

company us almost anywhere—to the beach, on the street, at a mountain lake. From our awakening by a clock radio to the time we turn off the late evening music, radio is our dependable companion.

What is the appeal of radio, if it no longer presents our favorite entertainers or adventure programs? The appeal of radio is in its variety. Nationally produced programs are replaced by broadcasts geared to the locality and to the listener. The teenager likes radio because there is a station featuring his type of music, the latest sound, the "top 40." His parents tune their set to the old standards, the middle-of-the-road music. Or if they are classical music lovers, they enjoy hearing their favorite artists and orchestras on FM. There are stations featuring country and western music, jazz, folk songs. Recently the radio talk show has become popular with listeners, often those who are alone during the day, calling in their opinions on a variety of subjects.

Indeed, radio is a soundboard for opinion, for analysis, for the news. Radio not only keeps the listener informed of developments throughout the world, but also in his own community. Radio announces local events, presents local advertising, and discusses local issues.

The varied role of radio is illustrated in my district, Miami. In a 1964 survey by Broadcasting magazine, radio stations throughout the Nation commented on their programming. One Miami station described its programming as "quality album music with no personality DJ's, and in-depth news with personality newsmen." A "modern format," "English-language religious and Spanish language," and "concert, classical, and semi-classical" were the formats of three other stations in this market. Miami stations are noted not only for their format variety, but also for their regular special programming for different ethnic groups. Recently, a Miami station drew public attention to the unfair provisions of two local ordinances, ordinances which were subsequently amended. Whether it is covering the primary election or provid-

ing hurricane bulletins, public service is the byword of Miami radio.

In fact, throughout the country radio is playing this most vital role. Radio '66 has indeed become "America's Sound Habit."

Reasons for Buying Savings Bonds?

EXTENSION OF REMARKS

OF

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. STANTON. Mr. Speaker, sometimes an individual is able, in a few words, to explain and express in simple direct terms the inconsistencies of present administration policy. One of my constituents, a most intelligent and astute gentleman, recently wrote to me commenting on a letter which he had received from the Vice President requesting cooperation in the program to increase U.S. savings bond buying.

Both Commissioner William B. Klee and I agree that investing in America is a most admirable and prudent way to handle one's money. However, we both disagree with the reasons the Vice President cites for buying these bonds. Commissioner Klee has stated the illogic of the situation so well that I place his letter along with that of the Vice President's in the CONGRESSIONAL RECORD:

TRUMBULL COUNTY,
Warren, Ohio, May 20, 1966.

HON. J. WILLIAM STANTON,
Congressman, 11th District,
House of Representatives,
Washington, D.C.

DEAR BILL: Enclosed is copy of letter addressed to the Chairman of the County Commissioners from Vice President HUMPHREY.

I think this warrants a few observations. There is no objection to any sensible means used to increase the sale of Government Bonds to individuals and I applaud the Vice-President for supporting this activity.

On the other hand, there is something extremely unhealthy when a Government

asks individuals to divert cash from normal expenses to Government Bonds for the specific purpose of reducing the threat to inflation, when the danger of inflation is caused by Governmental policy and action. There are many schools of thought as to what forces create inflation; but all economists agree that no Government is ever free of responsibility for some, if not all, of a specific inflationary period.

In any event, I thought you might want this for whatever purpose it may serve.

Sincerely yours,

WILLIAM B. KLEE,
County Commissioner.

THE VICE PRESIDENT,

Washington, April 25, 1966.

DEAR SIR: In recent meetings with State Governors, city officials, business and labor leaders, the President has expressed his deep concern over the growing threat of inflation and has appealed to these groups to join with the Administration in fighting this trend by exercising restraint in spending and capital investment.

In furtherance of this appeal, I would like to suggest that county officials can assist in another very important way by using their influence to persuade more local citizens to buy United States Savings Bonds.

I know that many county officials are already taking an active role in the Savings Bond program in their respective communities but, if you have not done so, I urge you to join in their effort now. The attached sheet lists some specific actions you can take and I commend them to your earnest consideration. In particular, I hope you will make a special effort to increase participation in the Payroll Savings Plan by your own county employees and that you will actively encourage the businessmen of your community to undertake similar campaigns to enroll more of their employees in this program.

If you will sign the enclosed card indicating your desire to cooperate, I will see that a Savings Bond representative in your State gets in touch with you to furnish the necessary materials to get underway.

I am sure you appreciate the urgency of the present situation and the need for concerted national action now, and I will look forward to receiving your assurance that we can count on your help. Further, I would appreciate your writing me sixty days hence, advising me of what you have been able to accomplish in your county.

Sincerely,

HUBERT H. HUMPHREY.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 1, 1966

The House met at 12 o'clock noon.

The Chaplain, Dr. Edward G. Latch, D.D., offered the following prayer:

Psalm 1: 1, 2: *Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in his law doth he meditate day and night.*

Write Thy law upon our hearts, our Father, and Thy words upon our minds, as we lift our souls to Thee. We believe in Thee, O God, and we pray that Thy spirit may so dwell in us that Thy peace and Thy power may be ours this day. Guide us in the decisions we make, give us support in our efforts to be true to

Thee, and grant us courage to do what we firmly believe to be right. Just as we are now, strong and free, to be the best that we can be for truth and righteousness and Thee, Lord of our lives, we come. Amen.

THE JOURNAL

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

SUBCOMMITTEES ON HIGHWAYS AND ROADS OF THE COMMITTEE ON PUBLIC WORKS

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the Subcommittees on Highways and Roads of the Committee on Public Works may be permitted to sit while the House is in session today and tomorrow during general debate.

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

There was no objection.

JUNE, DAIRY MONTH

Mr. BYRNES of Wisconsin. 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 Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, June, Dairy Month, begins today. It is an excellent time to turn our attention to the forgotten man in the dairy picture—the dairy farmer.

For one thing, there have been indications that the Secretary of Agriculture, in an effort to placate the dairy

farmer, will announce another increase in the support level for manufacturing milk later this summer or fall.

I would like to suggest that what the dairy farmer needs is not an essentially meaningless increase in the support level for milk but some indication that the Johnson administration is for him instead of against him.

If increased milk production is the need, we will not obtain it by government actions which have caused some dairy farmers in Wisconsin, for example, to auction off their herds.

More than an increase in the support level, the dairy farmer, if he is to be persuaded to stay in business, needs assurance that:

First, the Johnson administration will not try to drastically reduce the school lunch and milk programs,

Second, the Johnson administration will not cut back purchases of dairy products for the Armed Forces,

Third, the President himself will not urge less consumption of dairy products, and most important, that

Fourth, the Johnson administration will call off its campaign to bring more foreign cheese into the United States to compete with the American product.

If the Johnson administration continues to kill markets for dairy products, it is going to drive the dairy farmer out of business, and a sop in the form of an increase in support level is not going to help. What will help is concrete evidence of a reversal of the current anti-dairy-farmer attitude of the Johnson administration. Dairy Month should be an excellent time to start producing that evidence.

SUBCOMMITTEE ON HOUSING OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may be permitted to sit during general debate today. I understand this has been cleared with the gentleman from New Jersey [Mr. WIDNALL].

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

There was no objection.

FARMERS WANT FACTS, NOT PROPAGANDA

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

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

There was no objection.

Mr. DOLE. Mr. Speaker, it was not surprising to read last week that Horace D. Godfrey, Administrator of the Agricultural Stabilization and Conservation Service, was undertaking a project at

taxpayers' expense to defend this administration's farm record.

I would suggest that if Mr. Godfrey feels it necessary to send classified memorandums to State ASCS committeemen and State ASCS executive directors, that the memo should include:

First, the reason Gardner Ackley, Chairman of the Council of Economic Advisers, blames inflation and higher costs on the American farmer;

Second, that he explain why this administration urged cuts in the school milk, school lunch, REA, land grant colleges, and conservation programs;

Third, why Secretary Freeman stated in New York recently that he was "pleased to report" farm prices had moderated;

Fourth, why this administration imposed export quotas on hides;

Fifth, why dairy supports are less than the prevailing market price, while at the same time more foreign cheese is imported and margarine is substituted for butter in the Army and Air Force;

Sixth, why cuts were attempted in farm research funds at the very time we face a world food shortage;

Seventh, why an administration order cut armed services pork servings in half and why such order was kept secret while hog prices dropped abruptly; and,

Eighth, why the USDA has dumped millions of tons of grain on the domestic market to depress wheat and feed grain prices.

In my opinion, the State ASCS committeemen and directors should have this information, particularly in view of a wire story yesterday which indicated that prices farmers receive for crops and livestock fell three-fourths of 1 percent during the month ending May 15 and that prices received by farmers last month were only 79 percent of parity.

If Mr. Godfrey is surprised at the reaction among farmers, it would indicate that he has had very little contact with the American farmer in his Washington office.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 118]

Ashley	Fallon	McVicker
Bandstra	Farnum	Macdonald
Berry	Flynt	Martin, Ala.
Bolling	Fulton, Tenn.	Martin, Mass.
Bolton	Garma'z	Martin, Nebr.
Brown, Calif.	Gilbert	Miller
Broyhill, N.C.	Gonzalez	Mills
Burton, Calif.	Gray	Morrison
Burton, Utah	Greigg	Moss
Carey	Hagan, Ga.	Murray
Clawson, Del.	Hanna	Nix
Cohelan	Hansen, Idaho	O'Brien
Colmer	Hardy	O'Konski
Dickinson	Hawkins	Olson, Minn.
Dorn	Henderson	Passman
Dyal	Irwin	Powell
Edwards, Ala.	Keogh	Purcell
Ellsworth	Landrum	Reinecke
Evins, Tenn.	Leggett	Rhodes, Pa.

Rivers, S.C.	Stafford	Whitten
Roberts	Teague, Tex.	Williams
Roncallo	Thompson, N.J.	Willis
Rooney, N.Y.	Toll	Wilson
Scott	Trimble	Charles H.
Shriver	Watson	Zablocki
Sikes	White, Idaho	

The SPEAKER. On this rollcall 354 Members have answered to their names, a quorum.

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

PERSONAL ANNOUNCEMENT

Mr. HANSEN of Iowa. Mr. Speaker, last week it was necessary for me to be in my district on business and I was not present for the votes on H.R. 13712, the minimum wage bill. Had I been present I would have voted "nay" on rollcall No. 113, "yea" on rollcall No. 114, "nay" on rollcall No. 115, and "yea" on rollcall No. 116.

COMMITTEE ON EDUCATION AND LABOR

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may be permitted to sit during general debate this afternoon, after the vote on the bill before the House.

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

There was no objection.

TENTH ANNIVERSARY OF TUNISIAN INDEPENDENCE

Mr. O'HARA of Illinois. 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. O'HARA of Illinois. Mr. Speaker, today, June 1, the Republic of Tunisia celebrates the 10th anniversary of its independence. On this memorable occasion, I convey to the President of Tunisia, Habib Bourguiba, to the Tunisian people, and to their Ambassador in Washington, Rachid Driss, the cordial and hearty congratulations of the people of the United States.

During these 10 years as a free and independent country, Tunisia has made commendable progress in its economic development, and toward the lofty goal it set for itself in the 10-year plan. We can understand why Foreign Minister Bourguiba, the President's son who was formerly Tunisia's Ambassador to the United States, proudly refers to his country as the African showcase window on the Mediterranean. The United States is indeed pleased to have been associated with and to have contributed to this development.

There is a long and friendly history of our relations with Tunisia. Among the American consuls in the early 19th century was J. Howard Payne, the com-

poser of "Home Sweet Home" who died in Tunis. Tunis was liberated by Allied troops on May 7, 1943, and, after the liberation, General Eisenhower maintained his headquarters there briefly.

The independence of Tunisia is a tribute to the strength, faith, courage, and vision of Tunisian leaders like President Bourguiba who was in the forefront of the struggle for freedom. To him, to other distinguished Tunisian personalities, and, above all, to the industrious and friendly Tunisian people, I would like to say that we want to share with you your joy and happiness and friendship. May your 10th anniversary be the steppingstone to a greater and ever more prosperous Tunisia.

Mr. CONYERS. Mr. Speaker, it is a pleasure to join my colleagues in extending hearty greetings to the modern and flourishing Republic of Tunisia which celebrated a decade of independence on Wednesday, June 1. Under the courageous leadership of its President, Mr. Habib Bourguiba, and through the industry of its people, Tunisia has emerged as one of the most vital and progressive nations in Africa. In fact, few new nations in the world can claim such rapid growth in a short span of time. I join with the many friends of Tunisia to express my sincere congratulations and best wishes to the people of Tunisia on this supremely proud occasion. To His Excellency the President of the Republic of Tunisia, Habib Bourguiba; His Excellency the Tunisian Ambassador to the United States, Rachid Driss, I extend warm felicitations and greetings.

The people of the United States are proud of their long association of friendship with the people and Government of Tunisia and are confident that it will continue to be a close and harmonious one. The country of Tunisia has brought a great measure of understanding and good sense to the oft sensitive area of foreign relations in this part of the world. Tunisia has also made a real contribution to the continent through her constant efforts to bring aid and cooperation to many of the newly emerging nations.

Ever since the 1930's, national leader Habib Bourguiba has exemplified the kind of pragmatic leadership that first brought achievement of independence and today promises the fulfillment of national goals. President Bourguiba recently restated his dedication to his countrymen when he said:

Tunisia will be a prosperous and modern country. She will raise herself up to the level of the developed countries and ensure for all her inhabitants a livelihood, housing, health, education and culture. Once these great objectives have been achieved, we shall have the satisfaction of having accomplished our duty toward the Tunisian people, the fatherland and God.

The Neo-Destour Party, founded by President Bourguiba, represents Tunisian people from all levels of life. Renamed the Destourian Socialist Party, it has extended greater participation to the populace, bringing them closed to decision-making in their Government. Eight years ago, the Tunisian Government launched a broad, far-reaching program for economic and social improvements. A marvelous example of the Govern-

ment's progress has been demonstrated in the highly accelerated education program. The literacy rate has more than doubled and it is anticipated that universal primary education is less than 5 years away. Also, the Government has placed special stress on programs established to increase employment and stimulate the economy.

The people of the United States salute the great strides of advancement continually being made by the Tunisian people. We also pay tribute to the maturity, enlightenment, and restraint of her President, Habib Bourguiba. May the next decade of independence be as bright, and bring even greater progress and prosperity to this young, industrious nation.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that all of my colleagues who so desire may have 5 legislative days in which to join with me in congratulations and best wishes to this fine Republic of Tunisia.

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

There was no objection.

NARCOTIC ADDICT REHABILITATION ACT

Mr. ASHMORE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 9167, with Mr. BURKE in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending a substitute amendment of the gentleman from Illinois [Mr. McCLODY] to the first committee amendment on page 14 of the bill. Without objection, the Clerk will again report the substitute amendment of the gentleman from Illinois.

The Clerk read as follows:

Substitute amendment to the committee amendment offered by Mr. McCLODY: Page 14, strike out lines 10 through 15, inclusive, and insert in lieu thereof the following:

"(2) An offender who is convicted of unlawfully importing, selling, or conspiring to import or sell, a narcotic drug."

Mr. McCLODY. Mr. Chairman, this amendment would make civil commitment unavailable to sellers of narcotics who have been convicted of that crime.

Now penalties for selling of narcotics—for whatever reason—range from 2 to 10 years for the first offense. Penalties for sales to minors are more severe. And they should be. Experience has shown the salutary effect of these mandatory penalties.

Let me point out, for instance, that in Cook County, the county in which Chicago is located, the total number of new narcotic cases dropped from 981 in 1961 to 504 in 1965—an almost 50 percent decrease.

Now, yesterday on a teller vote, with an additional "yea" vote heading for the aisle, the amendment to preclude sellers from preconviction civil commitment lost by the narrow margin of 71 to 70.

Let me say this: the measure before the House now has substantial, even overwhelming, support—with the exception of a few provisions that we should consider rationally. There are those who question that civil commitment should be offered before conviction. And there is a valid basis for this view.

But there is a more serious question as to granting the privilege of civil commitment to sellers of narcotics. The effect of mandatory penalties against sellers of narcotics—I say—has been proved. The program of civil commitment is, at best, experimental.

Now, the question I raise is this: Should we substitute an experimental program for one of proven value?

I say, again, the program of civil commitment—particularly for those who have been convicted of Federal crimes—should supplement, and not supplant, existing programs.

Accordingly, by adopting the amendment which I now propose, sellers of narcotics would continue to be subject to mandatory penalties. Indeed, no mandatory penalties affecting narcotics cases would be relaxed. But penalties imposed for other criminal offenses could be reduced—or entirely omitted. And I have no argument with that.

But to find a person guilty of a narcotics offense and then abolish the penalty while purporting to provide a program to rehabilitate narcotics addicts distorts the purposes of this legislation, and jeopardizes its efficacy.

And what about those who have already been convicted of selling narcotic drugs? Does anyone suppose that they will be content to remain in jail? Not on your life. They will be applying for this special consideration—for hospitalization in lieu of the prison cell.

And unless this amendment is adopted, these offenders should be treated compassionately—mercifully. But, any who have had experience with the narcotics traffic will not be swayed by soupy emotionalism—appeals to mercy. The seller of narcotics cannot be handled with kid gloves, or with easy penalties, or else he will be back on the streets poisoning the youth of America.

These sellers of narcotics—those selling narcotic drugs to provide funds to feed their own addiction—are corrupting the youth of America. Who are the new addicts to whom these users—sellers—are peddling their wares? I will tell you: They are teenagers and those in their early twenties. This is not an emotional or dramatic statement. This is a cold, hard fact supported by data from the Bureau of Narcotics. The fact is that of the 10,012 new narcotic addicts reported in 1964, 7,443 were 30 years of

age or under, and 1,358 were under 21. Here is the group where the "poor devil" seller is peddling his dope—among the young people, not the oldtimers. Here is where reason should lead us to protect the innocent victims, the clean young boys and girls and their families. If we want to display true mercy and at the same time sound reason, we should prevent the sellers of narcotics from escaping the mandatory penalties which would keep them from corrupting these young people.

Presumably, a seller of narcotics who has been convicted has refused the opportunity to have civil commitment before trial. He is one who hoped to "beat the rap"—he declined the chance to "come clean"—and admit that he sold narcotics. No, he put the State to the expense of a trial first, and only after he lost and was found guilty does he come forward seeking to escape the penalties which this Congress had made it mandatory upon the judge to impose.

Ladies and gentlemen, do not give the seller a chance for a second trial. Do not jeopardize boys and girls across the land with any lapse of reason.

Mr. CELLER. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I want to say at the inception of my remarks, the present program has not been adequate and has not proven of real value and, therefore, we must seek other means to curb this nefarious traffic.

We believe the bill we now have, in all its parts, will undoubtedly in great measure reduce the traffic in drugs and take the addicts off the streets—I cannot repeat that phrase too often—take the addicts off the streets—so they will not pollute all the other members of the community who have a tendency to fall into the trap of narcotics use.

The same amendment that the gentleman has now offered was offered to title I which prescribes a civil commitment before trial. That substitute amendment of the gentleman from Illinois was voted down on yesterday.

The gentleman from Illinois now again offers the same amendment which was voted down yesterday and he now offers it as being applicable to title II—after trial. There is a big difference before conviction and after conviction. If sound reason caused the so-called McClory amendment to fail as to title I—before conviction—then there is all the greater reason for the amendment to fail as applicable to after trial—that is after conviction.

After trial and conviction, all the facts are in and all the circumstances are known and all doubts are resolved. Then the judge in his discretion and in the exercise of his honest discretion makes the determination as to whether or not civil commitment shall ensue—again after conviction.

Now we are not letting the sellers off—that is sellers as such. Sellers come within the sanctions of all our acts and we do not touch sellers as such. All we do is to say in the language of this bill that there shall be excluded from the operation of the bill an individual charged with unlawfully importing or

selling of narcotic drugs or conspiring to unlawfully import or sell a narcotic drug—unless, and the sting is in the tail, as it were, of that paragraph, the court determines that such a sale was for the sole purpose of enabling the individual to obtain a narcotic drug which he requires for his personal use because of his affliction to that drug.

Note the words "sale." The judge has no discretion unless he finds that the only, the sole reason for the sale of the drug was for the purpose of enabling the narcotic addict to obtain a narcotic drug for his own personal use, to prevent that terrible craving that comes from withdrawals.

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

Mr. CELLER. I yield to the gentleman.

Mr. SENNER. I would like to ask the distinguished chairman of the Committee on the Judiciary whether or not this is after conviction of the individual—and the amendment would affect those people who heretofore had been convicted in a court of law and have been subject to sentence being imposed, however, because it is a case of an addict having sold solely to satisfy his own craving and not to make a profit, then the court has the discretion, if this amendment is approved, to make a determination as to whether or not this person is subject to rehabilitation and to exercise that discretion.

Mr. CELLER. That is correct.

I quote from a statement made by my distinguished colleague, the gentleman from New Jersey [Mr. CAHILL], a member of the committee. He said:

It would be unfortunate if a blanket denial of civil commitment is applied to those who sell narcotics.

As stated in his separate views, we have this statement:

The truly helpless addict who sells in small amounts for the sole purpose of satisfying his own addiction should be eligible for this enlightened treatment approach.

What the gentleman from New Jersey, a member of the committee, said is eminently sound. I endorse it fully, and for that reason the amendment should be rejected.

Mr. HUTCHINSON. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. HUTCHINSON. Mr. Chairman, as the chairman of the full committee just stated, a similar amendment was defeated on the floor of the Committee yesterday, but it was by an extremely close vote. Only by a single vote was this very important amendment defeated, and it is certainly proper that the House should have an opportunity to express itself again upon it in a proper parliamentary way. And this is a proper parliamentary fashion to bring it again before the House.

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

Mr. HUTCHINSON. I yield to the gentleman from Illinois.

Mr. McCLODY. I thank the gentleman for yielding. The reason for offering this amendment to title II is that

there is a difference between granting civil commitment under title I and granting it under title II. In the first instance, under title I, the seller of narcotics would have to come clean with the court. He would have admitted that he was selling narcotics, and he would have described the purpose for which the sale was being made. He would have said that he was making the sale for the sole purpose of satisfying his own addiction.

In the second instance, under title II, he would not have admitted that he was selling narcotics. He would have put the State to the expense and trouble of bringing the case to trial. He would have been found guilty by the court, and then after he had been proven guilty of the sale of narcotics, he would seek a second chance. As I have said, it is quite different from the situation under title I. I do not see any basis whatever why that person should be accorded the opportunity to avoid the penalties the Congress has imposed and has directed that the court shall impose at that stage.

With regard to the statement made by the distinguished chairman that the existing narcotic laws have been effective, the Commissioner of Narcotics in a speech which he delivered a few months ago in Miami which appears on pages 460 to 464 of the record, and which was introduced in the RECORD at the request of the gentleman from Arizona [Mr. SENNER], pointed out specifically the great progress which the Department and the Bureau of Narcotics have made. He calls attention to the fact that with regard to withdrawal—and the chairman made a very dramatic statement here with regard to withdrawal—the Commissioner of the Bureau of Narcotics points out that with the present treatment the prisoner receives in prison as a result of being charged with a crime, the only apparent result from the withdrawal is a runny nose. That is quite different from the statement which the chairman made as to the very excruciating experience which he claims that such a person undergoes.

May I say further that in that statement by the Commissioner of the Bureau of Narcotics it was pointed out that, instead of the 43 percent, to which I made reference yesterday, 75 percent of the narcotic addicts are persons who have had criminal records before they were ever charged with the narcotics offense.

You are not dealing with poor devils, as the chairman said. In 75 percent of the cases you are dealing with criminals, and where those offenders commit the crime of selling narcotics—and I contend that it would be primarily to youngsters—there is no reason why we should give them this soft, easy penalty of civil commitment.

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

Mr. HUTCHINSON. I would like to complete my thought on this subject and then I will be happy to yield to the distinguished chairman of the committee.

The chairman has said that we are not dealing in this amendment with sellers as such. I disagree with the chairman at that point. We are dealing specifically with the seller, a man who is charged with the sale of narcotics

drugs. He is a seller. He is one who made the sale, and it could very likely have been to an innocent teenager. It may have been only for the sole purpose of supporting this man's habit. But it was a crime, the crime of selling, and it was sold to spread the habit to another.

We do not think that should be excused.

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

Mr. Chairman, we are again putting ourselves here in the same dangerous position that we got into yesterday in conjuring up all these evil visions of a narcotics vendor selling to an innocent child. In raising our anger against that individual, we are losing sight of the purposes of this act. Let me repeat: There is no disagreement whatever on what we are trying to do. We are trying to cut down on the use and sale and traffic in narcotics. That we are agreed to on both sides of the aisle.

But, it is said, because the mandatory penalty has in some degree lessened the sale of narcotics, it ought not to be softened. However, Mr. Chairman, what we are talking about here today is the mandatory penalty as applied to that hapless man, to that sick man who has sold narcotics—and we are agreed he is sick—solely for the purpose of supporting his addiction.

In the testimony and in some of the arguments here it has been conceded that the man is so desperate that there is nothing which will stop him from satisfying this craving.

Therefore, Mr. Chairman, I suggest that this man will not be stopped, will not be touched, will not be delayed at all by a mandatory penalty. In some cases he will commit murder to get a "fix," as he puts it. Therefore, I do not believe that retaining a mandatory penalty against this individual will have any effect at all.

Yes, the mandatory penalty will be effective against the professional, the man who can choose between peddling narcotics and stealing cars or getting into some other racket. He will be deterred by the mandatory penalty, and for him there is no change.

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

Mr. GRIDER. I yield to the distinguished chairman of the committee.

Mr. CELLER. Mr. Chairman, the other side seems to imply that we are excessively lenient in title II, and therefore we are in some way off base and sort of mollycoddling these addicts. We read on page 16, line 5:

Such commitment shall be for an indeterminate period of time not to exceed ten years, but in no event shall it exceed the maximum sentence that could otherwise have been imposed.

If we put a man under surveillance for a possible 10 years, or for a period that might equal the period of the maximum sentence, would you say that is being excessively lenient or mollycoddling these people?

Mr. GRIDER. I would not. I thank the chairman for adding to the discussion.

Let us look at the addict who sells solely to support his addiction and who has spent 5 years in prison, in the jail cell, under the mandatory penalty. Let us ask ourselves what likelihood there is of this man being reformed. We know, Mr. Chairman, that, of course, the minute he gets back on the street he is going to embrace the habit again, and once again will become a seller. So we will have thrown away the opportunity to remove at least one seller from the street.

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

Mr. GRIDER. I yield to the gentleman from Virginia.

Mr. POFF. Mr. Chairman, with respect to the last statement the gentleman has made, I would call his particular attention to the language which appears in a title which so far has not been mentioned in this discussion, that is title IV which reads in part as follows:

The Surgeon General is authorized to provide for the confinement, care, protection, treatment, and discipline of persons addicted to the use of habit-forming narcotic drugs who are * * * addicts convicted of offenses against the United States and who are not sentenced to treatment under the Narcotic Addict Rehabilitation Act of 1965.

I ask the gentleman if he does not agree that this language means that if the seller is imprisoned and serves a period of time in jail, he could, under that language, still be committed by the Surgeon General and treated?

Mr. GRIDER. I will concede he could. I must say I am surprised to hear this sentiment come from that side of the aisle, because of what has emanated from there with regard to a man guilty of selling. Even so, that would be, it seems to me, mollycoddling under the definition used by the gentleman from Illinois.

Mr. POFF. I hope the gentleman does not intend to imply that this has suddenly and dramatically become a partisan issue. It has not up to now.

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

There is one phase of this I should like to call to the attention of the Members.

On conviction today the judge has discretion to determine what the sentence, if any, is going to be. The general practice is if a man is a first offender he will be given a suspended sentence.

Under the bill as it stands, instead of the defendant getting a suspended sentence the judge could give him civil commitment. Where is the difference?

The only instance, as I said, when a man gets a suspended sentence is when the court determines that the individual can be rehabilitated. Under the bill as submitted without the amendment the court would say that this rehabilitative process can be attained without the individual having the conviction next to his name, because the court could recognize the fact that the man sold solely

for the purpose of obtaining funds in order to satisfy a debilitating habit.

The question then arises: How do we know whether this is the only purpose for which he sold the narcotics? Anyone who has had experience in the criminal courts knows that before sentence there is a probation report and examination. They go back to the very birth of the defendant. They go to the place where he lives. They go to his relatives. They go to his friends. They know more about the man than he does himself, in effect.

It would seem to me, under these circumstances, there should be discretion in the court, if it finds that the man is entitled to rehabilitative recognition rather than a suspended sentence. This should remain in the law.

Under no circumstances, as a matter of practice, does a second offender ever get a suspended sentence, or could he ever get the benefit of this rehabilitative law. Generally it would work out only with first offenders that this would take effect. I therefore suggest the amendment should be defeated.

