Act of 1964.

State Departments of Education and local Boards of Education should actively recruit and train qualified teachers who are Negro.

Congress should provide adequate funding for the National Teacher Corps, an imaginative effort aimed at breaking down the vicious cycle of poverty and ignorance in rural and urban slums.

A comprehensive system of pre-school centers for underprivileged children operating both during the school year and during the summer months is required. The highly successful Operation Headstart program should be expanded, systemized, and imaginatively administered.

Finally, new methods of curriculum should be devised. Textbooks should reflect a more realistic view of the role of minority groups in our history.

II. HOUSING

For millions of Negroes, housing means the lack of free choice in selecting a place to live, and congested ghettos that breed broken homes, delinquency, illegitimacy, drug addiction and crime. Since World War II, the pattern in housing has been new homes in the suburbs for white families with rising incomes and old homes in central cities for Negroes. Indeed, the trend in recent years has been accelerating.

Because I believe the situation in housing has reached crisis proportions, I strongly urge that the following steps be taken:

1. *Banning Housing Discrimination.*

The Administration's housing bill banning racial discrimination in the sale, rental or financing of all types of housing, represents a potentially important advance in assuring freedom of choice in the open market. This legislation is a significant step toward achieving the promise and spirit of the Constitution and the Declaration of Independence. Nevertheless, the Administration's method of attacking discrimination in housing ignores a more potent instrument.

The President could deal with the problem of discrimination in housing more effectively by issuing an appropriate executive order. President Kennedy's Executive Order No. 11063 banning discrimination in FHA and VA-financed housing, covered 20 per cent of the total housing supply. By extending the Executive Order to all housing financed through banks and savings and loan institutions whose deposits are guaranteed by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporation (FSLIC), more than 80 per cent of the housing supply could be covered.

In the absence of an executive order, the Administration's Bill should be supported. However, it should be strengthened in its proposed methods of enforcement. The concept of a Federal Fair Housing Board with effective enforcement powers—adopted as an amendment in the House Judiciary Committee—has sound precedent in numerous state open housing laws.

States and local governments should also take the initiative in ensuring open housing. Massachusetts has strong fair housing laws. They have been widely accepted by the citizens of the Commonwealth. Eighteen states now have similar housing laws on the books. These laws should be strengthened and vigorously enforced. The Massachusetts Republican Platform of 1966 calling for increased funds and authority for the Massachusetts Commission Against Discrimination should be implemented.

2. *Housing Low and Moderate Income Families.*

Our present Federal and state housing programs have been hampered by inadequate funds, poor planning and the power of suburban areas to veto housing plans, thus confining subsidized housing to the core city ghetto.

A coordinated effort between our public and private sectors is urgently needed to increase the rate of housing production for low and moderate income families. The present rate of housing production is only 1.4 million units per year. Most of this housing is priced beyond the reach of families below the median income level. Housing production must be increased to at least 2 million units per year—at least half of which should be made available to low and moderate-income families. Both Federal and state governments and private sources as well should contribute toward filling this gap.

Congress should provide funds for the Department of Housing and Urban Development (HUD) to conduct research in such areas as the amount of sub-standard housing and the need for low-income housing in the nation so that Federal programs may be directed to the areas of greatest need.

The rent supplement program recently approved by Congress should be made metropolitan wide in scope by elimination of the amendment allowing local governments to veto rent supplement projects. As originally introduced, the rent supplement bill was designed to encourage the development of housing throughout the metropolitan region and to rent a portion of these new units to low income families under a supplement program. The local veto amendment minimizes the possibility of locating units outside of congested city cores.

3. *Metropolitan Planning.*

Any attempt to reduce racial concentration in housing must necessarily involve the dispersal of low-income families through metropolitan planning. The various governmental units must undertake joint ventures to meet the problems of both desegregation

and increasing the supply of low and moderate income housing on a metropolitan area-wide basis.

Districts within the metropolitan area should be rezoned and provisions made for low and moderate income housing programs. These programs should be comprehensive enough to provide for community services and transportation networks to other areas.

Federal and state housing funds going to local governments should be used as incentives for the development of metropolitan-wide plans for low and moderate income housing.

4. *Revitalization of the Ghetto.*

On a long-term basis, the plight of the ghetto can and will be relieved by an open market in housing and meaningful planning of low and moderate income housing outside of the central city. In the meantime, we must utilize our present resources to rehabilitate the ghetto.

It is not enough to tear down and renovate our slums. Equally important is the need to link the physical rehabilitation of the slum to the social rehabilitation of its inhabitants.

The Administration's Demonstration Cities Bill represents a new approach to the problem which deserves to be tested. However, the program is deficient in its failure to embrace the entire urban community. The program should provide incentives for planning on a broader scale, for those areas in which the problem of segregation transcends the boundaries of the central city.

Community Action Programs provide people living within the ghetto the opportunity to improve their situation through cooperative effort. They also serve to call the public's attention to the substandard living conditions of the "invisible poor." To be effective, these programs will require imaginative approaches by governmental agencies at the local, state, and national levels.

IV. EMPLOYMENT

Millions of Negroes remain untouched by the wealth of our affluent society. The unemployment rate among Negroes is 7 percent, more than twice the average for whites. Often, Negroes can only find employment in low-skilled, low-wage occupations and industries with the lowest growth rates and the most limited opportunities for advancement. Moreover, these jobs are most vulnerable to the rapid pace of automation. Joblessness among Negro youths is a particularly acute problem. As of April 1966, 19 percent of out-of-school Negro youths between 16 and 21 were unemployed, twice the rate for white youths in the same category. These unemployed figures are reflected in the mounting welfare budgets of our major cities.

Recommendations

No single, simple, quick measure can eliminate these critical problems. I strongly urge the adoption of a broadly based action program which includes the following points:

1. *New enforcement powers for the Equal Employment Opportunity Commission.*

Title VII of the Civil Rights Act of 1964 which prohibits discrimination by employers, unions, and employment agencies should be strengthened. At present, the Equal Employment Opportunity Commission, created by the Act to carry out Title VII, can only investigate complaints of discrimination and then seek conciliation. If no redress is possible, the individual must take the initiative in seeking redress in the courts. Because of the complaint system, the EEOC has had only negligible impact on employment discrimination. In addition, the EEOC has been hampered by insufficient investigative powers and resources, limited enforcement powers which are complicated and ineffective, and a lack of administrative authority to undertake or coordinate manpower development or economic opportunity programs in support of its enforcement activities.

Title VII of the Civil Rights Act of 1964 should be amended to authorize the Equal Employment Opportunity Commission to issue cease-and-desist orders against individuals engaged in unlawful employment practices and to order back pay to those who have suffered financial loss through the denial of equal employment opportunity.

2. *State fair employment practices commissions.*

A number of states have made important advances in establishing state antidiscrimination commissions. However, the effectiveness of these state agencies has often been limited by inadequate financial support and excessive restraint in enforcement.

States should take the initiative in strengthening state fair employment practices commissions. In this regard, I urge implementation of the 1966 Massachusetts Platform plank which calls for strengthening the Massachusetts Commission Against Discrimination (MCAD).

3. *Eliminating discrimination in trade unions.*

In spite of the progress made by labor unions to promote equal employment practices, a number of unions continue to discriminate against Negroes. Unions have a special obligation to make a place for those against whom they and employers have too long discriminated. I urge, therefore, that:

Government contracting authority, in accordance with the Civil Rights Act of 1964 and an executive order banning discrimination on work done by Federal contract, be used to insure equal employment practices and expanded training opportunities on all Federal projects. It is regrettable that the Departments of Labor and Justice did not initiate action against trade unions to enforce nondiscrimination on government contracts until February, 1966.

Unions on all levels evaluate and revise all programs and practices that discriminate unfairly in job placement, job training or advancement. National union leadership should take affirmative action against unions that continue discriminatory practices.

Unions increase job opportunities in the skilled crafts and building trades by a) actively recruiting Negroes and others into craft unions; b) establishing pre-apprenticeship training to help Negro youths qualify for apprenticeship programs.

4. *Metropolitan Job Councils.*

Metropolitan Job Councils should be established by private sources in all major urban areas to plan, coordinate, and implement local programs to increase job opportunities for Negroes. Membership should include representatives of business, organized labor, education, and other appropriate community organizations. These councils would accumulate up-to-date information on the Negro labor force and job opportunities in the area, and would help coordinate and improve existing programs. Technical assistance would be offered by the Councils to help employers and unions make positive efforts to recruit Negro workers, and eliminate unnecessarily rigid hiring specifications.

5. *Rural employment programs.*

Many marginal farmers have become victims of mechanization, shrinking acreage allotments, and racial prejudice. The migration of unskilled rural Negroes to urban areas has created additional problems. Between 1960 and 1964, the number of Negro farmers decreased by 35 percent. To meet these problems I recommend that:

The Secretary of Agriculture move immediately to implement the recommendations of the United States Civil Rights Commission aimed at the elimination of segregation in Department of Agriculture programs. The Secretary has made little progress in implementing the report which is now over a year old.

The Department of Agriculture extend to Negro farmers the necessary assistance, information, and encouragement to give them the equal opportunity to diversify their farm enterprises.

Federal, state, and local agencies and private groups as well cooperate in the development of comprehensive programs to facilitate the adjustment of rural families moving to urban areas. Centers should be created in rural surplus labor areas to help potential migrants make arrangements for jobs and housing and should provide vocational and personal counselling.

6. *Employment Programs for Negro Youth.*

Programs for intensive counselling of Negro youth, the sector of our population with the highest incidence of unemployment, are grossly inadequate. The need exists for year-round youth job placement services.

Counselling services for in-school youths should be improved and expanded with the aid of skilled vocation advisers acquainted with requirements of industry. Expanded high school vocational education programs are also needed in urban and rural areas to train youths effectively for occupations in which employment opportunities are available.

Business and industry should work closely with schools and labor unions through Metropolitan Job Councils where possible to gear in-school training realistically to job requirements and to broaden in-service training opportunities.

V. HEALTH

Negroes are subject to more illnesses and disabilities than white people; they lose between one and one-third times as many days of work from disease or disability, and have a higher infant mortality rate and a seven years shorter life expectancy. The figures are integrally related to poor living conditions and inadequate health care.

The effects of inadequate health care are compounded by discrimination—especially in the South. Despite the fact that Title VI of the Civil Rights Act of 1964 bans discrimination from health facilities receiving Federal funds, wide-spread discrimination against Negroes still exists. Negro doctors, dentists and technicians are all too often refused staff privileges and excluded from professional societies; Negro nurses are excluded from training programs, paid lower wages and forced to eat in segregated cafeterias; and, Negro patients continue to be placed in segregated wards.

The persistence of this discrimination can be traced in large part to the failure of the U.S. Department of Health, Education and Welfare to take steps necessary to achieve compliance with the law. Effective enforcement action has not been taken. Except in cases where complaints have been filed, field inspections have not even been made to ascertain the extent of noncompliance.

To remedy these abuses in medical care, I strongly urge that the following steps be taken:

1. *Enforcing compliance in health care.*

HEW should conduct surveys and thorough field examinations to determine the extent of discrimination in federally assisted health programs. Funds should be withheld from those hospitals which continue to discriminate against Negroes in violation of the Civil Rights Act of 1964. Finally, HEW should take steps to ensure that hospitals participating in the Medicare program comply with Federal laws against discrimination.

2. *Improved Health Services.*

While the new programs of Medicare and medical aid for the indigent represent increased provision of medical services to low

income families (many of whom are Negroes), they should be supplemented by:

Additional experimentation in the concept of neighborhood health centers which provide a range of health services on a coordinated basis to all members of the family in a single location. The neighborhood health center sponsored by Tufts University in the Columbia Point housing development is an excellent example of how health services can be more effectively delivered to low income families that would not otherwise receive them.

Comprehensive study and evaluation of ways of improving the quality and availability of medical services to low income families in both urban and rural areas.

3. *Medical Research.*

Organizations, both private and public, should undertake thorough studies to examine the causes of the Negro's high infant mortality rate and lower life expectancy and should develop a comprehensive plan of attack on these problems. The continued disparity between the Negro and white population in these vital statistics is cause for deep national concern.

VI. JUSTICE

1. *Protecting Negroes and civil rights workers.*

The tragic shooting of James Meredith in Mississippi is the latest in a series of violent acts committed against civil rights workers. Since 1960, an estimated thirty Negro and white civil rights workers have been murdered in the South, while countless others have been the victims of beatings, bombings, maimings, and shootings.

The continuing failure of all-white juries to convict assailants has, in addition, focused the nation's attention on the gross inequities in the jury system in the South. We can no longer tolerate a system of justice in which Negroes and civil rights workers are not free to exercise their constitutional rights. We can no longer postpone fulfillment of our national pledge to liberty and justice for all. It is time to guarantee that justice will be done throughout the nation.

A number of bills pending before Congress and sponsored by Republicans and Democrats alike are designed to remedy these flagrant abuses. I urge that Congress enact a strong civil rights bill during this session—one that includes, in this area, the following:

Provision for a representative cross-section of the population on jury lists, thereby eliminating discrimination on the grounds of race or color in jury selection.

Removal of certain criminal cases to the Federal courts where state jury selection procedures are not in accordance with Federal procedures.

Greater Federal protection against intimidation of Negroes and civil rights workers, including stronger Federal criminal penalties for those who deprive individuals of their federally protected rights.

Amendment of the United States Code so that local, county and city governments are held *jointly* liable with officials employed by the government who deprive persons of rights protected by the Code.

Establishment of an Indemnification Board within the Federal Government with authority to grant money damages to the person(s) whose federally protected rights have been violated.

2. *Voting Rights.*

The Voting Rights Act of 1965 largely removed the legal barriers to voting. However, apathy, fear and ignorance continue to impede Negro registration and voting. While Congressional action in the area of voting is not now needed, the Administration must take the lead in enforcement. It has not yet enforced the law in large areas of the South, notably Georgia. Beyond enforcement, the Administration must provide more imaginative and innovative voter registration education where it has sent Federal examiners. Pamphlets and posters in all Federal facilities advertising voter registration might be used. Finally, voter registration hours should be better advertised in Southern communities.

3. *"Home Rule" for the District of Columbia.*

Since 1874 the people of Washington, D.C. have been under the jurisdiction of the Congress—their pleas for self-government largely ignored. The situation is made more intolerable by the fact that 62 percent of the population is Negro, while ten members of the powerful House District Committee are from the South. That this situation should exist in a nation which prides itself on its democratic principles is deplorable enough. But that such a situation be permitted to continue in our nation's capital is reprehensible. Attempts to get a "home rule" bill through Congress this year have once again failed. But this issue must not be allowed to die. I strongly urge Congress to act and to restore democracy to our nation's capitol once more.

* * * * *

The challenge of a "Great Society" cannot be fulfilled until we have achieved an Open Society, with equal opportunity for all Americans to obtain quality education, enjoy the minimum comforts of decent housing, sustain a potentially healthful existence, and gain access to the material benefits of our abundant, free economy.

This challenge is a particularly fitting one for the Republican Party, as the party of Lincoln, to undertake. It is a challenge underlined by the noble purpose and inspiration of a uniquely American dream. For, over the course of more than three centuries, we have dared to seek strength for our society by giving freedom to its members. We have liberated common men and women and have discovered uncommon faith and power. We have dedicated ourselves to the importance of the individual and have achieved unparalleled greatness as a nation.

As a people, we must now fulfill the promise of that dream. We must build a truly Open Society where all men have the right to achieve their individuality, where every man has the right to participate in the American dream.

LEGISLATIVE PROGRAM—INDEPENDENT OFFICES APPROPRIATIONS BILL

Mr. MAGNUSON. Mr. President, since I have been on the floor this morning, several Senators have asked me when we will bring up the independent offices appropriations bill, which is a long and complex bill, with many items and involving many departments, in which Senators have, in some cases, a general interest, but in some cases a more specific interest.

I have just conferred with the majority leader. There will be several votes on the independent offices appropriations bill since we have notice of certain amendments on different items. The majority leader advises me that the bill will be brought up on Monday if we complete action on the pending bill, the unemployment compensation bill, today. I was hopeful we could guarantee no action until Tuesday, but the leadership apparently wishes to begin with it upon the completion of the pending bill. There will be some votes on the independent offices appropriations bill when it is called up. I make that announcement because several Senators have asked about the scheduling of the bill.

UNEMPLOYMENT INSURANCE AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (H.R. 15119) to extend and improve the Federal-State unemployment compensation program.

The ACTING PRESIDENT pro tempore. The clerk will report the first committee amendment.

The LEGISLATIVE CLERK. On page 1, after line 6, strike out:

DEFINITION OF EMPLOYER

SEC. 101. (a) Subsection (a) of section 3306 of the Internal Revenue Code of 1954 is amended to read as follows:

"(a) EMPLOYER. For purposes of this chapter, the term 'employer' means, with respect to any calendar year, any person who—

"(1) during any calendar quarter in the calendar year paid wages of $1,500 or more, or

"(2) on each of some 20 days during the calendar year, each day being in a different calendar week, employed at least one individual in employment for some portion of the day."

(b) The amendment made by subsection (a) shall apply with respect to remuneration paid after December 31, 1968.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment. Without objection, the amendment is agreed to.

The LEGISLATIVE CLERK. On page 2, line 14, after the word "Sec." to strike out "102" and insert "101."

Mr. KUCHEL. Mr. President, would the Senator tell me——

Mr. LONG of Louisiana. We are only changing the section numbers.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment. Without objection, the amendment is agreed to.

The LEGISLATIVE CLERK. On page 3, line 7, after the word "Sec." to strike out "103" and insert "102."; on page 4, line 7, after the word "Sec." to strike out "104" and insert "103."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendments. Without objection, the amendments are agreed to.

The LEGISLATIVE CLERK. On page 9, line 15, after the word "Sec." to strike out "105" and insert "104."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment. Without objection, the amendment is agreed to.

The LEGISLATIVE CLERK. On page 11, line 6, after the word "unemployment" to strike out "compensation;" and insert "compensation;" after line 7 to insert:

(B) the State shall participate in arrangements, approved by the Secretary of Labor, for combining employment in, and wages paid in, more than one State; and the eligibility of any individual for unemployment compensation, his weekly benefit amount and the maximum benefits payable to him, under any such arrangement, shall be based

on the individual's employment or wages paid, or both, in (i) the paying State and (ii) any transferring State as if such employment or wages were in the base period of the paying State: *Provided, however*, that employment or wages that have been used in the computation of any individual's eligibility for unemployment compensation in a transferring State shall not thereafter be transferred to a paying State, nor shall employment or wages that have been transferred to a paying State and used under any such wage combining arrangement be thereafter available for use in the transferring State;

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. LONG of Louisiana. Mr. President, I ask that we have a voice vote on that amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment (putting the question).

The amendment was agreed to.

The LEGISLATIVE CLERK. On page 15, line 24, after the word "Section" to strike out "3303(b) or" and insert "3303(b),".

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment. Without objection, the amendment is agreed to.

The LEGISLATIVE CLERK. In line 25, after "Section 3304(c)", to insert "or Section 3309(a)."

Mr. ERVIN. Mr. President, may I ask what this does?

Mr. LONG of Louisiana. This is a conforming amendment.

Mr. ERVIN. It does not have to do with imposing Federal standards?

Mr. LONG of Louisiana. This is the House section regarding judicial review. It contains a conforming amendment.

Mr. WILLIAMS of Delaware. It does not involve that.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The LEGISLATIVE CLERK. On page 17, line 6, after the word "section", to strike out "3303(b) or" and insert "3303(b),"; in line 7, after "section 3304(c)", to insert "or section 3309(a)".

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment. Without objection, the amendment is agreed to.

The LEGISLATIVE CLERK. On page 19, after line 8, to strike out:

SEC. 141. (a) Section 901(c)(3) of the Social Security Act is amended—

(1) by striking out "the net receipts" each place it appears in the first sentence and inserting in lieu thereof "five-sixths of the net receipts"; and

(2) by striking "0.4 percent" in the second sentence and inserting in lieu thereof "0.6 percent".

(b) The amendments made by subsection (a) shall apply to fiscal years beginning after June 30, 1967.

And, in lieu thereof, to insert:

SEC. 141. Section 901(c)(3) of the Social Security Act is amended—

(a) by striking paragraphs (A) and (B) and substituting therefor the following new paragraphs:

"(A) in the case of fiscal year 1967, an amount equal to 95 percent of the amount estimated and set forth in the Budget of the United States Government for such fiscal year as the net receipts during such year under the Federal Unemployment Tax Act;

"(B) in the case of fiscal year 1968, an amount equal to 95 percent of the amount estimated and set forth in the Budget of the United States Government for such fiscal year as five-sixths of the net receipts during such year under the Federal Unemployment Tax Act;

"(C) in the case of any fiscal year after fiscal year 1968, and before fiscal year 1973, an amount equal to 95 percent of the amount estimated and set forth in the Budget of the United States Government for such fiscal year as three-fourths of the net receipts during such year under the Federal Unemployment Tax Act; and

"(D) in the case of any fiscal year after fiscal year 1972, an amount equal to 95 percent of the amount estimated and set forth in the Budget of the United States Government for such fiscal year as two-thirds of the net receipts during such year under the Federal Unemployment Tax Act."; and

(b) by inserting immediately before the period at the end of the second sentence thereof the following: "in the case of any fiscal year prior to 1968, and of 0.6 percent in the case of fiscal year 1968 or any fiscal year thereafter".

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment. Without objection, the amendment is agreed to.

The LEGISLATIVE CLERK. On page 22, line 6, after "(b)," to strike out "To assist in the establishment and provide for the continuation of the comprehensive research program relating to the unemployment compensation system, there" and insert "There"; in line 14, after the word "of", to strike out "such"; in the same line, after the word "research", to insert "authorized by this section".

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment. Without objection, the amendment is agreed to.

The LEGISLATIVE CLERK. On page 27, after line 5, to insert:

PART E—BENEFIT REQUIREMENTS

Certification and requirements

SEC. 151. The Internal Revenue Code of 1954 is hereby amended by renumbering present section 3309 as section 3312 and inserting after section 3308 of such Code a new section 3309 as follows:

"SEC. 3309. (a) CERTIFICATION.—On October 31, 1968, and October 31 of each calendar year thereafter, the Secretary of Labor shall certify to the Secretary each State whose law he finds is in accord with the requirements of subsection (c) and has been in accord with such requirements for substantially all of the 12-month period ending on such October 31 (except that for 1968, it shall be the 4-month period ending on October 31) and that there has been substantial compliance with such State law requirements during such period. The Secretary of Labor shall not withhold his certification to the Secretary unless, after reasonable notice and opportunity for hearing to the State agency, he finds that the State law is not in accord with the requirements of subsection (c) or has not been in accord with such requirements for substantially all of the 12-month period ending on such October 31 (except that for 1968, it shall be the 4-month period ending on October 31) or that there has been a failure to comply substantially with such State law requirements during such period. For any State which is not certified under this subsection on any October 31, the Secretary of Labor shall within 10 days thereafter notify the Secretary of the reduction in the credit allowable to taxpayers subject to the unemployment compensation law of such State pursuant to section 3302(c)(4).