The CHAIRMAN. The question is on the substitute amendment to the committee amendment on page 14 of the bill offered by the gentleman from Illinois [Mr. McCLODY].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 14, line 13, strike "primary" and insert "sole".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 15, line 4, strike "1965" and insert "1966".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 15, line 5, after "chapter," insert "under the District of Columbia Code,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 15, line 16, strike "no offender shall be committed under this chapter if the Attorney General certifies that adequate facilities or personnel for treatment are unavailable."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 15, line 22, strike "If" and insert "Following the examination provided for in section 4252, if".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 16, line 2, strike "chapter." and insert "chapter, except that no offender shall be committed under this chapter if the Attorney General certifies that adequate facilities or personnel for treatment are unavailable."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 16, line 9, after "If" insert "following the examination provided for in section 4252,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 16, line 17, after "months" insert "following such commitment".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 23, line 5, insert: "and the table of contents to 'PART VI.—PARTICULAR PROCEEDINGS' of title 28, United States Code, is amended by inserting after

"173. Attachment in Postal Suits— 2710' a new chapter reference as follows:

"175. Civil Commitment and Rehabilitation of Narcotic Addicts— 2901' "

Mr. McCLODY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McCLODY. I have an amendment to title III. Is it the purpose to continue to finish with the committee amendments to title III?

The CHAIRMAN. It is the intention to finish up with the committee amendments and then you can offer your amendment to title III.

Mr. HUTCHINSON. Mr. Chairman, a parliamentary inquiry.

Have all of the committee amendments been adopted?

The CHAIRMAN. As I understand it, this is the last committee amendment.

Mr. HUTCHINSON. The last committee amendment has been adopted?

The CHAIRMAN. Not yet. It has not been adopted.

Without objection, the committee amendment is adopted.

There was no objection.

AMENDMENTS OFFERED BY MR. ASHMORE

Mr. ASHMORE. Mr. Chairman, I have some additional technical amendments which I offer.

The Clerk read as follows:

Committee amendments offered by Mr. ASHMORE: Page 21, line 11, strike out "1965" and insert "1966".

Page 21, line 16, strike out "1965" and insert "1966".

Page 22, line 14, strike "42" and insert "402".

The committee amendments were agreed to.

AMENDMENTS OFFERED BY MR. HUTCHINSON

Mr. HUTCHINSON. Mr. Chairman, I offer amendments.

The CHAIRMAN. The Clerk will read the amendments.

Mr. HUTCHINSON (during the reading of the amendments). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and be considered en bloc.

Mr. SENNER. Mr. Chairman, reserving the right to object, and I am not sure I will object, has the gentleman furnished us with copies of the amendments he is asking unanimous consent to dispense with the reading of?

Mr. HUTCHINSON. I have, and your counsel has it.

Mr. SENNER. We do not seem to have it.

Mr. HUTCHINSON. It was offered to you yesterday.

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

Mr. HUTCHINSON. Yes. I yield.

Mr. CELLER. Is the import of the amendments to strike out title I or to strike out title II?

Mr. HUTCHINSON. No. To strike out title I.

Mr. CELLER. And it leaves title II as is?

Mr. HUTCHINSON. It amends title II. Strike out title I, and it makes amendments to title II.

Mr. CELLER. We have never seen those amendments to title II. I am afraid we will have to object.

Mr. HUTCHINSON. We did submit them yesterday.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Amendments offered by Mr. HUTCHINSON: Page 1, line 3, strike "Titles I and II" and insert "Title I"

Page 1, line 7, strike ", or convicted of,"

Page 2, line 5, strike the entire line, the remainder of page 2, pages 3 to 11, and lines 1 through 4 on page 12.

Page 12, line 5, strike "II" and insert "I".

Page 12, line 5, strike "SENTENCING TO" and insert "CIVIL".

Page 12, line 6, after "TREATMENT" insert "IN LIEU OF CRIMINAL PUNISHMENT."

Page 14, lines 5 and 6, strike "is convicted" and insert "has pleaded nolo contendere or guilty to, or been found guilty."

Page 14, line 8, strike "is convicted" and insert "has pleaded nolo contendere or guilty to, or been found guilty."

Page 14, line 10, strike "is convicted" and insert "has pleaded nolo contendere or guilty to, or been found guilty."

Page 15, lines 4 and 5, strike "under title I of the Narcotic Rehabilitation Act of 1956,".

Page 15, after line 7, insert the new subsection: "(b) An offender who was not an addict at the time of the offense, or whose addiction was not a substantial contributing factor to the offense."

Page 16, line 1, after "shall" insert "suspend entry of judgment and".

Page 16, after line 8, insert the following new subsection:

"(b) If, following commitment under subsection (a), the eligible offender falls or refuses to comply with the directions and orders of the Attorney General in connection with such offender's cure and rehabilitation or if the Attorney General determines that the eligible offender is not cured and would not benefit further from the program, the Attorney General may return him to the

committing court. Upon his return, the court may sentence the offender to the penalty otherwise provided by law for the violation for which he was tried. The court shall credit against any sentence so imposed the time spent by such offender in institutional custody pursuant to section 4252 and this section."

Page 16, line 9, strike "(b)" and insert "(c)".

Page 17, after line 23, insert the following new section:

"4256. UNCONDITIONAL RELEASE FROM COMMITMENT FOR TREATMENT

"Whenever an individual has been committed to the custody of the Attorney General under provisions of section 4258, and has been conditionally released under supervision of the parole board under section 4254 for not less than three years, he may be unconditionally discharged from the custody of the Attorney General if the Board and the Surgeon General certify to the court that the individual has successfully completed the treatment program. The court may then dismiss the pending criminal charge without entry of judgment."

Page 18, line 1, strike "III" and insert "II".

Page 21, line 1, strike "IV" and insert "III".

Page 21, lines 8, 9, and 10, strike "or convicted of offenses against the United States and sentenced to treatment".

Page 23, line 14, through page 24, line 2, strike "Title I of this Act shall take effect three months after the date of its enactment and shall apply to any case pending in a district court of the United States in which an appearance has not been made prior to such effective date."

Page 24, line 2, strike "II and III" and insert "I and II."

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Evidently a quorum is not present. The Clerk will call the roll.

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

[Roll No. 119]

Andrews,	Hanna	Passman
George W.	Hansen, Idaho	Powell
Berry	Hansen, Iowa	Randall
Bolling	Hardy	Reid, N.Y.
Bolton	Harsha	Reinecke
Brown, Calif.	Hawkins	Rhodes, Pa.
Burton, Calif.	Henderson	Rivers, S.C.
Cameron	Huot	Roberts
Carey	Irwin	Roncallo
Clawson, Del	Jonas	Rooney, N.Y.
Cohelan	Keogh	Scott
Colmer	Landrum	Shriver
Diggs	Leggett	Sickles
Dingell	Long, Md.	Sikes
Dorn	McEwen	Stafford
Duncan, Oreg.	McVicker	Thompson, N.J.
Dyal	Macdonald	Toll
Edwards, Ala.	Martin, Mass.	Trimble
Ellsworth	Martin, Nebr.	Tupper
Evins, Tenn.	Miller	Watson
Farnum	Mills	White, Idaho
Flynt	Moss	Whitten
Fulton, Tenn.	Murray	Williams
Garmatz	Nix	Willis
Gilbert	O'Brien	Wilson,
Gonzalez	O'Hara, Mich.	Charles H.
Goodell	O'Konski	

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BURKE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 9167 and finding itself without a quorum, he had directed the roll to be

called, when 353 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. HUTCHINSON. Mr. Chairman, as this bill now stands, a man charged with any Federal nonviolent crime and found to be a narcotic addict need not ever be brought to trial. At that point he can be shunted off into the course of civil commitment and there treated for his addiction. If he is cured, successfully cured, then he will never be tried for the crime which he is charged with having committed. We believe that the proper considerations of public policy require that when a man is charged with a crime he should be tried for it.

Particularly so, when there is a good deal of evidence against him and the district attorney is ready to try him, and but for his addiction, he would be tried.

Mr. Chairman, we do not oppose civil commitment as such. However, we disagree with the bill when it provides treatment before trial and we believe that the accused should be tried.

Now, Mr. Chairman, the purpose and effect of these amendments is not to do away with civil commitment.

Our proposal as contained in these amendments is to shift the availability of civil commitment to a later time in the judicial process. Instead of pretrial commitment, we propose that commitment can be available only after the issue of guilt or innocence is resolved.

In order to accomplish this these amendments propose to strike title I from the bill, and the substantially identical provisions of title II are retained.

Mr. Chairman, once the defendant has pleaded guilty or has been found guilty, the case is then suspended under these proposed amendments and the civil commitment can at that point be resolved, at the discretion, of course, of the judge.

Mr. Chairman, these amendments add a requirement that in order to qualify for a civil commitment the defendant must be addicted to narcotics at the time of the trial and found that the addiction was a significant factor leading to the commission of the crime.

Then, Mr. Chairman, we add a new section which we believe was an oversight in the original bill. A new section is added to the present title II which will allow the Attorney General to return to court a committed defendant, if he is not amenable to cure. The court then can impose the sentence for the crime. Of course, the time that the man has already spent in an institution would be deducted from that sentence.

Should the civil commitment prove successful, under the amended bill, a man may be unconditionally released after 3 years of successful treatment and aftercare. Upon successful completion, the suspended charge would be dropped and the judgment for criminal conviction having never been imposed.

Now, Mr. Chairman, what this does is this. We do not take away the concept of civil commitment here. We simply postpone this procedure until after a man has been tried, because we believe that

public policy requires that guilt be determined for a crime and, certainly, if, as is quite likely to be the case, in view of the experience with narcotics in the cases where the man civilly committed is not cured—and there is only a 50-50 chance that he will be, then as the bill now stands he comes to trial after 3 years. The case is stale. In all likelihood the evidence has disappeared. We propose that the accused be tried at the time the evidence is available and that his guilt be first determined. Then we will go about curing him.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LATTA. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. HUTCHINSON] may proceed for 2 additional minutes.

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

There was no objection.

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

Mr. HUTCHINSON. I yield to the gentleman.

Mr. LATTA. I want to commend the gentleman for the very able statement he has made but I want to stress one point more emphatically.

As I understand it, the way this bill now stands, a person charged with a crime can throw up the defense that he is a narcotics addict and if this is proven, he can be carted off for treatment under a civil commitment. Following this treatment, he will not have to answer for the crime he has committed against society. Is this a true statement?

Mr. HUTCHINSON. That is a true statement.

Mr. LATTA. And he will never be brought to trial for the crime that he was charged with?

Mr. HUTCHINSON. That is assuming that he is cured, of course, by the treatment. If he is not cured, he can later be brought to trial, but I submit at that point the case will be so stale that as a practical matter he will never be tried.

Mr. LATTA. In other words, the amendment that the gentleman has offered will cause the person to be first brought to the bar of justice before he is given an opportunity to avail himself of this civil commitment.

Mr. HUTCHINSON. That is what these amendments will accomplish.

Mr. LATTA. I thank the gentleman.

Mr. HUTCHINSON. Mr. Chairman, I yield back the balance of my time.

Mr. ASHMORE. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman and Members of the Committee, I hope we will all give serious consideration to what the proposed series of amendments would really do to this bill. They would take the guts out of the bill, as a matter of fact, to express it in a few words.

One of the primary purposes of the legislation, as recommended by the Attorney General, as recommended by the President, as recommended by the Surgeon General, and as recommended by the U.S. Public Health Service and by

Mr. Alexander, the Director of the Bureau of Prisons, is to have a provision in the law—yes—this is something new—but we have to try something new because we have failed by the methods that we have been using for these many, many years—yea these many, many centuries.

So we are offering this opportunity to the person who has been selling because of his own addiction and for no other purpose, to come into court and say to the judge, "I want civil commitment. I want the Government of the United States to put me in a Federal institution"—so that he may go into a Federal institution or an institution that is operated and directed under Federal regulations. We give such a person the opportunity to say, "Cure me of my addiction." Then that person will have the law explained to him by the court. He will realize—and he has a lawyer at this time too, I would remind my colleagues, and if he accepts this civil commitment he will be sentenced to this institution for a term of 36 months to receive this treatment to try to make him a good citizen again.

If title I is stricken out of the bill, as the gentleman from Michigan is making an effort to do, then you will be destroying the incentive for these addicts to come into court and ask for this treatment. Then one of the primary objectives of this bill will be out the window if these amendments are adopted.

Under the provisions of the bill, as written, you get the addict off the streets. He comes in within a few days after he has been charged and then the court gives him 5 days to determine in his own mind, and for his lawyer to determine, whether or not he wants to accept civil commitment.

In the meantime the court has an investigation of this addict to determine whether or not he is a fit subject for civil commitment and rehabilitation. The court does not have to commit him under this civil commitment section of the law unless the court finds after a report from the Surgeon General that he is a fit subject for rehabilitation and for civil commitment. So he comes in within a short time after he has been arrested and you get the addict off the street, which is one of the main reasons in trying to help these addicts so they are not going to be circulating among their old friends and having the opportunity to continue in the same environment and under the same circumstances that might have led to their addiction.

Mr. Chairman, another reason why we think title I should remain in the bill and must remain in the bill, if it is going to be effective is that when a man has gone through a trial, which he would have to do unless he pleaded guilty, without his voluntary request for civil commitment, he has faced a large part of the consequences of his criminal activity.

The promise of a dismissal of the charges would no longer be present. If the addict comes in, gets civil commitment, is treated and cured, then the criminal offense charged against him would be removed and he would never be tried. Such action would save him

from having the stigma of a conviction and a criminal record, whereas if he had to plead guilty or be tried and convicted, he would have a criminal record that could not be removed. So the addict would have great reason and incentive to go in under title I and request civil commitment.

Mr. MOORE. Mr. Chairman, I rise in support of the amendment. I listened very carefully to my distinguished friend from South Carolina when he made the point that we would discourage the addict from coming in and confessing his addiction if we made him stand trial, or made him stand accused and then found guilty of his crime.

It seems to me that if we let the committee bill go through in its present form, we would invite every addict to confess for the express purpose of getting a lesser sentence than that which might otherwise be coming to him under indictment of violating certain criminal statutes. If he were charged with a crime before any of the forums in our country, would he not prefer to come in and confess his addiction so that his incarceration or confinement would be limited to a 36-month period of time? Whereas if he were to stand trial and be found guilty of the crime with which he is charged, it is conceivable that his confinement could go to as much as 10 years or even more.

So when we talk about destroying incentive, we must remember that the incentive is always there for the addict to confess his addiction. That is especially so under the amendment offered by the gentleman from Michigan.

What actually happens is that a man has committed a crime. Granted he is an addict, and we want to help him in every way we possibly can. But under the committee bill as it has been drafted, that man would be forgiven his initial crime if he confessed his addiction and then requested rehabilitation. In order for society to touch that man again in the event that he did not lead a good life after his period of rehabilitation—if he went back to his old ways, before society could get their hands on him, he must have committed another crime, perhaps even greater proportion, before he could again be brought before the court to be tried whereas under the proposed amendment he could be picked up in violation of probation from his original commission.

There is another point that is involved. It seems to me that the committee bill would totally encourage the confession of addiction not with the hope of total future cure but for the express purpose of dulling the effect of a statutory penalty.

As I understand title I and title II of the bill, what the gentleman from Michigan seeks to do is simply to merge the two. He is saying, "We are going to keep the historical procedures of jurisprudence we have had over the years. If a man who is today a first offender comes before the court and the court seeks to treat him leniently, a finding of guilty is made, the sentence is suspended, and the offender is put on probation. What the gentleman from Michigan seeks to

do here, I believe, is to have the record show that there has been a finding of guilty and the sentencing of the addict. The sentence would then be suspended, provided he goes into rehabilitation.

If, after completing rehabilitation, he goes back to his old habits, to his old ways, rather than waiting for him to commit a second crime the court cite the addict for violation of the probation or suspension of the sentence which had heretofore been imposed.

It seems to me entirely compatible with what we do in so many instances with our young people, who commit crimes that are far beyond what they themselves fully understand their crimes to have been. We give them a second chance, but we control them during that period of their probation. It seems to me this law would be more effective, and none of what the chairman and subcommittee chairman seek to do here would be destroyed, which is the creation of the opportunity to rehabilitate oneself and to rid oneself of drug addiction. At the same time there is the full recognition that if they do not continue to make a good contribution to society, the crimes with which they are charged would be reinstated.

I urge adoption of the amendment.

Mr. WHITENER. Mr. Chairman, I move to strike the last word.

There is no more conscientious or valuable member of the Judiciary Committee than the gentleman who offered this amendment. I have no quarrel with him about his philosophy. He has a right to that philosophy. It happens that I have a different one on this particular issue.

When we look at the total approach of title I, we find that the proposal of the gentleman from Michigan [Mr. HUTCHINSON], would destroy it completely.

Let me reiterate what I said before, that this is a voluntary commitment procedure.

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

Mr. WHITENER. I am happy to yield to the gentleman.

Mr. BOGGS. Mr. Chairman, I appreciate the gentleman's yielding.

I believe to strike all of title I is a mistake. It has a procedure which would be very helpful. Yesterday I was very hopeful that we would adopt the amendment offered by the gentleman from Illinois. But I believe to go this way will destroy what we are trying to do in this bill. I oppose this amendment. I am very hopeful that an amendment will be adopted to title III, which has to do with the mandatory penalties.

Mr. WHITENER. I thank the gentleman.

Mr. Chairman, under the title I, the defendant himself must submit himself for voluntary commitment. The court cannot commit him unless the court has the consent of the defendant.

Once he is committed, he must stay in custody for treatment up to 3 years. Under later provisions in the bill that we have before us, if this individual who has been committed escapes from custody, he subjects himself to the crim-

inal penalties for escape which are in the present criminal law.

We are not recommending pats on the back for crimes, or relieving criminals of the punishment to which they deserve. We are trading a cure for the punishment provision that we would have with title I, were it knocked out.

When we look again at the figures and realize that the average Federal sentence, taking the entire record of the Federal courts, is 33.5 months, and then we look at this civil commitment for a period of 36 months, we see here is no pantywaist treatment of criminals.

Under the provisions of this bill, even if the defendant is willing to be committed as an addict, he still must satisfy the court that the crime for which he is then charged was committed solely—for no other purpose—of getting funds with which to get narcotic drugs to feed his habit, or his addiction.

It seems to me, if we are going to rehabilitate, we must keep title I. If we should do what my friend from Michigan would do, first we would try the prisoner, then give him a sentence, and then tell him, "If you come along and take treatment we will wipe out everything you have done on the record."

Why not do it in the first instance, and give society the protection which might be had if we can effectuate a cure of some of those folks who are laboring under a horrible habit, to wit, the use of narcotics?

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

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

Mr. HUTCHINSON. Under the amendments as proposed, the man would be tried, but he would not be convicted or sentenced at that point. After there has been a determination of guilt, before the conviction and sentence, the punishment would be forgiven him if he would take the civil commitment and successfully complete it.

Mr. WHITENER. How could a man be tried for a criminal offense, without being convicted, unless he were acquitted?

Mr. HUTCHINSON. The jury would find him guilty.

Mr. WHITENER. Then he would be convicted.

Mr. HUTCHINSON. But there would be no sentence.

Mr. WHITENER. That would be a different matter. No judgment would be pronounced.

Mr. CELLER. Mr. Chairman, I move to strike the requisite number of words.

We must make progress in the treatment of drug addiction, and progress means change. Without change there is no progress. Without change there would be retrogression.

Then gentleman from Michigan [Mr. HUTCHINSON], and the gentleman from West Virginia [Mr. MOORE], apparently are just looking backward. They are not looking forward.

We who are sponsoring this bill embrace new concepts, new techniques. We believe in rehabilitation.

Apparently the proponents of this amendment do not believe in rehabilita-

tion; or, if they do, they tear rehabilitation to tatters, and it is hardly recognizable.

The gentleman from Michigan would destroy title I and he would unduly weaken title II.

Another amendment will be offered from the other side of the aisle which would blot out title III.

What would be left then? Nothing would be left—only a wraith, a mirage, a hoax, a deception. There would be no substance, only a mere shadow.

The bill then would be about as useless as trying to write on water, as meaningless as a 2-foot yardstick. There would be no merit whatsoever in the bill.

Title I, in my opinion, is a new and exciting effort to reduce narcotics addiction. It would give tremendous incentives to the addict accused of crime—and it must be less than a felony—to cooperate fully in his treatment and in the program of treatment as involved here. But, most important of all, the addict would be institutionalized. He would be removed from the community immediately. Thus we would cut down and destroy a poisoned weed which might destroy the whole field. We would take out of the community that which might poison the community.

I will say—in answer to certain charges—that our bill, in title I, does not “mother” or pamper the addict, for the addict may be confined as long as 36 months under title I; 36 months is 3 years.

I want to emphasize what the gentleman from North Carolina indicated. The average sentence imposed on defendants in Federal courts in the fiscal year ending June 30 was only 33½ months, less than the 36 months possible confinement under this title I.

Thus the confinement may be more than the average confinement meted out to Federal prisoners. Procedural and substantive due process are accorded addicts offered title I commitment by the district court judge. They are represented by counsel in making their decision to submit to civil commitment and may at any time change their minds and elect to stand trial.

It is well to point out that civil commitment cannot be had unless the addict himself gives consent. It is that consent that removes any kind of charge that there is not due process involved in title I.

Therefore, Mr. Chairman, I do hope that this amendment will be decisively voted down.

Mr. SENNER. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Michigan.

Mr. Chairman, for 1 whole day now practically every member of the Committee on the Judiciary has been telling members of this Committee of the Whole that narcotic addiction is a disease. However, right now, at this very moment, in this House, we are moving from a criminal disease, a contagious one, and putting the emphasis on criminality under the guise of the old, long tradition of punishment. This is the way it was in the 1700's and 1800's; this is the way it

ought to be in 1966. What we are saying here is that we, in title I, and by virtue of that title, are trying to get the addict off the street and into the hospital to rehabilitate. We realize that he has a psychological problem, a sociological problem, a mental problem, if you please, and certainly a medical problem without exception.

I would like to read now what Mr. Richard A. McGee, Administrator of the Youth and Adult Corrections Agency of the State of California, had to say:

The active addict is the chief hope of spreading addiction—one addict on the streets will make several new ones in his career. He is the vector of the disease.

Our honorable distinguished chairman of the committee [Mr. CELLER] said:

Addicts breed other addicts. If we can cure an addict, it is the same thing as isolating and curing a carrier of a communicable disease.

If we adopt the amendment of the gentleman from Michigan, we are going through the usual routine which was followed before we ever brought this bill before this committee. We are saying he is subject to bail and we are going to keep him on the streets. If the only inducement to get him into this hospital for treatment is for him to be found guilty and then he may avail himself of this, it is no inducement for that addict to leave the streets and get into the hospital. I submit to you he will be out on the streets continuing to spread contagion and sell his venom. I think we should keep title I and, as we pointed out here, title I actually imposes upon the drug addict a greater incentive to take the treatment because it provides 36 months of confinement under the jurisdiction and the guidance of the Surgeon General or the Attorney General. In addition to that fact, if he does not successfully complete his treatment, he is subject to the original crime with the full mandatory minimum sentence as prescribed in the Boggs-Daniel Act.

Mr. Chairman, I cannot emphasize too strongly the need to get the addict off the street. I hope that we do not take a step backwards and that we do afford the addict an opportunity to come before that court and to say, “I am sick. I would like to get in there.” Then, if the court, after an examination finds that he is subject to rehabilitation, then and only then may the court provide this treatment to him.

Mr. Chairman, I would like to ask the chairman of the Committee on the Judiciary a couple of questions if I may.

Mr. CELLER, is it my understanding that the Bureau of Narcotics, which has the control and the obligation of enforcing the narcotics laws of the United States, are in favor of title I as it is now in the bill?

Mr. CELLER. The Commissioner of Narcotics and the Bureau of Narcotics support the administration bill which has been before us.

Mr. SENNER. What about the law enforcement agencies such as the Department of Justice which are obligated by law to try these cases?

Mr. CELLER. They are in favor of the bill.

Mr. SENNER. Does the gentleman know of any agency of Government that is in favor of the amendment which has been offered by the gentleman from Michigan?

Mr. CELLER. I do not.

Mr. SENNER. I thank the chairman.

Mr. Chairman, I urge defeat of the amendment.

Mr. POFF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we are impressed, and rightfully so, with the citations of support which my distinguished colleague has just made.

However, Mr. Chairman, I feel that the members of the Committee will also be impressed with the words of the President's Advisory Commission on Narcotics and Drug Abuse, as those words are found in the final report dated November 1963, and I quote:

The Commission does not believe, however, that the New York Plan should be adopted as the Federal pattern. . . . It would be best to avoid these problems by proceeding immediately to have guilt or innocence judicially determined at the outset as under the California law.

Mr. Chairman, the bill pending before the Committee essentially follows the pattern of the New York State law.

The amendment that has been offered by the distinguished gentleman from Michigan [Mr. HUTCHINSON] would adapt the legislation to conform to the pattern laid down by the California law.

It is not, I submit, quite fair or precise to urge that this amendment would destroy incentive on the part of an addict to confess his addiction.

Mr. Chairman, I feel that it must be understood first of all that if the addict, once convicted of the crime with which he stands charged, is civilly committed, no judgment by the court is then pronounced and no sentence is imposed; no criminal record is erected. If the convicted offender pursues the course of treatment and is successfully rehabilitated, no sentence will ever be imposed, no penalty will ever be exacted, and no criminal record will ever be erected.

Second, on the same point of incentive, I think it must be emphasized that the addict who appears before the bench under the amendment offered by the gentleman from Michigan [Mr. HUTCHINSON] would have two bites at the apple.

First of all, he could proceed to trial with the hope that he, while his evidence is still fresh, might win an acquittal. If he did so, that would be the end of the matter. If he failed to win an acquittal, he would still have his ace in the hole. The judge could commit him civilly for treatment. If the treatment were successful, he would enjoy all of the perquisites and benefits of title II.

So, Mr. Chairman, I suggest that it is not quite precise to argue that there would be no incentive. Quite the contrary. I would think that the incentive would be double.

Mr. Chairman, I feel that we must recall that under the criminal laws of this country, there are very few excuses for criminal conduct.

Title I would seek to create another excuse. One excuse in the law today is mental incompetence. But I want to call your attention to the fact that mental incompetence is no excuse for criminal conduct—unless there is a causal connection between the mental incompetence and the criminal act of which the accused stands charged.

Similarly, I call your attention to the fact that mental incompetence is no excuse until and unless the accused is brought to trial and the question of the truth or falsity of the charge has been established and the question of the guilt or innocence of the man who is charged has been established.

So as a matter of prudence, Mr. Chairman, in beginning what I concede to be an exciting new experiment, one which enthalls me and one I think we should embark upon—let us do the wise and cautious thing as outlined in the Hutchinson amendment and then if future experience so indicates, it will still be possible in the years to come to expand upon this experiment and do what is suggested be done now by title I.

Mr. Chairman, I yield back the balance of my time.

Mr. HUNGATE. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, before the pioneering spirit sort of overwhelms us, I think we should observe that the two States that have over 60 percent of narcotics addicts registered or recorded in the United States, and they would be New York and California, have laws quite similar to the one we propose to adopt today.

The rate of cure as reported in the present hospital facilities we have at Lexington and Fort Worth is 10 percent. According to the evidence we had concerning the experience in the State of California, the rate of cure ranges as high as 45 percent with 20 percent of the people remaining cured for 2 years. That does not seem like much, but it is 2 to 4½ times as many as are being cured under our present Federal system.

We are all concerned with our historic legal procedures. We are concerned with a situation that produces 10,000 new narcotic addicts a year and we are not afraid to experiment and try to improve the situation.

We are all concerned, of course, with law enforcement.

We had before the committee Mr. Giordano, Commissioner of the Bureau of Narcotics, charged with enforcement of these laws. In the course of the hearings, and this appears on page 404 of the committee hearings, the gentleman from Michigan [Mr. HUTCHINSON] inquired:

Mr. HUTCHINSON. Can you, Mr. Giordano, give us your real assessment as to whether civil commitment is going to throw any obstacles in the way of narcotics law enforcement or is it going to assist it in any way?

Mr. GIORDANO. Mr. Congressman, I don't think it would interfere at all with our enforcement. We have supported civil commitment of the addict for many, many years.

We feel this is just another feature of attacking the problem.

Our job is to reduce the availability of the drug. But there is also a responsibility, I think, on our part, to see that the addict is treated. We aim our approach at the Federal level toward the important traffickers, interstate, international traffickers. Some of them are addicts, but we feel also that you are not going to solve the problem unless you also do something to try to rehabilitate the addict. So we have supported commitment of the addict.

I, of course, have supported it for a long time and actually feel that more emphasis should be put on the commitment before they get involved in law violations. However, if they are involved in the type of violation, the type of individual is one that would benefit from treatment, we feel he should have treatment.

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

Mr. HUNGATE. I yield to the gentleman.

Mr. BINGHAM. Mr. Chairman, I thank the gentleman from Missouri for yielding to me. I did not speak on this bill yesterday during general debate and I would, therefore, now like to commend the committee, the subcommittee chairman and the chairman of the full committee for bringing to this House a most constructive piece of legislation.

Last year, I cosponsored with Senator ROBERT F. KENNEDY, and others, a package of four bills designed to deal comprehensively with the narcotics problem on the fundamental premise that rehabilitation of the addict is the answer, not punishment. The bill before us, H.R. 9167, also proceeds on that premise and indeed incorporates many of the essential elements of two of the bills I introduced.

In spite of all the work that has been done on this problem, we still do not know how to cure addiction. But we do know that the punitive approach does not succeed. When the addict is desperate to satisfy his body's craving, he cannot be deterred by the prospect of possible punishment.