"(b) NOTICE TO GOVERNOR OF NONCERTIFICATION.—

"If at any time the Secretary of Labor has reason to believe that a State may not be certified under subsection (a) he shall promptly notify the Governor of such State.

"(c) REQUIREMENTS.—

"(1) With respect to benefit years beginning on or after July 1, 1968.—

"(A) the State law shall not require that an individual have more than 20 weeks of employment (or the equivalent as provided in subsection (4)) in the base period to qualify for unemployment compensation;

"(B) the State law shall provide that the weekly benefit amount of any eligible individual for a week of total unemployment shall be (i) an amount equal to at least one-half of such individual's average weekly wage as determined by the State agency, or (ii) the State maximum weekly benefit amount (exclusive of allowances with respect to dependents) payable with respect to such week under such law, whichever is the lesser;

"(C) the State law shall provide for an individual with 20 weeks of employment (or the equivalent) in the base period, benefits in a benefit year equal to at least 26 times his weekly benefit amount.

Any weekly benefit amount payable under a State law may be rounded to an even dollar amount in accordance with such State law.

"(2) The State maximum weekly benefit amount (exclusive of allowances with respect to dependents) shall be no less than 50 percent of the Statewide average weekly wage most recently computed before the beginning of any benefit year which begins after June 30, 1968.

"(3) In determining whether an individual has 20 weeks of employment, there must be counted as a week, any week in which the individual earned at least 25 percent of the Statewide average weekly wage.

"(4) For the purpose of subsections (c)(1)(A) and (C), the equivalent of 20 weeks of employment in a State which uses high-quarter wages is total base period wages equal to five times the Statewide average weekly wage, and either one and one-half times the individual's high-quarter earnings or forty times his weekly benefit amount, whichever is appropriate under State law.

"(d) DEFINITIONS.—

"(1) 'benefit year' means a period as defined in State law except that it shall not exceed one year beginning subsequent to the end of an individual's base period.

"(2) 'base period' means a period as defined in State law but it shall be fifty-two consecutive weeks, one year, or four consecutive calendar quarters ending not earlier than six months prior to the beginning of an individual's benefit year.

"(3) 'high-quarter wages' means the amount of wages for services performed in employment covered under the State law paid to an individual in that quarter of his base period in which such wages were highest, irrespective of the limitation on the amount of wages subject to contributions under such State law.

"(4) 'individual's average weekly wage' means an amount computed equal to (A) one-thirteenth of an individual's high-quarter wages, in a State which bases eligibility on high-quarter wages paid in the base period or (B) in any other State, the amount obtained by dividing the total amount of wages (irrespective of the limitation on the amount of wages subject to contributions under the State law) paid to such individual during his base period by the number of weeks in which he performed services in employment covered under such law during such period.

"(5) 'statewide average weekly wage' means the amount computed by the State agency at least once each year on the basis of the aggregate amount of wages, irrespective of the limitation on the amount of wages subject to contributions under such State law, reported by employers as paid for services covered under such State law during the first four of the last six completed calendar quarters prior to the effective date of the computation, divided by a figure representing fifty-two times the twelve-month average of the number of employees in the pay period which includes the twelfth day of each month during the same four calendar quarters, as reported by such employers."

(b) The table of sections for chapter 23 of such Code (as amended by sections 103(b)(2) and 131(b)(3) of this Act) is further amended—

(1) by striking out

"Sec. 3309. Short title."

and inserting in lieu thereof

"Sec. 3309. Benefit requirements."

and

(2) by adding at the end thereof the following:

"Sec. 3312. Short title.".

On page 32, after line 7, to insert:

Limitation on credit against tax

SEC. 152. (a) Section 3302(c) of the Internal Revenue Code of 1954 is amended by adding at the end thereof a new paragraph (4) as follows:

"(4) If the unemployment compensation law of a State has not been certified for a twelve-month period ending on October 31 pursuant to section 3309(a), then the total credits (after applying subsections (a) and (b) and paragraphs (1), (2), and (3) of this subsection) otherwise allowable under this section for the taxable year in which such October 31 occurs in the case of a taxpayer subject to the unemployment compensation law of such State shall be reduced by the amount by which 2.7 percent exceeds the four-year benefit cost rate applicable to such State for such taxable year in accordance with the notification of the Secretary of Labor pursuant to section 3309(a)."

(b) Subsection (c)(3)(C)(i) of section 3302 of such Code is amended by substituting the term "4-year" for the term "5-year."

(c) Section 3302(d)(5) of such Code is amended to read as follows:

"(5) 4-YEAR BENEFIT COST RATE.—For purposes of subsection (c)(4) and subparagraph (C) of subsection (c)(3), the 4-year benefit cost rate applicable to any State for any taxable year is that percentage obtained by dividing—

"(A) One-fourth of the total compensation paid under the State unemployment compensation law during the four-year period ending at the close of the first calendar year preceding such taxable year, by

"(B) The total of the remuneration subject to contributions under the State unemployment compensation law with respect to the first calendar year preceding such taxable year. 'Remuneration' for the purpose of this subparagraph shall include the amount of wages for services covered under the State law irrespective of the limitation of the amount of wages subject to contributions under such State law paid to an individual by an employer during any calendar year beginning with 1968 up to $3,900, and beginning with 1972, up to $4,800; for States for which it is necessary, the Secretary of Labor shall estimate the remuneration with respect to the calendar year preceding the taxable year."

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that we vote on the amendment beginning on page 27, line 6, down to and including line 7, on page 34, with the exception of the language beginning on page 28, line 19 down to and including line 20, page 29, and on that I shall ask for a division into four parts.

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, what is the request?

Mr. LONG of Louisiana. We have four Federal standards on benefits. I am asking to vote on each one separately. That is all that I am asking.

Mr. WILLIAMS of Delaware. Will the Senator withhold that request until we have time to examine it further?

Mr. LONG of Louisiana. I shall withhold that for a moment. I believe that under the rules I am entitled to a division.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. LONG of Louisiana. All that I am asking is that each of these four Federal standards be voted on individually.

Mr. ERVIN. Mr. President, reserving the right to object, I am seeking information. We have here a 51-page bill, copies of which have only recently been made available to Members of the Senate. I am trying to find out the request of the Senator from Louisiana or what his proposal is.

Mr. LONG of Louisiana. There are four Federal standards in the bill. I am asking that the Senate vote on each one separately, rather than on all four together. Some Senators favor one standard and some Senators favor another. I am simply considering the rights of every Senator in this matter, so that each Senator can vote for what he wants to vote for, and vote against what he wants to vote againt.

The first vote will come on whether workers are entitled to benefits after 20 weeks of work. There are 48 States in the Union which provide that if one has worked for 20 weeks, or roughly 5 months, the worker is entitled to some benefits. Forty-eight States conform. Only two States do not—Virginia, which requires 23 weeks, and Wyoming, which requires 26 weeks.

Mr. ERVIN. Mr. President, all I am asking for is some information so that I can make an intelligent appraisal of the bill, which has only just been made available to me. If I construe the remarks of the distinguished Senator from Louisiana correctly, the first one of these requirements is that which is set forth on page 28, lines 16 through 23.

Mr. LONG of Louisiana. I want a vote on those lines beginning with line 19 through line 23, on page 28. All we are saying is that 2 States will conform to what 48 States are doing right now. What we are saying in effect is that Virginia and Wyoming should conform to what the State of North Carolina is doing now—and 47 other States.

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

Mr. LONG of Louisiana. I yield.

Mr. MORTON. Do I understand correctly that the Senator from Louisiana wants to vote first on lines 19 through 23 on page 28?

Mr. LONG of Louisiana. The Senator is correct.

Mr. MORTON. And then would it be agreeable to the Senator, after we have disposed of that issue—incidentally, Puerto Rico is involved in this too, I believe.

Mr. LONG of Louisiana. I think not.

Mr. MORTON. After we have completed that issue, then we go to the remainder of sections 151 and 152 en bloc?

Mr. LONG of Louisiana. What I want is a vote, first, on subparagraph (A). That presents the issue of eligibility. Then I propose that we vote on subparagraph (B). That is the issue of an individual being entitled to 50 percent of his weekly benefits. Then I propose that we vote on subparagraph (C) as to whether a worker gets 26 weeks of benefits or not. Then I propose that we vote on paragraph (2), which says that 50 percent is the highest limit of the benefits a man can draw.

That presents four separate issues and I think that each one is very important and worth voting on individually. That is how we voted in committee; just that way.

Mr. MORTON. I understand that the committee voted on it just that way, and we lost by a vote of 9 to 8. But I am not about to agree to anything which will cause us to lose 9 to 8 again.

Mr. LONG of Louisiana. I hope the Senator loses by a larger vote than that. But, at the same time, my feeling is that each one of these issues presents something that a Senator might want to vote for, or he might want to vote against. Each one of them is worthy of being voted on individually, on its merits. It would be unfair to ask a Senator to vote on these points en bloc, because he may want to vote against one and vote for another. At least, we know that one Senator in the committee favored one over another. As the Senator knows so well, he would favor some parts of the committee amendments and would not favor others.

Mr. MORTON. Will the Senator from Louisiana yield further to me, in order to propound a parliamentary inquiry?

Mr. LONG of Louisiana. I yield.

Mr. MORTON. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky will state it.

Mr. MORTON. We are now voting on the committee amendments individually. Should not section 151 be voted on as a committee amendment, without segmenting it or breaking it down?

The ACTING PRESIDENT pro tempore. If there is no unanimous-consent agreement and no demand for a division, the Senate would vote on the section beginning on page 27, line 6 down through and including page 34, line 7. However, if there is a request for a division—and there has been—then the Senate would vote on a different basis.

As the Chair understands the Senator from Louisiana, he is requesting that the Senate vote on the section on page 27, line 7 down through page 34, line 7, except for line 19 on page 28 down through

line 20 on page 29. On those, the Senator will ask for a division, which he has a right to do—it is in four parts. It does not take unanimous consent. The Senator has the right to do so.

Mr. WILLIAMS of Delaware. Mr. President, the division which has been asked for would mean six record votes on this section instead of one; is that not correct?

The ACTING PRESIDENT pro tempore. The Senator from Delaware has a perfect right to request that, but the Senator from Louisiana is asking that there be——

Mr. WILLIAMS of Delaware. I am not requesting. I would prefer to vote on the whole section at one time because it is all one plan involving four Federal standards. If the unanimous-consent request of the Senator from Louisiana is not granted, in asking for a division, he would then automatically be asking for six rollcall votes; is that not correct?

The ACTING PRESIDENT pro tempore. That is correct, except that the Senator from Louisiana is going further. He is asking for a division. He is asking for unanimous consent that the first part and the last part, which refer to indicating a change, be handled together.

Mr. WILLIAMS of Delaware. I understand that it could be done by unanimous consent.

We could have one vote or two votes whichever way is wished.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. WILLIAMS of Delaware. Mr. President, the question I am asking is that in the absence of any unanimous consent being granted, we could either vote on the entire sections 151-152 en bloc, or if some Senator asks for a division it would then take six rollcall votes to achieve the same answer.

The ACTING PRESIDENT pro tempore. That is correct.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum, until we can find out just what the situation is.

Mr. LONG of Louisiana. Mr. President, what we are talking about is simple. If the Senate does not grant unanimous consent, I will just have to insist on a division. That means that we will vote on subparagraph (A) first——

Mr. WILLIAMS of Delaware. The reason I want to suggest the absence of a quorum is that this is the first I have heard of the Senator's request, and I want to be sure that I fully understand.

Mr. LONG of Louisiana. Let me say that so far as I am concerned, as chairman of the committee, I am happy to vote en bloc, but there are other Senators who have different views on parts of this issue. For example, in the committee, there were two Senators who, I believe, voted for subparagraph (A) because they felt that the States have no problem. They were voting to make two States come into line with the other 48 States, which includes theirs. But other Senators might feel differently about subparagraph (B). That being the case, I propose that we have a vote on each one of these important issues.

Mr. WILLIAMS of Delaware. I thought we were going to vote en bloc. I may agree to what the Senator is requesting, but I want to understand it first.

Mr. LONG of Louisiana. Let me say that it is a lot easier to have these votes one by one because then the Senate can understand all four at one time.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Delaware will state it.

Mr. WILLIAMS of Delaware. In the event there is a division asked and granted, would the Chair advise as to how the votes would come under such a description? Then we could decide.

Mr. ERVIN. Mr. President, I have some concern about this——

The ACTING PRESIDENT pro tempore. If unanimous consent is not granted, and a division is requested, the first vote will be on the language found on page 27, line 6, down to page 28, line 18.

Mr. LONG of Louisiana. Mr. President, has that amendment already been agreed to?

The ACTING PRESIDENT pro tempore. No, it has not been agreed to.

Mr. LONG of Louisiana. I ask that we vote on it. Let us vote on it, if there is no objection.

Mr. ERVIN. Mr. President, I suggest the absence of a quorum.

Mr. LONG of Louisiana. Mr. President, will the Senator withhold that request?

The ACTING PRESIDENT pro tempore. Does the Senator from North Carolina withhold his suggestion of the absence of a quorum?

Mr. ERVIN. Mr. President, I deeply regret that the bill is brought up on such short notice. The bill was not available to us who are not on the committee until yesterday. We had to remain all day yesterday on the Senate floor considering the proposed legislation growing out of the strike of the machinists against the airlines. The proposed section 151 would make most drastic alterations in the unemployment compensation laws in the United States.

Frankly, I do not think the Senate ought to be rushed into acting on a bill of this major significance when the Members of the Senate other than those who happen to be on the Finance Committee have had no opportunity to study the bill.

The ACTING PRESIDENT pro tempore. Does the Senator from North Carolina withhold his suggestion of the absence of a quorum?

Mr. ERVIN. I withhold the suggestion of the absence of a quorum.

Mr. LONG of Louisiana. This amendment changes the date for certifying whether a State is eligible for tax credit under the law.

While the committee divided 9 to 7 on some votes, the certification date change from December 1 to October 31 was agreed to unanimously. It is not a controversial change.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. LONG of Louisiana. As I understand it, Mr. President, we are now considering the amendment from page 27, line 6 down to page 28, line 15, which is for the most part a conforming amendment. It changes the date of the act by 31 days.

Mr. MORTON. Fifteen.

The ACTING PRESIDENT pro tempore. The amendment is on page 27, line 6, to page 28, line 18.

Mr. MORTON. Mr. President, I thought it was line 15.

Mr. LONG of Louisiana. Eighteen.

Mr. MORTON. I beg the Senator's pardon.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment. Without objection, the amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask for a division of the next amendment.

The ACTING PRESIDENT pro tempore. How far does the Senator from Louisiana wish to divide it?

Mr. LONG of Louisiana. I ask for a division from line 19 to line 23 on page 28.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. WILLIAMS of Delaware. Since the Senate has agreed to lines 17 and 18, what effect does that have on lines 19 through 23, which are a part of the same amendment? Where we have agreed to part of the amendment what is the effect? Is a division now in order?

The ACTING PRESIDENT pro tempore. The Parliamentarian informs the Chair that the Chair cannot interpret legislation. The Chair was informed that this is the way the manager of the bill asked that it be divided, and the Parliamentarian informs the Chair that he had a right to do so.

Mr. WILLIAMS of Delaware. We voted on the language of the amendment down to line 18, and there was no objection to that. Lines 19 through 23 were set apart. What do they mean? They cannot stand by themselves. Lines 17 and 18 were only a part of other sections; would the other sections not have to be offered as a part of this amendment?

The ACTING PRESIDENT pro tempore. The answer as to whether lines 17 and 18 are sensible and necessary in the absence of what follows is something for the Senate to determine.

Mr. LONG of Louisiana. Mr. President, there seems to be some misunderstanding. We agreed to lines 17 and 18, did we not?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. LONG of Louisiana. So the next vote will be on lines 19 through 23. That is the first Federal standard in the bill.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is correct.

Mr. LONG of Louisiana. Mr. President, as I say, I want a division on that.

This provision requires that every worker be entitled to some unemployment insurance benefits after he has worked for 20 weeks. Forty-eight of the States provide some benefits at that point. There are two States which do not. Virginia requires 23 weeks instead of 20, and Wyoming requires 26.

This amendment would put Virginia and Wyoming in line with the other 48 States, and would mean that Virginia would pay benefits after 20 weeks of work instead of 23, as the other 48 States do, and would mean that Wyoming would pay benefits after 20 weeks instead of 26.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield.

Mr. ERVIN. Would not the effect of the amendment be to put Federal compulsion on those two States?

Mr. LONG of Louisiana. The Senator is correct. It would mean that.

Mr. ERVIN. In that respect, would it not alter the whole scheme of the unemployment compensation law?

Mr. LONG of Louisiana. No, it does not alter the whole scheme because 50 out of 52 jurisdictions already have this standard. But it would require 2 to come in line with 50.

Mr. ERVIN. Do not those other two States have those standards by virtue of acts of their State legislatures, rather than by acts of Congress?

Mr. LONG of Louisiana. That is correct.

Mr. ERVIN. Then this amendment would seek to impose a Federal standard upon all of the States of the Union, in violation of the provisions of existing law and in violation of the policy which has been pursued ever since unemployment compensation was established; and therefore, while the change seems harmless in its consequences, it is not harmless in its consequences because it amounts to putting Federal compulsion on the States, instead of having the State legislatures exercise the powers they have under existing law, to prescribe the standards governing the program within their respective jurisdictions.

Mr. LONG of Louisiana. Mr. President, we cannot put any Federal compulsion on North Carolina to do what North Carolina is already doing, nor can we put Federal compulsion on Louisiana to do what Louisiana is doing. It is beyond our power to make a State do something it is doing already.

Mr. ERVIN. The answer to that is very simple. We are putting a requirement upon North Carolina and upon Louisiana which they cannot hereafter vary by acts of their legislatures.

Mr. LONG of Louisiana. That is correct.

Mr. ERVIN. Yes.

Mr. LONG of Louisiana. But, Mr. President, with this amendment, we conform the Federal law to the practices in 50 jurisdictions and the practices in 48 States, including North Carolina and Louisiana. We provide here Federal recognition of what 48 States have done. It does require Virginia and Wyoming to come into line with the other 48 States, that is true.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. That would require Virginia and Wyoming to come into line with the other 48 States, but it also precludes any of the other 48 States from changing their standards in the future; is that not correct?

Mr. LONG of Louisiana. They can change it to make it more generous, but they cannot change it to make it more onerous; that is correct.

Mr. WILLIAMS of Delaware. So in effect we are imposing standards on all 50 States when we do this.

Mr. LONG of Louisiana. Yes. One would say that here the Federal Government is conforming to a standard that 48 States have adopted. If those 48 States would like, hereafter, to be more generous with the workingman, they can. But in this respect, we have adopted their standard, and if the States decide they wish to be less generous toward the workingman, they would not be able to do that. That is correct.

Mr. WILLIAMS of Delaware. Once this amendment has been adopted the principle will have been established that the Federal Government can tell the respective 50 States what they may or may not do, and the very next amendment, the one to be offered following this, starts to dictate to the 50 States what they must do.

Mr. LONG of Louisiana. No, it does not dictate to all of them. About 44 States are already doing what we are urging them to do by that next amendment. But there are a number of States that would have to comply.

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

Mr. LONG of Louisiana. I yield.

Mr. CURTIS. The distinguished chairman of the Committee on Finance, who is supporting the bill, may not want this comment to be stated as a question. Nevertheless, the fact remains that what is involved is the transfer of power over these decisions from the State legislatures to Congress. That power, once transferred, will be asserted year after year by Congress.

Mr. LONG of Louisiana. The Senator from Nebraska did not ask a question; but assuming that it was posed as a question, the answer is that the Federal Government first provided for such benefits in 1939, when it enacted a law to impose a tax for unemployment insurance and left it to the States to set benefits.

I may say that the performance of the States in that area was exemplary. For the most part, the States merely asked the Federal Government, "What would be considered a good law?" They asked the Federal Government how such a law should read and to send a model of one to them. Most of the States adopted the model of the Federal statute and submitted it to Washington.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. AIKEN. Would the amendment, in effect, require the States of the Union, to come into line with the law that exists at present in the State of Vermont?

Mr. LONG of Louisiana. This particular amendment would require two States to come into line with what Vermont and 47 other States are doing now, so far as eligibility is concerned. In 48 States the workingman is entitled to some unemployment benefits after 20 weeks of work. There are two States where that is not so. In Virginia, a workingman is entitled to benefits after 23 weeks; in Wyoming, he is entitled to benefits after 26 weeks. So the amendment would require Virginia and Wyoming to come into line with the practice of 48 States.

Mr. AIKEN. However, they would not even then come up to the present provisions of Vermont law, because Vermont provides for 39 weeks of benefits, liberal payments, and other services which are favorable to the employer, provided he is a Vermont employer only, and favorable to Vermont employees.

I have received protests against the Senate amendment; but I find that they are from employers who have plants in other States also, where the benefits are less than they are in Vermont.

Mr. LONG of Louisiana. The Senator is exactly correct. This would require those two States to start paying something after 20 weeks. It would make those 2 States come in line with the other 48 States.

Mr. AIKEN. We have a provision for 39 weeks of benefits—26 weeks, and another 13 weeks providing the unemployment exceeds a certain percentage of the total working force.

Mr. LONG of Louisiana. This would not make any State do what the State of Vermont is doing. It would not go that far in any respect.

It does provide certain minimum Federal standards. One of these standards is to make each State pay something after 20 weeks.

Some States start making payments after 10 weeks work. Some States start paying some benefits with less than that.

This standard would say that after 5 months of work a man is entitled to draw some benefits when he loses his job.

Mr. AIKEN. The pending bill sets minimum standards. It does not set the exact standards on payment or length of unemployment period that each State must observe. It would not require them all to have the same period.

Mr. LONG of Louisiana. The Senator is exactly correct.

I would be very disappointed to find that States do not provide more than is required here. Most States do.

Vermont, as the Senator indicates, goes far beyond what we are asking in this respect. The different States provide for all sorts of benefits extending beyond this. We hope that they will continue to do so.

This would provide that a man is entitled to draw some unemployment insurance benefits after 20 weeks.

Mr. President, the Federal Government has an interest in this. We have a tax. There is presently a 3.1-percent

Federal tax. The Federal Government keeps 0.4 percent to spend on its part of the program and the States are entitled to a tax rate of 2.7 percent, if the State wishes to have a program.

Mr. President, one thing that amuses me is that when we talk about standards and providing for an experience rating, the employers love that.

Some employers associations appeared to testify for just one thing—the experience rating. That is a Federal standard. They love and adore that experience rating. In some States it decreases the tax from 2.7 percent to zero. They love it with all their hearts. It is a Federal standard, but it favors them.

When a Federal standard favors a workingman, that is a different proposition.

This would just provide that, as between the States, 2 States would do what 48 States are doing now.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. KUCHEL. Mr. President, let me understand the parliamentary situation. Under the request of the Senator that a division take place, will the Senate pass judgment one by one on specific provisions, starting on line 19 of page 28?

Mr. LONG of Louisiana. The first part that would be pending would be lines 19 through 23 on page 28.