The best experts in the field seem to be agreed that the best chance to effectuate a cure for the individual addict is an extended course of rehabilitation and treatment within an institution, coupled with aftercare under strict supervision. This bill in both title I and title II will provide the opportunity for such treatment and aftercare for addicts, and will indeed provide an incentive for addicts to take advantage of the opportunity.

I oppose the pending amendment offered by the gentleman from Michigan [Mr. HUTCHINSON] because it would deny the application of this rehabilitative process to those addicts who have been charged with a crime but have not yet been convicted. In other words, there would be no opportunity to persuade the addict facing trial to undergo the civil commitment process. If he were tried and acquitted, the process of rehabilitation and aftercare that would be best for him and for society would not even be available to him.

I am concerned that the bill before us does not provide for additional facilities for the treatment and rehabilitation of addicts. I hope amendments to be of-

fered later to provide for such additional facilities will be adopted, and I will support those amendments.

I should like to compliment the gentleman from Missouri [Mr. HUNGATE] for his comment yesterday that it is the people from cities such as New York who are most directly affected by this problem and that their views should be heeded. I know from a recent questionnaire that I sent out to my constituents in Bronx County, New York City, that they are overwhelmingly in favor of trying new techniques in the treatment of narcotics addiction. Of 9,000 replies received, 74 percent answered the following question in the affirmative, and only 15 percent were opposed:

A proposal has been made to make drugs or drug substitutes available to addicts under supervision of hospitals or doctors as a way of permitting them to lead useful lives and to prevent the narcotics sellers from preying further upon them. Do you think this is a good idea?

Of course, the bill before us does not provide for such a procedure. But this bill is not going to end the problem of narcotics addiction. And I believe that, in due course, for some of the so far incurable cases of narcotics addiction the use of drug substitutes under medical supervision may be the only answer.

In any case, the important point I want to make here is that the people in New York City are becoming increasingly convinced that for the narcotics addict the punitive approach will not succeed. Severe punishments are in order for the evil man who sells narcotics in cold blood and with intent to profit from the human misery he causes, but for the addict rendered helpless by his vicious habit, cure, not punishment, is what is needed.

Again I thank the gentleman from Missouri for yielding.

Mr. HUNGATE. Mr. Chairman, I yield back the balance of my time.

Mr. FARBSTEN. Mr. Chairman, I move to strike out the requisite number of words.

If we were to cast aside brushwood and narrow down the issue, as I see it, it would come to this. Only a first offender would get the benefit of this rehabilitative process. A second offender would be denied the benefits under this law. The choice to be made is then as follows: Are we going to insist upon a suspended sentence or are we going to apply rehabilitative treatment? It is as simple as that. With that in mind, in my opinion, the amendment should be defeated. Why should a first offender from a good family be denied a chance for rehabilitation?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HUTCHINSON].

The question was taken; and on a division (demanded by Mr. HUTCHINSON) there were—ayes 43, noes 77.

So the amendment was rejected.

AMENDMENTS OFFERED BY MR. McCLODY

Mr. McCLODY. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. McCLODY: Page 18, strike out lines 4 through 10, inclusive.

Page 18, strike out line 11 and all that follows down through and including line 8 on page 19.

Page 19, line 9, strike out "Sec. 303" and insert "Sec. 301".

Page 20, line 3, strike out "Sec. 304" and insert in lieu thereof "Sec. 302".

Page 20, strike out lines 7 through 10, inclusive, and insert in lieu thereof "and who was convicted of a violation of a law relating to marihuana. After con-".

Page 20, beginning in line 13, strike out "If the Board of Parole finds" and all that follows down through "Federal Youth Correction Act." in line 20.

Mr. McCLODY (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc, since they all apply to title III, that the reading of the amendments be dispensed with, and that they be printed in the RECORD.

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

There was no objection.

Mr. McCLODY. Mr. Chairman, I ask unanimous consent that I may proceed for an additional 5 minutes.

The CHAIRMAN. Without objection, it is so ordered. The gentleman from Illinois is recognized for 10 minutes.

Mr. McCLODY. Mr. Chairman, the series of amendments to title III would have the effect of depriving narcotic law offenders who are between the ages of 22 and 26 from any special consideration beyond that granted to them in titles I and II. These amendments have nothing whatever to do with the provisions of titles I and II respecting civil commitment. Those who qualify for civil commitment under either of those titles would be eligible for the benefits of civil commitment regardless of their age.

What title III would do, as presently presented to this committee, would be to permit any and all narcotic offenders—whether peddlers, importers, exporters, sellers to juveniles or who are guilty of any other offense against the narcotic laws of the United States—to be eligible for treatment under the Federal Youth Corrections Act as young adult offenders.

Now let me point out, first of all, what penalties offenders in this age category might be able to escape if you reject the amendments which I have offered here. Under section 7237 of the Internal Revenue Code, a seller of narcotics is required to be imprisoned not less than 5 nor more than 40 years. And, in addition, under section 176b of title 21, being the Narcotic Drug Import and Export Act—referred to by reference in section 7237—such an offender could be punished by death "if the jury in its discretion shall so direct."

In the ordinary cases of sales of narcotics, the minimum sentence for the first offense would be not less than 2 nor more than 10 years, and for a second offense not less than 5 nor more than 20 years, with a third offense to be not less than 10 nor more than 40 years. It is provided specifically in section 7237d that, upon conviction of any of the offenses enumerated, "The imposition or execution of sentence shall not be suspended, probation shall not be granted,"

the authority of the Board of Indeterminate Sentence and Parole of the District of Columbia shall not apply, and the authority for paroling prisoners after serving one-third of their term (as authorized in section 4202 of title 18) has no application.

Now, the Youth Correction Act which applies to youth offenders under the age of 22 contains this provision with respect to sentencing of such youthful offenders. "If the court is of the opinion that the youth offender does not need commitment, it may suspend the imposition or execution of sentence and place the youth offender on probation."

Such offenders may be, of course, held under maximum security or they may be sent to training schools, farms, camps or other agencies as the Attorney General might decide. However, this could result in a complete nullification of the mandatory penalties in narcotics cases for young criminals 21 years of age and under.

This authority with regard to the punishment of teenagers and all of those under 21 was extended in 1958 by action of the Congress to persons between the ages of 22 and 26. However, as noted earlier, this authority was not extended to include narcotics violations. But unless my amendment is adopted, all narcotic offenders—no matter how serious their offense, no matter how much they may corrupt society, whether importers, peddlers, or however else engaged in the narcotics traffic—would be eligible to avoid the penalties of their offenses and would be entitled to the provisions of the Youth Corrections Act.

Again, let me repeat, this title III has nothing whatever to do with civil commitment of narcotic addicts. The narcotics offenses covered by title III might involve offenders who are not themselves addicts—and undoubtedly it would seem to refer exclusively to them, since the opportunity for a noncriminal penalty is already covered in titles I and II.

May I say further that my amendments have nothing whatever to do with the paroling of persons convicted of violation of the laws relating to marihuana.

Ladies and gentlemen, this is certainly a time for sound reason and for careful soul searching to determine what is best for the citizens of this Nation—primarily the boys and girls who are the primary victims of the sellers of narcotic drugs. If we want to provide the maximum protection for the young people of America, particularly in the crowded urban centers, we should have no hesitancy in deleting from this bill the authority to treat criminals charged with narcotic violations who happen to be between the ages of 22 and 26—undoubtedly the largest segment of such violators—with anything less than the just penalties which the Congress has already provided.

I urge the adoption of these amendments by an overwhelming vote.

I might say further to the Committee that the amendments which I have offered, including the pending amendments, were recommended by the subcommittee.

I do not want this Committee to be confused by the fact that the gentleman from Michigan [Mr. HUTCHINSON] and I are supporting this amendment and assume this to mean that there was no support from the minority members of the subcommittee for the position which we are maintaining. Members from the other side of the aisle dominate the committee and there was support in the subcommittee from the majority for this proposal and for the other amendments which I am offering.

Of course, the work which takes place in executive session is secret, and we do not disclose how we vote on amendments. However, I want this Committee to know that the subcommittee action was taken on a bipartisan basis, and this issue should be considered on a bipartisan basis now.

To come to the Committee of the Whole House at this time and to renounce what the subcommittee action was, it seems to me, is a disservice to the subcommittee procedure itself.

This was considered carefully, line by line and word by word, and the final version was the sincere and honest recommendation of those who heard the testimony and wrote the bill and recommended it to the full committee.

If my amendments are adopted the bill will be restored to the form as recommended by the subcommittee.

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

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

Mr. McCULLOCH. To make the assurance doubly sure that we have a clear understanding, I should like to ask the gentleman from Illinois a question. Is it not a fact that the amendments which are now before the Committee were part of the bill which was approved by the subcommittee which heard all the witnesses and which was reported favorably to the full Committee on the Judiciary?

Mr. McCLODY. The gentleman is entirely correct.

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

Mr. McCLODY. I yield to the gentleman from Arizona.

Mr. SENNER. In order to find out exactly what is encompassed by the amendments of my good friend, the gentleman from Illinois, would the gentleman explain this again to me? Does this exclude narcotic offenders between the ages of 22 and 26 from receiving parole? Does it include them?

Mr. McCLODY. Title III would grant to persons in the age group between 22 and 26, who are described in section 4209 as young adult offenders, the same privilege as is given to those 21 and under, the benefits of the Federal Youth Corrections Act.

At the present time, narcotic cases are excluded from those which may benefit from the Federal Youth Corrections Act, in the age category of 22 to 26.

Unless my amendments are adopted, persons 22 to 26 would be eligible for the benefits of the Federal Youth Corrections Act—that is, to escape commitment, to escape a prison sentence,

and to have substituted treatment which is accorded to young adult offenders, such as sentencing to a training school or a camp.

Mr. McCULLOCH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to support the amendment of the gentleman from Illinois [Mr. McCLODY]. I think it has been adequately debated. The RECORD is accurate. The amendment which he offered had the approval of the subcommittee and it was so reported to the full Committee on the Judiciary.

The amendment is the second of two amendments required to implement the additional views to the committee report on the bill. The question presented by the amendment is whether the present penalties of the law should apply to the 22- through 26-year-old age group. Apparently the justification for preferred handling for this age-group is that they represent better prospects for rehabilitation than do older offenders. Unfortunately, proponents of the bill have not made available the figures indicating the number of narcotic offenders who would be benefited by this relaxation in the present law.

The present young adult offender program allows an indeterminate sentence for 22- to 26-year-olds under the Youth Correction Act. The Youth Correction Act was designed to afford 18- to 21-year-olds who were amenable to rehabilitation. It offers the opportunity for indeterminate sentence with final expunging of their convictions should they satisfactorily complete the program. When the young adult offender program was enacted into law, young adults charged with narcotic violations were specifically excluded from its provisions.

It would seem to me if this exclusion in the law is to be changed, the proponents of that change ought to bear a reasonable burden of proof to establish a desirability of broadening the coverage of the young adult offender law, which is a weakening of the present Federal penalty structure. In my judgment that burden of proof has not been met. I do not believe that this age group should be dealt with less strictly than other groups.

Under the bill in its present form, if the young adult offenders are addicted to narcotics, they may receive the benefits of title I or title II if they are eligible. If they are not eligible or if they are not addicted, then I can see no justification for suggesting that they are to be excused from the rigors of present law for their offenses. Of course, as the separate views point out, a marijuana offender has received a boon from the bill since he can get parole under the new provisions. By no means can I approve the principle of mixing these young adults and the more youthful offenders committed under the Youth Correction Act.

Mr. Chairman, in an area of the criminal law which seeks to contain so great a peril to such a large number of our citizens, I believe it is the better practice to legislate by offenses and not by classes of offenders. I will vote to remove sections 301 and 302 from title III because

I believe those two sections represent an unfortunate weakening in our approach to the enforcement of the narcotics laws. I believe our duty to countless thousands of potential narcotic addicts requires that no appeasement in the war on narcotic drugs be countenanced at this time.

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

Mr. Chairman and ladies and gentlemen of the Committee, there have been a lot of remarks and speeches made concerning title III. I think there may be a good deal of confusion and misunderstanding as to what title III does. In fact, the subcommittee had some problems with it when it was first considered. As a member of the subcommittee and and one who heard the evidence and the witnesses, I would remind my colleagues that not one single witness appeared before the subcommittee and gave testimony to support the contentions of my friend who has moved to strike out title III. No witness gave testimony in support of striking any portion of title III. All the evidence is in favor of keeping title III.

Now, Mr. Chairman, extending the narcotic addict sentencing provisions of the Federal Youth Corrections Act to narcotics and marijuana offenders under 26 years of age simply does this: It recognizes that there are young men and women in this age group who might properly be subject to rehabilitation.

It does not say that all offenders of the narcotics law between the ages of 22 and 26 would be good subjects for rehabilitation. It just says that there might be some and that the court, the presiding judge, should have and would have under title III the authority to investigate and to pick out those who would be good subjects for rehabilitation and give them the same rights, the same just treatment, the same sort of sentence as other offenders of other Federal laws are given.

That is about as simple as I can make it. It gives the court identically the same authority to handle these people whom he finds to be good subjects for rehabilitation, just as he has in sentencing other Federal offenders to a sentence under the rehabilitation provisions of the law.

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

Mr. ASHMORE. I yield to my colleague.

Mr. SENNER. I thank the chairman of the subcommittee, the gentleman from South Carolina [Mr. ASHMORE], my good friend, for yielding to me at this time.

Mr. Chairman, I would like to call the attention of the Members of the Committee to the report of the committee on page 15 in the second paragraph and would like to read this statement to the Committee:

This committee is convinced that justice and logic require that the courts be given the authority provided in title III, authority which they now exercise over individuals who are convicted of other Federal offenses. With reference to young adult offenders it should be noted that in the fiscal year ending June 30, 1965, Federal penal institutions contained 641 persons between the ages of

22 through 25 who at the time of conviction, were not eligible for consideration by the courts as candidates for sentencing under the Federal Youth Corrections Act because they had violated a narcotic or marijuana law.

What we are talking about at this moment, now, is 641 individuals that this law would provide an opportunity for the parole board to review the sentences of and to determine whether or not they are subject to rehabilitation. Out of those 641, if they find out that 20 are subject to rehabilitation, then it would only affect those 20. Is that correct?

Mr. ASHMORE. That is correct. In addition to that, it would give the judge that authority in future cases.

Mr. SENNER. That is right. I thank the chairman.

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

Mr. ASHMORE. I yield to the gentleman from Illinois.

Mr. McCLODY. Mr. Chairman, actually, in titles I and II we provide for rehabilitation of narcotics addicts of all ages, do we not?

So that the only effect of title III is to benefit nonaddict narcotics violators who are in this age group of between the ages of 22 to 26?

Mr. ASHMORE. This weakens the procedures provided for in this bill.

Mr. McCLODY. In other words, what I said is true. Title III would apply only to the nonaddict narcotics violators because the addicts are taken care of under titles I and II?

Mr. ASHMORE. It is just providing for court consideration of the group between the ages of 21 and 26 which are not taken care of now.

Mr. McCLODY. In other words, titles I and II will take care of all ages? All persons are taken care of under titles I and II? You do not have to be over the age of 21 to gain the benefits of those titles?

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Illinois [Mr. McCLODY].

The question was taken; and on a division (demanded by Mr. McCLODY) there were—ayes 39, noes 69.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FARBSSTEIN

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

The Clerk read as follows:

Amendment offered by Mr. FARBSSTEIN: On page 22, after line 13, insert the following: "Sec. 402. Part E of title III of the Public Health Service Act is amended by adding at the end thereof the following new section:

" 'FACILITIES FOR CARE AND TREATMENT OF NARCOTIC ADDICTS

" 'Sec. 348. There are hereby authorized to be appropriated \$7,000,000 each for the fiscal year ending June 30, 1967, and two succeeding fiscal years, to enable the Surgeon General to make grants to the several States and political subdivisions of the several States of up to one-half of the cost of the expansion, remodeling, and alteration (including the cost of acquiring initial equipment) of facilities for the care and treatment of narcotic addicts. Such grants shall be made on the basis of need, as determined by the Surgeon General. No grant shall be

made under this section unless an application therefor is submitted by a State or a political subdivision of a State. Each such application shall set forth—

"(1) a description of the site of such facility;

"(2) plans and specifications for the expansion, remodeling, or alteration of such facility;

"(3) reasonable assurance that title to such site is or will be vested in the entity filing the application or in a public or other nonprofit agency which is to operate the facility;

"(4) reasonable assurance that adequate financial support will be available for the completion of the facility and for its maintenance and operation as a facility for the care and treatment of narcotic addicts when completed;

"(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on the facility with funds received under this section will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 1332-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

"(6) a certification of the share of the cost of such expansion, remodeling, or alteration which will be met with funds from non-Federal sources."

And redesignate the following sections accordingly.

Mr. FARBSTEN (during reading of amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and I shall explain it.

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

There was no objection.

Mr. FARBSTEN. Mr. Chairman, the purpose of this amendment is to make provision for expansion, remodeling and alterations, including the cost of acquiring initial equipment for facilities for the treatment, the rehabilitative treatment, of those unfortunates who are being given the benefit of this section.

Now, Mr. Chairman, what point is there in making provision to give medical treatment or rehabilitative treatment to young people, and in my opinion to first offenders, those who have never been in trouble before, if you do not have the facilities in which to place them? Mr. Chairman, if you have no hospital, if you have no means of giving these unfortunates treatment, how are we to go about accomplishing our stated purpose?

So, under this amendment I call for an appropriation of \$7 million each year, for the fiscal year ending June 30, 1967, and the 2 succeeding fiscal years, to enable the Surgeon General to make grants to the several States and political subdivisions, up to one-half of the cost of expansion, remodeling and alteration of initial equipment.

Now, Mr. Chairman, I realize that this is wholly insufficient. I realize that we certainly need more than \$7 million throughout these United States for these purposes.

But unfortunately I do not suppose I could get any more money, if I could get this much. I hope the chairman of the committee will accept this amendment, but if he does not, I ask you, ladies and gentlemen, to please consider the effect of my amendment.

In New York State I believe there are somewhere between 27,000 and 30,000 addicts. I also understand we only have about 140 beds in a hospital in New York.

It has been suggested that the Department of Health, Education, and Welfare under the provisions for mental assistance can build these hospitals. Let us admit that, but you know very well there are so many demands made upon the Department of Health, Education, and Welfare that unless we can have an appropriation under this bill, we are not going to get it.

I do not ask for new buildings in my amendment. All I ask for is for the expansion and remodeling and alteration and possibly new equipment.

I think this is a modest request. I think it is only a fair request. I do hope my colleagues will go along with me.

Mr. Chairman, I would like to commend the distinguished members of the Judiciary Committee on submitting to us today a bill which significantly improves the government's approach to narcotics addiction. In providing for civil commitment in lieu of imprisonment in some cases, it marks a far more realistic outlook to the narcotics problem. Narcotics addiction is less a crime than it is an illness. We must treat narcotics addicts as ill persons. This does not mean that I am unaware of the crime associated with addiction. Far from it. As a New Yorker, I have no reason to contest the figures which indicate that in our city reside one-half of all addicts in the United States. That is a frightening and distressing statistic. But all too often I see the human suffering that it implies, in the personal suffering of the young and old addicted to drugs. I intend to support this measure, for my constituents and for those ill with the addiction of drugs throughout the Nation.

But we must not persuade ourselves, Mr. Chairman, that this bill is adequate. Changing the law to permit civil commitment is one thing. It is entirely another to have facilities to treat those who are civilly committed. It is useless to change the law without providing for treatment facilities. New York State has on its books a model commitment law. It fails to achieve its objective, however, because the State is grievously lacking in the hospitals, the beds, and all the other accoutrements necessary for restoring the health of an addict. This bill, as submitted to us, provides in jurisprudence for a rehabilitation program. I wish to offer an amendment to provide for such a program in reality.

My amendment, I concede, is a modest one. It would authorize but \$7 million a year for 3 consecutive years for assistance to the States for the expansion and improvement of rehabilitation facilities. States would be required to match the Federal contribution. I understand that some of my colleagues will offer an

amendment to authorize more than \$7 million annually. I announce now that I will support my colleagues in the attempt to get more money. But in the event that the higher figure is not approved by the House, I will call for a vote on the \$7 million. I regard it as imperative that Congress enact into law the means for a real, not a jurisprudential and fictional, rehabilitation program.

We must make this commitment now. We must not delay it longer. I hope that the budgetary pressures in future years will be such that we can make the figure in future years genuinely commensurate with the need. We all have an obligation to cure narcotics addiction, if it is possible to do so, as we have an obligation to cure cancer or heart disease. We cannot stand by indifferently while increasing numbers of our young people are taken away from us by this scourge. I urge my colleagues to support a real rehabilitation program to achieve the excellent objectives of this measure.

AMENDMENT OFFERED BY MR. TENZER

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

The Clerk read as follows:

Amendment offered by Mr. TENZER to the amendment offered by the gentleman from New York [Mr. FARBSTEN]: Strike out "\$7,000,000" and insert in lieu thereof "\$15,000,000".

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

Mr. TENZER. I yield to the gentleman.

Mr. HECHLER. Mr. Chairman, I am interested in the gentleman's amendment, because narcotics addiction is one of the most serious problems confronting the Nation. I am strongly in favor of all necessary steps to reduce this nefarious traffic, as well as to rehabilitate those who become infected with this vice. Adequate rehabilitation requires adequate facilities, and I trust that more emphasis will be placed on providing sufficient facilities for treatment.

Now as to the basic issues at stake in this bill, Mr. Chairman, I feel somewhat torn between the positions taken on both sides. The weight of the evidence seems to be on the side of the majority of the Judiciary Committee, and the witnesses who have testified before that committee in support of adequate rehabilitation of narcotics addicts. I believe that is the only sure means of reducing this menace over the years. On the other hand, I am disturbed by the fact that the nonaddicted seller of narcotics might be tempted to become an addict as a route to the hospital rather than prison, if he is caught. It seems to me that this argument has not been fully answered. On the other hand, if we may rely more fully on the judge sitting in the cases under consideration, perhaps justice may be rendered in each individual case. With some reluctance, I will go along with the committee majority on this issue.

Meanwhile, I hope that more serious thought and attention can be given to providing facilities for rehabilitation. And in the cases of those hardened criminals who engage in this vicious narcotics

traffic, the law must continue to provide the penalties to meet the crimes.

Mr. TENZER. Mr. Chairman, I wholeheartedly support the amendment offered by my colleague, the gentleman from New York [Mr. FARBERSTEIN], but I feel that the amount provided for altering, remodeling, and expansion of facilities is totally inadequate for the needs of our State of New York and other States similarly situated.

In behalf of my colleague, the gentleman from New York [Mr. GILBERT] and the gentleman from New York [Mr. HALPERN], I offer the amendment to provide the sum of \$15 million a year for 3 years. The gentleman from New York [Mr. GILBERT] would offer the amendment himself if he were able to be here today.

Mr. Chairman, I recognize the difficulties at this time in securing these additional funds, nevertheless it is our belief that the sum as provided by my amendment is the minimum amount needed.

Experience has shown that 95 out of 100 addicts revert back to the use of drugs. How can we have an effective civil commitment program to cure addicts when a willing addict cannot because of a lack of facilities be admitted to an institution.

If the addict is fortunate enough to be admitted, what does it serve him and the community if the treatment he receives is inadequate, or if he goes back on the street before he is ready, and if the means are lacking to assist him during the important transitional period between addiction and a normal productive life?

This amendment would help our States and political subdivisions, and would create the facilities so badly needed to implement and to make this legislation meaningful.

The March of Dimes was designed to fight the disease of infantile paralysis. We are asking less than 10 cents per each American to fight the disease of narcotic addiction.

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

Mr. TENZER. I yield to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I want to commend the gentleman for offering this amendment. While I fully concur with the principle of the amendment offered by the able gentleman from New York [Mr. FARBERSTEIN], I would like to see the sum increased to a more realistic amount such as provided by this amendment offered by the distinguished gentleman from New York [Mr. TENZER], and with which I am privileged to be identified with another outstanding colleague, the gentleman from New York [Mr. GILBERT].

The amendment before us would authorize \$15 million in funds, as a minimum, toward improvement and expansion of existing facilities. This amendment is desperately needed to make H.R. 9167 truly effective and if we are to expect any concrete results. The funds provided, I should point out, will be on a matching basis. This \$15 million is a small enough sum compared with the un-

told hundreds of millions annually the narcotic scourge costs the taxpayers of the United States.

For an all-out and comprehensive approach to the many-faceted evils of narcotic drugs, it is crucial that facilities for care and treatment of addicts be made part of the civil commitment provisioning. I know of nothing more germane to this problem.

In the one case, we must insure that the localities and States which grapple with this problem are given the means to expand treatment centers. I know that in my own State of New York, the facility shortage is acute; funds are lacking to initiate the kind of meaningful rehabilitative plan which is going to be necessary and which, I might add, is envisioned under title I of H.R. 9167. I compliment the gentleman from New York [Mr. FARBERSTEIN] for recognizing this need and for offering his amendment. But I feel the larger sum authorized by the amendment to his amendment is absolutely the minimum that is needed to get this program on the right track.

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

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

Mr. JOELSON. As I understand the amendment, there is no provision in the amendment for staffing.

Mr. TENZER. No, because when there is an expansion of an existing facility, it is presumed that there will be adequate staff in the existing facility, in any event the State or other political subdivision would provide the staff.

Mr. JOELSON. You assume that the present funds would be sufficient to staff the facility?

Mr. TENZER. I assume that there would be an adequate staff in an institution that would apply for expansion of its facilities, or that the institution is prepared to provide the staff.

Mr. CELLER. Mr. Chairman and Members of the Committee, I have naught but commendation for the three gentlemen from New York who are apparently in unison on this question of providing additional facilities. But I am from New York, too, and I feel that this amendment has no place in this bill.

We are striking out on a new path. We are only on the threshold of the attempt to cure drug addiction, finding the causes and cure of this plague that is on the country. I do not think we are ready for any kind of appropriations like either \$7 or \$16 million, as the amendment, or the amendment to the amendment, provides. We do not know how many of these addicts will be committed. To adopt these amendments would be like buying a pig in the poke. We just do not know. We must wait.

These men are from New York, and they ought to be apprised of the fact that in New York alone, according to the report of the President's Advisory Commission on Narcotic and Drug Abuse, there are over 58 hospitals and clinics and facilities in New York State that can provide for rehabilitation of the addict.

That being the case, I do not see the need for appropriating any of these large sums at this moment, at this juncture.

Beyond that, New York State has just passed a new act with reference to drug addiction, which provides for compulsory treatment of drug addicts. I believe my figure is correct, that there is an appropriation of \$91 million by New York State. Most of the trouble stems from New York State, which is plagued by drug addiction.

We should wait and see what happens as far as New York State is concerned. Let us not rush in now and appropriate this money. We do not know what is going to happen.

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

Mr. CELLER. I yield to the gentleman from New York.

Mr. FARBERSTEIN. Mr. Chairman, in the first place I bow to the great wisdom of the gentleman from New York, but unfortunately there are narcotic addicts throughout the entire country, not only in New York and in California. There are addicts in Washington also.

Mr. CELLER. I will also cover that by a statement made by the Surgeon General, Dr. Terry. In answer to questions propounded to him as to whether we should have appropriations in this bill, he said, as follows:

The Department supports the principle of increased financial and technical assistance to State and local agencies for the establishment, maintenance, and expansion of comprehensive treatment and rehabilitation programs to deal with the problems of drug abuse in the broad sense thus defined, rather than in the narrower field of narcotic addiction alone. Grants to the States for construction of facilities are now provided for comprehensive community mental health centers under the Community Mental Health Centers Act and for hospital and medical facilities in accordance with State plans under the Hill-Burton Act. Since drug abuse is basically related to mental health problems we believe that assistance to the States in dealing with drug abuse should be accomplished within the framework of Federal aid to community mental health services rather than through a separate program. Further study is necessary, however, before the magnitude of the drug abuse problem can be realistically assessed in terms of the facilities, resources, and personnel which would be required.

This does not negate the desirability of more intensive effort, with more Federal assistance to the States, in meeting the challenge of drug abuse.

Finally, the Surgeon General says:

The Community Mental Health Centers program offers the best means of dealing with the overall drug abuse problem.

That being the case, and having that expertise, I cannot see the efficacy of the amendment of the gentleman from New York, or of the amendment to the amendment of the gentleman from New York, supported by the gentleman from New York, that is, the gentleman from Long Island.

I have great respect and regard for these men. They are very dear friends of mine, but I must reluctantly differ with them and reluctantly turn down

the amendment to the amendment, and the amendment.

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

Mr. CELLER. I yield to the gentleman from New York.

Mr. FARBSTEN. Mr. Chairman, does the gentleman suggest there are sufficient facilities throughout the country to take care of the present number of addicts?

Mr. CELLER. Yes. There are hundreds of them. There are hundreds of them. If the gentleman wants to take the time, he might look at the President's Advisory Commission report, and he will see.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it has taken a long time and a considerable number of years; as a matter of fact it was not until 3 o'clock on this afternoon of June 1 that the gentleman from Iowa found it possible, in the role of the lamb, to lie down with the lion from New York.