Mr. KUCHEL. What would the next one be? Would it be the balance of that page?

Mr. LONG of Louisiana. The next would be subparagraph (B)—line 24 on page 28 through line 7 on page 29.

Mr. KUCHEL. The next would be subparagraph (C) on page 29.

Mr. LONG of Louisiana. The Senator is correct.

Mr. KUCHEL. What would the next one be?

Mr. LONG of Louisiana. The next one would be paragraph (2).

Mr. KUCHEL. The Senator mentioned a moment ago this experience rating being of benefit to the employer. Do we pass judgment on that in the pending bill?

Mr. LONG of Louisiana. No. We do not change that at all, not in the least bit.

Mr. KUCHEL. What does the Federal law provide with respect to that experience rating?

Mr. LONG of Louisiana. The States are given a credit of 2.7 percent against a Federal tax of 3.1 percent.

Mr. KUCHEL. By Federal law?

Mr. LONG of Louisiana. The Senator is correct. The States in turn give employers a more favorable rating in the event that those employers have stable employment and very little unemployment. They are therefore entitled to reduce the tax from the 2.7 percent down to zero.

Mr. KUCHEL. That is an excellent provision. It is an incentive to an employer to stabilize his employment.

I want to make this clear to help me answer the other questions that will arise in the Senate.

This provision in Federal law with respect to an experience factor favoring employers is mandatory upon the States. The States cannot change the provision.

Mr. LONG of Louisiana. The pending bill does not change it. It has been mandatory since 1939 on the States, that the States would have experience rating. The employers came in and testified, asking that this not be made optional on the States, but that it continue to be mandatory.

Mr. KUCHEL. I think that is most important. It is not an option. That is the statement of the Senator.

Mr. LONG of Louisiana. The Senator is correct.

Mr. KUCHEL. The Senator answered a question posed by the Senator from Vermont. Can the Senator from Louisiana indicate, perhaps with the help of his staff, what if any provisions of the law of California are below any of the separate recommended amendments of the committee in the pending bill?

Mr. LONG of Louisiana. California has a requirement that a low-paid worker earn at least $720 in order to qualify for some benefits.

The pending bill would say that if he had been working for 20 weeks in a covered establishment, even though he might not have made $720, he would be entitled to some benefits.

That $720 figure would have to be reduced to $673.

Mr. KUCHEL. I do not quite understand. It would have to be reduced in order to accomplish what?

Mr. LONG of Louisiana. Under California law, a worker must presently have $720 in earnings in order to qualify. At present wage scales in California, the bill would require that benefits be paid to a worker who earned $673.35. Actually, nearly every employee in California makes more than $673.35. Any worker who makes that much is probably also making $720.

So the change in this law would really pose no problem of consequence to California.

Mr. KUCHEL. The $673 of earnings would take place under what period of time?

Mr. LONG of Louisiana. Twenty weeks. So that about the only change that would affect California would be that a low-paid worker might have some small benefit that might not exist presently. But that would apply to very few people in California, because, as the Senator knows, people are making more money than that in California.

Mr. KUCHEL. How much would it be a week under this Senate amendment?

Mr. McCARTHY. A difference of $2 a week.

Mr. KUCHEL. I do not understand that any gainfully employed person in California is making that kind of substandard wage.

Mr. LONG of Louisiana. That is the point I was attempting to make, that practically nobody in California makes that little money for his effort. The kind of people who would be making such a pitiful wage are not covered, anyhow. So this could not benefit them. We must bear in mind that this applies to a covered industry and that the industry must have at least four employees.

My guess is that fewer than one-quarter of 1 percent of the workers in covered employment in California would benefit from this.

Mr. KUCHEL. I have one more question. I do not wish to take a great deal of time. We are passing judgment now on a Federal standard, that the State law shall not require that an individual have more than 20 weeks of employment in order to qualify, and so forth. How does that provision apply to a State law which says that one must make $720 before he is covered? I do not quite understand that.

Mr. ERVIN. Mr. President, will the Senator yield for a question that is germane to his colloquy with the Senator from California?

Mr. WILLIAMS of Delaware. Mr. President, if the Senator will yield, I believe I can answer that question.

Mr. LONG of Louisiana. This happens because California has a law which requires that to be eligible, a worker must earn $720. That is a peculiarity of California law.

About 99.9 percent of all workers in covered employment in California qualify for that. For the very small number who do not qualify because of this peculiarity of California law, a man could become eligible after he earned $673.75, instead of having to earn $720.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. McCARTHY. Nothing in this bill has anything to do with the amount of money a man must or must not earn in order to become eligible. We refer to 20 weeks of work in covered employment. The consequence of this is, as we relate it to the California law, that it makes a slight change with reference to the monetary provisions. The practical effects are almost nil. There may be some other States which have these monetary provisions as a result of which a few more people will be covered.

It is only the type of action in the California law, with reference to how much a person must earn in order to become eligible, which might be affected by the imposition of 20 weeks. The committee bill provides that with 20 weeks in covered employment a man would become eligible for benefits. The California law provides that one must make a particular amount of earnings. As far as we know, the practical consequence so far as California is concerned is that nobody who is not now covered will be brought within the provisions of this law.

Mr. KUCHEL. There is no provision for 20 weeks of employment in California law. Is that not correct?

Mr. McCARTHY. The Senator is correct.

Mr. LONG of Louisiana. Under California law, a man must have earned $720, without regard to weeks of work, in order to qualify. This would provide he could qualify when he has made $673.35.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. In answer to the question of the Senator from California, the adoption of this proposal

would mean the automatic repeal of that portion of the California law.

Mr. McCARTHY. The Senator is correct.

Mr. WILLIAMS of Delaware. The State would have to change the law.

Mr. McCARTHY. The Senator is correct.

Mr. WILLIAMS of Delaware. And to that extent, it does set that standard for the State of California. The Senator will find that the same is true with respect to many other States.

In addition, it would prohibit any 1 of the 50 States from acting through its legislature and changing the law, as has been done heretofore, except as the State would have to come to Congress to get approval. The States could expand it, but they could not reduce it.

Let us face it—the question here is, do we or do we not want Federal standards imposed on the States?

Mr. LONG of Louisiana. It is possible that no one in California, in covered employment, is earning such a pitiful wage. It is conceivable that there would be no effect on California because there might not be anybody working in covered employment who earns that little money. So the Senator might be spared all that.

Mr. WILLIAMS of Delaware. If the Senator wishes to be hypothetical, it is conceivable that nobody would be covered by reducing the coverage from 26 to 20, but we know that it will. That is the reason the 20-week provision has been put in. Likewise, they will be affected by the other change, and if they are not, why have this section in the bill? Let us be realistic.

Mr. LONG of Louisiana. We have better facts on that aspect. It would affect a few people.

Mr. McCARTHY. There is no question that it would affect only a few people. Changes would have to be made in the laws of few States. We are proposing national standards.

If a man has worked 20 weeks in employment in any State, he ought to be eligible for unemployment compensation benefits. If there are States where this is not provided, they would have to conform to the provision. If States have worked out a "Rube Goldberg" sort of formula which comes out in 20 weeks, they might have to change the formula, but it will not increase the number who are eligible.

The practical result of this provision would affect only two States in the Union. The Senator from Louisiana has pointed out the two States involved. The proposition is simple.

Do we want to lay down a national standard which says that every man who is in a covered employment under the unemployment compensation system, if he works for 20 weeks, should be eligible for some benefit?

Mr. ERVIN. Mr. President, will the Senator from Louisiana [Mr. LONG] yield so that I may ask a question of the Senator from Minnesota [Mr. McCARTHY]?

Mr. LONG of Louisiana. I yield.

Mr. ERVIN. Does not the Senator say that in providing a Federal standard of eligibility of 20 weeks, it would not affect the laws of any of the 50 States except 3, but it would affect hereafter the power of all 50 States to pass any laws which were inconsistent with the Federal standards?

Mr. McCARTHY. The Senator is exactly correct. I thought that that was clear.

Mr. ERVIN. No, sir.

Mr. McCARTHY. Unless we amend the committee bill, no State could raise the eligibility requirement above 20 weeks. The Senator is correct.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MORTON. Mr. President, the first amendment, which is section (A), seems to be an amendment to which most of us could agree, for, indeed, it affects only two States and the Commonwealth of Puerto Rico. But once we start adopting Federal standards, where do we stop? This program has probably contributed more to the economic stability of this country than any other program inaugurated during the 1930's. It has made that contribution because each State has been able to pattern the program to the needs of the State.

In my State of Kentucky unemployment is at its worst, and it hurts most in the rural sections and in the mountains of Kentucky. There are no big cities there. The coal miners are out of work. We do not have a serious unemployment problem in Louisville, Lexington, Bowling Green, Paducah, or Ashland, but we do have it in the rural areas of our State, particularly in the Appalachian area.

Each State has its own problem. Here is a program that has been successful. Most States followed the pattern of the great State of the Senator who is now presiding, the Wisconsin pattern, when this bill was originally passed 30 years ago. We have today such States as Massachusetts, Michigan, and others that give weight to the number of dependents that a man has.

In other words, in Detroit or Flint there may be two men working on the assembly line. One is a 20-year-old fellow who is just out of school, who has gotten his first job, and who is living with his family. On the other side of the line is a 43-year-old man with five children, who has been working for the Pontiac company for 18 years. They are both laid off. They are both getting the same wage. They do not get the same unemployment compensation under the laws of the State of Michigan. The man with five children gets more compensation than the man who is just out of high school still living with his family. The duly elected Legislature of Michigan and the people of Michigan, through their elected representatives, have set up this plan.

There are those who argue that this is a welfare program and not an unemployment program, and, therefore, Michigan should get no credit whatsoever because they want to treat a man with five children in a different way than the man who has just entered the labor market and has been employed for perhaps 20 weeks.

Once we begin setting Federal standards, all of this ultimately goes out the window. One might say that it does not in this bill, but if we start, it goes out the window.

Section (A), the matter now before us, on which a rollcall vote has been ordered, is something that all of us could be for, except perhaps, the Senators from Wyoming and Virginia. This is a minor matter. But the principle is there.

As has been pointed out, this even affects the law in California. I do not know how many it might affect. True, it might affect one-tenth of 1 percent of the labor force of California, but nevertheless, we are starting to put the Federal Government into a position of setting standards in the several States, and I am not talking from the standpoint of States rights. I am talking from the standpoint of a successful program, the most successful program of all the programs that emanated from the 1930's, the most successful program in taking out the valleys and leveling off the hills in the socioeconomic complex we have in this country today.

I would prefer that we consider this entire section 151, en bloc. The chairman of the committee has asked not to do that and I will, of course, abide by his wishes. But I trust that we will, as long as we have to handle these matters separately, vote down each and every one of the portions of this section that inject the Federal Government into a program which has been so successfully managed by the several States.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MORTON. I am happy to yield.

Mr. SALTONSTALL. This amendment would affect about three States, but in substance it affects every State, because it establishes a principle of Federal standards. Am I correct in that statement?

Mr. MORTON. The Senator is correct. It affects Wyoming and Virginia and the Commonwealth of Puerto Rico.

Mr. SALTONSTALL. But if we adopt the amendment of the Committee on Finance, we establish the principle that the Federal standards should prevail in all States of the Union, if they are to get the benefits of the bill.

Mr. MORTON. The Senator is correct.

Mr. SALTONSTALL. This question came up when I was the Governor of Massachusetts. We are proud of the way our unemployment insurance program is carried on in Massachusetts. It is more generous than the program in many States. If the amendment is adopted, we are imposing Federal standards in all of these several States to conform to whatever the Federal requirement may be.

Mr. MORTON. The Senator is correct, and it is not a question of only conforming to what happens to be in this bill. Once this principle is adopted, and we say the Federal Government is going to take this program over and set Federal standards, we do not know where it will end. We do know that it will go far beyond what is here.

The committee did strike from the administration proposal the escalation portion of going to 60 percent and 66⅔ percent. They had to strike it. They would

not have gotten the bill passed if it were included. But next year, or the year after they will be back.

Mr. SALTONSTALL. I understand that the Department of Commerce of Massachusetts is opposed to the bill in its present form because in many ways the standards of Massachusetts fit our needs. I will not say they fit our needs better or less, but they fit our needs, and our State government, represented by our department of commerce, is opposed to the bill.

Mr. MORTON. Massachusetts has one of the best laws in the country. It does give weight to need. It considers dependents. Every unemployed worker is not treated the same in Massachusetts, and I think this is a good thing. We do not have it in Kentucky. I wish we did. Our people do not want it apparently. Massachusetts does. I say that we should have it and not be penalized.

Mr. SALTONSTALL. I think our State was one of the very first States to adopt the principle of unemployment compensation, although I am not sure, but I think it was. We gradually broadened it and made it meet the needs of the State. What we want to do is cooperate and go along, but we do not want to be standardized, because that may not fit our needs as they develop with the State.

Mr. HICKENLOOPER. Mr. President, will the Senator from Kentucky yield?

Mr. MORTON. I yield.

Mr. HICKENLOOPER. I was going to ask the Senator, but the Senator from Massachusetts developed the point in his discussion with the Senator from Kentucky that I was going to ask. It seems to me that this is just the camel getting its head further under the tent of Fedreal invasion of the areas which should properly be left to the States. It seems to me that the States, generally, have taken care of the situation as it befits their needs. We are entirely satisfied in our State with the State's administration. I think it is not only a dangerous innovation but also, as the Senator from Kentucky has pointed out, is only the first step. Next year there will be more control. The year after that, there will be still more control and more administration by the Central Government.

Mr. SMATHERS. Mr. President, will the Senator from Kentucky yield?

Mr. MORTON. I yield.

Mr. SMATHERS. Is it not a fact that if we adopt the so-called Federal standards which the Finance Committee has already adopted by a vote of 9 to 8, every State with the exception of two, will have to change their present law?

Mr. MORTON. That is absolutely true.

Mr. SMATHERS. The only States which would not have to change the law would be Vermont and Hawaii. Is it not a fact that the State commissioners, when they met from all over the Union, stated that they would like to have adopted the House bill as it came to the Finance Committee? They thought that was a reasonably fair bill. They thought that it extended coverage sufficiently. They thought that it would raise taxes sufficiently and, therefore, they wanted that bill. Is that not a fact?

Mr. MORTON. That is a fact.

Mr. SMATHERS. Is it not a fact that the House bill, in point of extending coverage and increasing taxes, made substantial improvement in the program?

Mr. MORTON. That is true.

Mr. SMATHERS. Is it not a fact that if some of the State legislatures did not act so quickly as did other States, adoption of Federal standards would serve to punish certain employers in certain States where the legislatures had refused to act?

Mr. MORTON. Yes, that is true.

Mr. SMATHERS. Will the Senator yield further?

Mr. MORTON. I yield.

Mr. SMATHERS. Mr. President, more than 15 months ago, the administration's proposals were introduced into the House of Representatives. Great controversy resulted from the inclusion in that bill of a package of so-called Federal standards. Those Federal standards included requirements that: First, a State be forbidden to require more than 20 weeks of employment in a year in order to qualify for benefits; that, second, a State be forbidden to provide less than 26 weeks' worth of benefits for an individual with 20 weeks of employment; and that, third, a State be forbidden to provide a weekly benefit amount less than one-half the beneficiary's average wage, up to a minimum maximum to be calculated in accordance with a formula specified in the bill. This minimum maximum would have to be recalculated in every State every year. It might go up—it might go down.

Some of these Federal standards were already law in many States. Other elements would force changes in almost all State laws. I say "force" because the employers in any dissenting State would be substantially penalized if the State's legislature or Governor refused or delayed acceptance of any one of these changes in their own laws.

You know what happened then. After careful consideration an overwhelming bipartisan approval was registered for an unemployment insurance bill without these guns at the heads of the States.

Only 1 of the 25 members of the Ways and Means Committee refused to register strong support for the bill. Only 10 Representatives voted "nay" on final passage—as against 374 in favor.

What happened on this side of Capitol Hill? Essentially the same provisions so thoroughly and carefully rejected on the other side were returned to the bill in the Finance Committee. Was the vote overwhelming? No; the vote was 9 to 8. Did the bill with these provisions draw bipartisan support? No; all of our colleagues on the other side of the aisle felt obliged to refuse to accept the bill with those provisions in it.

Most States presently do provide unemployment benefits of at least half the beneficiary's weekly wage up to the State maximum. Most States refuse to give 26 weeks' worth of benefits for 20 weeks of work in a year. The Federal standards require all to conform absolutely to the generally rejected standard as well as to the generally accepted standard. Good-faith efforts, substantial compliance, even a benefit package on balance more generous than the Federal standards package—all alike are insufficient. All alike result in substantial penalties to employers in States which do not fall in line quickly enough.

On both sides of the aisle, throughout the spectrum of responsible political viewpoints, voices have risen to urge the States to assume responsibilities, to cease being collectively the silent element in our State-Federal governmental partnership. In the unemployment assistance field, where the partnership concept has been practical, fruitful operation for almost three decades, we cannot now fulfill our responsibilities by making the States into mere administrative agencies for programs determined in detail by the Central Government.

As a practical matter, adoption of this Federal package may well kill any efforts to obtain a bill that can be approved by a conference committee. The House has been clear on this point—the Federal standards package has been rejected.

Any Member who wants to preserve a viable State-Federal partnership, who is concerned with really enacting this bill, who gives heed to the viewpoints of those charged with enforcing these laws—any such Member will, I am confident, join me in opposition to the so-called Federal standards package in H.R. 15119.

I thank the Senator from Kentucky.

Mr. ERVIN. Mr. President, will the Senator from Kentucky yield?

Mr. MORTON. I am happy to yield to the Senator from North Carolina.

Mr. ERVIN. The Senator from Kentucky stated, in reply to an inquiry propounded to him by the Senator from Florida, that only 2 States in the Union now have laws which would comply with the Federal standards which the bill would impose upon 50 States. The Senator answered in the affirmative, as I understand it; is that not correct?

Mr. MORTON. That is my understanding.

Mr. ERVIN. I will ask the Senator from Kentucky, if this bill is passed with the Federal standards in it, it would deprive even those two States of the power hereafter to make their own laws relating to many of the aspects of unemployment compensation, would it not?

Mr. MORTON. It would, indeed, put those States in a straitjacket so that they would have to pass laws within certain narrow confines.

Mr. ERVIN. Does not the Senator from Kentucky share my view that if we embark upon a program of substituting Federal standards for State standards in the field of unemployment compensation, the ultimate result will be that the Federal Government will control all the taxes which are levied for purposes of unemployment compensation?

Mr. MORTON. If we go down that road, that will be the inevitable end. The Federal Government will take over the whole program, lock, stock, and barrel, before too many years have passed.

Mr. ERVIN. I will ask the Senator from Kentucky if many of the States which have administered their programs in a prudent manner, according to

State standards, now have accumulated substantial surpluses in their unemployment compensation funds?

Mr. MORTON. Yes. The figures were placed in the RECORD by the chairman of the committee last night. Many of them are substantial, indeed.

Mr. ERVIN. Does not the Senator from Kentucky agree with me that those States which have accumulated substantial surpluses in their unemployment compensation funds have managed their fiscal affairs with a wisdom and an intelligence which the Federal Government itself has not manifested in relation to the management of its own fiscal affairs?

Mr. MORTON. That certainly is an obvious truth.

Mr. ERVIN. Now, what are the taxes which are levied for unemployment compensation? Are they not collected in 90 percent of the cases by the State administering the unemployment compensation funds in the State?

Mr. MORTON. Approximately 90 percent, yes.

Mr. ERVIN. Yes, and only approximately 10 percent of the taxes are collected by the Federal Government itself?

Mr. MORTON. That is correct.

Mr. ERVIN. The Federal Government taxes go only, under existing law, for the payment of the costs of administering the program?

Mr. MORTON. It goes beyond the cost of administering the program, because it pays for the business that defines people's jobs, and other things of that kind get into the act. But primarily, yes.

Mr. ERVIN. Is it not true that the unemployment compensation benefits come out of State taxes—the money collected by the States?

Mr. MORTON. Yes, that is true.

Mr. ERVIN. So, this is not a question——

Mr. MORTON. That is true with the exception of emergencies. There have been times when we have extended it in times of emergency. It has been the Federal Government that has advanced the money.

Mr. ERVIN. That has happened where some States have exhausted their unemployment compensation funds, because of severe depression in those States or because of the fact that they have put the standards so high that their unemployment compensation funds were insufficient to pay the benefits established by their standards.

Mr. MORTON. In any event, in emergency situations, money has been advanced.

Mr. ERVIN. I ask the Senator from Kentucky if the contention that is sometimes made by those who want to federalize the unemployment compensation law, that it is a Federal grant-in-aid program, is totally without support in fact, insofar as the funds used for the payment of benefits to a person unemployed are concerned.

Mr. MORTON. The Senator is correct.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Kentucky yield?

Mr. MORTON. I yield.

Mr. WILLIAMS of Delaware. When this question first arose this morning, I suggested that the question of Federal standards should be voted on en bloc, that there was no way in which they could be separated successfully and voted on individually. I was right.

I have since checked with the Parliamentarian and want to point out that what we shall be doing in voting on the pending amendment is voting on the repeal of the laws as they exist, not just in two States but in practically all the States because this amendment states:

> The State law shall not require that an individual have more than twenty weeks of employment (or the equivalent as provided in subsection (4)) in the base period to qualify for unemployment compensation.

Subsection (4) is part of another committee amendment that comes later in the same section and as yet has not been approved. Therefore, this pending amendment has no meaning whatsoever. The Parliamentarian has so ruled. It is plain that should we defeat the rest of the amendments this one is meaningless.

What we will be doing is saying that State law shall not require that an individual have more than 20 weeks of employment during a base period to qualify for unemployment.

I have checked with the staff of the committee, and I have been advised that under this rule if adopted a person could have been earning as little as $1 a week for 20 weeks and then get the full 36 or 52 weeks' benefits under the bill.

Even if subsection (4) is later adopted we would be changing the laws not of two States, as is claimed, but we would be changing the law in California, because California has a higher minimum—$720—than is provided in subsection (4), which has not been adopted. The law of Connecticut would be repealed. The Illinois law provides a minimum of $800, and that would be repealed. Maine has a requirement for a $600 minimum, and that law would be repealed.

I repeat, even if all the committee amendments were adopted here today the laws of those States would be repealed or changed.

The laws of Massachusetts, Nebraska, New Hampshire, Washington, and West Virginia relating to minimums would automatically be nullified. Perhaps their legislatures would have to be called back into session to repeal them.

The laws of Florida, Oregon, and Wisconsin would likewise be affected. Wisconsin provides for 18 weeks and a $16 average. That law would have to be changed or repealed. The provision for the $16 average could be changed.

All of the 50 States would be affected, because we provide that a State to qualify must provide for 20 weeks with no minimum on earnings; that is, assuming we adopt this amendment and do not adopt the other committee amendments.

What should have been done was to vote on the whole package of eligibility standards and either approve or disapprove all of them. If the committee amendments are adopted Congress will be approving Federal standards for all 50 States. That is the issue. Let us face it and make the decision accordingly.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Minnesota.