I join with him in opposing this amendment. The gentleman from New York has well stated that the State of New York is capable of handling any increased load at this time that may be imposed by the terms of this bill upon the institutions and other facilities in the State of New York with respect to narcotics addiction. I want to join the gentleman from New York [Mr. CELLER], in saving the taxpayers of all the Nation a sizable amount of money, as is proposed to be expended under the terms of the pending amendments.

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

It is indeed with reluctance that I must oppose the chairman of the full committee, the dean of our New York delegation and of the House, but this plague of drug addiction which has come upon New York is a serious plague.

The hearings before the Subcommittee on Appropriations for the Post Office-Treasury Departments have also shown that this plague is not limited to New York, but is constantly spreading. Today we have an opportunity possibly to stop this plague which is spreading throughout the United States.

We have had a law on civil commitment in New York State since 1963. It has been successful to a certain extent, but one of its shortcomings has been the inability of the State, solely for financial reasons, to follow up with necessary supervision after care and rehabilitation.

The distinguished chairman of the committee has stated that New York has given \$91 million to this problem. We say this afternoon that the entire country needs help. Fifteen million dollars is only a drop in the bucket compared to what is needed to stop this scourge, and the States must provide matching funds. If they do not need the funds or do not need the facilities, they need not request them.

Mr. Chairman H.R. 9167 which is before this body today deals with a mounting problem in which I have long been vitally interested.

I support this measure which seeks to rehabilitate narcotic addicts charged with Federal offenses other than those of violence.

I do not feel, however, that it provides a wholly adequate answer to the problem. Nevertheless, it is a step forward in the treatment of these unfortunates as sick people.

Under provisions of H.R. 9167, and under H.R. 10762 which I introduced last year, an addict charged with a Federal offense other than that of violence could be civilly committed by the court to the custody of the U.S. Surgeon General for treatment, supervised aftercare and rehabilitation.

The charge against him would be held in abeyance until such time as the Surgeon General certifies that the addict has successfully completed the entire program and fully cooperated. The charges then would be dismissed.

Even under the legislation, now up for consideration by the House, a Federal court could not commit an addict for treatment if the Surgeon General certifies that adequate facilities or personnel for such treatment are unavailable.

The amendment before us, as in my bill H.R. 10762, provides for an appropriation to the States the first year for construction, expansion and/or alteration of necessary hospitals for treatment and rehabilitation of drug addicts. It also would provide appropriations for such purposes in the two succeeding years, for it is important and necessary that adequate facilities and personnel be available to the addict when he elects to undergo civil commitment.

In the course of the committee's hearings on the various bills dealing with rehabilitation it was repeatedly noted that the present voluntary treatment program carried on at the Federal hospital at Lexington, Ky., and at the Federal hospital at Fort Worth, Tex., was not effective in the majority of cases.

In the 1963 report of the President's Advisory Commission on Narcotics and Drug Abuse it was observed that since the Federal Government could not keep these addicts against their will, voluntary patients are able to leave the hospital whenever they desire without completing the recommended course of treatment.

Further there is no follow up care, supervision and help that the Public Health Service can provide in the individual communities in such cases.

The report further noted that most voluntary patients do not remain for the period required for treatment and after leaving relapse to their former pattern of addiction.

Under the procedure of civil commitment provided in the bill before us today, and in my bill, H.R. 10762, after an addict is civilly committed he must finish out the program of treatment and rehabilitation. Otherwise the court case against him, which had been held in abeyance, will be resumed.

That is why it is so important that adequate facilities and personnel be available to him when the court deter-

mines that he is an addict who is likely to be rehabilitated through treatment.

Under H.R. 9167 the Surgeon General would be authorized to enter into arrangements with any public or private agency under which appropriate facilities would be available but again the facilities must be available.

Of course we all know that as people move away from farms and rural areas and the cities grow, so shall also spread many problems of the big cities.

It is my hope that this great problem of drug addiction does not spread further. But why wait? Why not destroy the scourge now before it has spread. This can be done through proper aftercare and rehabilitation of addicts civilly committed instead of prosecuted for the commission of a Federal offense.

But we need the funds to do this. We have the opportunity to provide them in this legislation by adding a provision for grants and aid to the States for this specific purpose—construction, expansion and/or alteration of necessary hospitals or hospital-type buildings—thus insuring available facilities for these unfortunates who are willing to undergo treatment.

After all, we spend millions, and rightfully so, to help our farmers stamp out different blights to our farms. I believe we also must now look to a means of reclaiming the lives of thousands within our States who have become victims of narcotic drugs. We can do this by providing a crash program of rehabilitation.

Recently President Johnson, in a message on crime and law enforcement, told Congress:

Drug addiction is a double curse. It saps life from the afflicted. It drives its victims to commit untold crimes to secure the means to support their addiction.

Last year, in a plea to the Congress for enactment of a program to provide for rehabilitation of narcotic addicts, the President said at one point:

The return of narcotic and marihuana users to useful productive lives is of obvious benefit to them and to society at large.

Perhaps the problem of drug addiction may not now seem an important one to many of my colleagues because their areas are not beset by this plague to humanity.

The spread has been true in many areas and at every economic and social level—those with low incomes, those in the middle-income class and those in the higher brackets. It transcends color line, and transcends sexes. It is an evil which must be stamped out. I urge my colleagues to support this amendment and this legislation.

Mr. ASHMORE. Mr. Chairman, I ask unanimous consent that all debate on this amendment now cease.

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

Mr. RYAN. Mr. Chairman, I object.

Mr. ASHMORE. Mr. Chairman, I move that all debate on this amendment and all amendments thereto cease in 10 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from South Carolina.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise at this time to again express my enthusiastic support for this amendment. I would feel remiss if I did not relate some of my personal experiences with this problem which is very pertinent to the need for this amendment.

I believe I know something about this problem, Mr. Chairman. For many years, I served as chairman of the board of Riverside Hospital of the city of New York. This hospital, located on North Brothers Island, in New York City's East River, was the only institution of its kind in the world—the only hope the youthful addict had. I say youthful addict because the only occupants of this hospital were teenage narcotics addicts. Yes, Mr. Chairman, they were mainliners—slaves to heroin at 13 and 14 years of age.

Tragically, the hospital was closed by the city about 2 years ago. Too costly, the city said. It needed help; the cost per cure was too prohibitive, it contended. There was inadequate aftercare; there was no assistance.

This is not just a city or State problem, Mr. Chairman. It is a national one. The flow of narcotic drugs does not know State lines; the curse of addiction is not confined by State boundaries. If ever there was an interstate problem, it is the narcotics scourge.

To get back to the hospital I mentioned, the intent of New York's Riverside Hospital was superb. Its goal was to take these youthful victims of narcotics off the drug and to do so without a criminal stigma which would haunt them the rest of their lives. It was established by the city as a result of my legislation 12 years ago while I served as a State senator in New York. We required the civil commitment of the preadult narcotics offender. We used this deserted city hospital on the East River as the locale for the initial step—taking the users off the drugs and thereby embark them on a course for complete cure. But, after the youngster was successfully taken off the drug and released, there was no procedural followup, although the program called for it.

And do you know, Mr. Chairman, how many cures we actually know were successful? You can count them on your hand. What scanty check we could make with our limited personnel—told us the horrendous story of case after case reverting back to the use of the drug. Why? I will tell you why, Mr. Chairman. There were no aftercare facilities. There were no properly trained personnel to provide the vital followup and there were no meaningful rehabilitation programs. There was, however, the same old story. No funds, no facilities.

As board chairman of Riverside, I saw over 4,000 patients—pathetic teenagers, all hardened addicts, pass through this hospital. I got to know many of them

by their first names. I have heard hundreds of tape recordings telling the saddest and most incredible tales you have ever heard.

I wish each of you could hear them, my colleagues. They call out for help. And the only way we can give this help is to go all the way and not only pass the bill before the House today to provide the flexibility in the law that is so essential, but we must also make available the material means of enforcing it by approving this authorization.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I rise in support of the amendment to the amendment. I might point out, although I am from New York, that I do not regard this as a strictly New York State problem. It is a national problem. The extent of addiction is increasing. According to the Federal Bureau of Narcotics, there were 55,899 active addicts as of December 31, 1964, and New York State had 29,063 or 52 percent of them. This is a problem that extends across the whole United States.

On the question as to whether or not there is a need for additional facilities, I refer members of the committee to the statement in the hearings on page 119 by Dr. Luther Terry, the Surgeon General, at which point he said that the Fort Worth hospital was a little above 100 percent capacity. He went on to say that the hospital at Lexington was well over 100 percent capacity. So there is a need throughout the country for more facilities to deal with this very pressing problem.

Mr. Chairman, I would also add that the pending legislation itself provides in title I that civil commitment will not be approved where the Surgeon General certifies that adequate facilities or personnel for treatment are unavailable. And under title II, commitment for treatment will not be approved if the Attorney General certifies that adequate facilities are unavailable.

Mr. Chairman, I believe it is urgent that we move forward not only with the new approach embodied in this bill, but that we have the facilities with which to handle the cases which will come as a result of the enactment of this legislation.

Also, Mr. Chairman, I should point out that one of the most serious aspects of this problem is the question of aftercare. We must provide posthospital care—counseling and guidance, therapy, vocational training, and other followup programs if this is going to be successful. Neither the amendment nor the amendment to the amendment emphasizes aftercare, which is one of the principal purposes of my bill, H.R. 4654, which is pending before the Interstate and Foreign Commerce Committee.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. REID] for 2 minutes.

Mr. REID of New York. Mr. Chairman, I believe that the administration is derelict in not asking for a Federal-State matching program for the construction of facilities.

I believe further that the evidence, which has been presented before this House is clear. The Federal facilities—the two hospitals that we presently have—are operating at over 100 percent of capacity.

And I might say with regard to the State of New York that both the Governor, Governor Rockefeller, and the mayor, Mayor Lindsay, feel strongly that there is a major need for a Federal-State program of matching grants.

The facts are that in the city of New York, based upon the current study by the task force on narcotics, there is a shortage right now of 3,000 beds for the treatment of narcotic addicts.

In my judgment, and with all due deference to the distinguished chairman of the Committee on the Judiciary—this is not a time to wait. I feel this is a time to act.

I would ask the chairman of the Judiciary Committee if I might have his attention for a moment—Mr. Chairman, might I ask you just one question? The question is this: I rise in support of the amendment to the amendment, but in the event that it does not carry this time, could the chairman of the Committee on the Judiciary give us his personal assurance and interest that the Congress should consider acting at this session with regard to a bill that both he and I and others have introduced to provide for the construction of facilities?

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

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

Mr. CELLER. Yes, I am emphatically in accord with the gentleman's statement.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KUPFERMAN] for 2 minutes.

Mr. KUPFERMAN. Mr. Chairman, for the reasons just stated by the gentlemen from New York [Mr. HALPERN and Mr. REID], and also for the reasons I stated during the course of the discussion yesterday, page 11804 of the CONGRESSIONAL RECORD, I rise in support of the amendment.

Mr. Chairman, yesterday I stated that I would support the presentation which was made by the gentleman from New York [Mr. CELLER] in behalf of the bill itself, the basic bill. However, I feel that in order to carry it into effect, we must also support the amendments that are being offered right now, and, failing those, I look to the chairman of the Committee on the Judiciary [Mr. CELLER] for his assistance and guidance, which I know will be forthcoming, for the attainment of these facilities.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from South Carolina [Mr. ASHMORE].

Mr. ASHMORE. Mr. Chairman, I rise in opposition to the amendment. I base my reasons for my opposition to the amendment upon the testimony which was presented before the subcommittee by numerous witnesses.

Mr. Chairman, the chairman of this committee, the gentleman from New York [Mr. CELLER], has read or related

some of the reasons that Dr. Terry, the Surgeon General of the United States, gave for not requesting funds for facilities.

In addition to the testimony of Dr. Terry, the Surgeon General, we had testimony from Mr. Myrl Alexander of the Bureau of Prisons, as well as the Public Health representatives, and representatives of the Treasury Department, all of whom said they did not feel it was necessary now to provide a grant-in-aid program for new facilities.

If it becomes necessary in the future, we all recognize it is the duty of our committee to consider this thoroughly. If we need the money in the future to take care of these patients, we will come back to the Congress and ask for it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TENZER] to the amendment offered by the gentleman from New York [Mr. FARBERSTEIN].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FARBERSTEIN].

The amendment was rejected.

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

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

There was no objection.

Mr. GILBERT. Mr. Chairman, the purpose of H.R. 9167, the Narcotic Addict Rehabilitation Act, is to provide for the treatment and rehabilitation of narcotic addicts charged with or convicted of offenses against the United States.

The bill offers narcotic addicts accused of Federal offenses the choice of civil commitment for treatment prior to and instead of criminal trial and authorizes Federal courts to grant indeterminate sentencing of narcotic addicts to treatment following their conviction for a Federal crime. It further authorizes the courts to consider whether narcotic and marijuana offenders between the ages of 22 and 26 are eligible for treatment under the provisions of the young adult offenders section of title 18 of the United States Code, and would allow general provisions of law governing parole to apply to marijuana offenders.

Mr. Chairman, I rise in support of this bill. I sponsored these provisions in my own bill, H.R. 9886; however, my bill, in addition, proposed \$15 million a year for 3 years, for grant programs to the States for the construction of treatment facilities, with the Federal Government providing two-thirds of the cost of such facilities.

My bill had also proposed \$7.5 million a year for the next 3 years, dispensed on the same two-thirds to one-third ratio, or developing and maintaining programs for the treatment of addicts.

While the bill before us presents an ambitious approach—a step in the right direction—to a serious problem, I regret it does not contain my provision for construction of treatment facilities.

We must recognize that narcotics addiction is a sickness, and we must, accordingly, concentrate on the prevention of addiction, on its cure, rehabilitation, and the reduction of relapses.

The bill before us states that no individual shall be committed unless adequate facilities and personnel for treatment are available. Hospital facilities must be provided and aftercare clinics must be constructed and adequately staffed in the communities where the addict lives and where he returns upon release from confinement.

Experience has shown that 95 out of 100 addicts revert back to the use of drugs. Almost 5,000 narcotics addicts are at present in Federal prisons and cost us \$10 million a year. Most of them will return to drugs on release unless we have a program designed to deter them, by giving them the opportunity to become self-respecting and self-reliant citizens of the community through hospital treatment and rehabilitation.

Statistics show that about half of all the narcotic addicts in the country are in New York City, and our statistics tell us that narcotics addicts are responsible for one-half of the crimes committed in New York City. But addiction is no longer a problem confined to the cities or to the poor; it has spread to the suburbs and more and more of our youth are being afflicted daily. Fifty percent of the Nation's addicts are under the age of 30.

I am concerned about the problem of narcotics addiction no matter where it exists. However, I am particularly concerned about the situation in my State of New York. It is no secret that New York's programs for dealing with narcotics addicts are inadequate. New York has on its statute books progressive narcotics legislation—the Metcalf-Volker law—but it has not proved sufficient. It has not made the facilities available for treating the addict who is charged with a crime. When it has attracted an addict into a voluntary commitment program, it has lacked the facilities for following him up after his release. The crime statistics alone testify to this. The broken lives of every young man or woman who has become an addict reveal in melancholy how miserably we have failed. How can we have an effective civil commitment program to cure addicts when a willing addict cannot, because there is no bed for him, even be admitted? If he is fortunate enough to be admitted, what does it serve him and the community if the treatment he receives is inadequate, if he goes back on the street before he is ready and if the means are lacking to assist him during the important transitional period between addiction and a normal, productive life?

Attorney General Katzenbach said in his testimony before the committee:

The great advantage of pretrial civil commitment lies in its emphasis on swift medical and rehabilitative treatment. Addiction is spread by the addicts themselves. Keeping them off the streets in itself represents an important obstacle to the further spread of addiction.

Mr. Chairman, I regret that my amendment—offered for me by my col-

league, the gentleman from New York [Mr. TENZER], earlier in the debate when I was unable to be on the floor due to illness—was not adopted. My amendment would have provided \$15 million a year for 3 years for a program of grants to States for remodeling, expansion, and alteration of facilities. I felt even this amount was too small, and that we needed new construction, as well as expansion and alteration of existing facilities; however, realizing at this point it was difficult to secure approval of my proposals, I wanted to make every effort to at least provide the program for expansion of existing facilities. It is unfortunate that the House has failed to adopt my amendment.

AMENDMENT OFFERED BY MR. DOLE

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

The Clerk read as follows:

Amendment offered by Mr. DOLE: Page 5, after line 13, add the following:

"(6) An individual who has been released on recognizance or bond following arrest for the crime charged."

Mr. DOLE. Mr. Chairman, this amendment would simply add one more category of eligibility.

I refer the Members to page 4 of the bill. An "eligible individual" means any individual who is charged with an offense against the United States, but does not include—

Following that there is a list of five categories wherein a person is ineligible for civil commitment.

My amendment simply states that an "eligible individual" means any individual who is charged with an offense against the United States but does not include an individual who has been released on recognizance or bond following arrest for the crime charged.

I would state at the outset, I have learned a lot about a very serious problem in the past 2 days. Many statements have been made by the distinguished chairman and other members of the committee who have said time after time after time—the purpose of this legislation is to get the addict off the street.

But what does this bill do? All I seek is to have the addict make the decision at the time of arrest and not at the time of trial. What the bill does in effect is to force the addict, after arrest and bail—to continue his addiction until the time of the trial. It would also compel the addict to continue a life of crime until the time of the trial.

Let me read, as the gentleman from Arizona read a while ago, from page 11 of the committee report.

Mr. McGee, administrator of the Youth and Adult Corrections Agency, said this:

The active addict is the chief source of the spread of addiction—one addict on the streets will make several new ones in his career. He is the vector of the "disease."

The chairman, the gentleman from New York [Mr. CELLER] says in the report:

And addicts breed other addicts. If we can cure an addict, it is the same thing as isolating and curing a carrier of a communicable disease.

I would remind the House that a provision, similar to my amendment, is a part of the Metcalf-Volker Act in the State of New York. If this amendment is adopted, it would simply conform the bill that we are now considering to the Metcalf-Volker Act.

Mr. Chairman, I am convinced after listening to the debate and reading testimony of the experts that the addict in most cases, is not a criminal. He is a sick man. He deserves immediate medical attention.

Why is it we permit the man to make bail, go back on the streets and to continue in his addiction and to carry on a life of crime so that he can carry on his addiction? We are doing the man an injustice by not saying at the time of his arrest, if you make bail, you are no longer eligible for civil commitment.

There was much discussion yesterday and many statements were made today about taking addicts off the street. I share the views of those who made such statements. But if the person who is arrested is permitted to make bail before electing to receive treatment, then the thrust of this program will be completely frustrated.

I would call your attention to the testimony of the former administrative assistant to the district attorney of New York, Mr. Richard Kuh, which appears on page 307 and page 329 of the committee hearings. He said:

He is a person both infected by and carrying a highly contagious disease—contagious in the sense that addicts use drugs socially, bringing their "infection" to others in their communities who are prone to addiction. As one who is infected, the addict should be treated medically, humanely, in an effort to cure him. As a disease carrier, however, he must be quarantined in order to protect others. And as one who is both diseased and communicating infection to others, he must be treated promptly. This I underscore as one of the differences between our law and that of California. His treatment should not be delayed until a variety of pretrial motions have been processed and other adjournments and delays have been tolerated, but should start as soon as is feasible after his arrest.

And he also says:

If you are going to treat the addict as a public health problem of some kind, it makes no sense in effect to pat him nicely on the shoulders and say, "Continue your habit for 6 months or 8 months or a year until after we finally have convicted you and are able to do something about it."

I yield to the gentleman from Arizona. Mr. SENNER. I thank the gentleman for yielding.

Mr. Chairman, I certainly have great respect for the gentleman's ability. I have read his amendment and agree with the purposes behind the amendment. However, it raises some constitutional questions which I have discussed with the gentleman, not in the debate on the amendment, but during the general debate. If I knew how we could correct that problem, I would certainly be willing to accept the gentleman's amendment. However, there are some constitutional questions that I do not think we can get around, and which would

arise particularly in jurisdictions where the court is not in session. The defendant would be arraigned before a commissioner, who in many cases is a layman and the provisions of the law could not be adequately explained to the victim.

I am afraid we might jeopardize that man's cure so that he might not be rehabilitated, simply because of the bail bond provision.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. SENNER. Mr. Chairman, I ask unanimous consent that the gentleman have 3 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

Mr. DOLE. I might say to the gentleman from Arizona that I appreciate his comments. It is not my purpose to deprive a man who has been arrested of any constitutional or statutory right. It is simply my purpose to see that the individual gets treatment at the earliest possible date. If a man is sick, you do not turn him away from the hospital. I agree with what the gentleman from Arizona said a minute ago. This man is not a criminal in the strict sense of the word. He is a sick man. He is entitled to immediate treatment.

But what would we do? We would say, "That is fine. You are a sick man. But you are eligible for bail." He may then be out for 6 months, 8 months, or a year, continuing to live a life of addiction, a life of crime to feed the habit, before he is brought to trial. I do not believe that is fair to the man or society.

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

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

Mr. JOELSON. I want to be sure I understand the gentleman's statement. Suppose the man denies that he is a user. In that case would you deny him bail?

Mr. DOLE. No, he would make application. In other words, he would decide whether he wants the civil commitment.

Mr. JOELSON. Suppose he would say, "I don't need a civil commitment. I am not a user. I plead not guilty."?

Mr. DOLE. He could do that later on. If he says, "I want the treatment now," the treatment would start today instead of 6 months from today.

Mr. JOELSON. But you would deny him bail.

Mr. DOLE. No, I would not deny him bail. He has a perfect right to bail. All I say is, "The man is sick. He needs immediate attention. Don't turn him back on the street." Why turn him back toward addiction if he can be helped today?

Mr. JOELSON. Do you mind briefly stating the purpose of your amendment?

Mr. DOLE. Yes. On page 4 it would simply add one other provision to eligibility: An individual who has been released on recognizance or bond following arrest for a crime charged. In other words, if the man is arrested and if he is released on bond, then he would be ineligible for civil commitment. But he

would have a perfect right to make bond and a perfect right to be released on his recognizance. I feel it is a humane and very proper amendment.

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

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

Mr. HALL. I appreciate the gentleman's yielding. I think this is a most worthwhile amendment. I believe it should be given serious consideration, both from the standpoint of jurisprudence and the legislation we are considering, but particularly from the medical aspect of narcoticism. I have had considerable experience with this. I have listened carefully to every word of the debate. I think this is one of the most essential amendments we could have, because we need to treat the addicts where they lie or are first apprehended. I strongly recommended that this first-aid principle be applied in our legislation, as fuzzy as some of the rest of it might be. I commend the gentleman for submitting it. I hope that the amendment will be agreed to.

Mr. SENNER. Mr. Chairman, I rise in opposition to the amendment. It is with some reluctance because I am sympathetic with the purpose of the gentleman from Kansas, as I have heretofore stated. However, let us take a look at the legislation and the practical aspects of it. The addict would be apprehended by some peace officer—Federal usually—and would be brought immediately before a U.S. commissioner or a justice of the peace, who may or may not be a lawyer.

He is then bound over, if there is reasonable ground to believe that a crime was committed and he is the guilty party. His bail is set at that stage.

We might or we might not know at that point of the arrest whether or not he is an addict. However, if he is unable to make bail he is incarcerated, and then within a few hours the withdrawal symptoms will indicate to us whether or not he is an addict.

We have it in this legislation that as soon as he is brought before the Federal district judge, the competent person to make this decision of whether or not this addict is eligible for rehabilitation, that judge is required at that moment to advise the addict that he can make an election to take medical treatment and civil commitment in lieu of the criminal plea. Usually at arraignment they plead guilty or not guilty.

I say we should turn down this amendment, because there are instances when the court is in recess for a period of maybe a month or 2 months, and this individual at that time would not have an opportunity to be arraigned.

Mr. Chairman, I wish there were some way that we could hold him. Certainly as soon as we can apprehend and catch up with a drug addict, everybody in this House wants to be sure we treat this disease to keep the contagion from being spread in the community. But I know of no way—the committee has worked on this problem—of denying a person bail and at the same time as we deny him

bail to say he is not eligible for the benefits of the act.

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

Mr. SENNER. I am pleased to yield to the gentleman.

Mr. HALL. Mr. Chairman, sometimes fools step in where angels fear to tread. Certainly I am no lawyer, and I claim no legal mind, but I am interested in getting medical help for the man who needs it, when he is first apprehended or requests such help. We should exercise every circumlocution in order to try to meet with the Constitution. Actually, I do not believe the Constitution is involved. I say this with some temerity. We are not denying the man bail. I have in my hand H.R. 785, which has to do with Federal hospital commitment of mental incompetents, assuredly an allied situation. After 18 months of research, this provides there shall be prior judicial determination. I would ask the gentleman if we could not have prior judicial determination, without delaying the right to trial, or due process, or the right of habeas corpus, or indeed, the right to call an attorney, or any other of the devices assured under the Constitution under a judicial determination. With the election of the right to bond, or bail, to make this immediately available to the man as we do in the case of mental incompetents under section 4244 of title 18 of the United States Code, would be a step forward. It would seem, we have perhaps already tampered with these constitutional privileges.

Mr. SENNER. I say to my good friend and outstanding doctor that the addict, at the moment he is arraigned before the Commissioner, can elect to take this course of action. This is good. However, in the event the addict is in no condition to do this, and somebody raises bail for him, I would not want that addict to be excluded. This would be the results of the gentleman from Kansas' amendment.

Mr. HALL. If the gentleman yields further, the man would not be excluded from that right and that due process, because he would not make a determination in that case.

Mr. SENNER. But somebody else would make the election, maybe his immediate family. Somebody would post bail.

Mr. HALL. The question is then one of validity rather than of nonconstitutionality. I submit to my good friend, if this is the only basis for opposing this amendment we ought to pass it in the interest of prior treatment for somebody who is sick, and does have the very cells of his body eaten away with narcotism.

Mr. SENNER. I thank the gentleman. I certainly agree with him.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. DOLE].

The question was taken; and on a division (demanded by Mr. DOLE) there were—ayes 31, noes 53.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WOLFF

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

The Clerk read as follows:

Amendment offered by Mr. WOLFF: On page 20, after line 23, insert the following new section:

"SEC. 305. (a) Notwithstanding any other provision of law of the United States, any person who is convicted under section 2 of the Narcotic Drugs Import and Export Act of section 4704, 4705, 4724 of the Internal Revenue Code of 1954, of illegally selling narcotic drugs, and who the court determines is not an addict, shall, in lieu of the term of imprisonment provided in the law under which he was convicted, be sentenced to imprisonment for a term of at least 50 years, except that if such person furnishes to the court information which the Attorney General or the Commissioner of Narcotics determines will be useful in the apprehension or conviction of violators of laws of the United States restricting the sale or use of narcotic drugs, the court may reduce the term of imprisonment to not less than 10 years.

"(b) For the purpose of this section—

"(1) the term 'addict' means any individual who habitually uses any narcotic drug (as defined by section 4731(a) of the Internal Revenue Code of 1954) so as to endanger the public morals, health, safety, or welfare, or who is so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

"(2) the term 'narcotic drug' shall have the same meaning as such term is given by section 4731(a) of the Internal Revenue Code of 1954."

Mr. WOLFF. Mr. Chairman, I support the legislation we have before us, because I believe drug addiction can be a disease which requires treatment. However, the legislation we have before us leaves one important vacuum, the non-addicted "pusher."

Mr. Chairman, the problem before us today is as serious as any facing our Nation. Were casualty lists issued by police and health departments, with each addict considered a casualty, the extent of this problem would be brought to mind daily.

But a "junkie" who is found dead in a hallway, or a baby born dead to an addicted mother, or a young girl forced into prostitution to maintain a \$40 a day narcotic habit appear on no casualty list—but casualties they are. There is no community, wealthy or poor, educated or uneducated, urban, suburban, or rural that can be considered immune from the problem of narcotics today. The time for complacency has long since passed.

A few weeks ago, within blocks of my district office, a 19-year-old boy was found in possession of a varied assortment of "pep pills," barbiturates, and LSD. Under interrogation, I am informed, he admitted to being a user of heroin.

Another young man was inducted into the Army and while in basic training was discovered with a supply of marihuana cigarettes. He now faces an undesirable discharge.

I received a letter from a doctor 2 weeks ago concerning a boy in my hometown who was awaiting induction, notifying me that this boy was a habitual user of marihuana. And mind you, my district is the "gold coast" of the Nation, not the poor, underprivileged; if anything, the overprivileged. This same

problem is present in every corner of this Nation.

I have formed within my district, an advisory committee on narcotics, and we have held meetings and seminars in an effort to expose and explore this problem and hundreds of examples could be set forth, one more horrible than the other.

Even the jargon of the narcotics trade is common in the conversation of our youth.

The problem we face is nationwide and must be fought on every level from the Federal law enforcement agencies to the local village police officer. From our great universities to our local public school. From the U.S. Public Health Service to the smallest village clinic.

However, the problem is twofold. The user, the addict, the victim, whatever term you use, is in need of our help. We must stand ready to assist but even more important, we must act to prevent our citizens from falling into the horrors of addiction.

The real enemy and the one who deserves our unceasing vigilance is the non-addicted distributor or pusher who preys on the unfortunate addict, reaping untold profits on misery and degradation. He is as great a menace as any enemy engaged against the United States this minute. The casualties he inflicts exceeds a hundredfold those of any Vietcong terrorist. The grief he causes is as lasting and as terrible as if he had put a bullet in the heart of his victim. He is an enemy whose only cause is the acquisition of money. He profits from abused bodies, tortured minds and wrecked homes. He thrives on a mother's tears, a family's shame, a wife's despondency.

He is engaged in a traffic directed from Hell.

Therefore, I call for a 50-year mandatory jail sentence for such nonaddicted distributors. Let us let the punishment fit the crime.

However, this proposal is not merely vindictiveness. It can become one of the greatest aids in our war against the narcotic evil.

I propose that the sentencing judge, upon the recommendation of the Attorney General and the Bureau of Narcotics of the Treasury Department be authorized at any time thereafter, to reduce that sentence to a minimum of 10 years when the convicted and sentenced narcotics distributor has furnished information leading to the arrest and conviction of others similarly engaged in the narcotics traffic.

Let us turn these vultures one against the other. Let us sow the seed of righteous terror. Let us invoke fear among them, distrust of each other and above all constant awareness that an aroused public is ready to put them away long enough to prevent their return, ever, to the narcotics trade.

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

Mr. WOLFF. I yield to the gentleman.

Mr. McCLODY. Mr. Chairman, I commend the gentleman for his statement and his amendment. However, I would like to point out to him that under

title III not only are penalties not increased but they will be reduced by narcotics peddlers who are not addicts, between the ages of 22 and 26. This is a mighty big group. In fact, the largest number of peddlers is in that age group of 26 and under. Therefore, I urge the gentleman on the motion to recommit, which I assume will be made later, to take advantage of the opportunity to vote in favor of that amendment because it will eliminate that part of the bill which is so offensive. The motion to recommit will be consistent with the amendment that the gentleman is offering.

Mr. WOLFF. I thank the gentleman. Mr. PUCINSKI. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I rise in support of the legislation. I believe it is landmark legislation and should go a long way toward reducing the incidence of drug addiction in America.

There can be no question that drug addiction is one of our Nation's most serious problems because it destroys the human being and reduces him or her to complete slavery to a drug.

Mr. Chairman, the problem has plagued our country much too long. We have passed strong legislation dealing with narcotics peddlers and I have supported this legislation because I believe there is only one place for a drug peddler and that is in jail. I would even be willing to support legislation which would make narcotics peddling so serious an offense that peddlers could be sentenced to the death penalty for a second offense. I can think of no crime more evil than to knowingly make a drug addict of a person.

But, Mr. Chairman, hideous as is the crime of drug peddling, I believe we should understand that the victim of drug addiction is a sick person and must be treated if he is to be rehabilitated.

This legislation makes such treatment possible and I am happy to support it. I understand an amendment will be offered to exclude from treatment those who are peddlers for the sole purpose of satisfying their own addiction. I respect the gentlemen offering the amendment and I am sure they are motivated by the same strong desire that I have to get peddlers off the street. But I believe the bill as reported by the committee gives a judge more discretion in deciding if the peddler is really a sick man himself and should first be treated or if he is just a peddler for profit.

My own feeling is a narcotics addict should be removed from the streets as quickly as possible and treated for his illness. Our jails are full of dope addicts who after serving their time in prison, go right back to their addiction and too often, their road of crime. I believe this legislation provides the means for helping a dope addict who, above all, is a sick man and must be treated.

It would be my opinion that we must get all dope addicts off the streets and into an appropriate institution for treatment as quickly as possible. It would further be my judgment that where you have a peddler who sells only to satisfy

his own addiction, a court of proper jurisdiction should be permitted to decide whether commitment for treatment will better serve the community or whether incarceration for peddling will better serve the cause of justice.

It appears to me there is an honest difference of opinion between those who advocate exclusion from treatment those who peddle to serve their own addiction and those who claim a peddler-user should just be treated before he is convicted.

We now have such a system in dealing with crimes committed by people who are mentally deranged. If a court of competent jurisdiction finds a person was insane at the time of the crime, such person is first committed for treatment and then is committed for the crime.

I believe this legislation goes a long way toward rehabilitating dope addicts and saving our citizens from crimes committed by dope addicts. I hope we can support the program carefully worked out by the committee. But whether the motion to recommit carries or not, I hope we do not lose track of the main thrust of this legislation which I believe will do much to help reduce dope addiction in this country.

My own strong feeling is that dope addicts first of all are sick people—desperately sick people and should be treated as such. Merely to throw them into prison without adequate treatment for a cure, is to invite them to go right back to their habit of crime from which they can go right back to their drug addiction.

I sincerely hope the legislation will be overwhelmingly approved.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. WOLFF].

The amendment was rejected.

Mr. HUTCHINSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time only to explain to the House the substance of the motion to recommit. The motion to recommit will be with instructions to report back the two so-called McClory amendments. In substance, those amendments would amend the bill to make the seller of narcotics ineligible for civil commitment so that the addict pusher cannot escape the responsibility for his crime. The other McClory amendment has to do with amendments to title III. This amendment, if it were inserted in the bill, would retain in the law the present limitations in the Youth Corrections Act so that non-addict violators of the narcotics laws cannot avoid criminal penalties under the so-called Youth Corrections Act.

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I believe that the extended and thoughtful debate on H.R. 9167 in which this body has been engaged yesterday and today is particularly significant. Our deliberation has served to underscore the concern we all share for a problem that is both distressing and frustrating. It is difficult to understand the steps that are taken by an individual leading him down the pathway to the physical and moral degradations of

narcotic addiction. It is even more difficult for that individual to retrace those steps, to rid himself of this dreadful disease and return to a useful existence, to live a life without the crutch of drugs.

At the very heart of this problem is the continued availability of narcotics and the pusher or seller who lives off the weaknesses of others—whose daily existence is dependent upon the recruitment of new addicts and the perpetuation of the habits of addicted persons.

We are working to alleviate drug addiction in this country. We are seeking to put out a helping hand to the addict to return him to a drug-free existence by treatment and rehabilitation. We cannot and must not do anything at the same time that will make life easier for the pusher or seller responsible for the growing addiction rates in our cities, large or small.

We are, in effect, offering an umbrella of protection for the seller in the definition of the eligible individual in title I of this bill—providing preconviction civil commitment for an individual charged with selling a narcotic drug where it is determined by the court that such sale was for the sole purpose of supporting the seller's own habit. We have not turned our back on the seller-addict in this bill. You need look no further than title II to see that provisions have been made for his rehabilitation and treatment, under the supervision of the Attorney General. The remedy is not denied, but neither does the remedy serve as an "out" nor dilute the conviction and sentencing provisions of those laws now in force which deal with the sale of narcotics. We should not protect the seller from trial and conviction for the crime he has committed. We should not say to the seller—in any degree—that it is all right if he destroys the lives of our teenagers or our young adults by getting them on the needle, so long as he does not make a profit at it, but plows his profits back into junk to pump into his own arm.

Perhaps I am emphasizing a fine line between the provisions for dealing with the seller under title II, as opposed to title I. However, I do not feel that there is a fine line at all between the addict and the addict who is a seller. I will give no quarter to the individual who is bent on self-destruction and wants to take a few others with him. In doing so he compounds the very problem with which we are concerned. I want to be no part of holding out an easier road to the seller, while I will go along all the way with attempts to rehabilitate that seller once he has been convicted of the crime of which he is guilty. There is no more heinous crime in my book as a lawyer than that committed by the individual who preys upon the weaknesses of others to perpetuate his own habit.

If we are to treat and rehabilitate our narcotic addicts, let us not, at the same time, help the recruiters of addicts.

Let us not hold up a sign to the seller, saying, if you are on the needle yourself you can come in under title I for a civil commitment of 36 months rather than the stiffer penalty for traffickers in nar-

cotics which is, I believe, a minimum of 5 years in our Federal prisons.

I hope there will be a motion to recommit this bill this afternoon containing the language of the amendment offered yesterday by the gentleman from Illinois and that that motion will receive the support of this body.

Mr. McCLODY's amendment reads as follows:

Page 4, strike out lines 14 through 23, inclusive, and insert in lieu thereof the following: "2. An individual charged with unlawfully importing, selling, or conspiring to import or sell a narcotic drug."

The CHAIRMAN. There being no further amendments, the Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BURKE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 9167, pursuant to House Resolution 858, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HUTCHINSON. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HUTCHINSON moves to recommit the bill, H.R. 9167 to the Committee on the Judiciary, with instructions to report the same back to the House forthwith, with the following amendments:

Page 4, strike out lines 14 through 23, inclusive, and insert in lieu thereof the following:

"(2) An individual charged with unlawfully importing, selling, or conspiring to import or sell, a narcotic drug."

Page 18, strike out lines 4 through 10, inclusive.

Page 18, strike out line 11 and all that follows down through and including line 8 on page 19.

Page 19, line 9, strike out "Sec. 303" and insert "Sec. 301".

Page 20, line 3, strike out "Sec. 304" and insert in lieu thereof "Sec. 302".

Page 20, strike out lines 7 through 10, inclusive, and insert in lieu thereof "and who was convicted of a violation of a law relating to marihuana. After con-"

Page 20, beginning in line 13, strike out "If the Board of Parole finds" and all that follows down through "Federal Youth Corrections Act." in line 20.

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

There was no objection.

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

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 198, nays 168, not voting 66, as follows:

[Roll No. 120]

YEAS—198

Abbott	Erlenborn	Mosher
Abernethy	Everett	Nelsen
Adair	Fallon	Olson, Minn.
Adams	Findley	O'Neal, Ga.
Anderson, Ill.	Pino	O'Neill, Mass.
Andrews	Fisher	Pelly
Glenn	Foley	Philbin
Andrews, N. Dak.	Ford, Gerald R.	Pickle
Arends	Fountain	Pike
Ashbrook	Frelinghuysen	Pirnie
Baring	Fulton, Pa.	Poage
Bates	Gathings	Poff
Battin	Gettys	Pool
Beckworth	Goodell	Quile
Belcher	Gregg	Quillen
Bell	Gross	Randall
Betts	Grover	Redlin
Boggs	Gubser	Reid, Ill.
Boland	Gurney	Reifel
Bow	Hagan, Ga.	Rhodes, Ariz.
Bray	Haley	Robison
Brook	Hall	Rogers, Tex.
Broomfield	Halleck	Rostenkowski
Brown, Clarence J., Jr.	Harsha	Roudebush
Broyhill, N.C.	Harvey, Ind.	Rumsfeld
Broyhill, Va.	Harvey, Mich.	Satterfield
Buchanan	Hébert	Saylor
Burke	Herlong	Schisler
Burleson	Hicks	Schmidhauser
Burton, Utah	Horton	Schneebell
Byrnes, Wis.	Hosmer	Schweiker
Cahill	Huot	Secrest
Callan	Hutchinson	Selden
Callaway	Jennings	Shipley
Carter	Johnson, Pa.	Skubitz
Casey	Jones, Mo.	Slack
Cederberg	Keith	Smith, Calif.
Chamberlain	King, N.Y.	Smith, Va.
Clansen	King, Utah	Springer
Don H.	Kornegay	Stalbaum
Cleveland	Kunkel	Stanton
Collier	Laird	Stratton
Conable	Langen	Stubblefield
Conte	Latta	Sullivan
Corbett	Lennon	Sweeney
Craley	Lipcomb	Talcott
Cramer	Long, La.	Teague, Calif.
Cunningham	McCarthy	Teague, Tex.
Curtin	McClary	Thomson, Wis.
Curtis	McCulloch	Tuck
Dague	McDade	Tupper
Daniels	McEwen	Utt
Davis, Wis.	MacGregor	Waggonner
de la Garza	Mackay	Walker, Miss.
Derwinski	Mahon	Walker, N. Mex.
Devine	Mailliard	Watkins
Dickinson	Marsh	Watts
Dole	Mathias	Weltner
Dowdy	May	Whalley
Downing	Michel	White, Tex.
Dulski	Minshall	Widnall
Duncan, Tenn.	Mize	Wilson, Bob
Dwyer	Moeller	Wyatt
Edmondson	Monagan	Wyder
Edwards, La.	Moore	Yates
	Morrison	Younger
	Morse	
	Morton	

NAYS—168

Addabbo	Aspinall	Brooks
Albert	Bandstra	Byrne, Pa.
Anderson, Tenn.	Barrett	Cabell
Annunzio	Bennett	Celler
Ashley	Bingham	Chelf
Ashmore	Blatnik	Clark
	Brademas	Clevenger

Conyers	Hollifield	Patman
Cooley	Holland	Patten
Corman	Howard	Pepper
Culver	Hull	Perkins
Daddario	Hungate	Powell
Davis, Ga.	Ichord	Price
Dawson	Jacobs	Pucinski
Delaney	Jarman	Purcell
Dent	Joelson	Race
Denton	Johnson, Calif.	Rees
Diggs	Johnson, Okla.	Reid, N.Y.
Dingell	Jones, Ala.	Resnick
Donohue	Karsten	Reuss
Dorn	Karth	Rivers, Alaska
Dow	Kastenmeyer	Rodino
Duncan, Oreg.	Kee	Rogers, Colo.
Edwards, Calif.	Kelly	Rogers, Fla.
Evans, Colo.	Keogh	Ronan
Farbstein	King, Calif.	Rooney, Pa.
Farnsley	Kirwan	Rosenthal
Fascell	Kluczynski	Roush
Feighan	Krebs	Roybal
Flood	Kupferman	Ryan
Fogarty	Long, Md.	St Germain
Ford	Love	St. Onge
William D.	McDowell	Scheuer
Fraser	McFall	Senner
Friedel	McGrath	Sickles
Fuqua	McMillan	Sisk
Gallagher	Macdonald	Smith, Iowa
Glaimo	Machen	Staggers
Gibbons	Mackie	Steed
Gilbert	Madden	Taylor
Gilligan	Matsunaga	Tenzer
Grabowski	Matthews	Thomas
Gray	Meeds	Thompson, Tex.
Green, Oreg.	Minish	Todd
Green, Pa.	Mink	Tunney
Grider	Moorhead	Tuten
Griffiths	Morgan	Udall
Hagen, Calif.	Morris	Ullman
Halpern	Multer	Van Deerlin
Hamilton	Murphy, Ill.	Vanik
Hanley	Murphy, N.Y.	Vigorito
Hansen, Iowa	Natcher	Vivian
Hansen, Wash.	Nedzi	Whitener
Hathaway	O'Hara, Ill.	Wolf
Hays	O'Hara, Mich.	Wright
Hechler	Olsen, Mont.	Zablocki
Helstoski	Ottinger	

NOT VOTING—66

Andrews	Hansen, Idaho	Rivers, S.C.
George W.	Hardy	Roberts
Ayres	Hawkins	Roncalio
Berry	Henderson	Rooney, N.Y.
Bolling	Irwin	Scott
Bolton	Jonas	Shriver
Brown, Calif.	Jones, N.C.	Sikes
Burton, Calif.	Landrum	Smith, N.Y.
Cameron	Leggett	Stafford
Carey	McVicker	Stephens
Clawson, Del.	Martin, Ala.	Thompson, N.J.
Cohelan	Martin, Mass.	Toll
Colmer	Martin, Nebr.	Trimble
Dyal	Miller	Watson
Edwards, Ala.	Mills	White, Idaho
Ellsworth	Moss	Whitten
Evins, Tenn.	Murray	Williams
Farnum	Nix	Willis
Flynt	O'Brien	Wilson
Fulton, Tenn.	O'Konski	Charles H.
Garmatz	Passman	Young
Gonzalez	Reinecke	
Hanna	Rhodes, Pa.	

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Mr. Miller with Mrs. Bolton.
Mr. Rooney of New York with Mr. Stafford.
Mr. Brown of California with Mr. Del Clawson.
Mr. Mills with Mr. Berry.
Mr. McVicker with Mr. O'Konski.
Mr. Scott with Mr. Martin of Alabama.
Mr. Hanna with Mr. Reinecke.
Mr. Burton of California with Mr. Smith of New York.
Mr. Moss with Mr. Ayres.
Mr. Cohelan with Mr. Martin of Nebraska.
Mr. Sikes with Mr. Martin of Massachusetts.
Mr. Hardy with Mr. Shriver.
Mr. Garmatz with Mr. Jonas.
Mr. Dyal with Mr. Hansen of Idaho.
Mr. Leggett with Mr. Edwards of Alabama.
Mr. George W. Andrews with Mr. Watson.
Mr. Charles H. Wilson with Mr. Ellsworth.
Mr. White of Idaho with Mr. Toll.

Mr. Thompson of New Jersey with Mr. Trimble.
 Mr. Henderson with Mr. Irwin.
 Mr. Carey with Mr. Colmer.
 Mr. Evins with Mr. O'Brien.
 Mr. Flynt with Mr. Roncallo.
 Mr. Gonzalez with Mr. Hawkins.
 Mr. Williams with Mr. Passman.
 Mr. Rivers of South Carolina with Mr. Fulton of Tennessee.
 Mr. Cameron with Mr. Nix.
 Mr. Jones of North Carolina with Mr. Stephens.
 Mr. Landrum with Mr. Roberts.
 Mr. Rhodes of Pennsylvania with Mr. Willis.
 Mr. Whitten with Mr. Jarman.
 Mr. Young with Mr. Murray.

Messrs. TUCK, ABBITT and EVERETT changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. ASHMORE].

Mr. ASHMORE. Mr. Speaker, acting under the instructions of the House and on behalf of the Committee on the Judiciary, I report back to the House the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes, with certain amendments.

The Clerk will report the amendments.

The Clerk read as follows:

Page 4, strike out lines 14 through 23, inclusive, and insert in lieu thereof the following:

"(2) An individual charged with unlawfully importing, selling or conspiring to import or sell, a narcotic drug."

Page 18, strike out lines 4 through 10, inclusive.

Page 18, strike out line 11 and all that follows down through and including line 8 on page 19.

Page 19, line 9, strike out "Sec. 303" and insert "Sec. 301".

Page 20, line 3, strike out "Sec. 304" and insert in lieu thereof "Sec. 302".

Page 20, strike out lines 7 through 10, inclusive, and insert in lieu thereof "and who was convicted of a violation of a law relating to marihuana. After con-".

Page 20, beginning in line 13, strike out "If the Board of Parole finds" and all that follows down through "Federal Youth Corrections Act." in line 20.

The SPEAKER. The question is on the amendments.

The amendments were agreed to.

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

Mr. CELLER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 367, nays 1, not voting 64, as follows:

[Roll No. 121]

YEAS—367

Abbitt	Andrews,	Aspinall
Abernethy	Glenn	Bandstra
Adair	Andrews,	Baring
Adams	N. Dak.	Barrett
Addabbo	Annuzio	Bates
Albert	Arends	Battin
Anderson, Ill.	Ashbrook	Beckworth
Anderson,	Ashley	Belcher
Tenn.	Ashmore	Beil

Bennett	Gettys	Mink
Betts	Gialmo	Minshall
Bingham	Gibbons	Mize
Blatnik	Gilbert	Moeller
Boggs	Gilligan	Monagan
Boland	Goodell	Moore
Bow	Grabowski	Moorhead
Brademas	Gray	Morgan
Bray	Green, Oreg.	Morris
Brook	Green, Pa.	Morrison
Brooks	Greigg	Morse
Broomfield	Grider	Morton
Brown, Clarence J., Jr.	Gross	Mosher
Broyhill, N.C.	Grover	Multer
Broyhill, Va.	Gubser	Murphy, Ill.
Buchanan	Gurney	Murphy, N.Y.
Burke	Hagan, Ga.	Murray
Burleson	Hagen, Calif.	Natcher
Burton, Utah	Haley	Nedzi
Byrne, Pa.	Hall	Nelsen
Byrnes, Wis.	Halleck	O'Hara, Ill.
Cabell	Halpern	O'Hara, Mich.
Cahill	Hamilton	Olsen, Mont.
Callan	Hanley	Olson, Minn.
Callaway	Hansen, Iowa	O'Neal, Ga.
Carter	Hansen, Wash.	O'Neill, Mass.
Casey	Harsha	Ottinger
Cederberg	Harvey, Ind.	Patman
Celler	Harvey, Mich.	Patten
Chamberlain	Hathaway	Pelly
Chelf	Hays	Pepper
Clancy	Hébert	Perkins
Clark	Hechler	Philbin
Clausen,	Helstoski	Pickle
Don H.	Herlong	Pike
Cleveland	Hicks	Pirnie
Clevenger	Hollifield	Poage
Collier	Holland	Poff
Conable	Horton	Pool
Conte	Hosmer	Powell
Conyers	Howard	Price
Cooley	Hull	Pucinski
Corbett	Hungate	Purcell
Corman	Huot	Quile
Craley	Hutchinson	Quillen
Cramer	Ichord	Race
Culver	Jacobs	Randall
Cunningham	Jarman	Redlin
Curtin	Jennings	Rees
Curtis	Joelson	Reid, Ill.
Daddario	Johnson, Calif.	Reid, N.Y.
Dague	Johnson, Okla.	Reifel
Daniels	Johnson, Pa.	Resnick
Davis, Ga.	Jones, Ala.	Reuss
Davis, Wis.	Jones, Mo.	Rhodes, Ariz.
Dawson	Karsten	Rivers, Alaska
de la Garza	Karthe	Robison
Delaney	Kastenmeyer	Rodino
Dent	Kee	Rogers, Colo.
Denton	Keith	Rogers, Fla.
Derwinski	Kelly	Rogers, Tex.
Devine	Keogh	Ronan
Dickinson	King, Calif.	Rooney, Pa.
Diggs	King, N.Y.	Rosenthal
Dingell	King, Utah	Rostenkowski
Dole	Kirwan	Roudebush
Donohue	Kluczynski	Roush
Dorn	Kornegay	Roybal
Dow	Krebs	Rumsfeld
Dowdy	Kunkel	Ryan
Downing	Kupferman	Satterfield
Dulski	Laird	St Germain
Duncan, Oreg.	Langen	St. Onge
Duncan, Tenn.	Latta	Saylor
Dwyer	Lennon	Scheuer
Edmondson	Lipscomb	Schisler
Edwards, Calif.	Long, La.	Schmidhauser
Edwards, La.	Long, Md.	Schneebell
Erlenborn	Love	Schweiker
Evans, Colo.	McCarthy	Secrest
Everett	McClory	Selden
Fallon	McCulloch	Senner
Farbstein	McDade	ShIPLEY
Farnsley	McDowell	Sickles
Fascell	McEwen	Slisk
Feighan	McFall	Skubitz
Findley	McGrath	Slack
Fino	McMillan	Smith, Calif.
Fisher	Macdonald	Smith, Iowa
Flood	MacGregor	Smith, N.Y.
Fogarty	Machen	Smith, Va.
Foley	Mackay	Springer
Ford, Gerald R.	Mackie	Staggers
Ford,	Madden	Stalbaum
William D.	Mahon	Stanton
Fountain	Maillard	Steed
Fraser	Marsh	Stratton
Frelinghuysen	Mathias	Stubblefield
Friedel	Matsunaga	Sullivan
Fulton, Pa.	Matthews	Sweeney
Fuqua	May	Talcott
Gallagher	Meeds	Taylor
Gathings	Michel	Teague, Calif.
	Minish	Teague, Tex.

Tenzer	Van Deerlin	Whitener
Thomas	Vanik	Widnall
Thompson, Tex.	Vigorito	Wilson, Bob
Thomson, Wis.	Vivian	Wolf
Todd	Waggonner	Wright
Tuck	Walker, Miss.	Wyatt
Tunney	Walker, N. Mex.	Wydler
Tupper	Watkins	Yates
Tuten	Watts	Younger
Udall	Weltner	Zablocki
Ullman	Whalley	
Utt	White, Tex.	

NAYS—1

Griffiths

NOT VOTING—64

Andrews,	Hanna	Rhodes, Pa.
George W.	Hansen, Idaho	Rivers, S.C.
Ayres	Hardy	Roberts
Berry	Hawkins	Roncallo
Bolling	Henderson	Rooney, N.Y.
Bolton	Irwin	Scott
Brown, Calif.	Jonas	Shriver
Burton, Calif.	Jones, N.C.	Sikes
Cameron	Landrum	Stafford
Carey	Leggett	Stephens
Clawson, Del	McVicker	Thompson, N.J.
Cohelan	Martin, Ala.	Toll
Colmer	Martin, Mass.	Trimble
Dyal	Martin, Nebr.	Watson
Edwards, Ala.	Miller	White, Idaho
Ellsworth	Mills	Whitten
Evins, Tenn.	Moss	Williams
Farnum	Nix	Willis
Flynt	O'Brien	Wilson,
Fulton, Tenn.	O'Konski	Charles H.
Garmatz	Passman	Young
Gonzalez	Reinecke	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Miller with Mrs. Bolton.
 Mr. Rooney of New York with Mr. Stafford.
 Mr. Brown of California with Mr. Del Clawson.

Mr. Mills with Mr. Berry.
 Mr. McVicker with Mr. O'Konski.
 Mr. Scott with Mr. Martin of Alabama.
 Mr. Hanna with Mr. Reinecke.
 Mr. Moss with Mr. Ayres.
 Mr. Cohelan with Mr. Martin of Nebraska.
 Mr. Sikes with Mr. Martin of Massachusetts.

Mr. Hardy with Mr. Shriver.
 Mr. Garmatz with Mr. Jonas.
 Mr. Dyal with Mr. Hansen of Idaho.
 Mr. Leggett with Mr. Edwards of Alabama.
 Mr. George W. Andrews with Mr. Watson.
 Mr. Charles H. Wilson with Mr. Ellsworth.
 Mr. White of Idaho with Mr. Toll.
 Mr. Thompson of New Jersey with Mr. Trimble.

Mr. Henderson with Mr. Irwin.
 Mr. Carey with Mr. Colmer.
 Mr. Evins with Mr. O'Brien.
 Mr. Flynt with Mr. Roncallo.
 Mr. Gonzalez with Mr. Hawkins.
 Mr. Williams with Mr. Passman.
 Mr. Rivers of South Carolina with Mr. Fulton of Tennessee.

Mr. Cameron with Mr. Nix.
 Mr. Jones of North Carolina with Mr. Stephens.

Mr. Landrum with Mr. Roberts.
 Mr. Rhodes of Pennsylvania with Mr. Willis.

Mr. Whitten with Mr. Jarman.
 Mr. Young with Mr. Burton of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SESQUICENTENNIAL YEAR OF THE BROOKLYN SUNDAY SCHOOL UNION

Mr. MULTER. Mr. Speaker, I offer a resolution (H. Res. 864) and ask unani-

mous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 864

Resolved, That the United States House of Representatives recognizes the historic importance of the Brooklyn Sunday School Union, which was founded on April 8, 1816, and which is now celebrating its sesquicentennial; and it is further

Resolved, That this body joins with the citizens of Brooklyn and New York in sending greetings to America's oldest Sunday school union.

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

There was no objection.

Mr. MULTER. Mr. Speaker, ecumenism has long been the order of the day in the House of Representatives.

The adoption of House Resolution 864 is but one more evidence thereof.

Our distinguished Speaker, a good and devout Catholic, recognizes a member of the Jewish faith to present a resolution honoring the Protestants of our country.

We thus take note of the 150th anniversary of the founding of the Brooklyn Sunday School Union.

For many years the Brooklyn Sunday School Union has celebrated their anniversary with a parade of the Sunday school children through Brooklyn. This year the parade will take place on Thursday, June 9, 1966.

The Brooklyn Sunday School Union is made up of all the Protestant sects of the Borough of Brooklyn and every Protestant church sends a fine contingent of their Sunday school children, teachers, and ministers to participate.

The union contributes to the spiritual welfare, religious education, and moral training of the youth of our community and Brooklyn takes pride in the fact that this is the oldest Sunday school union in the entire United States.

We thus give public recognition of the service to the youth of our area so generously and unselfishly given for the past century and a half by the Brooklyn Sunday School Union.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HIGHWAY SPOILERS

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

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

There was no objection.

Mr. VANIK. Mr. Speaker, last evening as I drove to Washington from Cleveland I traveled over Interstate Highway 70 between Breezewood and Hancock and found this new interstate highway to be one of the most beautiful highways in the United States. North and south lanes have an extremely attractive median strip. As the highway crosses over several Allegheny mountain ridges, the motorist can view some of the most beautiful landscape in

the entire country. The Bureau of Highways of the State of Pennsylvania and the State of Maryland as well as the Federal Bureau of Public Roads deserve credit for the extremely fine design and development of this roadway.

Although this beautiful highway has only recently been opened to the public, within the past year, it is already cluttered with ugly, lighted billboard signs, most of which advertise Washington hotels and motels. Among the highway spoilers are the following Washington area hotels whose signs serve to destroy so much of what public dollars have built.

The Ambassador Hotel, Washington, D.C.

The Howard Johnson's Motor Lodge, Washington, D.C.

The Shoreham Hotel, Washington, D.C.

The Harrington Hotel, Washington, D.C.

The International Inn, Washington, D.C.

The Washington Hotel, Washington, D.C.

The Executive House of Washington. The Linden Hill Hotel and Motor Inn of Bethesda, Md.

The Wax Museum, Washington, D.C.

The Venice Motel of Hagerstown, Md.