Mr. McCARTHY. I thought that the chairman of the committee and the Parliamentarian had conferred earlier and had worked out this problem satisfactorily.

Mr. WILLIAMS of Delaware. I thought so too, but apparently not.

Mr. McCARTHY. I did not know that. The provision beginning on line 1, page 30, could, I think, be incorporated in the amendment with which we are dealing, because it is in simple language, and should meet the objection the Senator is now raising.

I am quite satisfied the Senate would adopt the lines on page 30 along with what we are voting on.

Mr. WILLIAMS of Delaware. The Senate may or may not.

Mr. McCARTHY. I would like to ask unanimous consent——

Mr. WILLIAMS of Delaware. The Senator from Minnesota will agree with the statement I have just made—that the adoption of the amendment now pending before the Senate would in itself nullify the minimum requirements of the 50 States, and if a worker had a minimum of 20 weeks at 75 cents a week cutting grass, for example, and then were to get out of work, he could qualify for the full unemployment benefits. Is that correct?

Mr. McCARTHY. I agree that it affects only 20 weeks——

Mr. WILLIAMS of Delaware. But in any of the 50 States, if a worker has 20 weeks' employment, and then were out of work, he would collect the full benefits regardless of his earning record.

That points out how ridiculous it is to vote on language without putting the whole package together.

I again ask unanimous consent that the Senate consider voting on the language beginning on page 28, line 19, down to and including line 7 on page 34. The whole package of Federal standards would thus be put together.

Mr. McCARTHY. Mr. President, I reserve the right to object. The chairman of the committee is not here.

Mr. WILLIAMS of Delaware. If we follow that procedure that should take care of subsection (4) as well as the other provisions. We would then be voting on the entire package. Then we would be voting for or against the Federal standards.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota reserves the right to object.

Mr. McCARTHY. The chairman's right to ask for a division on the amendment continues to run. He may ask unanimous consent to modify it by including the amendment now under consideration, line 21 on page 29 to line 8 on page 30, which would take care of the issue which has been raised by the Senator from Delaware, with respect to this particular provision in the bill.

Mr. WILLIAMS of Delaware. It would not take care of the full problem even if we adopted the unanimous-consent agreement to modify the amendment as suggested by the Senator from Minnesota; it would still affect the States of California, Connecticut, Illinois, Maine, Massachusetts, Nebraska, New Hampshire, Washington, West Virginia, Florida, Oregon, and Wisconsin. They would be affected even if we adopted the package just proposed by the Senator from Minnesota. It may be easy to say that only two States are affected; it may be easy to say that we will impose this provision on only two States but the Congress would be affecting all the States. The committee's proposal affects the States I have just named.

I think we should have a vote with respect to this whole package.

I understand the Senator from Minnesota reserved the right to object, but I intend to get a ruling on my unanimous-consent request that the whole package be acted on, beginning on page 28, line 19, down to and including line 7 on page 34.

That is the unanimous-consent request I presented in order to put the whole package in the proper perspective.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request?

Mr. DOUGLAS. Mr. President, what is the request?

Mr. WILLIAMS of Delaware. That we vote en bloc on the whole package of Federal standards. We should be voting on it in one amendment. It would be more intelligent than to vote on the cockeyed proposal before us now.

Mr. McCARTHY. I do not say that it would be more intelligent. As a matter of fact, it might be more appropriate for us to vote on it piece by piece. It would, of course, simplify the procedure.

Mr. WILLIAMS of Delaware. It would not simplify it to vote as the chairman of the committee suggests in the pending amendment.

Mr. McCARTHY. If the simple question is whether we are for the Federal standards and whether the Senate is prepared to take what the committee has brought out in the bill, that is a fair proposition. If the Senator wanted a vote on changes in the Federal standards which we are recommending, I think in that case the proposal made by the Senator from Louisiana is somewhat more orderly. We are going to have some loose threads which will have to be tied down. I do not think the Senator's objection is particularly well taken. I think we could get action on that particular unanimous-consent request, and go on to the financing and duration of the periods.

Mr. WILLIAMS of Delaware. I think a serious question is raised here. I point out to the chairman of the committee that if we vote on the package as a whole it would make more sense. I will wait for him to decide. I conferred with the Parliamentarian and find that what we were acting on are a lot of words, but in reality we are doing nothing.

Mr. McCARTHY. That would not be quite true. Even if we acted on the amendment before us, if we had the modification at line 9 on page 30, we would have an adequately defined proposition before the Senate. I do not say we would not have some loose edges.

Mr. WILLIAMS of Delaware. The Senator will admit that this amendment covers someone who may make as little as $1 a week, and that is affected by the amendment.

Mr. McCARTHY. The unanimous-consent agreement which would eliminate the matter referred to on page 29 and page 30 will be before the Senate.

While we are waiting for the chairman, I suggest that the allegation that it will permit further intrusion is unfounded. This is an old program, under which federally imposed taxes are made available for the States. The law has been amended only once in 35 years, in order to add an amendment which would be helpful to the States. We do not have the situation, as was stated by the Senator from Iowa [Mr. HICKENLOOPER] that once the camel's head is under the tent it will continue to go under. There has been no action on this law since 1939, and here it is 1966.

So to suggest that this is a program which, if we change it now, will be meddled with and modified every year, does not stand the test of examination of the history of the program.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. McCARTHY. Yes, I yield to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I think it is true that the unemployment compensation law, now approximately 30 years of age, should have some upgrading. Both the House bill and the Senate bill would do that. I cite as an example the raising of the base pay which will be taxed. The base was established 30 years ago. The House bill, as well as the Senate bill, would increase that amount in steps. I believe some legislation is in order.

Mr. McCARTHY. This would be a Federal standard, would it not?

Mr. CURTIS. It would be the tax standard. But I wish to come to that later.

The House bill was passed by an overwhelming vote. If we are to have legislation this year, I would hope that what the Senate does is not too much at variance with the action of the House.

Coming back to the distinguished Senator's observation that this has been a Federal program, in a sense that might be true. But basically, as I see it, it has not been. A Federal act was passed which compelled the States to inaugurate an unemployment compensation system.

Now, what are the real basics to be decided in an unemployment compensation system? I say they are two: How long do you have to work to get it, and how much shall you receive?

On these two issues, the States have had complete determining authority up to this time; and that is the basic issue before us today: whether or not the Federal Government shall assert the power over the States to determine the length of time a man must work, and how much the State must pay.

On those two basic issues, it has always been a State program. It has worked well. It has enabled the States to adapt the program to their own particular problems of employment, their economies, and so forth. Obviously, rural States have different problems than highly industrial States.

I hope that we can have a clear-cut vote on the whole issue of the Federal Government taking over the two important functions now reserved by the States, to wit, how long do you have to work to get benefits, and what shall your benefits be? I think those functions should remain in the hands of the States.

I thank the distinguished Senator from Minnesota.

Mr. McCARTHY. I thank the Senator from Nebraska.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Delaware?

Mr. McCARTHY. Mr. President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The question is on agreeing to the committee amendment. On this question, the yeas and nays have been ordered.

Mr. ERVIN. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mr. ERVIN. I deeply regret that the Senate must today consider this bill, which would make major alterations in the law and affect every State in the Union, when the proposed amendments to the bill and the committee report on the bill were not made available to Members of the Senate until yesterday. That means that those Senators who do not serve upon the Finance Committee have been unable to study the bill, because all of us were compelled to remain upon the Senate floor yesterday in connection with the joint resolution growing out of the strike of the machinists against the airlines.

As has been pointed out by several Senators, this bill undertakes to make drastic changes in the laws relating to unemployment compensation. Under the present law, the legislatures of the respective States have the power to prescribe the standards which govern the administration of the law in this area in the respective States. I think that provision is very wise for two reasons.

The first reason is that I have not yet fallen victim to what is facetiously called Potomac fever. I believe that the people who sent me here are far more capable and far more qualified to determine what should be done with respect to the standards of eligibility for unemployment insurance and with respect to how they should spend their own money in the payment of benefits for unemployment compensation than Senators or Representatives from distant States.

It has always been passing strange to me that when men get elected to Congress, they speedily fall victim to Potomac fever, the main symptom of which is an exhibition of their conviction that the people who elected them do not have

sense enough or judgment enough to manage their own affairs. I believe that the State legislatures can manage this question with far more wisdom than the Congress of the United States. And that brings me to the reason for my second objection to the bill.

In North Carolina today, we do not have unemployment in our industrial sections. Such unemployment as exists occurs in such industries like fishing, canning, and the like. I believe that the Legislature of North Carolina, which is familiar with the situation in respect to employment and unemployment in North Carolina, is far better qualified than Congress to act wisely with respect to setting up standards for eligibility for unemployment compensation and with respect to the amounts of unemployment compensation.

I think one of the tragedies of our generation, and perhaps the chief tragedy insofar as Government is concerned, is the continual effort which is being made to concentrate all of the powers of government in one centralized government in Washington, D.C., and to reduce the States of the Union to meaningless ciphers upon the Nation's map. I think there is too much power and too much authority concentrated now in the hands of our Federal Government here in Washington. Yet there are those who are now asking and reaching out for more power and authority in a completely new area, an area which, since the inception of the unemployment compensation program, has been left entirely to the respective States and their respective legislatures.

My second reason for opposing the committee amendments is that it is unwise to attempt to govern by uniform Federal standards employment and unemployment conditions which are quite diverse throughout the 50 States constituting the Union. It represents, in short, an attempt to make States having diverse situations fit into the same Procrustean bed.

I am speaking specifically with reference to committee amendments agreed to by a majority of one vote in the committee, to provide Federal standards relating to the eligibility, the amount, and the duration of State unemployment compensation benefits to be paid to unemployed workers who are covered by the various State statutes.

What is the justification for such action by our Congress? It can be shown that my State of North Carolina and other States have continually improved and updated their compensation laws through actions of their respective general assemblies.

These bodies have been and are very aware of the needs of their States in this area and have acted practically at every session to meet the changing needs of unemployment. For example, it has not been too many years since North Carolina paid a maximum benefit of only $20 per week for 16 weeks. The State of North Carolina now pays a maximum benefit of $42 per week for 26 weeks. This is a 241-percent increase in benefits over a period of approximately 15 years.

North Carolina has administered its unemployment compensation fund in a wise and prudent manner. As a result, it has accumulated a surplus of approximately $250 million in its unemployment compensation fund.

Those who advocate the centralization of power in Washington in this area of our life sometimes yield to the temptation to say that if a State accumulates a surplus in its unemployment compensation fund, it is guilty of some kind of a crime against society.

Mr. President, we hope that no depression will ever come again to this Nation, but the practice of wisdom requires the accumulation of surpluses in unemployment compensation funds in times of prosperity in order to have funds available for that purpose in times of depression.

I venture the assertion that if Congress yields to the importuning of those who try to concentrate power to prescribe standards and eligibility for and duration of benefits in unemployment programs in the Congress, we will reach a day when there will be no surplus in any unemployment compensation fund anywhere in the United States.

As I observed in a colloquy with the Senator from Kentucky, this program does not represent in any true sense a Federal grant-in-aid program.

Under the existing law, as administered in my State, the State of North Carolina collects 90 percent of all the unemployment compensation tax. This 90 percent belongs to the State of North Carolina and is deposited in a trust fund as the property of the State of North Carolina. Under the existing law, all benefits arising out of unemployment in my State are paid out of North Carolina's funds.

I am unwilling to give to the Federal Government the power to prescribe standards to govern benefits in this area. This is so because I think North Carolina manages its financial affairs far better than does the Federal Government.

When we look back at the fiscal record of the Federal Government for 36 years, we find that we have had 30 deficits in the last 36 years.

Federal taxes have increased from $4.1 billion to $93 billion. Federal expenditures have risen from $3.4 billion to $96.5 billion yearly. The national debt has ascended from $16 billion to $317.8 billion. The annual interest on such debt has grown from $659 million to $11.4 billion. These facts augur ill for Federal control of the expenditure of State taxes levied and collected to pay benefits to the unemployed.

That is one reason I oppose this measure.

The benefit requirements or standards which are proposed for imposition on all the States by the amendments to the pending bill are:

First. Benefit amount. Individual weekly benefit amount must be at least 50 percent of the individual's average weekly wage, but limited to 50 percent of the statewide average wage.

Second. Duration. Any worker who has 20 weeks of employment—or equivalent—shall be entitled to not less than 26 times his weekly benefit amount—compulsory entitlement of 26 weeks, benefits for those working only as much as 20 weeks.

Third. Eligibility. No worker may be required to have more than 20 weeks of employment—or equivalent—in his base period to qualify for benefits.

I do not think that Congress should undertake to tell the States of this Union how they shall expend moneys which belong to those States. Yet, that is precisely what section 151 of the bill as reported by the committee undertakes to do.

We are told in the very beguiling language of our good friend, the Senator from Louisiana, that the Federal requirement embodied in subsection (a) will affect only three States—or two States and Puerto Rico.

I change that statement to make it a little more accurate. I would say it would not change the provisions of State laws prescribing the weeks of work required by existing State laws as a condition precedent to eligibility for employment benefits except in the case of three States—or rather two States and Puerto Rico. However, it would rob all 50 States of the Union of the power they now enjoy to adopt laws on this subject inconsistent with the Federal standards which subsection (a) would impose upon all 50 States.

What would be the impact of these compulsory benefits standards on my State of North Carolina and the other States? North Carolina is an annual-wage State, meaning that the weekly benefits are based on the claimant's annual total earnings. This type of benefit formula is outlawed by the proposed standards in H.R. 15119, as amended by the committee.

North Carolina and other States with such provision have found that it meets their needs. Despite the fact that the experience has been most favorable under this law as it now exists, this would nullify the laws of North Carolina and the laws of every other State which has an annual-wage standard.

Under this proposal, we would force the General Assembly of North Carolina to completely rewrite its benefit law. Then, in my opinion, once we legislate at the Federal level on a 50-percent benefit, we will be requested at each future session to keep moving this percentage upward, and thus rob those drawing unemployment compensation benefits of any incentive to seek work until their eligibility ceases.

The Senate, which is confronted with so many legislative proposals now that it has to stay in session virtually the entire year, will have another burden of legislation imposed upon it by the adoption of Federal standards of eligibility and benefits, as the committee amendment undertakes to propose. This is so because demands to change Federal standards will be increasing until the sound program now existing is virtually wrecked.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. PASTORE. I begin by saying that I do not mean any impertinence

by the comparisons I may cite. We are up against the proposition that we have created here, to use a term for lack of a better term, a situation which is more or less amorphous—shapeless—no common form among the several States.

In my State of Rhode Island we are 96-percent manufacturing. So we are a consuming State in a large respect—buying the agricultural products of our sister States.

The Senator took occasion—and I do not dispute this at all—to recite what a wonderful fiscal situation exists in his beloved State of North Carolina. I think the people of North Carolina ought to be congratulated for it. But I do not believe it is because there is anything mysterious or anything peculiar about the people of North Carolina as individuals as distinguished from the people of Illinois or the people of Rhode Island.

It so happens that North Carolina has a mixed economy. North Carolina is both agricultural and manufacturing. We, in Rhode Island, who must buy the food we consume, pay taxes in order to support the farmers of North Carolina. Because of the preponderance of manufacturing in our State, we find that the workers in Rhode Island are in a less favorable situation. Our tax must always be kept at a maximum, for the simple reason that when we have unemployment, it affects many more people.

We do not have the mixed complex that exists to that State's advantage in North Carolina. The Rhode Island situation concerned me so much when I was Governor of my State, that I thought that the only solution to the whole problem was to nationalize unemployment compensation, because unemployed workers in Rhode Island or in California have a damaging effect on the national economy. Unemployment anywhere is the common peril and problem of us all.

I realize that we are legislating national standards with reference to benefits, but we are not legislating national standards with reference to the tax. I know that this is a difficult thing to do, but I would hope that one day we would do with the unemployment compensation what we have done with old-age pensions. They are levied on a national level; it is considered a national concern, a national problem; and I would hope that we would do the same with unemployment compensation.

I would hope that the distinguished Senator from North Carolina would remember one thing—that, fortunately, his State is a manufacturing and an agricultural State, and much of the problems of the agricultural people in that State are being supported by the taxpayers all over the country.

Mr. DOUGLAS. Mr. President, will the Senator yield for a further question?

Mr. PASTORE. I do not mean to be critical about this matter, but it so happens that the people of North Carolina are fortunate in that respect.

Mr. ERVIN. I would like to reply to the Senator from Rhode Island.

As I understand, the Senator from Rhode Island believes the whole setup should be changed so as to conform to conditions in Rhode Island.

Mr. PASTORE. No. Unemployment anywhere is our common misfortune. Our country prospers by interstate commerce between prosperous States.

Mr. ERVIN. I believe that the people in Rhode Island can handle those conditions far more effectively than can the people in North Carolina. That is why I am opposed to federalizing unemployment compensation for Rhode Island or the rest of the country. It would be prescribing uniform standards to govern diverse conditions.

Mr. PASTORE. Would the Senator feel the same about the subsidies we pay for tobacco? Why does not North Carolina subsidize the tobacco farmer in North Carolina?

Mr. ERVIN. I do not believe we are discussing tobacco.

Mr. PASTORE. That is the problem. We are discussing State economies and how employment and unemployment in those economies can best be handled.

Mr. ERVIN. We are discussing unemployment compensation, and I refuse to allow my good friend, the fisherman from Rhode Island, to drag that red herring across the trail.

Mr. PASTORE. I am not a fisherman, and have no red herring. Mine is a manufacturing State—and we know employment and unemployment problems.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. DOUGLAS. Is it not true that a large part of the manufacturing in North Carolina is in the cigarette industry, cigarettes consumed over the rest of the country; that the demand for cigarettes is steady throughout the year; that during periods of depression, people still continue to smoke cigarettes; that as a result of this, there is relatively steady employment in North Carolina, and that is one reason why payment rates are low? In other words, it is not the virtue of North Carolina but the good fortune created by the nature of its product and the demand for the product, which is more steady than in the heavy-industry States, where the economy goes up and down like a roller coaster?

Mr. ERVIN. I say to the Senator from Illinois that the principal industry of North Carolina is textiles. While we manufacture a considerable amount of tobacco, that is not our principal industry.

But I would say to the Senator from Illinois that his State has much more industry than does North Carolina, and that Illinois is much more capable of paying taxes for unemployment compensation than is North Carolina, and I believe that the taxes the employers of Illinois pay for that purpose ought to be used for the benefit of their unemployed employees rather than for the benefit of those who are unemployed in North Carolina and elsewhere.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. MORTON. Inasmuch as tobacco has been injected, the burley tobacco program has not been subsidized and has not cost the taxpayers any money—speaking of the burley tobacco program. But apart from that, in North Carolina, a State with which I have some familiarity, does not the furniture industry give more employment than the cigarette industry?

Mr. ERVIN. The Senator is correct.

Mr. MORTON. And certainly that industry goes up and down.

Mr. ERVIN. Furthermore, the tobacco manufacturer pays more into the Federal Treasury for general purposes than does any other manufacturer.

Mr. DOUGLAS. Do they pay more or do the consumers pay more?

Mr. ERVIN. The manufacturers.

Mr. DOUGLAS. They advance it, but the consumers pay for it.

Mr. ERVIN. The consumer, in the last analysis, always pays the freight.

Mr. DOUGLAS. They do, with cigarettes.

Mr. PASTORE. I repeat that I do not wish to take the position here that we should all pick on and criticize tobacco. I did not mean that point. I do not mean any impertinence about this.

The Senator from North Carolina took occasion to recite a wonderful fiscal record, and all I am saying is that there is no magic about the people in North Carolina as opposed to the people in Kentucky or in Rhode Island. A complex is involved here that changes from State to State and which creates certain problems that, in my view, sometimes become a national concern.

Mr. ERVIN. That is the very reason why, when the unemployment compensation program was set up, it was provided that the decisions in reference to the matters that are covered by the committee amendment should be left to the States, because there are differences from State to State.

Mr. PASTORE. I realize that, but the point is that perhaps we made a mistake at that time. I am not saying that we will wave a magic wand here and change that. I know how difficult that will be in Congress.

I was Governor of my State, and I had definite problems. My State always has had the maximum tax. It is not because the people in Rhode Island do not know how to administer as well as the people in North Carolina. It so happens that we in Rhode Island do a lot of buying. We do a lot of buying of food that is being subsidized by the agricultural price support, whether it be wheat or cotton or tobacco.

The point I am making is that some States are in a very advantageous position because they have a mixed economy, which other States do not have. So the problem exists.

For anyone to say that an unemployed man in Rhode Island or an unemployed man in North Carolina is of no concern to a citizen in California, I believe is a serious mistake. That is all I am saying.

Mr. ERVIN. I say to the Senator from Rhode Island that North Carolina prob-

ably supports Rhode Island as much as Rhode Island supports North Carolina, because the people of North Carolina buy many of the products of Rhode Island's manufacturing plants.

Mr. PASTORE. Of course.

Mr. ERVIN. Are we desirous of going into the business of rewriting the unemployment compensation laws of the 50 States in every detail in each session?

This seems to me to be the beginning. We get bogged down now. Do we not have enough to do without opening up this area as a new duty and responsibility? This area has, from the inception, been solely a State responsibility and one which the States have well met in keeping with their own peculiar States' unemployment problems.

There are those who argue to the contrary. However, if one looks hard enough he will see that those are the individuals and organizations who would like to federalize completely the unemployment compensation program; but not having been able to accomplish federalization, they have over the years been seeking Federal unemployment compensation standards of all kinds.

In order that no one may be confused by the many justifications offered by the proponents of Federal benefits standards, I wish to single out one simple fact for Senators to consider before they determine their position on the benefit standard proposal. Do Senators realize that we are proposing to tell each State in the Nation just how much, for how long, and under what condition each respective State must spend its own tax-collected dollars? The funds from which State benefits are paid to the eligible unemployed are funds derived solely from State-collected tax money, and are solely owned by each State. These funds are not grant-in-aid funds in respect to which Congress has always exercised its right with respect to fixing standards. We have never, to my knowledge, placed—and I hope we shall never place—Federal standards on 100-percent State-collected-and-owned tax dollars. If we do, just what will we be starting?

If we adopt the amendments recommended by the committee, we are starting to do just that. We will be authorizing the Federal Government to control the States in the expenditure of State-owned funds. Such action is inconsistent with sound or wise Federal-State relations.

Mr. CARLSON. Mr. President, before we vote on this issue I would like to express my views on the committee amendments and the amendment pending at the desk. I understand that we are voting on one section of the proposal which deals with Federal standards.

Having served as the Governor of a State for 4 years, I am somewhat familiar with the bill. I would say very honestly and frankly that this federally created agency of unemployment compensation administered by the States has been one of the most successful operations that we had in the State of Kansas. Our State never hesitated to give working periods that took care of these people, in addition to payments each week. We had no difficulty with the Federal Government.

I would sincerely regret to see the Senate today vote to establish Federal standards and take this fine program away from the management of the States. In my opinion, that is what is going to happen if we vote for the committee amendment.

There has been some discussion, and one might be led to believe, that the States have not been taking care of this situation. I have gathered some information that should be in the RECORD which indicates how well the States have been taking care of the matter with this program.

In 1939, keeping in mind that the program was established in 1935, the average weekly benefit payment was $10.60. By 1965, the average weekly benefit payment had risen to $37.19. Since 1939, the cost of living has gone up 126 percent. But the average benefits paid by these States, which have been under criticism this morning, have increased 250 percent.

When we look at the total amount of benefits that a worker can receive today, as compared with 1939, the States' cases are even stronger. In 1939, the typical State paid a maximum of 16 weeks of benefits at a maximum weekly rate of $15, thus entitling a worker to a maximum total benefit of $240. A few States paid somewhat less and a few States paid a little more. But if one will look at the overall record today, it will be found that 42 States have total maximum benefits in excess of $1,000, 25 of them over $1,200, and 7 States pay more than $1,500.

In 1939, the most liberal State paid $300 and most States paid a maximum of $240. Compared with any index which might be used, this increase of four, five, or six times in the total maximum benefits is satisfactorily "keeping pace" with the cost-of-living index and the present price-wages under which we are living.

It occurs to me that the States have demonstrated that this is one program that they are not only handling properly, but they are taking care of unemployment.

Mr. President, I sincerely hope that the committee amendments will not be approved.

The PRESIDING OFFICER. The question is on agreeing to the language on page 28, lines 19 to 23 inclusive. The yeas and nays have been ordered.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. TOWER. Mr. President, I believe the States must retain their participation in the unemployment compensation program so that it can be more effectively administered. Interference by the Federal Government can only be harmful to the State unemployment compensation systems, thereby adversely affecting both the employer and employee.

In considering this bill the Senate committee—by only one vote—adopted an amendment providing Federal standards relating to the eligibility, amount, and duration of benefits payable to unemployed workers of the various States. In so doing, the committee rejected the wisdom of the House of Representatives, which passed overwhelmingly a bill void of these Federal controls.

As the House knew well, no justification exists for a radical departure from a joint cooperative system to a federally controlled and dictated system. To make this change would be to destroy the basic concept of unemployment compensation.

A careful review of the 30-year history of this legislation conclusively demonstrates that without the heavy hand of Federal intervention, the individual States have adopted, modified, improved, and expanded their unemployment insurance programs to meet the peculiar conditions of each State. This has resulted in a better system than would have come about if the States had been held to rigid Federal benefit standards.

I feel that adoption of Federal standards would not be progressive, but regressive, reversing the progress the program has experienced and acting detrimentally to the covered workers, employers, and State taxpayers.

It should be noted that the committee's bill would require extensive revisions in the unemployment insurance programs in all of the 50 States, in order to conform to one or more of the newly dictated Federal standards.

In order to meet the Federal benefit eligibility standards suggested by the Senate committee, 22 States would be required to amend their laws. Thirty-three States would be required to amend their laws to increase the maximum weekly benefit amounts payable. And 46 States would be required to increase the duration of their benefits.

In addition, the committee's bill would force the States to use their resources to provide increased benefits for individuals now receiving the largest benefit amounts, at the expense of poorer workers and families with dependents—a fine example of Federal control at its worst.

We all know that the State's freedom to prescribe periods over which beneficiaries will draw benefits has been an integral part of our Federal-State system for the last 30 years. The trend in State legislation has been to adopt a variable duration period, correlating the length of the benefit to the amount of base-period employment of the claimant.

The committee's bill would require all States to provide 26 weeks of benefits to any individual who has 20 weeks of base-period employment. It is a flat figure provided by so-called Federal wisdom with no room for compromise or consultation from the States, who we are to believe have learned nothing from 30 years of experience in this field.

Increased benefits ordered by this Federal unemployment bill could totally disrupt the budgets of many States. Let me point out that under the Federal dictation bill the required Texas tax increase of some $47 million between this year and next would be larger than the $36 million increase in all other Texas State taxes planned for the same period.

Mr. President, my State has a number of needs, all of which cannot be handled at the same time. Last year Texans decided that the improvement of education would receive top priority. Accordingly, the legislature increased appropriations for higher education by about $40 million a year over the coming 2 years—an amount less than the tax burden this committee bill would place on Texas in those same years.

To improve elementary and secondary education, the legislature financed an increase of about $80 million a year over the next 2 years to provide for enrollment growth and higher teacher salaries. But this step would be jeopardized by the federally forced tax increase the committee's bill would bring.

And, despite the demonstrated fiscal insanities of this bill, the basic question remains one of where the decision should be made on priorities in the raising and spending of revenues to support State and local needs.

My objections to this bill go beyond the purely financial impact and go directly to this bill's impact on the Federal system of government. Under the committee's bill the Federal Government will take over more and more of the responsibility for deciding how the resources of a State shall be used to meet the needs of its citizens.

We all recognize, of course, that under our federal system certain functions rightly lie within the Central Government's responsibility. We also recall a coequal principle of our federal system—that the Central Government must abstain from getting unnecessarily involved in State and local activities.

Unemployment quite clearly presents a gray area between these two principles. Its problems and impact are neither exclusively national nor exclusively local. Thus Congress originally framed the unemployment insurance program as a joint, coordinate program of shared responsibility, vesting in National Government certain overall functions and leaving to the States the final decisions on financing and benefits.

That system, Mr. President, has worked. It has provided ever-improving benefits for the unemployed without bankrupting the States in the process and while allowing local priorities to be treated in order of their importance.

Under the cooperative system, benefits have increased regularly in both amount and duration. The antirecession purposes of the system also have been well served by transferring to the unemployed during recessions vast sums of money from reserves carefully built up during prosperous times.

State autonomy has permitted rapid adjustment to changing local conditions. There has been active participation in the program by the employers and employees directly affected, generating a sense of responsibility for local affairs.

Throughout its 30 years of successful operation this program has been subjected to guerrilla warfare attacks from those faint-hearted bureaucrats who do not believe there is any use for State and local governments. These attacks have sought to undermine the cooperation between Federal and State administrators and to distract from State accomplishments.

The House of Representatives rejected this year's manifestation of this continuing attack by those who would remove the people from control of the people's affairs. The Senate should exhibit similar sagacity.

Let us reject this notion that all the country's wisdom resides in Washington. Let us continue to honor and utilize local knowledge, local experience and local participation in the governing of our citizens.

This bill, Mr. President, would disrupt the unemployment compensation laws in all of the 50 States. It would impair the program's ability to meet the needs of our unemployed workers, for whom the program, as managed by the States, has been a bulwark during the past 30 years.

I strongly recommend that the Senate delete from this committee bill the unwise provisions dictating Federal standards and Federal controls, preserving instead the joint Federal-State system which has served, and is serving, our Nation well.

Mr. THURMOND. Mr. President, the Senate Finance Committee's proposed amendments to H.R. 15119 raise the issue of the most fundamental concept of Federal-State relations. The committee amendment in question would provide national standards relating to the eligibility, amount, and duration of benefits payable to unemployed workers under State programs. I favor the retention of the basic philosophy which has guided this cooperative program since its inception—that is, that each State retains the authority and responsibility for establishing its own guidelines as to eligibility, amount, and duraton of benefits payable under the Unemployment Insurance Act.

This, in my judgment, is the issue. The issue is not, as some would have us believe, whether the amount payable should be greater than it is in some States, whether the duration of the benefits should extend for a greater period of time than it does in some States, or whether eligibility standards should be more lax than they are in some States. The basic issue which faces the Senate today is whether this criteria will remain the responsibility of the indivdual States or whether the National Government in Washington will dictate the terms and conditions to the States. If the latter view prevails, the future of existing cooperative programs of this nature is in jeopardy. Also, it is predictable that the States will view future proposals of a cooperative nature with a great amount of scepticism and will be reluctant to lend their support to them for the very simple reason that the authority granted to them in the original program may well be wiped away in the future by amendments of the nature which are here proposed.

There is absolutely no justification for this radical departure from the basic concept which has undergirded the unemployment insurance program from the time of its original enactment. Conditions of employment and unemployment and the opportunity to find new employment differ from State to State. So also does the overall cost of living. These factors were taken into consideration and were determinative in the original drafting of the unemployment compensation insurance program. While there have been many changes in our country since this bill was originally enacted into law by the Congress, differences from State to State still exist and will continue to exist. The question is whether Congress will show enough wisdom to recognize that there are differences between the States and allow for them, or whether Congress will attempt to legislate uniformity to the detriment of many of the States and the workers of those States.

The amendments added by the Senate Finance Committee, by only a one-vote margin, will require almost all of the 50 States to substantially revise their existing unemployment insurance programs. According to the minority views contained in the Finance Committee report on the bill, 22 States would be required to amend their law in order to comply with the Federal benefit eligibility standards imposed by the committee amendment. Thirty-three States will be required to amend their laws relating to the maximum weekly benefit in order to conform to the Federal standards. Forty-six of the 50 States will be forced to change the law now on the books specifying the duration of benefits payable to individuals who have 20 or more weeks base-period employment. In my view, this is not Federal-State cooperation. This is Federal dictation to the States in its rawest form.

In its attempt to legislate uniformity among the States, the Congress should be aware that uniformity can be ultimately achieved only at the lowest common denominator. Great strides have been made by those States which were least industrialized when this law was originally put on the books. The industrial base of those particular States has expanded tremendously in recent years, and the prospects for a further and even greater expansion are tremendous. New and expanded industry creates employment, and not unemployment. The legislation now pending before the Senate, however, will unquestionably hamper and slow down industrial expansion and will to that extent be self-defeating.

I urge the Senate not to be shortsighted enough to adopt the Senate Finance Committee's proposed amendments to H.R. 15119. A long range view of this whole situation is convincing on the point that federalization of the unemployment insurance program is not in the best interests of this Nation.

Mr. GRIFFIN. Mr. President, over the years Michigan has developed what I believe is an excellent unemployment compensation law, attuned to the needs of our State. Indeed, ours is one of the best in the Nation.

Unlike most other States, Michigan does not have a single maximum benefit. Here is the way our law works.

In the first place, each qualified applicant receives weekly benefits amounting, not to half, but to 55 percent of his prior weekly wage, up to the prescribed maximum.

The schedule of maximum benefits is as follows:

The maximum for a single person is $43.

The maximum for a person with one adult dependent—for example, man and wife—is $47.

The maximum for a person with one dependent child is $52.

The maximum for a person with an adult dependent and children is—

With one child, $59.

With two children, $66.

With three or more children, $72.

The benefit provision in the Senate committee amendment gives no recognition to the variable maximum system of benefits in effect in Michigan.

The statewide average wage in Michigan in 1965 was approximately $134. By 1967, if current trends continue, the average wage will be about $140.

This means that if the proposed maximum requirement were adopted, the maximum benefit for a single person in Michigan would have to be raised from the present $43 to $70 by 1967.

Then the State of Michigan would either have to abandon its variable maximum system—or if it should decide to maintain the system with the present spread, the maximum for a family man with three or more children would have to be raised to $99.

This system of variable maximums was originally designed in 1954 by an advisory council comprised of representatives of labor and management, appointed by our Governor.

This council meets every biennium and has over the years made recommendations which have resulted in the constant improvement of the Michigan law.

Some of the amendments offered here today could seriously interfere with the benefit schedule and the unemployment compensation program that is operating so well in my State.

Mr. WILLIAMS of Delaware. Mr. President, I think the Senate might as well proceed to vote on the committee amendment.

The issue is clear. The adoption of the committee amendment would eliminate the minimum earning requirements in any State. Its adoption would have the effect of providing that in any State where a man had worked for 20 weeks, even if he earned only $1 per week, he could draw—assuming the unemployment was high enough to trigger the benefits—a full year's unemployment benefits. As one member of the staff said, a man could be working cutting the grass at 75 cents per week, and he still would be eligible for a full year's benefits.

I ask for a vote on the amendment. It should be defeated.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on lines 19 through 23, page 28 of the bill, as follows:

(A) the State law shall not require that an individual have more than 20 weeks of employment (or the equivalent as provided in subsection (4)) in the base period to qualify for unemployment compensation;

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. BASS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], and the Senator from Utah [Mr. MOSS] are necessarily absent.

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Connecticut [Mr. RIBICOFF]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Connecticut would vote "yea."

On this vote, the Senator from Utah [Mr. MOSS] is paired with the Senator from Tennessee [Mr. GORE]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Tennessee would vote "yea."

On this vote, the Senator from Alabama [Mr. HILL] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Connecticut would vote "yea."

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from New Mexico [Mr. MONTOYA]. If present and voting, the Senator from Louisiana would vote "nay," and the Senator from New Mexico would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The Senator from Vermont [Mr. PROUTY], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT] would vote "nay."

On this vote, the Senator from Vermont [Mr. PROUTY] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Vermont would vote "yea," and the Senator from Utah would vote "nay."

The result was announced—yeas 44, nays 39, as follows:

[No. 174 Leg.]

YEAS—44

Aiken	Inouye	Monroney
Anderson	Jackson	Morse
Bayh	Javits	Muskie
Boggs	Kennedy, Mass.	Nelson
Brewster	Kennedy, N.Y.	Neuberger
Byrd, W. Va.	Long, Mo.	Pastore
Cannon	Long, La.	Pell
Case	Magnuson	Proxmire
Clark	Mansfield	Randolph
Douglas	McCarthy	Symington
Fong	McGee	Tydings
Griffin	McGovern	Williams, N.J.
Gruening	McIntyre	Yarborough
Hart	Metcalf	Young, Ohio
Hartke	Mondale	

NAYS—39

Allott	Hickenlooper	Robertson
Bible	Holland	Russell, S.C.
Byrd, Va.	Hruska	Russell, Ga.
Carlson	Jordan, N.C.	Saltonstall
Church	Jordan, Idaho	Simpson
Cooper	Kuchel	Smathers
Cotton	Lausche	Smith
Curtis	McClellan	Sparkman
Dirksen	Miller	Talmadge
Dominick	Morton	Thurmond
Ervin	Mundt	Tower
Fannin	Murphy	Williams, Del.
Harris	Pearson	Young, N. Dak.

NOT VOTING—17

Bartlett	Ellender	Moss
Bass	Fulbright	Prouty
Bennett	Gore	Ribicoff
Burdick	Hayden	Scott
Dodd	Hill	Stennis
Eastland	Montoya	

So the committee amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. McCARTHY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the language on page 28, lines 24 and 25, and continuing to page 29, lines 1 to 7, inclusive, as follows:

(B) the State law shall provide that the weekly benefit amount of any eligible individual for a week of total unemployment shall be (i) an amount equal to at least one-half of such individual's average weekly wage as determined by the State agency, or (ii) the State maximum weekly benefit amount (exclusive of allowances with respect to dependents) payable with respect to such week under such law, whichever is the lesser;

Mr. MORTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORTON. What was the language? I did not hear it.

The PRESIDING OFFICER. The question is on agreeing to the language on page 28, lines 24 and 25, continuing to page 29, lines 1 to 7, inclusive.

Mr. LONG of Louisiana. Mr. President, I wish to offer an amendment to the committee amendment, and I would like to explain it. There are a number of States that operate on an annual wage basis. They judge the benefits by the annual wage. There are six States that judge benefits by the annual wage rather than by the weekly wage.

The amendment which I send to the desk would solve their problem and put them in conformity with the bill we have before us.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS of Delaware. Are amendments to the committee amendment in order prior to the adoption of the committee amendment as a whole?

The PRESIDING OFFICER. The parliamentarian advises the Chair that is correct.

Mr. LONG of Louisiana. Mr. President, I offer this amendment at the request of the Senator from Alaska and the Senator from Washington, whose States operate on an annual wage basis. This amendment is designed to insure that the bill's minimum benefit standards shall not be misapplied in situations where the results anticipated by the standards are already being met. It means that these six States would not have to abandon their annual wage system to come in conformity with the intention of the bill. This amendment would affect Alaska, New Hampshire, North Carolina, Oregon, Washington, and West Virginia.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JACKSON. Is my understanding correct that if this amendment is adopted it will not be necessary for the legislatures in those States to change their existing laws?

The PRESIDING OFFICER. The Chair would like to advise the Senator from Louisiana that the Parliamentarian advises the Chair that the Senator's amendment is not in order, the way it is drafted.

Mr. LONG of Louisiana. Will the Chair advise me why it is not in order at this time?

The PRESIDING OFFICER. Because the Senate has already agreed to the language the Senator proposes to strike out.

Mr. LONG of Louisiana. I modify my amendment to simply make that amendment come at another place. The amendment we are getting ready to vote on ends at line 23, does it not?

The PRESIDING OFFICER. It ends at line 24.

Mr. LONG of Louisiana. It begins at line 24. Where does it end?

The PRESIDING OFFICER. Line 7, page 29.

Mr. LONG of Louisiana. If I may modify my amendment to make it come at the end of the same line, line 7, would it not be in order?

The PRESIDING OFFICER. The amendment would be in order as an amendment to the committee amendment.

Mr. LONG of Louisiana. I so modify my amendment.

The PRESIDING OFFICER. The amendment will be stated.

Mr. LONG of Louisiana. Mr. President, I ask that the reading of the amendment be dispensed with, and that the amendment be printed in the RECORD. It will be easier for me to explain it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 29, at the end of line 7, insert the following:

"SEC. 3309(a) CERTIFICATION.—

"(1) On October 31, 1968, and October 31 of each calendar year thereafter the Secretary of Labor shall certify to the Secretary each State whose law he finds

"(A) is in accord with the requirements of subsection (c) and has been in accord with such requirements for substantially all of the twelve-month period ending on such October 31 (except that for 1968, it shall be the four-month period ending on October 31) and that there has been substantial compliance with such State law requirements during such period;

"(B) contains a benefit formula with respect to which the State agency has established as of July 1 of the applicable calendar year accords with the conditions of subsection (d).

"(2) The Secretary of Labor shall not withhold his certification to the Secretary unless, after reasonable notice and opportunity for hearing to the State agency, he finds

"(A) that the State law is not in accord with the requirements of subsection (c) or has not been in accord with such requirements for substantially all of the twelve-month period ending on such October 31 (except that for 1968, it shall be the four-month period ending on October 31) or that there has been a failure to comply substantially with such State law requirements during such period; or

"(B) that the State agency has not established as of July 1 of the calendar year that the benefit formula in its State law is in accord with the conditions of subsection (d). For any State which is not certified under this subsection on any October 31, the Secretary of Labor shall within ten days thereafter notify the Secretary of the reduction in the credit allowable to taxpayers subject to the unemployment compensation law of such State pursuant to section 3302(c)(4).

"(d) ALTERNATIVE CONDITIONS.—

"The State agency shall establish on July 1 of each calendar year after 1967, to the satisfaction of the Secretary of Labor, that the benefit formula contained in the State law as of such July 1 and for substantially all of the twelve-month period ending on the immediately preceding June 30, would have had the result, for the immediately preceding calendar year (had such calendar year been their base period), of providing at least 65 percent of all individuals in covered employment in the State with a weekly benefit amount of at least 50 percent of each such individual's average weekly wage and at least 80 percent of all such individuals with a total benefit amount of at least 26 times each such individual's weekly benefit amount."

Mr. LONG of Louisiana. Mr. President, the amendment is designed to insure that the bill's minimum benefit standards will not be misapplied in situations where the results anticipated by the standards are being met. The objective of the standards section is to assure that the greater majority of covered workers could, if unemployed, receive a benefit of 50 percent of their average wage, and that not more than 20 percent of the covered workers would have protection for less than 26 weeks. Under the alternative requirement proposed by the Senators from Alaska [Mr. BARTLETT and Mr. GRUENING], the Senators from Washington [Mr. MAGNUSON and Mr. JACKSON] and other Senators, the State formula, no matter what it was, would be applied to the wages and employment experience of covered workers during the prior calendar year. If at least 65 percent of the workers would have received a benefit equal to one-half their wages and at least 80 percent would have had a potential duration of 26 weeks or more, the State law would be certifiable under this section for the following taxable year. That is, if in 1968 the benefit formula in effect during the period of July 1 to October 31 would have produced the specified results when applied to the wages of covered workers in 1967, the State law would be certifiable under section 3309(A) for the taxable year 1968 and employees in that State would qualify for the 2.7 percent Federal tax credit.

The amendment also has the effect of giving States credit for family benefits. In some States, benefits are provided to the dependents of workers. The amendment would have effect in that case, as well.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MAGNUSON. As I understand, the State of Washington and other States compute unemployment compensation on an annual wage basis.

Mr. LONG of Louisiana. Yes.

Mr. MAGNUSON. Would the amendment allow such States to continue to pay unemployment benefits based on such computation?

Mr. LONG of Louisiana. The Senator is correct.

Mr. MAGNUSON. The legislature of the State of Washington would not have to make any changes in order to conform with the Federal law?

Mr. LONG of Louisiana. It would not—so far as your method is concerned.

Mr. MAGNUSON. That is what my junior colleague from Washington [Mr. JACKSON] and I were concerned about.

Mr. LONG of Louisiana. Mr. President, I know of no objection to my floor amendment, and I hope we might dispose of it without a rollcall.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). The question is on agreeing to the amendment offered by the Senator from Louisiana.

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, may I explain the amendment that is now before us?

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. LONG of Louisiana. The committee amendment would provide that workers receive 50 percent of their——

The PRESIDING OFFICER. The Chair will interrupt for a moment to state the question that is before the Senate. It is on agreeing to the committee amendment, as amended, which begins on line 24, page 28, and continues through line 7 on page 29.

Mr. LONG of Louisiana. Mr. President, what this amendment provides is that when a worker is unemployed, he would receive a benefit, after 20 weeks,

amounting to at least 50 percent of what his average weekly wage has been.

Forty-four States already have such a provision. As to most of the States that do not so provide, the amendment which I offered would take care of their problem, because they achieve the same result, but they do it on an annual wage basis; therefore the amendment which I offered, and which the Senate has agreed to, would largely solve their problem.

The pending amendment would require two States, California and Massachusetts, to come into line with the other States. It creates no real problem as far as those two States are concerned; so this is a rather limited adjustment, to simply say that in 50 States, instead of 48, when a man is out of work, his benefit would equal 50 percent of what his average weekly wage has been.

Now, that is subject to a further limitation, later in the bill, providing that that amount should not exceed 50 percent of the average wage paid in the State. But all we are to vote on in connection with this amendment is whether the man would be entitled to receive 50 percent of what his average wage has been, after he has worked 20 weeks.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. McCARTHY. The adjustment required in the two States the Senator has mentioned would be less than one-fourth of 1 percent. It is minimal. In effect, one could say all States are really unaffected, in practice, with the exception of these two, which would have to make an adjustment of one-fourth of 1 percent or less in order to comply.

Mr. LONG of Louisiana. In other words, Mr. President, as the Senator has so well stated, this would require 2 States to adjust their benefits by about one-fourth of 1 percent, to fall in line with the other 48 States.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MORTON. If it is only going to require two States to adjust by one-fourth of 1 percent, why are we bothering with it? We had a vote on this question of Federal standards, and the position of the Senator from Louisiana prevailed. We have these other Federal standards; let us go ahead and get through with them. I assume the votes will be the same as they were. The Senator apparently has the votes.