The Holiday Inn of Hagerstown, Md.

The Hancock Motel of Hancock, Md.

I am particularly shocked that fine Washington hotels and motels should find it necessary to use this type of advertising which serves to ruin an otherwise fine roadway. Perhaps they should organize and establish a single tourist accommodation facility which would provide reservation service and list availability for all hotels in the Washington area. If this kind of a facility were established it could eliminate the necessity for unsightly billboards and provide the tourist with an adequate reservation service on the approach to the Metropolitan area of Washington. This would benefit the touring public as well as the hotel and motel industry.

It is my hope that the hotels and motels of the Washington area which benefit so much from the millions of tax dollars that are spent to make Washington a beautiful, attractive city, will reconsider the cheap and unsightly highway advertising which detracts so much from highway values and highway resources paid for by the taxpayers of America.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 763. A joint resolution authorizing the President to proclaim the week in which June 14 occurs as National Flag Week.

CHARLES W. HOWARD, DEAN OF SANTA CLAUSES

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include extraneous matter.

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

There was no objection.

Mr. RYAN. Mr. Speaker, Charles W. Howard, a colorful personality who was known to thousands of children simply as Santa Claus, died recently. Regarded as the dean of Santa Clauses, he institutionalized the role. Over a period of 30 years he conducted his Santa Claus School at Albion, N.Y., where he trained hundreds of Santa Clauses for leading department stores all over the Nation. Year after year he was a familiar figure, waving to the delight of young and old from atop his sleigh in Macy's annual Thanksgiving Day parade.

Mr. Speaker, I know of no one who brought more joy to the hearts of the children of America than Charlie Howard, our Nation's No. 1 Santa Claus. I was privileged to know him from childhood. I enjoyed watching him in his workshop in his barn, where he made excellent toys by hand; I remember him dressed in his Santa's outfit, with flowing beard, holding forth in a department store chuckling at the boys and girls who whispered Christmas wishes in his ears; in later years I sat in front of Macy's with my children who waved to him as he ho-ho-ho-ed from his sleigh. I will watch next year's Macy's parade with a sad heart.

Mr. Speaker, I include at this point in the RECORD articles about Charles W. Howard from the Orleans Republic-American of Albion, N.Y., dated May 5, and from the New York Times of May 3: [From the Orleans Republic-American, May 5, 1966]

CHARLES W. HOWARD, 69, SUCCEDES

Charles W. (Charlie) Howard, 69, founder of the nationally known Charles W. Howard Santa Claus School, died May 1, at Newfane Inter-Community Memorial Hospital, Newfane, following a heart attack.

He had been a patient at the hospital for several weeks earlier this year, after returning from his annual Santa Claus job at Nieman-Marcus Department Store in Dallas. About a week ago he returned to the hospital suffering pneumonia.

Founded in 1937, the Santa Claus School trained hundreds of Santas for leading stores, clubs, theaters and institutions in all parts of the nation. Many of them came back year after year for refresher courses.

He claimed it to be the only school of its kind in the world, "dedicated to the training and equipping of men and women to play the role of Santa and Mrs. Claus."

He appeared annually in Macy's Thanksgiving Day Parade in New York City, and has been the host to hundreds of toy sales conventions from New York to Los Angeles.

The owner of the Myers Stores chain took Mr. Howard and his wife Ruth, to Australia a few years ago to conduct a school there. The Howards were planning a return trip next Christmas.

Mr. Howard designed Christmas Park a few years ago, complete with reindeer and other amusements including a miniature railroad. The park was financed by local businessmen and incorporated, but failed to be self-sustaining and was sold to a group of lawyers and tavern owners last year at a bankruptcy sale.

Mr. Howard was secretary of the Orleans County Fair for several years and sponsored a pageant entitled "The History of Orleans County." During his term as secretary, he

had the largest apple pie baked in the nation, which was the subject of a "Believe-It-Or-Not" cartoon by Robert Ripley.

Mr. Howard directed plays in Western New York before he founded the Santa Claus School. In demand as a public speaker, he was given a standing ovation for his stirring message at the Kansas City Rotary Club, the first such honor given a speaker there.

Active in the Albion First Methodist Church in the past, he was a Sunday School teacher, the organizing Sunday School teacher of the "Hustler Class", a soloist in the choir, a trustee and a lay speaker.

Mr. Howard was born at the family home on Route 31, Albion, June 15, 1896. He was a 1916 graduate of the Albion Central School. He owned and operated the Howard farm and was a member of the Medina Toy Factory until its closing.

In addition to his widow, Ruth G. (Webster) Howard, Mr. Howard leaves a son, William J. of Warren, Mich.; a daughter, Mrs. Everett D. Bergeman of Buffalo, four grandchildren.

[From the New York Times, May 3, 1966]
CHARLES HOWARD, NO. 1 SANTA CLAUS—ONE-MAN FACULTY OF SCHOOL FOR KRIS KRINGLES DIES

ALBION, N.Y., May 1.—Charles W. Howard, the "dean of Santa Clausen," is dead.

Mr. Howard, who operated a school for department store Kris Kringles on his apple farm here, died Sunday in a hospital at the age of 69.

FITTED THE PART

The jovial No. 1 St. Nick first became a Santa while a grade school pupil "because I was short and fat and had a big grin." His school days over, Mr. Howard went on the road as a toy salesman and frowned at the unkempt costumes and lack of child psychology displayed by many department store Santas.

Later he was secretary of the Orleans County (N.Y.) Fair Association and managed an amateur theatrical group, but his thoughts kept reverting to sleighbells and rooftop chimneys. In 1937, Mr. Howard opened his school and advertised for students.

His classes dealt with psychology, costuming, make-up, whisker grooming, voice modulation and ho-ho-ho-ing. The courses started off with orientation in the origin of Santa Claus, a popularization of the original St. Nicholas.

Mr. Howard told undergraduates that in the fourth century of the Christian era St. Nicholas, who lived in Asia Minor, gained fame for many acts of generosity. One of his best-known deeds, the combination dean and faculty of the school told his undergraduates, concerned an impoverished nobleman who couldn't marry off his three daughters because they had no dowries. He decided to send them forth into a "life of shame."

St. Nicholas heard about this, Mr. Howard related, and, one dark night, he tossed a bag of gold through a window into the nobleman's house. The father used the gold as dowries, and in short order found husbands for his daughters. Thus, St. Nick's name became associated with the giving of gifts in secret, and the legend grew.

In 1938, Mr. Howard gave his growing fame a spurt by conducting classes at Santa Claus, Ind. In addition to his tutoring duties, he played the lead in Santa roles for many years at Macy's department store in New York and, last year he performed at Nieman-Marcus stores in Dallas.

Mr. Howard conducted classes in the 100-year-old farmhouse of his 400-acre farm, about 10 miles from Lake Ontario. He insisted that his pupils take notes during his lectures.

In emphasizing the legendary background of his subject, he declared:

"You've got to know the character you're playing. It's so real to me sometimes that I can feel the reindeer breathing on my cheek."

Surviving Mr. Howard are his widow, a son and a daughter.

THE NEW GI BILL IS UNFAIR TO MANY

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

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, this Congress recently enacted the Veterans' Readjustment Assistance Act of 1966. I supported this measure, both in committee and on the floor of this House. My support, however, did not mean that I was completely satisfied with the bill in its final form. Rather, it indicated an awareness of the fact that the more we perfected the bill, the more it would cost. The more it cost, the greater the possibility of a Presidential veto.

Members will recall that the administration had given the green light to a veterans education bill with a first-year cost of approximately \$100 million. The bill that was finally sent to the White House for approval had a first-year cost in excess of \$350 million. So, the fact that the bill is more restrictive than the World War II or the Korean GI bills is understandable.

Today, June 1, the educational provisions of the new GI bill become effective. In this period of time since March 3, the date the bill was approved, correspondence I have received has reflected some of the shortcomings and inequities of the new law.

One serious inequity was created as the result of the retroactive entitlement date selected, January 31, 1955. Many of the young men who earned eligibility for educational allowances under the GI bill could not delay their career plans until the Congress decided to pass a GI bill. So, they obtained their education with borrowed money. Now, they are paying for their education, while others are being financed by the Federal Government. One letter I have received illustrates the plight of this group. It follows:

LLOYDELL, PA.

DEAR CONGRESSMAN SAYLOR: I am a veteran who served from 1955 to 1959 in the United States Air Force. If I were just now beginning college, I would be able to do so with the aid provided by the government in the recently passed G.I. Education and Housing Bill.

However, when I was discharged from the Air Force in 1959 I knew I wanted a college education and decided to try to work my way through Clarion State College. I was 26 years old and could not postpone college until a new G.I. Bill was passed. I had no financial assistance whatsoever, but worked nights and went to classes during the day. In my last year it was necessary for me to make a loan which has to be repaid in full with interest. I graduated in 1964 with a B.S. Degree in Education. I did not go into

teaching the first year, but worked in a factory. On a teacher's beginning salary I would have been unable to pay my debts. I am now teaching and, on \$4,500 a year, am still paying on the loan I made for my last year of college.

I feel it is a gross injustice that there is to be no reimbursement or bonus of any kind for veterans in my situation. Rep. PAUL FINO is quoted as saying, "the government owes its fighting men much more than we are giving them here," and you are quoted as calling the amount "a disgrace." If it is a disgrace to give so little, is it not more of a disgrace to give nothing to veterans such as myself? It looks as if we are to be overlooked merely because we have already footed our education bills ourselves.

Certainly reimbursement for our education would cost money, but the government will undoubtedly spend thousands of dollars on men who will begin college and drop out after 6 months, a year, or perhaps 2 years.

I firmly believe there should be some sort of reimbursement for veterans who are eligible but have already paid for their own education.

Sincerely,

JOSEPH P. BUKOSKY.

The recently enacted GI bill contains other inequities, Mr. Speaker. The monthly educational allowances under this law for a veteran with no dependents are \$100 for full-time schooling; \$75 for three-quarter time attendance and \$50 for half time. Now, the War Orphans' Educational Assistance Act also provides monthly allowances for children of deceased or permanently and totally disabled service-connected veterans pursuing a program of education. Just last year, on June 14, 1965, this same House of Representatives decided that \$110 full time; \$80 for three-quarter time and \$50 half time was not enough money for these students. So, in Public Law 89-222, the monthly allowances for war orphans were increased to \$130; \$95 and \$75 respectively. Thus, we find the war orphan receiving \$30 monthly more than the veteran, with both pursuing the same courses on a full-time basis. The war orphan attending school three-quarter time receives only \$5 per month less than the veteran attending school full time. The war orphan attending school half time receives the same allowance, \$75 per month, as the veteran attending school three-quarter time. Now, if anyone can tell me why a 25-year-old veteran needs less money while going to college than an 18-year-old high school graduate, I would be happy to be enlightened.

Other shortcomings of the new law pointed out in my correspondence was the failure to include either on-the-job training or flight training. Both of these programs were included in the World War II and the Korean GI bills. I share the concern of my colleagues about authorizing training under this law that could be classed as avocational or hobby training. In limiting flight training to courses for credit toward a college degree, we have barred the door to those who are interested in obtaining a commercial pilot's license.

As we embark upon this far-reaching program, I urge my colleagues to study its shortcomings. I, for one, intend to introduce legislation to correct them.

LOCAL POLICE IN COLUMBUS, GA., RAISE MONEY FOR DESERVING COUPLE

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

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

There was no objection.

Mr. CALLAWAY. Mr. Speaker, I want to praise the Columbus, Ga., police department for their recent show of good will and outstanding community leadership. Hans D. Desch, the son of Sgt. and Mrs. James B. Bryson, drowned in Columbus, Ga., last week.

Sergeant Bryson is stationed at Fort Benning, but since Hans was not an American citizen, he could not be buried on the post. Therefore, his parents arranged for the burial of Hans in the State of Washington. But Sergeant and Mrs. Bryson could not afford to attend the funeral. The police department heard of the incident and enlisted the help of private citizens and raised over \$1,000 so that the Brysons could attend the funeral.

Mr. Speaker, Columbus, Ga., has always been known as a good army town. We are proud of the close relationships that have long existed between the military at Fort Benning, the free world's largest infantry center, and the civilian community. This warm display of concern and affection by the members of the police department and the citizens of Columbus is just another example of this spirit of cooperation.

Mr. Speaker, I ask unanimous consent to insert the full account of this incident as reported by the Columbus Ledger in the RECORD.

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

There was no objection.

The article is as follows:

LOCAL POLICE RAISE MONEY FOR COUPLE

Because Columbus policemen cared, a sorrowing couple will board an airplane today to travel to the state of Washington, where they will attend the burial of their 11-year-old son.

Before members of the police department became interested in the case, there was little hope that Sgt. James B. Bryson and his wife would be able to attend the funeral.

The boy, Hans D. Desch, drowned last Monday when he stepped off in water over his head while wading in Cooper Creek.

The Brysons, of 3526 Dale Dr., originally had little hope of attending the funeral. The sergeant was broke and in debt.

However, Sunday, the Columbus Police Dept. turned over \$586 that the policemen themselves had collected within the department and from outside donors.

"As soon as the personnel of the police department learned of the problem the whole department got busy," said D. C. Koon, assistant police chief.

The word got around, and citizens not knowing where else to go, brought their donations to the police who turned over the money to the Brysons.

Most of the money came from private citizens, according to Det. Lt. Jack Coulter.

He said Bryson said that he had received \$500 in other contributions from citizens who wanted to help.

The problem arose when Sgt. Bryson, the boy's stepfather and his wife, Helen, had to arrange to have the boy buried in the Bryson family plot in Pullman.

Since he was not an American citizen, the boy, Hans D. Desch, was not eligible for burial on post at Fort Benning.

The Army, however, under dependent regulations, arranged to take the body to Pullman.

Sgt. Bryson today said, "I'm at a loss for words. I want to thank everyone for helping us."

MEMORANDUM—ADDITIONAL AIRBORNE TELECASTING CAPABILITIES

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

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

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, tomorrow, June 2, the House is scheduled to consider S. 2950, the 1967 Defense procurement authorization. As Members are aware from reading the bill and the accompanying report, the House Armed Services Committee added a number of amendments which will be of special interest in the forthcoming debate.

I intend to discuss on the floor tomorrow the committee amendment relating to additional airborne telecasting capabilities, and for the convenience of my colleagues, under unanimous consent I insert in today's RECORD a memorandum on this proposal so that it may be available for easy reference during tomorrow's debate.

MEMORANDUM—ADDITIONAL AIRBORNE TELECASTING CAPABILITIES

Re House Armed Services Committee amendment to S. 2950, the Defense Procurement Authorization Bill, as reported on May 16, 1966, to provide under title I, Sec. 101 (page 4, beginning on line 8) aircraft * * * for the Navy and Marine Corps, \$1,442,200,000 of which amount \$20,000,000 is authorized only for additional aircraft and electronic equipment to be used for expanded airborne television transmission capabilities.

PURPOSE

Procurement of additional aircraft with radio-television and other broadcasting capabilities for deployment in South Vietnam, or wherever else required, to provide optimum flexibility in operations, maximum transmission coverage and length of broadcast time, and a higher degree of security.

BACKGROUND

The creation of airborne broadcasting capabilities through "Project Jenny" was initiated by the Department of Defense under conditions demanding operational readiness in minimum time. Presently this project makes possible a Vietnamese television network considered by military and political leaders of South Vietnam and the United States to be of great importance to the success of efforts to achieve a stable, unified, secure and free nation.

A Vietnamese television network through American assistance was approved by the U.S. Mission in Saigon in late August of 1965. On February 7th of this year, following a formal agreement signed by Premier Ky and Ambassador Lodge on January 3rd, regularly sched-

uled telecasts began solely by means of airborne facilities which simultaneously transmit on two channels; one for the Vietnamese (with program assistance furnished by the U.S.I.A.) and the other for U.S. military personnel (operated by Armed Forces Radio-Television Service).

The urgent nature of the origination of an airborne broadcasting facility necessitated the utilization of available resources. A vehicle was needed large enough to house television transmitting and programing devices for two channels, AM and FM broadcast facilities, equipment for single or multi-channel teletypewriter operations and other capabilities of a classified nature. The aircraft which was available and selected was the C-121 super-constellation.

However, although the two C-121 aircraft, which bear the designation "Blue Eagle", now on station have performed satisfactorily, due in part to some ingenious make-shift modifications, other restrictions imposed by this airframe tend to down-grade the ability to exploit fully the potential of television in South Vietnam. What is required for optimum performance is an airframe that is not severely weight-limited, that possesses the speed and altitude capabilities for flexibility in operation, and sufficient range to allow basing in an area of known security.

In order to provide a minimum of 14 hours of telecasting daily to substantially all of South Vietnam as well as having the capability to operate from a remote area (for example in the Philippines) four aircraft of a type comparable to that of the P3A Orion would be required. Furthermore, turbojet engines would greatly reduce the vibration and noise which are concomitant with the C-121 reciprocating type, and which have necessitated special modifications to secure acceptable broadcast quality. An aircraft that can operate at altitudes in the neighborhood of 30,000 feet, as opposed to the C-121 maximum of 16,000 feet, would increase the effective area of broadcast by a factor of 3 or 4.

CURRENT OPERATIONS

Presently two C-121 aircraft, the absolute minimum number that can provide continuous daily broadcasts (although this does not allow for proper maintenance of the aircraft), are on station. A third C-121 is scheduled to arrive on July 1, which will permit one of the other Blue Eagles to undergo a long overdue overhaul. Broadcasting at an altitude between 10 and 12 thousand feet, daily telecasts of one hour in length on the Vietnamese channel and 3 hours in length on the Armed Forces channel are now received in an area with a radius of up to 150 miles from Saigon.

FUTURE OPERATIONS

Plans currently call for the ultimate replacement of airborne transmitters with ground installations. On October 15, 1966, the Saigon area is to be served from a ground facility, with the standard transmission coverage of a maximum of 40 to 50 miles. Three substations are to be constructed at three-month intervals thereafter so that the Vietnamese channel will by June 15, 1967, be available to approximately 60% of the population. Supplementary transmitters for the Armed Forces' channel are to be housed separately in mobile vans in different locations close to troop concentrations.

PROBLEM OF SECURITY

The Viet Cong mortar attack in April of this year on Tan Son Nhut Air Base, resulted in damage to both and the near total destruction of one Blue Eagle aircraft causing a curtailment in broadcasting from a 7 to a 5 day week schedule for several weeks. Ground transmitting facilities, whenever they become ready, will in all probability be faced with the same danger.

SUMMARY

A. The Vietnamese television network recently inaugurated is considered by military and political leaders of South Vietnam and the United States to be of great potential importance to the success of efforts to achieve a stable, unified, secure and free nation. Additional airborne telecasting facilities of the type here recommended would offer greater assurance that this potential is fully exploited.

B. Two airborne transmitters of the type recommended here flying simultaneously 300 miles apart, at altitudes in the neighborhood of 30,000 feet, are capable of beaming signals receivable throughout virtually all of South Vietnam. To provide daily transmissions of 14 hours would require four such aircraft.

C. The ground installations now planned will not be fully operational (with a potential audience of only 60% of the population) until at least June, 1967. When these are operational, airborne transmitters can be used to extend the signal to areas not covered by the ground signal.

D. The three ground substations will not be "relay" stations, but will be for the most part rebroadcasting material first shown by the Saigon facility. Airborne transmitters are fully capable of providing instantaneous "live" coverage throughout the country, which in critical situations may be of great importance.

E. Ground stations will always be open to destruction by the Viet Cong or "capture" by dissident elements. The capability of being based outside South Vietnam and the fact that the aircraft are at all times under the control of U.S. personnel will insure that control over communications will not be lost to unfriendly hands. It is imperative that there should be no disruption in broadcasting schedules and that coverage and programming time be greatly extended. The psychological implications of a failure to maintain broadcasting schedules might well contribute to a demoralization of the support of efforts to defeat the Viet Cong.

F. This additional airborne broadcasting capability would furthermore be available for service wherever needed throughout the world, with the added potential of worldwide "live" transmissions, in connection with communications satellites, of important current events.

G. A possible choice for the airframe here recommended might be the P3A Orion, currently used for anti-submarine warfare operations. The total cost for the purchase and outfitting of 4 such aircraft would be estimated \$20,000,000.

MEMORIAL DAY ADDRESS DELIVERED BY THE HONORABLE ODIN LANGEN IN KITTSON COUNTY, MINN.

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. QUIE. Mr. Speaker, on Monday, May 30, 1966, my colleague, the gentleman from Minnesota, ODIN LANGEN, delivered the Memorial Day address at Hallock, the county seat community in his native Kittson County in Minnesota.

As our Nation paused to honor the dead of many wars and to consider the implications of the present war, Mr. LANGEN provided much food for thought as

we cast an uneasy eye on the uncharted future.

I commend his remarks to the attention of my colleagues:

MEMORIAL DAY SPEECH, HALLOCK, MINN., MAY 30, 1966, by HON. ODIN LANGEN, MEMBER OF CONGRESS

Memorial Day has become many things to many people. To this fine audience gathered here this morning, it signifies our desire to remember, honor, respect and pay deserving tribute to the brave fighting men of many wars who have made the supreme sacrifice. This is as it should be, and I should commend all of you as participants in this impressive and memorable display of patriotic devotion to the great human sacrifices of this Nation on the field of battle in defense of a government and way of life to which we are dedicated.

Possibly it would be more correct to say we are gathered to give thanks for the privilege on this day to be Americans, free to serve our God and our country.

This is a great day. But it could be an even greater day, if all men and all nations could share with us the comforts, benefits, and luxuries of freedom that surround us in generous quantity, with the knowledge that they were achieved by a sacrificing dedication to freedom and peace throughout the world. There are no words or phrases within my reach, acts or deeds that we on this day could perform, that could possibly express just compensation for the great benefits and rewards that are ours on this day to enjoy as a heritage from those we are today honoring.

Oh, if we could but bring to the world of free and enslaved men the knowledge of our riches and more important, an identity of the price at which they were achieved. For the cost of existence without freedom and peace in the world goes on, as a grim reminder that the cause for which the sacrifices were made has not yet been accomplished.

There is no place in this Nation, to my knowledge, that brings one as close to the reality of the cost of our heritage as does Washington, D.C., and the surrounding area.

To visit Arlington National Cemetery, as many of you have done, and witness the sea of markers that expands before you with the vigil of the continuous guard at the tomb of the unknown soldier, gives magnitude to the price of our luxuries. What an impression it leaves at the Easter Morning Sunrise Service, with each of the branches of the Armed Forces participating in this notable worship attended by thousands. People from all sections of the country, from all walks of life, from every creed and faith, each one an emissary of his own church and faith, exemplifying freedom to worship at its best. . . . All of this, performed in an amphitheatre that is surrounded by the thousands of monuments for those who fought and died to preserve the privilege to do so.

Arlington National Cemetery is a 420-acre park-like sanctuary where there rests an army of more than 133,000 men. Many acres of additional markers and crosses have been added in just the short time since Mrs. Langen and I first came to Washington. As each day goes by, to the muffled beat of drums, 30 or more enlistments are accepted in this army of our honored dead.

Their story is told in the weathered letters on white marble, for it was written at Antietam . . . on San Juan Hill . . . in the tangled thickets of Belleau Wood . . . on Iwo Jima . . . in Korea . . . and now in Viet Nam.

I have had occasion to visit a few of the many battlefields that surround our Nation's Capital, that so impressively tell the story of the determination of our forefathers that freedom must prevail.

I recall driving through the well-marked, historically recorded, battlefield at York-

town, where the final struggle for our independence took place. The many plaques along the drive tell the story of that final struggle in the birth of a new and independent Nation. From this victory, an infant nation, there has developed the greatest system of government, controlled by the people, known in human history.

Today we know that Nation as the world's leader of free men and hope for peace in the world. Like Arlington, this battlefield bears the scars of great human sacrifice, not only of our men, for in a well-wooded section, and back from the trail, I saw several white crosses with a plaque along the road, to remind us that fifty French soldiers of Lafayette's Army are buried there. They died in support of our desire to be a free and independent nation. I recall the irony, or the oddities of history also recorded on that plaque, which says that many of the French soldiers that survived the struggle in this Nation returned to France later to die in the French Revolution by way of the guillotine.

Yes, our freedoms didn't come without a price, paid in part by the help and lives from other nations.

In another era of our history, it is difficult to even imagine the struggle at Antietam when one views the historic "Bloody Lane" where more than 2 thousand men were killed in hand to hand battle in less than twenty minutes, with the total losses for that day being the greatest of any in the history of our Nation—or the fierce struggle at Gettysburg, where Minnesota's First Regiment fought so brilliantly that the plaque on the Minnesota Monument reads as follows: "In self-sacrificing desperate valor, this charge has no parallel in any war."

It was in these battles where father was pitted against son, and brother against brother, so that America should not be only half free.

These struggles have continued through the years of our history as evidenced by Flanders Field, the monument to the flag-raising at Iwo Jima, in the cemeteries of Korea—and now in Viet Nam.

And so as we pause on this Memorial Day to honor these men at Arlington and in cemeteries around the world, we need to give thanks and pray that we may gain strength from the knowledge that these men rest here, not for fame or reward, not for place or rank, not lured by ambition or goaded by necessity, but in simple obedience to duty as they understood it.

For these men and women suffered all, sacrificed all, and died for our life's fortunes. And so in our generation, after America has experienced the agony of fighting many wars, Memorial Day has taken on a military flavor, while actually its greatest significance is during times of peace when we reflect on the sacrifices made by our fighting men and remember the reasons why they fought.

To refresh our memory as to why they fought, I think it is best stated in the Preamble to our Constitution: "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Yes, these are the impelling motives that have required the common defense, as the Preamble states, by our fighting men, that justice, domestic tranquility, welfare and the blessings of liberty might be preserved for the generations to follow.

But even today, as we honor those efforts and our dead, we find this Nation again at war, because there are those who would destroy these principles and prevent others from developing the blessings of liberty. And the long list of those who lie in "some corner of a foreign field" grows daily. The

end of the bitter conflict in Viet Nam is not in sight. For mothers, fathers, wives and sweethearts, families of those who are fighting, this is a sad and anxious time, and for those who have lost loved ones, this is a time to remember and honor, and perhaps even wait fearfully for the news of a possible new grief.

Now is the war in Viet Nam our only concern. There are many other trouble spots and potential trouble spots around the world that could erupt into open hostility at any moment. The United States has pledged to help around forty other nations if aggressive actions should threaten their welfare, commitments such as we now have in Viet Nam. It's a burden that is already heavy, and could become so great that we eventually cannot carry it. The problem becomes even more critical when you consider the burdens of other foreign aids that we Americans carry on our shoulders.

Unfortunately, too many of these foreign nations, after receiving our financial and military help year after year, now sit back and criticize as we, almost alone, carry the burden of battle in Viet Nam. Too many of these so-called friends not only fail to give us moral support or troops to assist our G.I.'s, but they actually betray our trust by actively trading with the common enemy.

Our gallant troops are fighting today in the jungles of Viet Nam for the very same purpose that they have fought in other wars, to protect those individuals and nations that want to live in freedom. Many Americans question, and perhaps rightfully so, why our sacrifices still go on and why the burdens of warfare remain ours to carry, too often all alone.

The perplexing relations between nations have then placed us at the cross-roads today, fighting a war that to many seems useless. The success of our efforts in building a nation of great economic and social strength has made us a world leader, bound by the principles of our founding fathers to find peace, not war.

In search of this objective, we have displayed our willingness to fight limited battles in the hope of avoiding major battles. But the ways of a peacemaker are often suspect, and are always frustrating. . . . Perhaps Aristotle stated the problems of peace best when he said, "It is more difficult to organize peace than to win a war, but the fruits of victory will be lost if the peace is not well-organized."

The wisdom of his statement history has engraved throughout the battlefields of many lands, reminding us that peace comes not by changing maps, but by changing the hearts of men.

Abraham Lincoln seemed to understand that principle . . . the principle that no peace is won until and unless the foe is won over as a friend. For being kind to the enemy and not using his power to destroy, he was many times reprimanded. However, his reply was: "Don't I destroy my enemy when I make him my friend?" Lincoln, of course, understood the needed use of force in situations that were otherwise unsolvable, but when the battle was won, he forgave his enemies and bound up the Nation's wounds.

America has had some success in following this principle. Our decision to help rebuild Japan and to allow West Germany again to become an industrial power in the world are notable examples. Whether these decisions were right or wrong, only history can tell us, but the point is that America was attempting to export ideas, not subjugation.

It has not been our purpose or policy to dominate a vanquished foe, as is practiced by the communist world—for to do so is but to create an eternal enemy.

Unfortunately, we have too often failed to convince other nations that we truly are friends. Somewhere we have failed in our efforts to even convince our friends of our

sincerity and sober determination to bring peace to a troubled world. All we have to do is pick up a newspaper or turn on our radio and television sets to realize that we are indeed not loved around the world . . . our flag is being desecrated, our embassies stoned and burned, our actions everywhere subjected to cruel ridicule. While our purpose is noble and our goal of the highest order, we have failed to develop a sense of loyalty among our friends and have failed to convince our enemies that we stand united as a people in our quest for peace. Somewhere along the line we must get the message across to our allies that it is *their* freedom as well as ours that is threatened by the communist conspiracy today.