I shall then offer a substitute for the entire bill. I cannot do it when we are considering these committee amendments, under parliamentary procedure. I shall offer as a substitute for the bill as passed by the House. Everybody knows the issues; we can go ahead and have a rollcall on that, and that would wind this thing up.

Mr. LONG of Louisiana. Mr. President, as far as I am concerned, that is perfectly all right. I am not trying to delay the matter.

The PRESIDING OFFICER. The question now recurs on agreeing to the committee amendment, as amended.

Mr. ERVIN. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. ERVIN. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Tennessee [Mr. Bass], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mrs. Neuberger], and the Senator from Connecticut [Mr. Ribicoff] are absent on official business.

I also announce that the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Mississippi [Mr. Eastland], the Senator from Arizona [Mr. Hayden], the Senator from Alabama [Mr. Hill], and the Senator from Utah [Mr. Moss] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mrs. Neuberger] would vote "yea."

On this vote, the Senator from Mississippi [Mr. Eastland] is paired with the Senator from Connecticut [Mr. Ribicoff]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Connecticut would vote "yea."

On this vote, the Senator from Alaska [Mr. Bartlett] is paired with the Senator from Massachusetts [Mr. Saltonstall]. If present and voting, the Senator from Alaska would vote "yea," and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Tennesse [Mr. Gore] is paired with the Senator from Pennsylvania [Mr. Scott]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Alabama [Mr. Hill] is paired with the Senator from Connecticut [Mr. Dodd]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Connecticut would vote "yea."

On this vote, the Senator from Louisiana [Mr. Ellender] is paired with the Senator from New Mexico [Mr. Montoya]. If present and voting, the Senator from Louisiana would vote "nay," and the Senator from New Mexico would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent because of illness.

The Senator from Vermont [Mr. Prouty], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

On this vote, the Senator from Utah [Mr. Bennett] is paired with the Senator from Vermont [Mr. Prouty]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Vermont would vote "yea."

On this vote, the Senator from Massachusetts [Mr. Saltonstall] is paired with the Senator from Alaska [Mr. Bartlett]. If present and voting, the Senator from Massachusetts would vote "nay," and the Senator from Alaska would vote "yea."

On this vote, the Senator from Pennsylvania [Mr. Scott] is paired with the Senator from Tennessee [Mr. Gore]. If present and voting, the Senator from Pennsylvania would vote "nay," and the Senator from Tennessee would vote "yea."

The result was announced—yeas 44, nays 38, as follows:

[No. 175 Leg.]

YEAS—44

Aiken	Hartke	Mondale
Anderson	Inouye	Monroney
Bayh	Jackson	Morse
Bible	Javits	Muskie
Boggs	Kennedy, Mass.	Nelson
Brewster	Kennedy, N.Y.	Pastore
Byrd, W. Va.	Long, Mo.	Pell
Cannon	Long, La.	Proxmire
Case	Magnuson	Randolph
Church	Mansfield	Symington
Clark	McCarthy	Tydings
Douglas	McGee	Williams, N.J.
Fong	McGovern	Yarborough
Gruening	McIntyre	Young, Ohio
Hart	Metcalf	

NAYS—38

Allott	Holland	Russell, S.C.
Byrd, Va.	Hruska	Russell, Ga.
Carlson	Jordan, N.C.	Simpson
Cooper	Jordan, Idaho	Smathers
Cotton	Kuchel	Smith
Curtis	Lausche	Sparkman
Dirksen	McClellan	Stennis
Dominick	Miller	Talmadge
Ervin	Morton	Thurmond
Fannin	Mundt	Tower
Griffin	Murphy	Williams, Del.
Harris	Pearson	Young, N. Dak.
Hickenlooper	Robertson	

NOT VOTING—18

Bartlett	Ellender	Moss
Bass	Fulbright	Neuberger
Bennett	Gore	Prouty
Burdick	Hayden	Ribicoff
Dodd	Hill	Saltonstall
Eastland	Montoya	Scott

So the committee amendment, as amended, was agreed to.

Mr. McCARTHY. Mr. President, I move to reconsider the vote by which the committee amendment was agreed to.

Mr. ANDERSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The Senator from South Carolina is recognized.

The next committee amendment to be voted on is on page 29, lines 8 through 14.

Mr. THURMOND. Mr. President, I thought I was recognized.

The VICE PRESIDENT. The Chair was making an announcement as to the next committee amendment. The Senator is recognized.

Mr. MANSFIELD. Mr. President, what is the announcement?

The VICE PRESIDENT. The next committee amendment to be voted on is on page 29, lines 8 through 14.

The Senator from South Carolina is recognized.

Mr. LONG of Louisiana. Mr. President, the amendment before the Senate

would require that an individual who has 20 weeks of work must be provided with 26 weeks of unemployment compensation benefits.

This requirement probably puts less of a burden on the States than do any of the other committee amendments. Eighty-four percent of our unemployed workers today are eligible for 26 weeks or more of unemployment compensation if they lose their jobs.

The average potential duration for all persons who become unemployed today is 24 weeks. When it is considered that the average spell of unemployment for a typical worker is only about 6 weeks, this requirement that workers be provided with only 26 weeks of benefits becomes rather insignificant.

Seven States today satisfy this requirement completely by providing uniform duration for all their unemployed. New Mexico provides 26 weeks of benefits for every individual who has 22 weeks of work. Three other States, California, the District of Columbia, and Pennsylvania, provide 26 weeks of benefits for a worker who has been unemployed for 26 weeks.

In Massachusetts, the average potential duration is 25.7 weeks; Utah, the average potential duration of unemployed workers is 25.6 weeks; in Oregon, it is 25.3 weeks. A great number of States already have average potential duration of 23 or more weeks. Only 14 percent of our unemployed workers would be affected by this requirement, and of them, only those who remain unemployed far longer than the 6-week average spell of unemployment would actually get benefits for a longer period than they do today.

As in the case of the eligibility requirement and the 50-percent individual benefit amount requirement, this duration requirement is more a reflection by the Federal Government of the actual practices within the States than it is a new high standard, which States would be required to move up to. The upgrading of State plans by reason of this requirement is slight.

I urge that the committee amendment described as subparagraph (C) beginning on page 29, line 8 be agreed to.

Mr. MORTON. Mr. President, if it be agreeable to the chairman of the committee—I understand that we are now down to line 7, page 29—I ask that the amendment which is now pending be coupled with the committee amendment going through that part of the bill, which would bring it down through line 7 on page 34; in other words, that the committee amendments be considered en bloc from now on, through title I of the bill.

Mr. LONG of Louisiana. Mr. President, I know that some Senators have made plans and have made commitments to be away, and in order to save time, I would be willing to make that request, in the hope that we might agree to the remainder of the committee amendments en bloc.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. Mr. President, I believe that I should explain the remainder of this committee amendment. The remainder of it would provide that the State benefit would be no less than 50 percent of the statewide average weekly wage.

This amendment, taken in conjunction with the requirement that an individual's benefits shall be equal to 50 percent of his average wage, provides the standards on the weekly benefit amount.

A number of States today which do provide their unemployed workers with 50 percent of their average weekly wage, have a limit generally stated in dollars on the maximum amount that may be paid to any unemployed worker. In my own State of Louisiana, for example, the maximum today is $45 a week. This works out to about 45 percent of the State average wage in Louisiana. Thus, our maximum would have to be increased by an additional $5. I might point out here that our State legislature, just last month, increased the weekly benefit amount from $40 to $45.

In 18 of the States the maximum benefit amount is already set at 50 percent or more of the State average wage and in these States no further action would be needed to comply with this standard. A number of other States, however, fall short of meeting this 50-percent requirement.

Nineteen of our States have benefits ranging between 40 percent and 49 percent; the remaining 15 States have maximum limitation which is less than 40 percent of an individual's weekly wage. Thus, while low-paid workers in the State already get 50 percent of their average weekly wage, the higher paid workers in the State bump up against the maximum limitation and find their unemployment benefits are less than one-half their wage.

Under this committee amendment, higher paid workers in a State would get an increased unemployment benefit beginning in 1968. If this committee amendment were not agreed to, there would be no maximum limitation on the State benefits and a highly paid movie star in California, the corporate executive in New York, or bank president in Chicago, would get one-half of his fantastic salary if he became unemployed. We have to have a limitation on the amount the States will have to pay out.

I urge that the committee amendment described as paragraph (2) beginning on page 29, line 15, be agreed to.

Mr. INOUYE. Mr. President, I wish to offer an amendment to the committee amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Hawaii will be stated.

The legislative clerk proceeded to read the amendment.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of line 11, on page 29, it is proposed to strike out the period, insert a comma, and add the following: "But this paragraph shall not preclude a State law from limiting the payment of benefits based on base period seasonal employment or wages to seasonal workers (as defined in the State law) to the seasonal period specified in such law, nor shall this paragraph preclude the apportionment of benefits during a benefit year on the basis of seasonal and nonseasonal base period employment or wages."

Mr. LONG of Louisiana. Mr. President, this amendment provides that seasonal workers would be paid unemployment benefits only during that season.

Mr. INOUYE. The Senator is correct.

Mr. LONG of Louisiana. This amendment conforms to existing law in the States. I have studied the amendment and I have no objection.

Mr. WILLIAMS of Delaware. Mr. President, I do not understand the amendment. If I am correct in my understanding, the States are now being taken up one by one to pick up enough support for Federal standards. If Hawaii wants Federal standards why exempt them?

Mr. LONG of Louisiana. This is an amendment which I am sure the committee would have agreed to. The Senator from Hawaii is not a member of the committee but he certainly had every right to offer an amendment to make the bill conform to a practice that exists in the States. As I understand the situation, this is what the existing law provides.

Mr. INOUYE. The amendment would clarify the present intent of the law. I want to assure that seasonal workers would not be covered by this law. We have about 10,000 seasonal workers in canneries. If this provision passes without this clarifying language we may find that seasonal workers can work 20 weeks and get 26 weeks of payments.

Mr. LONG of Louisiana. This is a clarifying amendment. There is no Federal requirement on the subject. The Senator from Hawaii wishes to make it clear. I have no objection to the amendment. I do not understand why anybody objects.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the clerk read the amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Hawaii [Mr. INOUYE] will be stated.

The legislative clerk read as follows:

At the end of line 11, page 29, it is proposed to strike out the period, insert a comma, and add the following: "but this paragraph shall not preclude a State law from limiting the payment of benefits based on base period seasonal employment or wages to seasonal workers (as defined in the State law) to the seasonal period specified in such law, nor shall this paragraph preclude the apportionment of benefits during a benefit year on the basis of seasonal and nonseasonal base period employment or wages."

Mr. LONG of Louisiana. Neither existing law nor the bill which is before us requires anybody to pay unemployment benefits to seasonal workers. Some States do it. I applaud them for doing it. The State of Hawaii is one State that

does. The Senator from Hawaii wants to make it clear that no one would misconstrue the bill to do something that was not intended.

I am happy to accept the amendment that this does not tell a State what it will or will not do in connection with seasonal employees.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MILLER. Does the Senator say in the case of seasonal workers that they may, during a particular season, earn as much money as others do in the entire year and that they would not be covered by the present law?

Mr. LONG of Louisiana. We are saying that if seasonal workers do qualify under the 20 weeks of employment, the State could not be required to pay them unemployment benefits beyond the season. In other words, if the seasonal employee works enough to achieve the 20 weeks of employment, the State would not be required to pay his unemployment benefits for 26 weeks.

Mr. MILLER. So that 26 weeks would come to 20 weeks.

Mr. LONG of Louisiana. For seasonal workers.

Mr. MILLER. I wish to ask the Senator from Louisiana who determines the length of the season.

Mr. LONG of Louisiana. The State administrator determines that. We are trying to conform to the State law. I have no objection to doing that. If a State provides benefits beyond what the Federal Government insists upon, we do not want to interfere.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MILLER. I am not saying that I object. I am trying to get a clear picture. Suppose that a State does decide to do this. Does that mean that the State will receive some Federal money to carry out that provision?

Mr. WILLIAMS of Delaware. That comes later in the bill; to get the Federal money.

If the Senator will yield——

Mr. MILLER. I do not have the floor.

Mr. LONG of Louisiana. This provision makes clear that the State does not have to pay a seasonal worker for 26 weeks, which would be required if he were not a seasonal worker.

Mr. MILLER. Mr. President, will the Senator yield further so that I may ask a question of the Senator from Hawaii?

Mr. LONG of Louisiana. I yield.

Mr. MILLER. Why is the amendment only worded in the "may" fashion? Why not prohibit it throughout the country?

Mr. INOUYE. Some States may desire to be more generous than Hawaii.

Mr. MILLER. Would the money be Federal money?

Mr. McCARTHY. They have the money.

Mr. INOUYE. The only money they receive will be administrative funds.

Mr. McCARTHY. But most of the money would come from State funds.

Mr. MILLER. There would be no Federal money involved if a State is in or out of it, so far as seasonal workers are concerned?

Mr. WILLIAMS of Delaware. I can explain it. This is an example of another State pinched by the proposed Federal standards, which have been approved by the earlier amendments, and they now are trying to get from under the yoke.

Mr. LONG of Louisiana. The entire amendment is rather simple. Federal law does not require coverage of seasonal workers and this bill does not require coverage of seasonal workers.

We voted to say that if a worker earns unemployment compensation benefits and is out of work he would be entitled to draw 6 months of benefits, or 26 weeks.

The State of Hawaii does something that most States do not do. I think it is a fine thing to do.

All that the Senator wants to provide is that if this is a seasonal worker who works during the summer or winter season, as the case may be, he cannot be regarded as unemployed except during this season.

If he is a harvest worker he is only unemployed during the harvest season, because that is the only time for which he is hired. So, really, if he is a seasonal worker, the Federal Government does not propose to make States pay benefits beyond the season, because that is the only period during which we can regard him as being unemployed. We in the committee did not study it. We did not think about the problem. It never came up. The Senator from Hawaii is not on the committee. He is a very fine Senator, taking very good care of Hawaii. He said to us, "We have a problem peculiar to Hawaii. You do not intend us to take 26 weeks for our workers who work only in the summertime or only in the wintertime, do you?"

We said, "No, we never intended to do that."

He said, "How about taking this amendment, to eliminate that intent, that notion?"

We said, "Fine."

There is the amendment.

Mr. GRIFFIN. Could the Senator from Louisiana interpret for me what the word "seasonal" means?

Mr. LONG of Louisiana. The State administrator determines it. This is something that the State does by its law, which is not a requirement of the Federal Government at all. We simply do not want to bring about unintended results, and this is what the amendment would do.

Mr. MORTON. The amendment of the Senator from Hawaii brings out some interesting points. For instance, many college boys and girls go to the States of Vermont, New Hampshire, and the other New England States, for summer work—I suppose that is seasonal—in the hotels and resorts up there. I do not know whether under Vermont or New Hampshire law they are covered.

It strikes me that when we try to pass Federal standards, then we offer this amendment, that amendment, and the other amendment to take care of some unique situation.

For instance, we have many fellows at work in Churchill Downs in Kentucky for 3 weeks, and they sell tickets to anyone who wants to bet 2 bucks on a bangtail. I guess that is seasonal work. The racetrack is open for only 5 weeks of the year. So I guess I will have to go into the cloakroom and draw up some kind of amendment to take care of racetracks.

Mr. LONG of Louisiana. What this amendment provides is that Kentucky can do about its bangtails whatever it blessed well pleases.

Mr. MORTON. Kentucky wants to do what is best for its citizens in this bill. That is why we do not want any Federal standards.

Under the committee amendment, apart from the amendment to the committee amendment of the Senator from Hawaii the Senate is now considering, it means that we have to pay 26 weeks of benefits for 20 weeks of work; is that not correct?

Mr. LONG of Louisiana. If the worker is covered.

Mr. MORTON. I wanted that point made clear.

Mr. FONG. Mr. President, under Hawaii's unemployment law, a person is paid 26 weeks' benefits for 20 weeks of work, or its monetary equivalent in his base period.

The monetary equivalent is defined in our State law as five times the State average weekly wage, which is a maximum of $500 in Hawaii.

What we in Hawaii are worried about is that seasonal workers in Hawaii probably would not qualify for 20 weeks of work, but they could easily qualify by earning $500 during a season. This committee provision, therefore, could effectively eliminate our seasonality provision and entitle most seasonal workers to qualify for the 20 weeks' benefits.

I have studied the measure proposed by the Finance Committee very carefully, and I have analyzed its provisions with great care to determine their applicability to Hawaii's very forward looking unemployment insurance law—particularly as it applies to our pineapple workers. Hawaii is unique among the States of the Union in that its unemployment law is the only one which extends coverage to agricultural workers. The State law deals with the problem of seasonality in agricultural labor by a carefully conceived formula.

It is this seasonality provision in my State's law which I thought might well be required to be nullified if the Senate adopts the amendment proposed by the Finance Committee.

I discussed this situation in great detail with the staff of the Finance Committee and with the Department of Labor. It was my understanding that, as neither the existing Federal unemployment compensation law nor the Finance Committee proposal cover agricultural workers, the pending committee measure would not have any bearing on the Hawaii law's provisions dealing with seasonality of agricultural workers. I was given firm assurance of this by the Labor Department and the Finance Committee.

Nevertheless, to make this absolutely clear, I had planned to engage in a colloquy with the distinguished Senator from Louisiana [Mr. LONG], to establish legislative history and intent that the pending measure was not applicable to the seasonality provisions of Hawaii's law.

However, since my colleague, Mr. INOUYE, has now introduced his amendment, which I think is a good one because it accomplishes the same thing as my planned colloquy would have, I should like to point out the merits of this amendment to the Senate and to clarify its purport and intent.

Mr. LONG of Louisiana. The Senator is exactly right. We do not think that the bill creates the problem the Senator fears. Our true feeling is that the amendment is unnecessary, but if out of an abundance of caution you want it enacted, I have no objection.

Mr. FONG. I am certain that the law does not cover our situation, but to be sure about it, the amendment was introduced. It is, indeed, a clarifying amendment.

I should like to join my colleague, Mr. INOUYE, in sponsoring the amendment to the committee amendment if he will permit me to do so.

Mr. INOUYE. I would be most happy to have my colleague join me.

Mr. President, I ask unanimous consent that the name of my colleague, Mr. FONG, be added as a cosponsor of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment to the committee amendment in the nature of a substitute, offered by the Senator from Hawaii [Mr. INOUYE].

The amendment to the committee amendment, in the nature of a substitute, was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays on the committee amendment.

The yeas and nays were ordered.

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

Mr. LONG of Louisiana. I yield.

Mr. NELSON. As I understand one part of the amendment, an employee may work for 20 weeks, and as a consequence he would be considered for entitlement of 26 weeks benefits; is that not correct?

Mr. LONG of Louisiana. Yes.

Mr. NELSON. Is there any State in the Nation now which pays unemployment compensation in excess of the number of weeks worked by the employee?

Mr. LONG of Louisiana. Yes, quite a few. Quite a few States have what we call uniform duration, which could exceed the period during which a man is out of work.

Mr. NELSON. Is there any State in the Nation—as I am not sure that I exactly understand what the Senator has just said—which now provides 26 weeks' unemployment compensation based upon 20 weeks of work?

Mr. MORTON. If the Senator will yield to me, in response to his question, my understanding is—and staff will find it—that there are 4 States in the 50 States which pay a longer period of compensation than the base period of employment. I mean, that is subject to correction, of course, but that is my memory of the situation.

Mr. NELSON. I thank the Senator.

Mr. LONG of Louisiana. New York, Vermont, Maryland, and Hawaii presently provide that there would be 26 weeks of unemployment for 20 weeks of employment. Will the Senator please keep in mind that this particular provision is the most inexpensive one in the bill, because most working people have already found another job by the time they have had 6 weeks of unemployment. In other words, contrary to what some folks might think, most working people are looking for another job. A man must work at least 5 months to be covered, and when he is out of a job, he is certainly going to look for another one. Thus, it costs very little to extend the benefit period to 26 weeks.

This particular requirement is the one where more States are out of conformity than any other. But this is the one thing that costs the least money. Therefore, no one is particularly upset about the provision for the 26 weeks because the cost is small.

The other provision, for example, would require that the maximum benefits be as high as 50 percent of the average State wage, and that does cost a substantial amount for the States to put out.

Mr. NELSON. Does the committee have any testimony on how much they anticipate the provision would cost?

Mr. LONG of Louisiana. I will get that cost for the Senator shortly, but the answer is that if they go from 20 weeks to 26 weeks, the cost will be relatively insignificant.

Mr. McCARTHY. It is hardly measurable.

Mr. LONG of Louisiana. Costwise, it is not a material item.

Mr. McCARTHY. It just looks good.

Mr. LONG of Louisiana. For example, in the Senator's State of Wisconsin, it already provides for 28.6 weeks—almost 29 weeks.

Mr. NELSON. Wisconsin has very liberal provisions. In a number of provisions it is among the first in the country. For example, in terms of total weekly benefits, Wisconsin ranks in first place, with California and Hawaii. In some other benefits, such as the length of the period of payment of benefits, we also rank near the top, including what Pennsylvania provides.

Mr. LONG of Louisiana. Wisconsin is the grandfather in this field. When we passed this law in 1935 Wisconsin was the only State that had such a program.

Mr. NELSON. Wisconsin pays maximum benefits, but in order to accumulate those benefits, based on 20 weeks worked. Wisconsin pays 16 weeks of unemployment compensation. Based on 43 weeks worked, it pays benefits of 34 weeks of unemployment compensation. So it ranks among the highest in the Nation, if my statistics are accurate.

Mr. LONG of Louisiana. In Wisconsin it takes 33 weeks of work to get 26 weeks of unemployment benefits. Wisconsin is what we call a variable-duration State.

Mr. NELSON. Let me ask the Senator from Louisiana another question.

Mr. LONG of Louisiana. The State of Wisconsin has been leading the way in this field since the early 1930's. For 30 years it has been leading the way and blazing the trail. It seems to me that eventually somebody might be able to show the State of Wisconsin how to improve the program.

Mr. NELSON. I am just raising the question as to how many States provide more weeks of compensation than weeks of work. The Senator has said four States——

Mr. LONG of Louisiana. Seven States.

Mr. NELSON. Seven States provided more weeks of compensation than weeks worked.

Mr. LONG of Louisiana. But keep in mind that a workingman must have worked 5 months, must be available to work, ready and able to do a day's work, and he must have been out of work for 2 weeks before he applies for benefits. The record is that the average workingman is back on some other job by the time he draws 6 weeks of benefits.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MORTON. The fact remains that 43 States have laws or practices which will have to be changed. In other words, 43 States require that a person has to work for as long as the period for which he will receive unemployment compensation. So if we adopt the committee amendment, and it passes through Congress, it means that 43 States will have to get their State legislatures together, change the law, upset the applecart, and do it this way rather than their way.

Mr. LONG of Louisiana. I would not be very happy about bringing out a bill asking other States to do something if I did not ask my own State to do likewise. The State of Louisiana has just increased its benefits by $5. This bill will require that State to raise its benefits by $5 more. But we will not have to raise any more revenues, because the interest Louisiana is drawing on its trust fund balance brings in enough money to cover the cost. I think that is true of most of the States.

I would be happy to go back to my people of Louisiana and say, "Yes, I voted to pay a workingman $50 instead of $40 when he is out of work. It will not cost Louisiana any tax increase. There is enough money coming in now to take care of it."

With reference to the question of this measure affecting a legislative decision, I would be happy to ask the Louisiana Legislature to raise the standard to treat the working people who are out of employment temporarily a little better. We would probably do it without this law,

but I really know of no one who will be upset by providing this increase in Louisiana. They may be in some other State, but not in my State.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on line 8, page 29, to page 34, line 7, inclusive.

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

(The VICE PRESIDENT assumed the chair at this point.)

Mr. RUSSELL of South Carolina (when his name was called). On this vote I have a pair with the Senator from Tennessee [Mr. GORE]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. BASS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], and the Senator from Utah [Mr. MOSS] are necessarily absent.

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Mississippi would vote "nay."

On this vote, the Senator from Alabama [Mr. HILL] is paired with the Senator from New Mexico [Mr. MONTOYA]. If present and voting, the Senator from Alabama would vote "nay" and the Senator from New Mexico would vote "yea."

On this vote, the Senator from Utah [Mr. MOSS] is paired with the Senator from Oregon [Mrs. NEUBERGER]. If present and voting, the Senator from Utah would vote "nay" and the Senator from Oregon would vote "yea."

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Alaska [Mr. BARTLETT]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Alaska would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The Senator from Vermont [Mr. PROUTY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent. If present and voting, the Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Pennsylvania [Mr. SCOTT] would each vote "nay."

On this vote, the Senator from Vermont [Mr. PROUTY] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Utah would vote "nay."

The result was announced—yeas 38, nays 44, as follows:

[No. 176 Leg.]

YEAS—38

Aiken	Inouye	Muskie
Anderson	Javits	Nelson
Bayh	Kennedy, Mass.	Pastore
Boggs	Kennedy, N.Y.	Pell
Brewster	Long, Mo.	Proxmire
Byrd, W. Va.	Long, La.	Randolph
Case	Mansfield	Ribicoff
Clark	McCarthy	Symington
Douglas	McGee	Tydings
Fong	McIntyre	Williams, N.J.
Gruening	Metcalf	Yarborough
Hart	Mondale	Young, Ohio
Hartke	Morse	

NAYS—44

Allott	Hickenlooper	Murphy
Bible	Holland	Pearson
Byrd, Va.	Hruska	Robertson
Cannon	Jackson	Russell, Ga.
Carlson	Jordan, N.C.	Simpson
Church	Jordan, Idaho	Smathers
Cooper	Kuchel	Smith
Cotton	Lausche	Sparkman
Curtis	Magnuson	Stennis
Dirksen	McClellan	Talmadge
Dominick	McGovern	Thurmond
Ervin	Miller	Tower
Fannin	Monroney	Williams, Del.
Griffin	Morton	Young, N. Dak.
Harris	Mundt	

NOT VOTING—18

Bartlett	Ellender	Moss
Bass	Fulbright	Neuberger
Bennett	Gore	Prouty
Burdick	Hayden	Russell, S.C.
Dodd	Hill	Saltonstall
Eastland	Montoya	Scott

So the amendment was rejected.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HRUSKA. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I offer as an amendment the lines of the committee amendment which appear on page 29, lines 8 through 14.

Mr. KUCHEL. Mr. President, will the Senator yield for a moment before he does that?

Mr. LONG of Louisiana. No.

Mr. President, all this particular amendment would do would be to provide that with 20 weeks of work, there would be 26 weeks of benefit. Most States do not provide that amount of benefits, but the cost is very, very small. Our advice is that the cost of this matter is rather insignificant, because most workingmen are back at work by the time they have drawn 6 weeks of benefits. That is the average period of unemployment.

Most States will have to conform to it, but it really will not cost them much money. The cost is very small, and no State would be required to increase the tax in order to pay it.

I ask for the yeas and nays on this amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask that the amendment be stated.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 29, beginning with line 8, insert as subsection (3) the language ending on line 14.

Mr. WILLIAMS of Delaware. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. WILLIAMS of Delaware. We have just voted on that proposal.

Mr. LONG of Louisiana. No, we did not vote on that. We voted on the committee amendments en bloc. I am offering a part of what we voted on.

Mr. WILLIAMS of Delaware. If I recall correctly, we voted on the language beginning on page 29, line 8, down to and including the language on page 34, line 7.

The VICE PRESIDENT. The Senator is correct.

Mr. WILLIAMS of Delaware. As I understand it, the Senator from Louisiana is moving to put back a part of the language which has already been rejected by the Senate.

Mr. LONG of Louisiana. That is correct.

The VICE PRESIDENT. The Senator is correct, but the amendment is in order.

Mr. LONG of Louisiana. I am not offering the same amendment that was voted down. I am offering a part of it, lines 8 through 14.

The VICE PRESIDENT. The Senator from Louisiana is offering a part of the language which was rejected, as a new amendment.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WILLIAMS of Delaware. Mr. President, would it be in order to offer piecemeal the remainder of the language which has just been rejected?

The VICE PRESIDENT. If the Senators wish to offer it piece by piece and line by line, as long as it is offered not in toto, it is in order.

Mr. WILLIAMS of Delaware. As I understand the ruling, even though the Senate has rejected the amendment and reconsidered the vote by which it was rejected, the identical language can again be offered.

The VICE PRESIDENT. The Senate did not reject the amendment of the Senator from Louisiana. The Senate rejected the amendment from line 8 on page 29, through line 7 on page 34.

Mr. WILLIAMS of Delaware. I understand what the Senate did. I understand the ruling of the Chair, but I just want to get it straight because there may be a time when I, too, want to use the same procedure.

I understand that when the amendment has been rejected in toto, by bringing it back piece by piece, in separate parts, one can, in effect, put the whole thing back in again. I wanted to get it clear.

The VICE PRESIDENT. The Senator is right. He is fully respected and protected.

Mr. WILLIAMS of Delaware. I wanted to get that noted.

The VICE PRESIDENT. The question is on agreeing to the committee

amendment, as amended, section (c) on page 29, lines 8 through 14.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RUSSELL of South Carolina (when his name was called). On this vote I have a pair with the senior Senator from Tennessee [Mr. Gore]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Tennessee [Mr. Bass], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from New Mexico [Mr. Montoya], and the Senator from Oregon [Mrs. Neuberger], are absent on official business.

I also announce that the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Mississippi [Mr. Eastland], the Senator from Arizona [Mr. Hayden], the Senator from Alabama [Mr. Hill], the Senator from Utah [Mr. Moss], and the Senator from New Jersey [Mr. Williams], are necessarily absent.

On this vote, the Senator from Connecticut [Mr. Dodd] is paired with the Senator from Mississippi [Mr. Eastland]. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Mississippi would vote "nay."

On this vote, the Senator from Alabama [Mr. Hill] is paired with the Senator from New Mexico [Mr. Montoya]. If present and voting, the Senator from Alabama would vote "nay" and the Senator from New Mexico would vote "yea."

On this vote, the Senator from Utah [Mr. Moss] is paired with the Senator from Oregon [Mrs. Neuberger]. If present and voting, the Senator from Utah would vote "nay" and the Senator from Oregon would vote "yea."

On this vote, the Senator from Louisiana [Mr. Ellender] is paired with the Senator from Alaska [Mr. Bartlett]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Alaska would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent because of illness.

The Senator from Vermont [Mr. Prouty], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

If present and voting, the Senator from Massachusetts [Mr. Saltonstall] and the Senator from Pennsylvania [Mr. Scott] would each vote "nay."

On this vote, the Senator from Vermont [Mr. Prouty], is paired with the Senator from Utah [Mr. Bennett]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Utah would vote "nay."

The result was announced—yeas 38, nays 43, as follows:

[No. 177 Leg.]

YEAS—38

Aiken	Inouye	Mondale
Anderson	Jackson	Morse
Bayh	Javits	Muskie
Boggs	Kennedy, Mass.	Pastore
Brewster	Kennedy, N.Y.	Pell
Byrd, W. Va.	Long, Mo.	Proxmire
Case	Long, La.	Randolph
Clark	Magnuson	Ribicoff
Douglas	Mansfield	Symington
Fong	McCarthy	Tydings
Gruening	McGee	Yarborough
Hart	McIntyre	Young, Ohio
Hartke	Metcalf	

NAYS—43

Allott	Hickenlooper	Pearson
Bible	Holland	Robertson
Byrd, Va.	Hruska	Russell, Ga.
Cannon	Jordan, N.C.	Simpson
Carlson	Jordan, Idaho	Smathers
Church	Kuchel	Smith
Cooper	Lausche	Sparkman
Cotton	McClellan	Stennis
Curtis	McGovern	Talmadge
Dirksen	Miller	Thurmond
Dominick	Monroney	Tower
Ervin	Morton	Williams, Del.
Fannin	Mundt	Young, N. Dak.
Griffin	Murphy	
Harris	Nelson	

NOT VOTING—19

Bartlett	Fulbright	Prouty
Bass	Gore	Russell, S.C.
Bennett	Hayden	Saltonstall
Burdick	Hill	Scott
Dodd	Montoya	Williams, N.J.
Eastland	Moss	
Ellender	Neuberger	

So the amendment of Mr. Long of Louisiana was rejected.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, I move that the Senate stand in adjournment.

The VICE PRESIDENT. Adjourn until when?

Mr. LONG of Louisiana. Monday.

Mr. HOLLAND. Mr. President, I move to reconsider the vote.

The VICE PRESIDENT. The motion to adjourn is not debatable and takes precedence.

Mr. WILLIAMS of Delaware. What was the motion?

Mr. KUCHEL. I ask for a record vote.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. When do we adjourn to?

The VICE PRESIDENT. Until noon Monday.

The question is on agreeing to the motion of the Senator from Louisiana.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Tennessee [Mr. Bass], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from New Mexico [Mr. Montoya], and the Senator from Oregon [Mrs. Neuberger] are absent on official business.

I also announce that the Senator from North Dakota [Mr. Burdick], the Senator from Nevada [Mr. Cannon], the Senator from Connecticut [Mr. Dodd], the Senator from Mississippi [Mr. Eastland], the Senator from Arizona [Mr. Hayden], the Senator from Utah [Mr. Moss], the Senator from New Jersey [Mr. Williams], and the Senator from Alabama [Mr. Hill] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from New Mexico [Mr. Montoya], and the Senator from Oregon [Mrs. Neuberger] would each vote "yea."

On this vote, the Senator from Connecticut [Mr. Dodd] is paired with the Senator from Mississippi [Mr. Eastland]. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Mississippi would vote "nay."

On this vote, the Senator from Tennessee [Mr. Gore] is paired with the Senator from Alabama [Mr. Hill]. If present and voting, the Senator from Tennessee would vote "yea" and the Senator from Alabama would vote "nay."

On this vote, the Senator from Louisiana [Mr. Ellender] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Utah would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent because of illness.

The Senator from Vermont [Mr. Prouty], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

If present and voting, the Senator from Utah [Mr. Bennett], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Pennsylvania [Mr. Scott] would each vote "nay."

The result was announced—yeas 42, nays 39, as follows:

[No. 178 Leg.]

YEAS—42

Anderson	Jackson	Monroney
Bayh	Javits	Morse
Bible	Kennedy, Mass.	Muskie
Brewster	Kennedy, N.Y.	Nelson
Case	Long, Mo.	Pastore
Church	Long, La.	Pell
Clark	Magnuson	Proxmire
Douglas	Mansfield	Randolph
Fong	McCarthy	Ribicoff
Gruening	McGee	Smathers
Harris	McGovern	Symington
Hart	McIntyre	Tydings
Hartke	Metcalf	Yarborough
Inouye	Mondale	Young, Ohio

NAYS—39

Aiken	Griffin	Pearson
Allott	Hickenlooper	Robertson
Boggs	Holland	Russell, S.C.
Byrd, Va.	Hruska	Russell, Ga.
Byrd, W. Va.	Jordan, N.C.	Simpson
Carlson	Jordan, Idaho	Smith
Cooper	Kuchel	Sparkman
Cotton	Lausche	Stennis
Curtis	McClellan	Talmadge
Dirksen	Miller	Thurmond
Dominick	Morton	Tower
Ervin	Mundt	Williams, Del.
Fannin	Murphy	Young, N. Dak.

NOT VOTING—19

Bartlett	Ellender	Neuberger
Bass	Fulbright	Prouty
Bennett	Gore	Saltonstall
Burdick	Hayden	Scott
Cannon	Hill	Williams, N.J.
Dodd	Montoya	
Eastland	Moss	

So the motion of the Senator from Louisiana [Mr. LONG] was agreed to; and (at 2 o'clock and 10 minutes p.m.) the Senate adjourned until Monday, August 8, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 5 (legislative day of August 3), 1966:

U.S. ATTORNEY

James P. Alger, of Guam, to be U.S. attorney for the district of Guam for the term of 4 years. (Reappointment.)

IN THE ARMY

The following-named person for reappointment to the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be major

Wilkins, Arthur L., O37438.

The following-named person for appointment in the Regular Army, by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3292:

To be first lieutenant, Judge Advocate General's Corps

Armstrong, Henry J. (Inf), OF101874.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288:

To be majors

Davis, Donzelle, O1932303.
Jarvis, John R., O945672.
Jurling, Darrell D., O2021743.
Lewis, Wrightson, O2265511.
Moreau, Donald M., O1932321.
Nelson, Lennart N., O2201763.
Palmer, Thomas C., O1924823.
Parlas, Joseph L., O1935283.
Stecher, William F., Jr., O1873575.
Vivaldi, Joseph R., O1872715.

To be captains

Alhouse, Robert D., O5405282.
Allen, Frank C., O5308574.
Beaty, William E., O1937941.
Berestecky, Boreslow P., O5203000.
Bishop, Noyes S., Jr., O5405456.
Cain, Moses A., O5204966.
Cary, Jack R., O5307444
Casey, Andrew M., O5304186.
Donohue, Edward J., Jr., O5201202.
Easom, Earnest E., O5310869.
Ervin, Clarence H., O5404111.
Glover, Leo M., O5405052.
Hannon, James D., O4031144.
Kidd, James L., O5304226.
LaFon, Leslie C., Jr., O4026686.
Lamb, Thomas L., O1942369.
Lewis, John H., Jr., O5204982.
Logan, Abraham T., O5307932.
Manbeck, Jackie L., O5401450.
Maxwell, John C., O4026942.
Mayhew, William B., O4045273.
Moeller, Gene L., O4013173.
Murkison, Eugene C., O5306238.
Pettit, Ernest G., O4031172.
Pimental, Rodney A., O5304499.
Rasmussen, Richard K., O5509792.
Rybat, Edward S., O4031013.
Sinclair, Bobby H., O5402539.
Smith, Patrick O., O4010960.
Snoddy, George R., O5404112.
Spencer, Charles A., O4012427.
Taranto, Monroe J., O5507836.
Taylor, Willie M., O4026390.
Tetreault, Raymond J., O5405499.
Vemity, Charles G., O4046472.
Youree, James F., O5303943.

To be first lieutenants

Arnette, Ben S., Jr., O5313415.
Baldwin, Larry D., O5709587.
Barber, John T., O5308980.
Barnes, Michael V., O5412782.
Benning, Robert M., O5318313.
Bradford, Robert F., O5014024.
Branch, William A., O5319113.
Byrne, Alan H., O5511065.
Carter, Lewis L., O5309852.
Christoffer, Fred, Jr., O5017360.
Church, Douglas R., O5317648.
Ebersole, Richard A., O5318163.
Floody, Harold V., Jr., O5010888.
Foster, Nathaniel W., O5221959.
Gregory, Wilbur T., O5017780.
Hamilton, Thomas R., O5412332.
Hanke, James S., O5514165.
Hern, Jay R., O5011404.
Hocking, John W., O5514940.
Hood, Harvey R., II, O5406146.
Johnson, Raiman K., O5015623.
Kaiser, Jan L., O5317587.
Kallam, Luther P., Jr., O5315225.
Knox, Allen N., O5007562.
Kostoff, John T., O5212130.
London, Leroy, Jr., O5318529.
Morales, Angel L., O5826265.
Nugent, John H., O5011311.
Patin, Jude W. P., O5413784.
Patriquin, Redmond L., O5314493.
Poindexter, Alonzo J., O5414190.
Richter, William D., O5312193.
Ridick, John A. V., O5012070.
Sherburn, John H., O2308580.
Stanfield, Howard S., O5413472.
Taylor, Donald R., O5530256.
Van Orden, James T., Jr., O5008475.
Vollrath, Frederick E., O5317316.
Warner, Westford D., O5319233.
Wells, William L., O5708074.
Wilson, Ronald D., O5405963.
Wylie, Edgar L., O5317688.

To be second lieutenants

Bachman, James H., O5530590.
Barrett, Robert E., O5406534.
Benge, Holmes D., O5416209.
Carawan, Larry B., O5318994.
Chandler, Nicholas L., O5019528.
Ciarlo, Fred H., O5419604.
Cole, Robert G., Jr., O5417947.
Daugherty, Joseph P., O5417001.
Falkenrath, James H., O5531493.
Fiebig, Heinz, O5325405.
Fuks, Joseph A., O5532580.
Giroux, Ronald V., O53326227.
Haerter, Frederick A., O5534286.
Hill, Augustyne V., Jr., O5419773.
McCaslin, James P., O5418978.
McNaughton, Peter J., O5533292.
Michael, Charles B., O5325136.
Mooneyham, John D., O5417029.
Myers, Carl W., O5221583.
Nunemaker, John E., O5213057.
Peters, Stephen F., O5419654.
Reilly, Timothy B., O5225489.
Rhinehart, Harry J., O5322313.
Robisson, Arthur C., O5223401.
Schmidt, Ernest R., O5406695.
Sheehan, Richard F., O5014385.
Taylor, Herbie R., O5416212.
Trimble, William L., O5019664.
Van Steenburg, Robert, III, O5321081.
Walker, Richard B., O5532660.
Zana, Donald D., O5226817.

The following-named persons for appointment in the Regular Army of the United States, in the grades and branches specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3290, 3291, 3292, 3294, and 3311:

To be lieutenant colonel, Medical Corps

Santos, George C., O1928268.

To be major, Women's Army Corps

Rossi, Lorraine A., L1010641.

To be captains, Army Nurse Corps

Pavlakovic, Dorothy D., N3008479.
Rasmussen, Doris S., N2297648.

To be captains, Dental Corps

Bole, Charles T., II, O2300469.
Griswold, William H., O5223837.
Hobaugh, Don C., O5220045.
Leslie, Donald B., O5518981.

To be captains, Judge Advocate General's Corps

Benson, Daniel H., O2305931.
Davies, David C., O2304961.

To be captains, Medical Corps

Barbier, Arthur G., O5525227.
Burkebile, David L., O5711466.
Colwell, Edward J., O5220243.
Cottingham, Andrew J., Jr., O5315616.
Crews, Richard L., O5711572.
Crosier, Joseph L., O5227618.
Dunker, Richard B., O2309378.
Harding, Roger F., O5708783.
Hunt, Keith K., Jr., O5205096.
Knapp, Stanley C., Jr., O5708896.
Leazure, Jerry A., O5400390.
McPhail, Schubert D., O5307620.
Morgan, Daniel D., Jr., O5021670.
Pozelnik, Louis S., O2309263.
Schatzman, Ronald C., O3041438.
Schuchmann, George F., O2313073.
Shaver, Glyndon B., Jr., O5319610.
Sutton, Charles A., O5315738.
Young, John G., O5227890.

To be first lieutenant, Army Nurse Corps

Ehrhart, Marjorie K., N2320797.

To be first lieutenants, Judge Advocate General's Corps

Devlin, Terrence E., O2316283.
Murphy, Eugene W., Jr., O2322214.
Van Meter, George E., O4074339.
Zimmerman, Park T., O5535133.

To be first lieutenants, Medical Corps

Barlow, Matthew J., Jr., O2320685.
Bobbitt, Ralph C., O2320687.
Bunn, Simon M., Jr., O2316915.
Burton, Francis C., Jr., O2316755.
Carmichael, Benjamin M., O2320723.
Farnsworth, Lynn S., O2316825.
Glick, Benjamin, O2316823.
Howard, William B., O2316831.
Jacobson, Eric S.
Kennedy, Charles W., Jr., O5412604.
Kromash, Marvin H., O5212888.
Latham, George, H., O5408740.
Master, Franklin D.
McCracken, Joseph D., O2316767.
Nelson, Kenneth E., O2316957.
Raque, Carl J., O2320789.
Spritzer, Harlan W., O2320680.
Stroud, Michael B., O2316741.
Whitelaw, John M., Jr., O2316834.

To be first lieutenants, Medical Service Corps

Palmer, William W., Jr., O5412347.
Stutz, Douglas R., O5510467.
Williams, Charles, O5313950.

To be first lieutenants, Veterinary Corps

Coats, Max E., Jr., O2312738.
Polk, Harry H., O2320984.

To be second lieutenant, Army Medical Specialist Corps

Green, Priscilla A., M2317310.

To be second lieutenant, Army Nurse Corps

Abelite, Mara, N5519529.

To be second lieutenants, Medical Service Corps

Camden, Harry C., O2316530.
Cook, Richard E., O5531621.
Parmer, Bert E., O2317420.
Ressdorf, Horst, O2320370.

To be second lieutenants, Women's Army Corps

Clark, Doris M., II, L2316303.
Roberts, Janice I., L5322596.