These are obligations and objectives that I am sure the fighting men of yesteryear would have wanted us to uphold.

In fighting the great battle for peace in the world, we as a Nation cannot expect to be loved by everyone, but neither do we expect to be hated. And above all, we must at least be respected.

Segments of our own population, right here in the United States, are not without blame in this respect either, although I suspect that the same set of circumstances that causes disrespect abroad also perpetrates it here at home. I refer to the regrettable displays of anti-Americanism represented by groups of our young people who burn their draft cards and make other manifestations of unpatriotic behavior. I am sure it makes good reading in the newspapers of other nations around the world, but it is a sad testimony to the fighting men and women of America who we honor today. I cannot believe that our veterans made the supreme sacrifice just so a bunch of disgruntled kids could have the right to set a match to a card that symbolizes our historic desire to protect freedom at all cost.

Some of these people need a lesson in patriotism, so elegantly on display here today that gives cause for our reflection for a moment or two of the need for a full understanding of patriotism's components.

For patriotism is not just marching behind a band and puffing out our chest. It isn't just a flash of fire-works on the Fourth of July or the playing of taps on Memorial Day, and then submerging our emotions for the rest of the year. It isn't just expressing delight with a three-day holiday during which we can schedule a host of activities, few that are connected with the observance of remembering our honored dead. It is rather for all Americans to stop and remember those who made this holiday possible.

Patriotism is the sum of the three cardinal virtues: Faith, Hope and Charity. Faith in the principles of our government; Hope in the future of our country; Charity toward all and malice toward none.

It is that spirit that makes us help our neighbors when they are in distress, and extend sympathy when they are stricken.

Patriotism is the emotion that makes a lump rise in the throat when one of our fellow men strives to achieve something that no human being ever before achieved . . . to be unshamed at the tears in your eyes when some great soul passes on . . . a soul who unselfishly devoted his life to the cause of mankind.

Patriotism is loving one's country, respecting its traditions, and honoring its people, high or low, rich or poor . . . standing firm and unselfish for the right, for the common good, for the peace and well-being of all; sacrificing self, if need be, and standing tall and unafraid against all opposition.

Patriotism is also giving thanks to Divine Powers and Providence for the blessings that are ours in this generation. We might do well to recall on this day the words in the Gospel of St. Matthew: "Blessed are the peacemakers, for they shall be called the children of God."

Truly we as American citizens have been blessed with all of Nature's generosity, but have we responded with prayerful thanks or displayed a faith and sought Divine guidance in our quest for peace? Memorial Day is truly a day of prayer and thanksgiving for the blessings we share in this day of world history. For no nation and no generation has greater cause to count their blessings and rejoice . . . even in time of grief and recollection of sacrifices.

Those who gave their all, did so in the belief that they were preserving a Nation that would grow to be the envy of the world. And our Nation did just that, with an abundance of food, an abundance of luxuries . . . a great way of life, with opportunity for all. But, somehow I feel that those who sacrificed all so that we might have these benefits, did so in the belief that we would manage our great estate in such a way as to make their sacrifice worthwhile.

In some ways we have succeeded. In far too many ways we leave much to be desired. With all of our material wealth, and with all of our technological excellence, we have not learned to live with our neighbor and fellow man. We have within our grasp and ability to send a rocket to the moon, but we haven't learned how to stop killing more than 40,000 of our neighbors on our highways every year. A free American farmer developed the greatest food production unit in the world, but we have botched things so badly that he can't make a decent living except in time of war, even with two-thirds of the world under-fed. Our American housewives step into the best-equipped kitchens known to Man . . . but they rightfully fear to step out on most of the streets of the Nation where terror and disrespect run rampant. Our Nation has developed freedom of religion to a far greater degree than anywhere else in the world, but those who built our beautiful houses of worship should be alarmed at the atmosphere that enables us to pick up a popular magazine and be told that God is dead.

Even with Americans constituting but six per cent of the world's population, we earn over one-half of the world's income . . . but we as a Nation have not found a way to pay the Federal bills as we go along.

Those who died for the preservation of the American way of life would, of course, be proud of many of our achievements. But they would also reprimand us for not running our affairs in a better way. We expected them to give their all in defense of our freedoms. And they did. Now we must, as their living heirs, pay our debt of gratitude by showing the world that we were worth the price.

And so today here in Hallock, as in communities throughout the Nation, we gather to honor our dead, those who gave their lives in the military service of our country, and those who gave their lives to protect the principles that forged this great Nation. Many will travel to the cemetery to lay a wreath or a bouquet of flowers on the graves of special loved ones.

May we also give thanks and offer sincere prayers for the strength, the knowledge and the guidance to live our lives and manage this Nation as a world leader to the true fulfillment of the objectives of those we today have honored.

May we pledge to rededicate our lives to the principles of understanding instead of distrust. So that our monuments of the future may be built to the more noble purposes of service to mankind instead of the battles that represent man's inability to live together.

Let us hasten to the day when we can indeed call this Memorial Day, because the deeds for which we honor our dead will be just that, memories. Until we do so, they will most certainly have died in vain.

THE HEADS OF THE 2 LARGEST CITIZEN FEDERATIONS WITH A TOTAL MEMBERSHIP OF NEARLY 50,000 URGE THE PRESIDENT TO ESTABLISH PRIORITIES FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS TO CARRY OUT THE INTENT OF THE CONGRESS IN THE NATION'S CAPITAL

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, home rule for the citizens of the District of Columbia, for some inexplicable reason, is not on the agenda of the White House Conference on Civil Rights which is meeting today and tomorrow in the Nation's Capital.

It is clear, however, that, short of home rule, there are many things which the President could do, and which he is not doing, to lighten the heavy burden which the District's voteless citizens have to bear at this time. In this connection, I have been requested to bring to the attention of this administration, the Members of the Congress, and the Commissioners of the District of Columbia, a joint plea to the President by the heads of the two largest citizen groups in the District of Columbia. Together, the 2 grassroots groups they head have a membership of nearly 50,000 citizens organized voluntarily into nearly 100 chapters. Their joint plea, in the form of a letter to President Johnson, calls on the President to establish by Executive order a rational system of priorities for Federal and federally assisted programs in the Nation's Capital. At the present time, programs for commercial urban renewal, highways, luxury housing, and parking for cars have a very much higher priority than program for low- and moderate-income housing, housing code enforcement, education, recreation, and culture. Recently Vice President HUMPHREY had to call for public donations to light playgrounds in the Nation's Capital at the very same time that a massive program calling for 26 lanes of expressway into the District of Columbia costing tens of millions of dollars was launched along with a massive parking program, which will destroy many District homes, in the face of a housing crisis of major proportions.

In the housing message to Congress on March 2, 1965, President Johnson declared that:

We must extend the range of choices available to all our people so that all, not just the fortunate, can have access to decent homes, and schools, to recreation, and to culture.

The administration has been careful not to consult District citizens on this matter of commercial urban renewal, highways, luxury housing, and parking for cars, and no poll or vote of the citizens has been sought. The evidence is

overwhelming that the citizens would oppose them almost to a man if they had a chance to express their views. There is no evidence that the words of the President which I have quoted have been, or will be, heeded by those in charge. Officials of this administration have ignored both the words of the President and the admonition by Vice President HUMPHREY that slums "breed disorder, demagoguery, and hate." This is the background on this plea and I include it together with a related item reporting the position of the Committee of 100 on the Federal City in the CONGRESSIONAL RECORD:

JUNE 1, 1966.

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

DEAR MR. PRESIDENT: It is highly significant, we believe, that nowhere or at any time have you called on the Congress, or the Board of Commissioners of the District of Columbia, to put commercial urban renewal, highways, and parking facilities ahead of efforts to end slums, or to provide housing, education, and recreation for the citizens of the District of Columbia. Yet, here in the District of Columbia, Federal funds are being made available in such a way as to give all the priorities to commercial urban renewal, highways, and parking facilities. The 26-lanes of expressway into and through the District, with its resultant displacement of thousands of homes and businesses, is an example of the wrong kind of priorities.

We believe, therefore, that the following steps are essential are in line with your home rule proposals, and can be effectuated immediately by means of an Executive Order. These steps would provide the proper priorities, and would halt the displacement of families and the destruction of homes at a time when the District is faced with housing crisis of major proportions:

1. Give the priorities to housing, education, recreation, and culture, since this would be in line with your own housing, education, and recreation and cultural Messages to the Congress, and the Acts of Congress in these fields.
2. Give the policy making power over highways, urban renewal, education, and recreation to the two civilian Commissioners of the District of Columbia. The present arrangement, whereby the Engineer Commissioner makes policy is an anachronism in the Nation's Capital. If the Engineer Commissioner makes decisions which are unpopular, under the present arrangement, with powerful lobbies his career is jeopardized and he may not be promoted. It is manifestly unfair to District citizens to require that the civilian Commissioners reside in the District for 3 years prior to appointment but make no similar requirements for the Engineer Commissioner, whose tour of duty is only three years in the District of Columbia.
3. Broaden the Policy Advisory Committee (PAC) by adding an equal or larger number of citizen representatives, such as is provided in the case of all other advisory and policy making committees, commission, etc., etc., of the District of Columbia.

We look forward to hearing from you on these matters with deep appreciation for your leadership in this difficult period. We believe these steps will encourage free men everywhere, and will meet with an overwhelming response in the Nation's Capital.

Respectfully yours,

NELSON C. ROOTS,
President, District of Columbia Federation of Civic Associations.

JOHN R. IMMER,
President, Federation of Citizens Associations.

[From the Washington (D.C.) Evening Star, June 1, 1966]

PROTEST SET ON FREEWAY DECISION

The Committee of 100 on the Federal City plans to send letters of protest to the White House, the Interior Department and the National Capital Planning Commission over the decision of the President's policy advisory committee to go ahead with Washington's freeway program.

The committee's decision to protest last week's vote for freeways followed a heated discussion yesterday during which Park Service Director George B. Hartzog Jr. was accused of a "sellout" to freeway interests.

Hartzog, who long held out against road and bridge projects, switched his vote and went along with four other advisory committee members to go on with the highway program.

Committee members speculated that Hartzog had changed his mind so that District and federal highway officials would help carry out rejuvenation plans for Pennsylvania Avenue and the Mall.

The advisory committee, at its May 25 meeting, approved the controversial Three Sisters Island Bridge, the North Central Freeway and several other bitterly opposed highway projects.

The Committee of 100 also sent a letter to Mrs. Elizabeth Rowe, chairman of the National Capital Planning Commission, and the one PAC member still opposing the highway projects, supporting her in efforts to get public hearings held before the projects go through.

OMINOUS NATO DEVELOPMENT

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

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, in making these remarks I am authorized to speak for these Congressmen as well as for myself:

E. ROSS ADAIR, of Indiana; JACKSON E. BETTS, of Ohio; WILLIAM E. BROCK, of Tennessee; CLARENCE J. BROWN, JR., of Ohio; DON H. CLAUSEN, of California; THOMAS B. CURTIS, of Missouri; EDWARD J. DERWINSKI, of Illinois; ROBERT F. ELLSWORTH, of Kansas; JOHN ERLERNBORN, of Illinois; JAMES R. GROVER, JR., of New York; CHARLES GUBSER, of California; RALPH HARVEY, of Indiana; ROBERT MCCLORY, of Illinois; ROBERT MCEWEN, of New York; CHESTER MIZE, of Kansas; ALBERT H. QUIE, of Minnesota; HOWARD W. ROBISON, of New York; HERMAN T. SCHNEEBELI, of Pennsylvania; WENDELL WYATT, of Oregon, and J. ARTHUR YOUNGER, of California.

News reports which were forced last week to inside pages by Vietnam headlines told of shocking European developments which could wreck NATO completely unless the United States acts quickly.

This was the news: for the past year France and the Soviet Union have been working together in nuclear research, and joint ventures in space are now being negotiated.

The world's largest accelerator, being completed near Moscow, will be open to French scientists. For their part the

French will provide the world's largest "bubble chamber" for the observation of high-energy particles.

The French team will be the largest group of foreigners to work with Soviet researchers.

What are the implications?

Most obvious, France will press forward with nuclear weapons development. From research to weapons development is only a step. This should surprise no one, as it is entirely natural for any nation to develop the best possible weapons for its own national security. It was unrealistic for anyone to expect France, Germany or any nation with a tradition of scientific and aeronautic achievement, to refrain indefinitely from nuclear and space development.

France's nuclear research will be done in close collaboration with the Soviet Union. Both have much to gain. France gains access to advanced nuclear technology long denied it by United States policy. The Soviets get the use of unique French scientific achievements but more important may gain a way to circumvent the test-ban treaty.

France did not sign the test-ban treaty and has islands in the Pacific where nuclear devices will soon be tested. The Soviet Union did, of course, sign the treaty, but a working relationship with France would enable the Russians to get their nuclear devices tested above ground without themselves openly violating the treaty.

The Soviets have more to gain than just technological development.

The collaboration gives them an effective new way to pursue their obvious objective of fomenting trouble within the Atlantic alliance.

It will further encourage the separation of France from NATO, already far advanced.

It will establish a new European partnership interested partly in keeping the Germans forever from acquiring nuclear weapons, and thus it will feed new fires of discontent within Germany.

Is it realistic to expect a nation like Germany whose scientists pioneered in rocketry and atomic fission to forgo permanently the most effective military weapons? Have the Germans not accepted with patience and grace a second-class status for an entire generation after the war?

As the memory of Hitler fades it would be natural for the Germans like the French to rebel against a policy which treats them as untrustworthy and irresponsible. That day will be hastened by the new French-Soviet arrangement. Germany will be impelled to make its own deal—with the Soviets or others—to advance what appear to be its own national interests.

All this could have been prevented.

Three years ago the House Republican committee on NATO warned that U.S. policy on nuclear weapons was outmoded and bound to cause trouble within the alliance. That shortsighted policy denied to our allies weapons we knew the Soviet Union possessed. At that time our committee recommended that tactical

nuclear weapons be made available to NATO nations.

The factfinding mission to Paris sponsored last June by the House Republican Conference proposed that the United States recognize the fact that France, like it or not, had become a nuclear power and we should start cooperating to the end that the nuclear capabilities of the two nations be fully coordinated. This could have been done without amending the Atomic Energy Act. The mission also proposed that steps be taken to create a true partnership within NATO in nuclear technology and weapons control.

Why did France turn to the Soviet Union? Was it because the United States has actively resisted all French efforts to develop nuclear weapons? Was it because we turned a deaf ear to French complaints about the NATO military structure? To a shocking extent U.S. policies have driven France into the arms of the Soviet Union. The latest in a long series of affronts was our administration's refusal to export computer equipment France wanted for its weapons technology.

Curiously, the United States has acted as if the best allies are those which are individually weak, disarmed and dependent. Never let them have any big weapons of their own. Goodness, no. They can't be trusted. Be lord high protector for them all, and everybody will live happily ever after. Nationalism is wrong for everybody but ourselves.

This policy was doomed to failure. It ignored the natural needs and pride of every progressive nation.

Our commitment to NATO was based principally on nuclear deterrence—that is massive and immediate atomic retaliation. While this is officially the NATO doctrine and still theoretically in effect, it has actually been abandoned by the Supreme Command in favor of the concept of flexible response. Never approved by the NATO Council, flexible response became the de facto NATO doctrine when it was propounded by Secretary McNamara in a speech at the University of Michigan. The result of this was to seriously undermine the credibility of our NATO commitment. Today, how many people really believe President Johnson would press the nuclear button—thus risking destruction of U.S. cities—in order to protect Europe? Even if he would, has he convinced our allies?

The automatic character of our commitment to defend other NATO nations further came into question recently in the disclosure of correspondence in 1964 between our President and the Prime Minister of Turkey. In it, President Johnson warned that the United States might have to review its defense commitment if Turkey's planned action in Cyprus provoked Soviet attack. The language he used was curiously similar to De Gaulle's recent use of the words "unprovoked attack" in describing his interpretation of the alliance's automatic commitment.

Recognizing the key importance of France in the Atlantic alliance, the Republican committee more than a year

ago urged President Johnson to go to Paris for the single purpose of visiting the French President.

At this late hour, can anything be done to save the alliance from further fragmentation?

A personal trip to Paris by President Johnson still might salvage NATO, if he were prepared to discuss specific proposals which would assure NATO-wide cooperation in technology of all sorts—including nuclear matters, as well as a partnership system for making alliance policy and carrying it out, and a joint arrangement for handling worldwide matters like Vietnam.

President Johnson is the ex officio leader of the alliance because present circumstances center all of its real authority in his hands. He alone controls the nuclear weapons on which all NATO nations depend. He personally selects the supreme commanders of the alliance. Therefore, he alone is in a position to bring about effective reforms quickly. He must act, or nothing of consequence will happen.

President de Gaulle is an astute diplomat, and this current scientific venture with the Soviet Union may actually be a move intended to bring forth a revamped NATO. If President Johnson goes to Paris with specific proposals to discuss, the mad rush toward fragmentation of the alliance could be reversed.

Even if President de Gaulle does not react favorably, much could be gained. Reform of NATO is essential no matter what course France may pursue.

In any case, does the clear responsibility of alliance leadership give the U.S. President any choice but to go? Our pride must not be permitted to stand in the way. The stakes are high, and a touch of humility might be helpful.

At the least the trip and the proposals would reestablish a basic but long neglected principle: our NATO allies should be as militarily strong and self-reliant as possible.

Until a better arrangement can be devised, we must aid our allies, individually and collectively, in acquiring the weapons and technology they feel are essential to their security.

HUMANE TREATMENT FOR LABORATORY ANIMALS

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, in recent days, additional important editorial support has been expressed for legislation that would provide humane standards of care for animals used in scientific research.

The Washington Evening Star and the Washington Post have each endorsed proposals now being argued in the Senate Commerce Committee to broaden the

legislation recently enacted by the House so as to take it past the laboratory door, where the protection was left by the bill as approved in the House.

Both newspapers, I want to point, have long championed this principle which is embodied in legislation—H.R. 5647—I am sponsoring. The *Star* in particular directs its opposition to the proposal offered by Senator HILL of Alabama by which the scientific community would privately police the care of animals in the laboratory. In my opinion, this would be worse than no bill at all because it would likely end all further chance of meaningful legislation while providing no real protection.

There is overwhelming evidence of mistreatment of animals before, during and after the experiments performed on them. The *Post* correctly notes that "Scientific research is not advanced in the slightest degree by such callous cruelty." This is absolutely true. Furthermore, passage of my bill or similar legislation would in no way impair the legitimate use of animals in scientific research. Every responsible person knows that animals must be used in the search for new ways to fight disease. Every responsible person should also recognize the moral obligation to treat these animals humanely.

I place the two editorials—the *Star's* appearing on May 26 and the *Post's* on June 1—in the *RECORD* at this point.

[From the Washington (D.C.) Evening Star, May 26, 1966]

THE ANIMAL CRUELTY BILLS

Congress at last is headed toward enactment of a law to require humane treatment of animals used in laboratory research and to halt thefts of pets by dealers supplying this market.

At the eleventh hour, however, a snag has been encountered in the Senate Commerce Committee. Medical researchers, hostile to government supervision (but not government grants, it should be added), are attempting a switch play. A bill introduced by Senator HILL of Alabama would head off federal inspection of how laboratories treat animals awaiting experiments. Instead this authority would be given to a private group.

The medical men, in fact, have such a group all ready and waiting. Set up last year, it is called the American Association for Accreditation of Laboratory Animal Care. Its members are of the establishment; all are staff members of medical schools and research institutions. And, as the association's brochure suggests, the "inspections" would be rather friendly affairs.

There would be no surprise audits, such as those routinely carried out now in the banking industry, for example. Instead a visit would be scheduled by "mutual convenience." It would not come distressingly often—no more than once every five years. The inspectors, according to the brochure, would charge fees ranging up to \$1,000 for their trouble.

If the laboratories are in fact treating the animals humanely, they should have nothing to fear from a proposal by Senator Magnuson of Washington that such inspections be made by the Department of Agriculture after standards have been published. His bill has nothing to do with the anti-vivisectionists; the government would not interfere with any laboratory tests or operations.

Certainly the public should not be deluded into thinking the Hill proposal represents any kind of adequate substitute for impartial inspection of such institutions.

[From the Washington (D.C.) Post, June 1, 1966]

OBLIGATION OF HUMANITY

Anyone with a modicum of imagination and a modest reservoir of the milk of human kindness in his makeup must feel distress if not indignation at current disclosures of the treatment sometimes accorded animals used in scientific research. Sometimes family pets are stolen for sale to laboratories; sometimes animals are kept in cramped cages too small for them to stand in; sometimes they are denied adequate food or water while awaiting experimentation. Scientific research is not advanced in the slightest degree by such callous cruelty. Human decency and dignity are affronted by it.

The Senate Commerce Committee is now considering legislation to forbid this kind of savagery. It should be stronger legislation than that passed by the House, which limits its protection to animal dealers—and to dogs and cats. Cruelty ought to be prevented in laboratories as well—and it ought to be prevented in connection with all living creatures. The welfare of humanity is debased, not advanced, by purposeless brutality springing from callousness or neglect or niggardly penny-pinching. Humane treatment of dumb animals is a hallmark of humanity.

THE BIG SPENDER

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

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, an item in a national news magazine this week describes a sweeping program to provide jobs and a guaranteed annual income for every American which will shortly be presented to the President for his consideration. Among the recommendations, according to the report, are: First, new public works projects to provide employment for all at their existing levels of skills, and for those still unemployed, a guaranteed level of income under uniform Federal standards; second, Federal purchase, lease, and sale of land to assure that its development will provide housing, facilities, and services for persons of all races and incomes; third, a national minimum of welfare assistance to set up a standard of living compatible with health and decency.

While the goal of adequate incomes and housing for all is certainly a meritorious one which any fairminded citizen will support, our experience with Government-sponsored programs in the past should make us distrust such programs as a remedy.

The Federal urban renewal program is an excellent example. Started in 1949, its primary purpose was to remove blighted urban areas and provide low- and moderate-cost housing for citizens in the lower income brackets. The abuses caused by this program over the years and the protests from the intended beneficiaries are now a matter of record. And we are still in search of reasonable-cost housing for our less fortunate citizens.

And now, if the above-mentioned report is any indication, we might possibly

embark on more Federal spending schemes, conveniently forgetting past mistakes, let alone correcting them.

For the average citizen who cannot rely on deficit spending for any length of time without a day of reckoning, there is a long-range solution to this financial idiocy: he must relate the value of his dwindling dollar to Government spending programs in nondefense areas. As stated in the following article, the best way to curb inflation is to reduce Government expenditures. Secondly, the citizen must file for reference on election day the various nonessential, nondefense spending proposals and who among his Representatives in national elective offices are responsible for them. Thirdly, return such Representatives to private life in November to learn anew the realities of deficit spending.

The following article, "Slash the Spending," should be read by every citizen concerned about the present inflationary trend. Its author, Henry Hazlitt, is certainly qualified to speak on this subject. Both an editor and author, he began his journalistic career back in 1913, and since that time has served as financial and literary editor and as editorial writer for various newspapers and magazines in the New York area. He has authored a number of books on economics, and since 1946 has written the column, "Business Tides" for *Newsweek* magazine.

For a realistic approach to our problem inflation I recommend the above-mentioned column, "Slash the Spending," and insert it in the *RECORD* at this point.

SLASH THE SPENDING

(By Henry Hazlitt)

For the last five years the "new economists" have denied that their policies led to more inflation. Now that they are at last forced to recognize this, they are proposing one of two cures, or both. The first is price and wage controls; the second is another tax increase. The first is not a cure at all but merely an additional disease. The second is harmful and unnecessary.

The simple cure for inflation is to stop inflating. The direct cause of inflation is the increase in the quantity of money and bank credit; the direct cure is to stop this increase. In order to make this possible we must stop the budget deficits. There are two ways to do this. One is to increase taxes; the other to cut expenditures.

But a further tax increase, on top of the \$5 billion annual increase in social-security taxes that went into effect Jan. 1, and on top of the \$6 billion increase just enacted, i.e., on top of the unparalleled tax burden of \$145 billion that the American people already carry for 1967, would discourage production and constrict the economy. No one has been more insistent on this result in the last few years than the new economists themselves. They supported a tax reduction when we could not afford it. As we already had an inflationary deficit, the tax cut simply made it greater. It was therefore a sham tax cut. It merely substituted inflation, which President Johnson has called "the most unjust and capricious form of taxation," for other taxes.

HUGE NONDEFENSE COST

And it was the wrong kind of tax cut, both politically and economically. If everyone's taxes had simply been cut by an equal percentage, it would now be politically easy to restore them by a corresponding percentage. But proportionately the tax cuts

were greatest on the low-bracket incomes, making income-tax rates even more steeply progressive than they already were. The Administration and Congress would therefore not dare now to restore personal income tax rates to their previous levels because they would be accused of making the increase greatest on the lower incomes.

Yet with the clear threat of further inflation, it is imperative that we reduce or eliminate the "inflationary gap," i.e., the excess of expenditures over revenues. The best way to do that is to reduce expenditures.

We are being told that this cannot be done, because the present huge spending is necessary to pay for the war in Vietnam. But this is not so. In the cash budget for the fiscal year 1967 total national defense expenditures are estimated at \$60.5 billion. Nondefense spending comes to \$83.6 billion. If we compare the 1967 budget with 1956, we find that defense costs in this eleven-year period have risen only \$20.5 billion while nondefense spending has increased by \$52 billion. The way to prevent further inflation is to start slashing this enormous nondefense total.

SAVING \$10 BILLION

How many billions need to be slashed off? Technically, the 1967 cash budget is already estimated to be in balance. But if (allowing for the dubious accounting gimmicks and the probable underestimate of expenditures) we assume that the real deficit will be at least \$5 billion to \$10 billion, then this is the amount that expenditures should be cut.

Anyone who thinks there is anything unreasonable or impossible about a cut of these dimensions need merely look at the increase in nondefense spending in the last few years.

For 1967 it is \$12 billion more than in 1965, \$23 billion more than in 1963 and \$32 billion more than in 1961. All we have to do to cut out even \$10 billion is to cut out the new spending programs added since 1965 alone. If we don't want to do it that way, we might do it by slashing one or two of the more dubious categories of spending such as the \$4 billion for foreign aid, the \$3 billion for farm subsidies, the \$4 billion for the most expensive road-building program in history, the \$4 billion for putting a man on the moon or part of the \$46 billion of welfare spending.

But don't let anyone tell you that we need to levy \$5 billion or so of increased taxes (on top of \$145 billion already there) to "prevent inflation" or to pay for the Vietnam war. The money is "needed" only to pay for the extravagant Great Society programs of the last few years.

WHAT IS OUR "FARM PROGRAM"?

The SPEAKER. Under previous order of the House, the gentleman from Texas is recognized for 30 minutes.

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

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

There was no objection.

Mr. POAGE. Mr. Speaker, last night and this morning the Washington papers carried headlines stating that the cost of food had advanced almost 7 percent within the last 14 months.

This is very naturally disconcerting to the consumer and we are all consumers. It is a very common and natural reaction to blame the farmers for this increase. "Didn't he raise the prices?" "Didn't he pocket exorbitant profits?" Let us see just how "exorbitant" have been the

profits of American farmers. Let us read a little more of the record—those facts which the newspapers did not print. Let us see, if we can, just what prices have gone up and just who got the increases.

We are all vaguely familiar with what we call parity. Parity is simply a measuring stick. It is that price for the things which farmers sell—wheat, cattle, cotton, corn, and so forth—which will purchase the same amount of the things farmers buy—tractors, gasoline, clothes, carpets, television, and so forth—as this same volume of production did in the base period, with certain technical adjustments. It is a pretty fair measure of the real income of farmers—expressed in buying power. In 1952 the parity index stood at 100 percent. It dropped for 8 out of the next 9 years. Recently, this drop has been stopped if not reversed. It now stands at 79 percent. Still a long way from a fair level when compared with other segments of our society.

But let us look at some specific farm prices.

In 1952 farmers received \$4.85 per hundredweight for milk. Milk then retailed for 24.2 cents per quart. Today farmers are receiving \$4.33 per hundredweight for milk and milk is retailing for 27.2 cents per quart. Farmers can hardly be charged with this increase in consumer costs while their own returns have been reduced.

Eighteen years ago farmers received 32 cents per pound for cotton. Today it sells for 24 cents per pound. Eighteen years ago farmers sold wheat for \$2.15 per bushel. Today wheat sells for \$1.44. Now I recognize that both wheat and cotton carry a subsidy which adds to the farmers income but the figures I am quoting are the prices consumers pay. If you include the subsidy the cotton farmer is still averaging 3 cents less than he was in 1948 and the wheat farmer is getting 36 cents less.

Is any industrial worker getting less than he earned for the same work in 1948?

Now let us look at beef, for it is actually the product which has enjoyed the most spectacular increase in price recently. In 1948 feeder calves—the kind farmers sell—brought 28 cents per pound. Today they are quoted at exactly the same—28 cents. That can hardly be responsible for an increase in the price of beef.

Remember, farmers do not sell beef-steaks. They sell cattle and there has been no increase in the price of cattle over 18 years. If consumers have any legitimate complaint about food prices it seems clear that their protests should be directed to someone other than to the producer. As I will point out later the American consumer is getting more and better food, right now, for a smaller percent of his spendable income than have the people of any other major nation at any time in history.