The following-named distinguished military student for appointment in the Judge Advocate General's Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3292:

Jones, Walter H., Jr.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Coppin, David F.
Crawford, John L., III
Gorsky, Rudolph J., Jr.
Herndon, Michael E.
Lavigne, Jeffrey E.
Rasmussen, Lynn W.
Tuttle, Josef E.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, and 3288:

Ahlum, William J.
Ames, Orrin K., III
Ammon, Richard W.
Aronow, William F.
Ashcraft, Jack G.
Auger, John D.
Barczak, Robert A.
Battles, James E.
Baylor, Ross G.
Bement, Danny B.
Beshore, David F.
Bigbie, Samuel H., Jr. O5332503.
Binau, Otto J.
Braudaway, Jessie A.
Briggs, Chester E., III
Brown, David J.
Brummer, William J.
Bullock, Howard R.
Burnett, Ira S.
Burns, Kennith R.
Burns, Terry L.
Bush, Joseph K., Jr.
Calmes, James G.
Castro, Albert C.
Chase, Charles C., Jr.
Clirehugh, Robert W., Jr.
Cloud, Stephen J.
Cooper, Wayne D. O5332707
Cornutt, Howard L., Jr.
Corrigan, Edward T., Jr.
Crocker, Larry D.
Curl, Terry W.
Denney, Michael E.
Devlin, Edward T., Jr.
Dionne, Wayne C.
Drummond, William T.
Duell, Norbert C.
Dunton, John T., Jr.
Eckelman, Arnold J.
English, Ronald W.
Epps, Joseph E.
Fincke, Dale E.
Fletcher, Jeffrey D.
Flores, Thomas V., Jr.
Fors, Carl E.
Friesner, Wayne L.
Galanti, David M.
Geraghty, John J.
Gillespie, Richard E.
Goggans, Milton E.
Goto, Victor M.
Gray, Thomas W.
Gregg, Maurice R.
Gross, Waymon G.
Haas, Allen J.
Hamner, George F., Jr.
Hancock, Thomas E.
Handberg, Roger B., Jr.
Harding, Michael J.
Hare, Anthony J.
Hargraves, Walter A., Jr.
Harinck, Allen V.
Harrison, Klien S.
Hedgpeth, Dale L.
Henderson, David L., II
Hilt, Robert J.
Hostrawser, William B.
Hughes, John R., Jr.
James, John C.
Janecek, Paul W.
Johnson, Gerard V.
Jones, Francis E.
Jones, Jerry L.
Kennedy, Robert J., III
Kennemer, Larry C.
King, Kasey K.
Kirk, James W.
Komar, Robert T.
Lane, Roderick L., III
Lauer, Ronald A.
Levine, Alan B.
Link, Robert J., Jr.
Long, Robert K.
Malanowski, Richard J.
Malloy, Michael
Matthews, Warren T.
May, Roy L.
Mayo, Charles E.
McArthur, James L.
McCarthy, Jeffrey C.
McClure, James M.
McDermott, Michael A.
McDonald, Allen K.
McLenahan, Thomas G., Jr.
Meier, Jimmy A.
Metzger, Michael J.
Miller, William G.
Minser, William G., III
Moerls, John M., O5421702
Moormann, Joseph C.
Niedermeyer, Glenn J.
Nowak, Norbert
O'Donnell, William T.
Park, David J.
Parkes, James J.
Pelton, James O.
Penland, Robert T.
Peters, LeRoy R.
Phillip, Joseph P.
Pollock, Frederick K.
Prather, William W.
Pursley, Charles N., Jr.
Rainbolt, Michael T.
Reese, David G.
Sanderson, Robert W.
Sanz, Donald L.
Sarlin, Raymond W.
Scherer, Robert J.
Schimpf, Roger L.
Segesman, Ben R.
Shelton, Donald E.
Sherman, Stephen A.
Sherrill, James E.
Smith, Cyril J.
Smith, Kent M.
Stackrow, Robert J.
Stacy, Aubrey B.
Stephens, L. Dale
Strange, Robert G.
Strye, James W.
Stryker, Thomas E.
Sullivan, Dennis M.
Sumera, Ronald R.
Sutton, James C.
Takahashi, Daniel T.
Tanner, John S.
Tatum, Howard R.
Taylor, David G.
Taylor, George L., Jr.
Toepel, John A., Jr.
Trzupek, Eugene W.
Van Denburgh, Roy W.
Vasilion, Pete G.
Waltman, Owen L., Jr.
Way, Richard E.
Webb, George A., Jr.
Witt, Kay B.
Wojciechowski, Henry J.

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Ruth O. Ware, Emerson, Ark., in place of W. P. Nash, Jr., resigned.

CALIFORNIA

Edythe E. Gollar, Greenview, Calif., in place of Mabel Whipple, retired.

E. Eugene Henry, Huntington Park, Calif., in place of G. J. Nevin, deceased.

Jimalou J. Wyman, Lakeview, Calif., in place of J. A. Marsh, retired.

Harry V. Wiley, La Mesa, Calif., in place of C. J. Lehew, retired.

Arthur C. Stuart, Mount Laguna, Calif., in place of R. M. Stuart, retired.

John F. Sheehy, South Gate, Calif., in place of H. B. Lull, retired.

Carl A. Tice, Yorba Linda, Calif., in place of D. W. Cromwell, resigned.

CONNECTICUT

Robert S. Sinkowitz, Voluntown, Conn., in place of W. L. Liberty, retired.

FLORIDA

A. Gerald Cayson, Blountstown, Fla., in place of C. E. Yon, resigned.

Thomas H. Brown, Jupiter, Fla., in place of G. E. Southard, retired.

Willie A. Perry, Tallevast, Fla., in place of F. S. Perry, retired.

GEORGIA

J. Derrell Weaver, Norman Park, Ga., in place of A. C. Curtis, Jr., deceased.

Bradwell H. Floyd, Plainville, Ga., in place of C. A. Bennett, retired.

Rubie R. Raulerson, St. George, Ga., in place of V. M. Roberts, retired.

HAWAII

Gunichi Takahashi, Waialua, Hawaii, in place of Kenichi Oumi, retired.

ILLINOIS

Lois A. Woods, Dahinda, Ill., in place of K. M. Mosher, transferred.

William Lippert, Washington, Ill., in place of J. W. Norris, retired.

INDIANA

Harry S. Young, Bloomfield, Ind., in place of C. F. Henderson, retired.

IOWA

Arne W. Eriksen, Alta, Iowa, in place of D. E. Castle, retired.

Paul W. Gannon, Colfax, Iowa, in place of R. O. Woods, retired.

Gerald R. Brummer, Crescent, Iowa, in place of G. E. McMullen, retired.

Donald C. Logue, Cumberland, Iowa, in place of LeVerne Riggs, retired.

William A. Hartgenbush, Schaller, Iowa, in place of W. A. Keenan, retired.

KANSAS

George W. Kohls, Herrington, Kans., in place of J. B. Doyle, retired.

KENTUCKY

Carl R. Lair, Monticello, Ky., in place of T. C. Powell, retired.

LOUISIANA

Geneva S. Mims, Garden City, La., in place of C. C. Badeaux, retired.

Katheryn L. King, Greenwood, La., in place of M. V. Bryson, retired.

MASSACHUSETTS

Robert R. DeForge, Agawam, Mass., in place of M. E. Brady, retired.

Arnold D. Hall, East Otis, Mass., in place of I. E. Hall, retired.

John V. Joyce, Holden, Mass., in place of D. F. McAuliffe, retired.

William P. Callahan, North Dighton, Mass., in place of J. E. Williams, retired.

Joseph G. Moitozo, Rehoboth, Mass., in place of C. O. Swanson, retired.

Robert D. Rudden, South Dennis, Mass., in place of C. W. Bayles, retired.

MICHIGAN

Pauline L. Coon, Alba, Mich., in place of A. L. Shepard, retired.

Leo R. Buckler, Glen Arbor, Mich., in place of E. L. Grady, retired.

MINNESOTA

Odell L. Agre, Sacred Heart, Minn., in place of A. O. Skalbeck, retired.

Alexander J. Winkels, Stewartville, Minn., in place of M. R. Tysseling, retired.

Marion A. Kennedy, Walker, Minn., in place of M. J. McGarry, retired.

MISSOURI

James E. Sewell, Everton, Mo., in place of M. L. Newkirk, transferred.

MONTANA

Roy C. Hogenson, Wilsall, Mont., in place of G. H. Gregg, resigned.

NEVADA

Geraldine E. Cooper, Weed Heights, Nev., in place of M. M. Curtis, retired.

NEW YORK

Mary J. Donato, Dewittville, N.Y., in place of I. R. Chapman, retired.

Aloys V. Smith, Garnedville, N.Y., in place of C. J. Jones, retired.

Mary C. Berger, Grafton, N.Y., in place of H. P. Cooper, retired.

Marwood S. Myer, Haines Falls, N.Y., in place of W. M. Lowerre, retired.

C. Ross McCluskey, Hopewell Junction, N.Y., in place of Catherine Whalen, deceased.

Marian G. Flugel, Morton, N.Y., in place of T. G. Spring, retired.

Ethel W. Andrus, Silver Bay, N.Y., in place of E. G. Watts, removed.

Anthony Maiorano, West Haverstraw, N.Y., in place of Napoleon Ponessa, retired.

Paul J. Ennis, West Henrietta, N.Y., in place of Margaret Ely, retired.

NORTH CAROLINA

Mary M. Harris, New London, N.C., in place of James Napier, resigned.

NORTH DAKOTA

Dale E. Brayton, Hunter, N. Dak., in place of Elmer Knorr, retired.

Dorothy E. Stringer, Tower City, N. Dak., in place of E. J. Griffin, retired.

OHIO

Leonard B. Alt, Genoa, Ohio, in place of H. R. Sherk, Sr., deceased.

Robert C. Chapman, Mount Gilead, Ohio, in place of C. S. Gladden, retired.

Norbert J. Huber, North Star, Ohio, in place of E. M. Gavitt, retired.

Raynor V. Burcham, Proctorville, Ohio, in place of L. M. Collins, retired.

T. Faye Kughler, Stone Creek, Ohio, in place of C. C. Schumacher, retired.

Donald R. Deem, Tuscarawas, Ohio, in place of R. M. Crites, retired.

OKLAHOMA

Doris E. Steverson, Fort Cobb, Okla., in place of D. L. Ratliff, removed.

Clarence D. Niblett, Hastings, Okla., in place of H. B. Melton, retired.

OREGON

Edward I. Taylor, North Powder, Oreg., in place of R. E. Smith, transferred.

Vergie M. Magnuson, Warrenton, Oreg., in place of R. G. Magnuson, deceased.

PENNSYLVANIA

Florence M. Hannan, Bradfordwoods, Pa., in place of N. D. Mashey, retired.

Alvin C. Brady, East McKeesport, Pa., in place of S. H. Ward, retired.

Clifford P. Wenhold, Milford Square, Pa., in place of R. S. Weiss, deceased.

PUERTO RICO

Cesar A. Perales, St. Just, P.R., in place of B. A. Ramos, retired.

RHODE ISLAND

John C. Talbot, West Warwick, R.I., in place of C. W. Lambert, deceased.

SOUTH CAROLINA

Hortense W. Cole, Cross Hill, S.C., in place of J. A. Richardson, retired.

John J. Ward, Darlington, S.C., in place of F. B. Bynum, retired.

SOUTH DAKOTA

Frederick B. Vaske, Elkton, S. Dak., in place of Jane Dunn, retired.

Alyce A. Schroeder, Wentworth, S. Dak., in place of J. D. Ulmer, retired.

TENNESSEE

Joe M. Fondren, Arlington, Tenn., in place of M. A. Moore, retired.

Elaine L. Bush, Cedar Grove, Tenn., in place of J. T. Coffman, transferred.

Thomas A. Henson, Cowan, Tenn., in place of O. B. Sloan, retired.

Fred R. Lockett, Jr., Johnson City, Tenn., in place of C. M. Guffey, retired.

Frank W. Greer, Pegram, Tenn., in place of H. B. Payne, deceased.

TEXAS

Bennie R. Vick, Conroe, Tex., in place of O. G. Williams, retired.

Bobby J. Bonner, Palmer, Tex., in place of H. B. Copeland, retired.

VERMONT

Ralph G. Aulis, Norwich, Vt., in place of H. F. McKenna, retired.

VIRGINIA

Dorothy C. Lewis, Mappsville, Va., in place of N. B. Chase, retired.

WASHINGTON

Genevieve F. Tapscott, Packwood, Wash., in place of S. T. Combs, retired.

WEST VIRGINIA

Robert L. Pullen, Sutton, W. Va., in place of B. F. Randolph, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 5 (legislative day of August 3), 1966:

U.S. ARMY

1. The following-named officers for temporary appointment in the Army of the United States, to the grade indicated, under the provisions of title 30, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. John MacNair Wright, Jr., O23057, Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Runyan Linvill, O40305, Army of the United States (colonel, U.S. Army).

Brig. Gen. Ellis Warner Williamson, O34484, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Paul Francis Smith, O33169, Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Rils Ploger, O21760, Army of the United States (colonel, U.S. Army).

Brig. Gen. William McGregor Lynn, Jr., O21120, Army of the United States (colonel, U.S. Army).

Brig. Gen. George Lafayette Mabry, Jr., O34047, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Frank Milton Izenour, O21263, Army of the United States (colonel, U.S. Army).

Brig. Gen. Edward Paul Smith, O22063, Army of the United States (colonel, U.S. Army).

Brig. Gen. Joseph Alexander McChristian, O21966, Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard Joe Seitz, O33979, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Robert Ray Williams, O22962, Army of the United States (colonel, U.S. Army).

Brig. Gen. Willard Pearson, O44466, Army of the United States (colonel, U.S. Army).

Brig. Gen. Olinto Mark Barsanti, O34037, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Melvin Zais, O33471, Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard Henry Free, O22926, Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank Dickson Miller, O21270, Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank George White, O21378, U.S. Army.

Brig. Gen. Howard Wilson Penney, O22917, Army of the United States (colonel, U.S. Army).

Brig. Gen. George Gray O'Connor, O21088, Army of the United States (colonel, U.S. Army).

Brig. Gen. Clarence Joseph Lang, O40705, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Richard Thomas Knowles, O35418, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. John Joseph Hayes, O32309, Army of the United States (colonel, U.S. Army).

Brig. Gen. George Philip Seneff, Jr., O23738, Army of the United States (colonel, U.S. Army).

Brig. Gen. Walter Evans Brinker, O21776, Army of the United States (colonel, U.S. Army).

Brig. Gen. Elias Carter Townsend, O31680, U.S. Army.

Brig. Gen. Joseph Miller Heiser, Jr., O43773, Army of the United States (colonel, U.S. Army).

Brig. Gen. Elmer Hugo Almquist, Jr., O24228, Army of the United States (colonel, U.S. Army).

Brig. Gen. Shelton E. Lollis, O32575, Army of the United States (colonel, U.S. Army).

Brig. Gen. Hal Dale McCown, O23532, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Carroll Case, O43824, Army of the United States (colonel, U.S. Army).

Brig. Gen. Lloyd Hilary Gomes, O21353, Army of the United States (colonel, U.S. Army).

Brig. Gen. Thomas Henderson Scott, Jr., O23030, Army of the United States (colonel, U.S. Army).

Brig. Gen. Leonard Copeland Shea, O20231, U.S. Army.

Brig. Gen. Kelley Benjamin Lemmon, Jr., O20816, U.S. Army.

Brig. Gen. Raymond Leroy Shoemaker, Jr., O22978, Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Edmondston Coffin, O25234, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. John Keith Boles, Jr., O22025, Army of the United States (colonel, U.S. Army).

Brig. Gen. Stephen Wheeler Downey, Jr., O22649, Army of the United States (colonel, U.S. Army).

Brig. Gen. Kenneth Wilson Collins, O22169, Army of the United States (colonel, U.S. Army).

Brig. Gen. Osmund Alfred Leahy, O23106, Army of the United States (colonel, U.S. Army).

Brig. Gen. Wilson Maxwell Hawkins, O22737, Army of the United States (colonel, U.S. Army).

Brig. Gen. David Stuart Parker, O22907, Army of the United States (colonel, U.S. Army).

Brig. Gen. Horace Greeley Davisson, O20650, Army of the United States (colonel, U.S. Army).

Brig. Gen. Francis Johnstone Murdoch, Jr., O19853, U.S. Army.

Brig. Gen. Ward Sanford Ryan, O21339, Army of the United States (colonel, U.S. Army).

Brig. Gen. Wesley Charles Franklin, O45565, Army of the United States (lieutenant colonel, U.S. Army).

2. The following-named officers for appointment in the Regular Army of the United States, to the grade indicated, under the provisions of title 10, United States Code, secs. 3284 and 3306:

To be brigadier generals

Brig. Gen. Horace Greeley Davisson, O20650, Army of the United States (colonel, U.S. Army).

Brig. Gen. George Gray O'Connor, O21088, Army of the United States (colonel, U.S. Army).

Brig. Gen. William McGregor Lynn, Jr., O21120, Army of the United States (colonel, U.S. Army).

Brig. Gen. Jefferson Johnson Irvin, O21217, Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank Milton Izenour, O21263, Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank Dickson Miller, O21270, Army of the United States (colonel, U.S. Army).

Brig. Gen. Ward Sanford Ryan, O21339, Army of the United States (colonel, U.S. Army).

Brig. Gen. Lloyd Hilary Gomes, O21353, Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Runyan Linvill, O40305, Army of the United States (colonel, U.S. Army).

Brig. Gen. Joseph Miller Heiser, Jr., O43773, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Carroll Case, O43824, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Joseph Hayes, O32309, Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Rils Ploger, O21760, Army of the United States (colonel, U.S. Army).

Brig. Gen. Walter Evans Brinker, O21776, Army of the United States (colonel, U.S. Army).

Brig. Gen. John William Dobson, O21851, Army of the United States (colonel, U.S. Army).

Brig. Gen. Livingston Nelson Taylor, O21853, Army of the United States (colonel, U.S. Army).

Brig. Gen. Roger Merrill Lilly, O21924, Army of the United States (colonel, U.S. Army).

Brig. Gen. Joseph Alexander McChristian, O21966, Army of the United States (colonel, U.S. Army).

Brig. Gen. Phillip Buford Davidson, Jr., O21960, Army of the United States (colonel, U.S. Army).

Brig. Gen. Walter Martin Higgins, Jr., O21987, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Keith Boles, Jr., O22025, Army of the United States (colonel, U.S. Army).

Brig. Gen. Edward Paul Smith, O22063, Army of the United States (colonel, U.S. Army).

Brig. Gen. Kenneth Wilson Collins, O22169, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Merle Fondren, O32481, Army of the United States (colonel, U.S. Army).

Brig. Gen. Stephen Wheeler Downey, Jr., O22649, Army of the United States (colonel, U.S. Army).

Brig. Gen. Shelton E. Lollis, O32575, Army of the United States (colonel, U.S. Army).

Brig. Gen. Wilson Maxwell Hawkins, O22737, Army of the United States (colonel, U.S. Army).

Maj. Gen. Patrick Francis Cassidy, O32809, Army of the United States (colonel, U.S. Army).

Brig. Gen. Howard Wilson Penney, O22917, Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard Henry Free, O22926, Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Ray Williams, O22962, Army of the United States (colonel, U.S. Army).

Maj. Gen. Henry Augustine Miley, Jr., O22993, Army of the United States (colonel, U.S. Army).

Maj. Gen. Donald Vivian Bennett, O23001, Army of the United States (colonel, U.S. Army).

Brig. Gen. John MacNair Wright, Jr., O23057, Army of the United States (colonel, U.S. Army).

Brig. Gen. Roderick Wetherill, O23158, Army of the United States (colonel, U.S. Army).

Maj. Gen. Leland George Cagwin, O23200, Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard Thomas Cassidy, O23213, Army of the United States (colonel, U.S. Army).

Maj. Gen. John Milton Hightower, O23531, Army of the United States (colonel, U.S. Army).

Brig. Gen. Hal Dale McCown, O23532, Army of the United States (colonel, U.S. Army).

Maj. Gen. Charles Pershing Brown, O23544, Army of the United States (colonel, U.S. Army).

Brig. Gen. Kenneth Howard Bayer, O23551, Army of the United States (colonel, U.S. Army).

Maj. Gen. William Bradford Rosson, O23556, Army of the United States (colonel, U.S. Army).

Maj. Gen. Charles Vincent Wilson, O23564, Army of the United States (colonel, U.S. Army).

Brig. Gen. Willard Pearson, O44466, Army of the United States (colonel, U.S. Army).

IN THE MARINE CORPS

The nominations beginning Richard J. Tipton, to be second lieutenant, and ending Earl K. Ziegler, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 25, 1966.

IN THE NAVY AND MARINE CORPS

The nominations beginning Peter J. Leniart, to be ensign in the Navy, and ending Michael L. Layson, to be second lieutenant in the Marine Corps, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 25, 1966.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 5, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

You are the light of the world.—Matthew 5: 14.

Eternal God, our Father, spirit of light and life, in this day of distress, in this world of suffering and sorrow we would purify our own hearts as we face the high responsibilities and great demands committed to our care and to our attention this day. Let our littleness be swallowed up in Thy greatness, our pettiness in Thy pursuing presence, and our trite criticisms in Thy triumphant spirit.

Before the altar of prayer we bow, confessing our faults, asking Thy forgiveness, and praying that Thou will give us strength and wisdom that in these days we fail not man nor Thee. In the Master's name we pray. Amen.

THE JOURNAL

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

TO AMEND THE REVISED ORGANIC ACT OF THE VIRGIN ISLANDS TO PROVIDE FOR THE REAPPORTIONMENT OF THE LEGISLATURE OF THE VIRGIN ISLANDS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13277) to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

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

The Chair hears none, and appoints the following conferees: Messrs. ASPINALL, O'BRIEN, ROGERS of Texas, SAYLOR, and MORTON.

The SPEAKER. The Chair promised to recognize the gentleman from Illinois [Mr. MCCLORY].

EYES OF THE NATION WILL BE FOCUSED ON A HISTORIC WEDDING IN OUR CAPITAL CITY OF WASHINGTON

Mr. McCLORY. 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. McCLORY. Mr. Speaker, tomorrow, August 6, 1966, the eyes of the Nation will be focused on a historic wedding being celebrated here in our Capital City of Washington, when Luci Baines Johnson, younger daughter of President and Mrs. Lyndon Baines Johnson, becomes the bride of Patrick J. Nugent, younger son of Mr. and Mrs. Gerard Nugent, of Waukegan, Ill. May I add that it is also a historic day for the 12th District of Illinois, wherein Waukegan is the largest metropolitan center.

Many people are saying or thinking that Pat Nugent is a lucky young man to be marrying the attractive daughter of the President and Mrs. Johnson—and indeed he is. I would suggest also that Luci is a fortunate young lady to become the bride of Pat Nugent, this tall, handsome, and serious-minded young man from Waukegan.

Pat Nugent comes from a family and background that characterize the very best that is American. Strong family ties, reliance upon spiritual values, longtime and loyal friendships, unwavering devotion to decency and to honorable goals attainable in a free society—these and other qualities constitute the real makeup of Pat Nugent and his family.

More than 100 close relatives and friends of the Nugent family, mostly from Waukegan and other nearby points, are in Washington for the wedding and prenuptial events. Speaking on behalf of Mrs. McClory and myself, and with your permission, Mr. Speaker, on behalf of the membership of this House, I extend a warm and cordial welcome to all of them. Many will join Mrs. McClory and me this evening in our home at a 12th District open house.

Let me add my praise of the dignified and appropriate demeanor of Luci Johnson and Pat Nugent and their families during this prenuptial period, culminating in the ceremony and reception tomorrow. The modesty, simplicity, and absence of fanfare that has prevailed is most commendable.

I congratulate the bride- and groom-to-be, and all of the others who have contributed to make their wedding day the happy beginning of a long and successful marriage.

CHAIRMAN WRIGHT PATMAN CELEBRATES BIRTHDAY, AUGUST 6

Mr. ANNUNZIO. 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. ANNUNZIO. Mr. Speaker, I rise today to congratulate and extend best wishes to the chairman of the House Banking and Currency Committee, the gentleman from Texas, the Honorable WRIGHT PATMAN, who will celebrate his 73d birthday tomorrow.

The distinguished gentleman from Texas was elected to the 71st Congress in 1928, and it is eloquent testimony to his public service that he has been elected to every succeeding Congress. Over the span of years, with courage and vigilance, with honesty and dedication, he has protected the best interests of the people of America.

It has been a privilege as well as an honor for me to serve, as I have for the past 19 months, on the Banking and