Now, Mr. Speaker, I would like to try to describe our farm program. In the hope that I will not be too boring I will proceed for not more than half an hour today and then on Tuesday next I will use additional time.

We are often asked: "What is our farm program?" "What does it cost?" "Who does it help?" "Why should city people support it?"

If one can answer the first question, I believe the other questions will answer themselves. I shall shortly attempt to explain the general value of our farm program. I hope that I can do this with sufficient clarity that you will be able to follow the more specific and more detailed discussion of various facets of this problem which will over the next several weeks be presented by a number of my colleagues.

Finally, while these discussions will of necessity be political in their overtones, because in recent weeks the farm program has itself been the subject of political attacks, today I intend to confine myself to a factual recital of the historical basis and the mechanics of our farm program.

I have studied the needs of agriculture all my life. I was reared way out in the country—30 miles from the nearest railroad. The first school I attended was taught in a church house. Practically everyone in the community was dependent directly on agriculture for his livelihood. That meant that we were dependent on the vagrancies of the weather, the insects, and the markets.

Summer after summer I watched for a cloud in the west, not simply to break the searing heat but to save our wilting crops and to supply water for our thirsty livestock.

Along with the other boys of the community, I drove a team of mules pulling a long pan of water with kerosene oil on top to catch and kill the grasshoppers which could and did destroy our crops in 1 day, just as they have through the Middle East for thousands of years.

And when we made a crop we never knew what we could get for it. I lived in a country which was moving out of cattle into cotton. Today we are reversing the process. Fifty to sixty years ago cotton often sold for 15 cents per pound—in May and June—when the farmers had no cotton. My father and his neighbors all talked of getting 15 cents for their cotton. They never did because as cotton began to open, the price always went down. By September or October, when we had cotton to sell, it often sold for 8 or 9 cents. The same thing was true of other commodities. I am sure that those who lived in wheat- or corn-producing areas had a similar experience.

We have not yet discovered anything we can do about the weather. In my country we still look hopefully at the western sky each summer night, but the Soil Conservation Service has helped us to conserve and more efficiently use the moisture we do get and in some places the Reclamation Service has helped farmers to irrigate their land.

Scientific research, both Government and private, has gone a long way toward helping us control the insects. The grasshopper is no longer our No. 1 pest. We have insecticides without number. Most of them are good and accomplish the specific objective for which they were developed, but they are expensive and their application is even more expensive. Just last week I was

talking to a cotton farmer who grew about 2 bales per acre—an excellent crop—but he told me he sprayed his crop 30 times. Each spraying cost about \$3 per acre. You can see that he had to make a mighty good crop to break even. Both Government and private industry has helped in our struggle with insects, weeds, and plant disease, but we still have a lot to do.

Probably our greatest governmental help has come in the field of marketing. Today, not only cotton but most storable crops enjoy a large degree of price stability. Except for the cost of storage and carrying charges there is little difference between the price available to the producer at harvest and the price 10 months after harvest. Indeed, our modern younger farmer never realizes just what the Government has done to help him stabilize his price.

How has the Government moved to help farmers?

First, it began in the Wilson administration to help farmers secure credit on usable terms. The land bank system was enacted in 1914. Under it the Government advanced the first capital for the land banks, which helped and still help so many farmers to own their land. This system required that the very people who borrowed from the bank should use at least 5 percent of the loan to buy the stock of the system. Today there is not a dollar of Government money in the land banks. They are wholly farmer owned.

In 1923 we established the intermediate credit banks on the same pattern. In 1933 we added the banks for cooperatives. Both of these systems are now well along toward farmer ownership. This spring I introduced H.R. 14000, which would apply the same principle of cooperative credit to the REA, but that is a separate story. The point is that farmers have proven that, given an opportunity, they can and will reimburse the Government and provide their own credit. So far few urban programs have repaid so much of the aid extended. More recently, the Farmers Home Administration has provided credit to the lower income brackets of farm people. It has made direct loans, but it has also guaranteed private loans. It has charged the borrowers a fee for this guarantee and it has actually made a profit from its guarantee business.

The next field of Government aid comes under the head of research and development of crops and methods of cultivation. For many years the Department of Agriculture and the land-grant colleges had been developing new and better systems of producing crops and livestock, but it was not until the Second World War brought farm prices up toward parity that most farmers could afford to use these devices. With wheat selling at 75 cents per bushel and cotton at 12 cents per pound, our farmers throughout the 1930's simply did not have the means of using the knowledge that our research institutions had developed and our extension service had so neatly cataloged. But when prices moved up our farmers immediately availed themselves of this scientific

knowledge and used it to very rapidly double and in many cases triple our agricultural output. Had they not had this accumulation of research, or had they been denied the price increase necessary to use this information, we could not have fed ourselves during the war, much less feed the needy people in allied and later in conquered countries.

Probably never has the importance of a fair price been more clearly evidenced, and the most important point is that the payment of a fair price—that is, a price close to parity, which allowed the farmer to continue to sell his products for enough to buy his historic needs for the same amount of this production—clearly saved the American consumer from utterly unbearable prices for food and fiber and at the same time made it possible to contribute mightily to the recovery of Western Europe.

This has nothing to do with the wishes of our farmers or their willingness to produce abundantly. It is just a matter of economics. Had the price of cotton remained at 12 cents, how could any farmer invest \$90 per acre in the destruction of insects? Had the price of wheat remained at 75 cents, how could any farmer have put out enough fertilizer to double our average yield. And had our farmers not increased the yield both per acre and per man engaged in agriculture, what do you think wartime America would have paid for food and fiber?

I, therefore, come to my first conclusion. The people of our cities have just as much at stake in fair farm prices as do the producers themselves. Indeed, without this farmer efficiency there could be no big cities. At the time of the adoption of the American Constitution it took three men working on the farm to feed themselves and one man in the city. In Russia it still takes at least one man on the farm for every two in town, but in the United States we need but 1 man on the farm to supply 36 in our cities. I think the greatest mistake any of us can make is to assume that by depressing the price of farm products we can, in the long run, improve the lot of the urban citizen.

Farming, today, is a tremendously expensive business. Impossible as it will sound to many Representatives, the investment in plant and machinery is actually 50 percent greater on the American farms than in our factories—actually \$30,500 per farmworker and only \$19,600 per industrial worker. This investment simply cannot be made or maintained without a reasonable price for farm products—and when this investment is not made, many evil consequences are certain to follow. First, farm production must drop because men working with hoes and rakes simply cannot produce as much as men with modern tractors and tillage instruments, and men—or as in Europe, women—hauling barnyard manure cannot get the yields produced from modern chemical fertilizers.

As total production drops, the cost to the consumer must go up and as the efficiency of the agricultural worker goes down, his returns must go down even though the unit price is increased. Thus, at the very time the industrial worker

finds his own cost of living going up, he is very likely to find the market for his products contracting because agriculture still provides the largest single market for so many of our basic industrial products.

Nor can the Nation afford to devote any larger share of our national labor force to the production of food and fiber. To do so will not help consumers. The larger the percent of the labor force devoted to agriculture, the larger share of the industrial worker's income which must be used to buy food.

I invite you to ponder the following statistics:

In the United States only 1 worker out of 15.7 is engaged in agriculture. At the same time our industrial workers use but 18 percent of their net spendable income on food.

In France 1 worker out of 5 is engaged in agriculture, and the industrial worker of France spends 30.5 percent of his net spendable income on food.

In the U.S.S.R. 1 worker out of every 3 is engaged in agriculture. There industrial workers have to spend 47 percent of their spendable income for food.

In India and Red China there are no exact figures, but about 75 percent of the people work in agriculture and the others spend about 75 percent of their income for a very inadequate diet.

In the face of these figures who can complacently pass over the farm problem as one with only local implications. No, my friends, the farm problem is everybody's problem.

I feel that it is a mistake to belabor the matter in one discussion. Tomorrow I shall try to follow the development of our policies and programs since the close of the Korean war. A little later other Members will cover some of the many features of special interest to various groups and regions.

Now I shall be glad to attempt to clarify any of the subject matter I have covered today, but in the interest of reasonable coherence I would ask that you defer questions on points I have not yet covered in these discussions until I have an opportunity to reach those points.

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

Mr. POAGE. I am glad to yield to my friend from Nebraska.

Mr. CALLAN. First I wish to compliment the gentleman now in the well. He is the vice chairman of the Committee on Agriculture. I have the pleasure of serving on two subcommittees of which he is the chairman.

I am sure there is no other man in the United States any more knowledgeable in the matter of farm policy than the gentleman from Texas.

In my opinion, the statement the gentleman has made today should have widespread coverage all over the United States, equally as widespread as the newspaper articles he mentioned today. I believe if we could have this information given out to the American people we could come to a better understanding of what actually are the problems in American agriculture. For this I compliment the gentleman from Texas for his fine statement.

Mr. POAGE. I thank the gentleman from Nebraska. I hope the gentleman from Nebraska will, at a later date, discuss some of those phases himself.

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

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

I wish to join my good friend from Nebraska in expressing appreciation to the gentleman from Texas for a most statesmanlike and constructive speech.

I hope the Democratic National Committee will undertake to reprint this speech and to circulate it across the country, because I believe it will enlighten the people in our country as to the basic and fundamental facts of life about our farm program and the role which American agriculture is playing today in keeping the United States No. 1 in the free world.

I do not think any other segment of our society contributes so much to the pre-eminent position which our Nation occupies in the world today as does the American farmer. The gentleman from Texas [Mr. POAGE], who has been one of the principal architects of our farm policy for a number of years here in Washington can certainly claim a great deal of credit for the enlightened policies which we have followed, which have made possible the position our Nation occupies today.

Mr. POAGE. Mr. Speaker, I appreciate the kind words of the gentleman from Oklahoma, who has himself been so interested in the welfare of our farmers and all of our people during his long years of service here.

Mr. Speaker, I now yield to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, I also want to commend the gentleman from Texas for taking this time and indicating here that in the future he will take some more time at which time I will be glad to participate in the debate on this subject.

I also want especially to commend the gentleman from Texas for pointing out the tremendous progress that has been made in the United States of America in agriculture in the past 30 years, especially pointing to the fact that except for this great progress in productivity we today would have lines waiting to get enough meat or enough food instead of having what is called a problem, because we have a surplus.

This is the only country in the whole world where, when you refer to a farm problem, you are referring to the problem of managing a surplus instead of the problem of trying to find enough food to fill the stomachs of hungry people.

Mr. Speaker, I want to commend the gentleman for taking this time and indicating that he will take some more time next week.

Mr. POAGE. Mr. Speaker, as he always does, the gentleman from Iowa [Mr. SMITH] has shed some light on some of the deep problems involved here. I think he is generally recognized as one of the deep thinkers in regard to agriculture in the House. I very much ap-

preciate his kind remarks and hope that he, too, will avail himself of the opportunity of discussing at least some of the specialized phases of our agricultural problems during the coming weeks.

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

Mr. POAGE. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Texas yielding to me. I certainly want to commend my colleagues in congratulating the gentleman from Texas, the vice chairman of the Committee on Agriculture, for the discussion that he has brought to us today.

Certainly any emphasis we can give across the length and breadth of the Nation with reference to agriculture and to the increase in the cost to the consumers, which includes the producer, one of the greatest consumers in the field of farm implements, equipment, and so forth, is of great benefit. While he has gained relatively little in the cost of producing foods and fibers, and so forth, for this Nation, his costs have gone up. This is a most worthwhile discussion.

I commend the gentleman on what he has done. I think he will agree with me that with the attitude of the American farmer and producer perhaps we have not yet scratched the surface, because, based on our greatest resource, the God-given soil, with modern hydroponics coming on, we can even increase this yield as necessity demands and perhaps carry out some of the great things which we now plan to do here and around the world. In this way we can support our own population explosion.

Now, Mr. Speaker, let me say I was particularly glad to hear what the gentleman from Texas had to say about the cropland restoration. As he knows, I am vitally interested in restoring to the soil what we take out of it as long as we can, at least in a time of overproduction. I have worked hard on this matter. I, too, look forward to his next stanza and verse on this Tuesday following. I shall plan to be here and hope that I can help further with something similar to the more involved cropland restoration.

Mr. Speaker, I appreciate what the gentleman has said about the producer of American foodstuffs.

Mr. POAGE. Mr. Speaker, I appreciate the gentleman from Missouri, who has always been deeply interested in the restoration of our land and the maintenance of our soils, making this statement. I certainly agree with him that we are going to see vast increases in our production. I am not one who accepts the Malthusian theory or the idea that we are soon going to be starving, because I believe scientific research and farmer ingenuity is going to move forward just as rapidly in the future as it has in the past.

And for the past 100 years it has certainly moved more rapidly than population, and I believe it will in the next 100 years.

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

Mr. POAGE. I yield to the gentleman from North Dakota.

Mr. REDLIN. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, it is a privilege to have been here this afternoon to hear the vice chairman of the Committee on Agriculture on which I have the privilege to serve give this fine exposé of agriculture in the past and as we face the future.

Mr. Speaker, having been born and reared on a farm myself in similar circumstances to what the gentleman from Texas [Mr. POAGE], our vice chairman, has described, I can appreciate very, very readily what they are referring to, both as to the strengthening of the price of commodities that farmers have to sell through the use of farm programs aimed in that direction and our ability to increase production.

Mr. Speaker, it certainly is significant that the American farm economy now finds itself in the position to meet the challenge that will be made, worldwide, in helping to defend and feed persons in other areas, in helping to send food to people all over the world.

Mr. Speaker, I have heard the gentleman in the well say many times that freedom from starvation is the first freedom. We have to carry that freedom to other peoples of the world.

Mr. Speaker, I know that the gentleman from Texas will lend real leadership to the bill that is going to come before this body, the bill to provide food for peace and freedom.

Mr. Speaker, perhaps the gentleman from Texas would comment upon the relationship as to the need for having a sound program.

What has been the relationship, I will ask the gentleman from Texas, between the price support program and the returns to the farmer as to the price which he has received during the great number of years in the past?

Mr. POAGE. I certainly appreciate the comments of my friend, the gentleman from North Dakota [Mr. REDLIN], whom I know is a practical, operating farmer, living on his ability to produce, produce and sell his products in the market.

However, Mr. Speaker, I would be reluctant to get into a discussion of the price programs at this time, because they are involved in what I hope to discuss the next time under a special order. However, Mr. Speaker, I consider it vitally important.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas be permitted to proceed for 1 additional minute.

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

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Certainly, Mr. Speaker, while I am very happy to be a freshman Member from Texas and a very freshman member of the Committee on Agriculture, I wish to commend the gentleman from Texas for his work here

this evening in behalf of the farmers of Texas who have so long relied upon the gentleman in his leadership on the farm problems of the country.

Again, Mr. Speaker, I congratulate the gentleman from Texas for coming to the forefront and for letting the other people of this country, this great country of ours, know of the plight of the farmers that all of us are trying to help and that the gentleman has helped for so many years in this country.

Mr. POAGE. Mr. Speaker, I thank my colleague, the gentleman from Texas [Mr. DE LA GARZA], and I appreciate his kind words.

Mr. Speaker, I would congratulate, not him, but the people of his district, which is probably the greatest agricultural district in the State of Texas, producing about one-tenth of all the products in our State, and I congratulate them on their fine representation on the Committee on Agriculture.

VIETNAM: ELECTION HAZARDS

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

Mr. GOODELL. Mr. Speaker, to prophesy events in Vietnam is to rush in where angels fear to tread. There is, however, ground for hope for a respite in the civil strife which has wracked that nation and which has forced the United States to assume the major part of the war against the Vietcong and the North Vietnamese troops while the South Vietnamese fought each other.

The recent turbulence in Da Nang, Hue, and Saigon has had a disturbing effect on public opinion in the United States. Americans who support resistance to Communist aggression began to think for the first time of the possibility of the withdrawal of American military power from Vietnam. Realism compels recognition of this possibility. If, because of war weariness or internal divisions, the South Vietnamese themselves withdraw from the military conflict against the Communists and if civil order disintegrates in chaos and anarchy, the United States may have no alternative but to withdraw.

Let no one think, however, that withdrawal by the United States in such circumstances would be anything but a catastrophic defeat for our Nation and the greatest triumph that communism has ever achieved. Let no one think that withdrawal would bring peace and an end to American casualties. It would, on the contrary, whet the appetite of our foes for further conquest. It would be, not the end of war, but a prelude to a larger, bloodier, more costly war.

To prevent this outcome in Vietnam, the administration should now move ahead with the urgent political and military tasks that need attention. Above all, unity and stability are needed.

Whether wisely or not, both the Ky government and the United States committed themselves at the Honolulu Conference to seeking unity and stability through free elections in South Vietnam.

Thus, it is hoped a government with a mandate will emerge—a government which will command the allegiance of all the major factions of South Vietnamese society, a government that belongs to the people of South Vietnam, a government that will satisfy the legitimate demands of South Vietnamese for political and social justice.

PAST ELECTIONS IN SOUTH VIETNAM

On five occasions since South Vietnam came into being in 1954, nationwide elections have been held. These elections have not been fair and free according to generally accepted standards in advanced democratic nations. Nor, with one exception, have they been significantly successful in promoting stability and unity.

On October 23, 1955, the question of who was to rule South Vietnam was settled by a plebiscite between President Diem and the former French puppet emperor, Bao Dai. The final election results showed 5,721,735 votes for Diem; 63,017 for Bao Dai.

This election helped to dispose finally of Bao Dai and to end French efforts to depose Diem.

It was, however, a corrupt election. Although, as Prof. Bernard Fall writes, Diem's American advisers assured him that a 60-percent success was more than sufficient, Diem insisted on a 98-percent mandate and set about to secure it. The election itself was run, according to a British Embassy official, with a "cynical disregard for decency and democratic principles." In Saigon, which had only 450,000 registered voters, Diem received more than 600,000 votes, a pattern repeated in several other areas.

Fortified by this victory at the polls, Diem announced in January 1956, general elections for a constitutional assembly. The Assembly was elected to ratify a constitution drafted by Diem. If it failed to do so within 45 days, the constitutional assembly was to be dissolved, and the proposed document would then be submitted to the people in a referendum. According to the election law, all citizens over 18 were eligible to vote. Candidates had to be over 25, to have lived in South Vietnam for over 6 months prior to the election, and had to produce a judicial certificate establishing that they were not Communists or otherwise antigovernment.

Prior to the election itself, a number of steps were taken to suppress suspected opponents of the regime. On January 11, it was announced that a leading nationalist opposition group, the Revolutionary Committee, had been dissolved. When its president, M. Nguyen Bao Toan, vigorously denied this assertion, troops were dispatched to occupy the party's headquarters. Indeed, the Revolutionary Committee had been dissolved.

The next step was to arrest Dr. Pham Quang Dan, leader of another nationalist faction, the Republican Party, for distributing leaflets protesting the election law. Then, 8,000 Communists were swept up and followed Dr. Dan into prison. Numerous independent candidates "reconsidered" their candidacy and withdrew.

Although press censorship was temporarily lifted during the election campaign,

all publication of news or commentary favorable to "Communist or antinational activities" remained punishable by jail sentence up to 5 years. It was not surprising, therefore, that most opposition leaders boycotted the election, nor that the pro-Government parties dominated the new Assembly.

The two opposition parties, the Social Democrats and the Dai Viet, received two and one seats, respectively. Representatives of pro-Government parties won 101 seats, and independents won 19.

The next election in South Vietnam, held in August 1959, was for the purpose of selecting members of the legislative assembly. Election was by plurality vote in single member constituencies of roughly equal population, with the exception of Saigon, which was heavily underrepresented. Although candidates were permitted to run either as independents or under party labels, the fact that all political parties required approval of the Department of Interior either to form or continue in existence dramatically reduced the ability of any opposition to conduct an organized campaign. The election laws proclaimed as their central feature "full democratic expression" on the part of voters and "absolute equality in campaigning" among the candidates. This latter element involved an interesting program.

An electoral propaganda committee was formed in each district and charged with electoral preparations for the candidates on the basis of absolute equality among all candidates. The committees were comprised of a representative of each party-nominated candidate and one for all independent candidates. They undertook all arrangements for public meetings, radio talks, the use of radio and sound trucks, and space in the press. The committees' powers extended even to deciding the size, color, and kind of paper to be used for handbills and posters, the dates and places for their posting and distribution. The committees' approval for the working of all campaign literature was imperative.

Since the committees were composed almost entirely of representatives of party—that is, Government—approved candidates, the degree to which the Government controlled the pre-election machinery can be easily imagined.

The Government defrayed all campaign expenses. In fact, the candidates and their supporters were expressly forbidden to spend money on their own or to engage in activities such as public meetings outside the framework approved by the election committees.

The campaign period itself lasted 2 weeks.

The most noticeable evidence of the campaign was the great number of banners, posters, and similar pieces of electoral propaganda. It was interesting to note that posters exhorting participation in the election outnumbered those for the candidates by a margin of 15 to 1.

Contrasting the 1956 polling, when the Communists were able to disrupt a number of local elections, the Government was able to report in 1959 that "the elections took place in perfect order without any security incidents." About 6,300,000

of South Vietnam's 7,300,000 voters exercised their option, a participation rate of 86 percent.

Once again the election results surprised few astute local observers. Only in Saigon where the foreign press scrutinized the election closely did candidates win who were opposed by the ruling apparatus and these unwelcome individuals, Dr. Phan Quang Dan and M. Nguyen Tran, were speedily dispatched on charges of election law violation. Neither was able to take his seat.

Robert G. Scigliano described the election methods employed:

The Government's tactics * * * ranged from scrupulous fairness in observing the letter of the election laws to behind the scenes manipulations to violate their spirit. In general, it appears that the voting was carried on in fairness and secrecy and that ballots generally were honestly counted, although improprieties could have been carried out in the provinces.

One newspaper reported that a person was arrested in a rural district because she protested against an election official's demand that she vote for a certain candidate and stories of ballot boxes which disappeared circulated throughout the Provinces—Times of Vietnam, September 4, 1959.

Though ballots may have been counted honestly, every other stage of the election process was carefully directed. First, the Government controlled the participation of political parties in the election and it employed this power to prevent any organization of potential opposition. Second, it screened the candidates, and outside of Saigon, "persuaded" a number to withdraw from the election. One hundred and sixty-five candidates out of a total of 460 "decided" to drop from the list of office-seekers. As one Province chief—himself a Government appointee—explained to a foreign visitor, the Government was concerned that the candidates be "sincere" and not run simply to cause trouble. Certain candidates were given special help during the campaign. The majority leader of the National Assembly, for example, sent out a mailing to his constituents, an illegal action under the "equality" provisions of the election law, based on name and address records furnished him by the police. Although all candidates appeared to receive roughly equal treatment in the placement of posters, special posters were put up around a number of the polling places in Saigon for certain Government candidates on the eve of the election. Further, small bombs were set off outside some Saigon printing houses to discourage them from printing posters and handbills for opposition candidates. Hecklers, presumably under Government instruction, operated against various candidates.

The final elections of the Diem era in September of 1963 followed a similar pattern. Among the successful candidates for the National Assembly were the secret police chief and his wife, M. and Mme. Ngo Dinh Nhu, who swept their constituencies with 99.9 and 99.8 percent majorities respectively. Later Ngo Dinh Nhu was voted president of the Assembly. In the 1963 elections of 6,-

809,078 total registered voters, 6,329,831 were listed as having exercised their option to vote.

On May 30, 1965, a municipal and provincial election was conducted under the aegis of the short-term civilian Premier Phan Huy Quat. It is difficult to assess the legitimacy of this particular polling. Published estimates indicate that roughly 4.5 million were eligible to vote in Government-held territory and of these about 70 percent or 3.3 million were declared to have voted.

CURRENT OBSTACLES TO GENUINE ELECTIONS

This recital of the experience of South Vietnam with elections does not give ground for confidence that genuinely free and meaningful elections will be held in that unhappy land in 1966. Though significantly different from the elections in Communist nations, past elections have been controlled so as to limit closely the choice available to the voter.

In addition to the tradition of controlled elections, there are at present staggering obstacles to meaningful balloting in South Vietnam. A substantial part of the population lives in territory controlled by Communist forces. This situation was reflected in the drop of 3 million votes—almost 50 percent of the total—when the election of 1965 is compared with that of 1963. Many other voters will be subject to the threat of violence by the Communists.

Free elections require free debate and open channels of communication between candidates and the electorate. In great parts of South Vietnam, because of the war and inadequate methods of communication, these are likely to be lacking.

Free and meaningful elections are difficult without political parties. Parties are needed for the conduct of a campaign that will make clear the choice before the voters in the election. They are needed to inform the electorate, to unify like-minded voters, and to motivate people to cast ballots. There are no real political parties in Vietnam. The rudimentary kind of political organization that exists is probably not adequate for the task.

Finally, free and meaningful elections require acceptance of the results and a willingness to cooperate on the part of winners and losers after the election is over. There is room for doubt that this spirit exists among all factions in South Vietnam today.

Ten years ago Hans Morgenthau said:

Free elections are very subtle instruments which require a dedication to certain moral values and the existence of certain moral conditions which are by no means prevalent throughout the world, and certainly not prevalent in either North or South Vietnam.

There is grave doubt that these conditions exist in South Vietnam today.

A POLICY FOR THE UNITED STATES

For all these reasons it is hard to conceive of free and meaningful elections in South Vietnam under present conditions. Elections of some kind are, nevertheless, in prospect, and it is too late to debate whether or not they should be held.

The United States should not attempt to determine the outcome of any elections held in Vietnam. Yet the United States cannot be a completely uninterested bystander in forthcoming Vietnamese elections because it has committed itself to abide by the results of free elections in that nation. The United States influenced the Ky government in making its promise of elections. The United States cannot be indifferent to the fact that the elections may have profound effects on its future policy. Consequently, the administration should now clarify its policy toward the elections.

The administration should be concerned about three pitfalls that may lie ahead. One is the danger of elections rigged to ensure an outcome desired by the Ky government. A second pitfall is the danger of elections disrupted by violence, terrorism, and disorder on the part of Communists or anti-Ky elements or both. A third pitfall is the danger of elections that will intensify disorder and confusion and settle nothing.

To avert these dangers, the administration should attempt to bring about the conditions needed for genuinely free and meaningful elections in South Vietnam. At least, let it make clear what the United States means by free elections.

In my judgment, elections worthy of the description as free and meaningful are possible only if three minimal conditions are met.

First, a preelection agreement is required among responsible representatives of all major groups offering candidates to accept the outcome of the balloting. Although it may be difficult to enforce such an agreement, a public commitment in advance that the principal interest groups will not attempt to nullify the results of a fair election by force should have some moral effect. If nothing else, this should help to dispel some of the suspicion and moderate some of the antagonism that now threaten to make elections in South Vietnam an empty exercise.

Second, supervision of the political campaign, and the election process by an international commission of disinterested third-party states with a tradition of free elections is required. Neither the United States nor any Communist state should be a member of such a commission. The rules governing the conduct of the campaign should be formulated and enforced by a truly neutral and independent commission. To do its work, it must have unrestricted access to all areas within South Vietnam in which balloting takes place. Certification by this commission that the election was fair and free would be required before the vote on any question submitted to the voters could be considered valid. Before any candidate assumes any office as a result of the election, his election should be certified by the commission as free from fraud or terrorism.

To use the International Control Commission set up under the Geneva agreement of 1954 as the supervisory agency would be to destroy any prospect of a free election. It is enough to observe

that Poland is a member of that commission. The kind of elections held in Poland, in pursuance of the promise of free elections in the Yalta agreement, is not what Vietnam needs today.

In view of past experience, the United Nations offers a dubious expedient as a supervisory agency. The United Nations has ducked every question relating to Vietnam. A more important consideration is that any supervisory agency appointed by the United Nations would probably include representation for the Communist world where free elections are neither understood nor practiced.

Third, a meaningful election requires a direct vote on the basic issue of the war in Vietnam. For this reason, there should be a plebiscite on the demand made by Hanoi that the National Liberation Front assume full political power in South Vietnam. It is important that those who draft the South Vietnamese Constitution and those who hold public office know the sentiments of the voters on this issue.

I would expect that a plebiscite on this question would result in an overwhelming defeat for the Communist forces. It would demonstrate conclusively to the world the falsity of the widely accepted charge that the United States is seeking to suppress by force a national movement that enjoys the support of the majority of the people of South Vietnam. It would thereby strengthen the moral position of the Government of South Vietnam and of the United States among fairminded people throughout the world.

In South Vietnam itself, the submission of this issue to a vote would help to shift the attention of the contending factions from the secondary question involved in their scramble for power to the primary issue on which they are agreed. All responsible leaders in South Vietnam have declared their opposition to Communist rule. The plebiscite, then, could be a step toward putting first things first and achieving national unity.

Some have proposed a truce in Vietnam in connection with the elections. The main objection to such a proposal is the strong likelihood that any truce would in fact be unilateral, as was the truce proclaimed in Laos in 1961 and 1962 at the time of the Geneva negotiations.

A genuine truce—an absolute cessation of all fighting and of all terrorism, a halt to the movement of troops and military supplies into, and within, South Vietnam—would be conducive to a freer and more meaningful election. A truce that is not strictly observed would be a snare and a delusion.

The administration has taken a stand for free elections in South Vietnam. It cannot condone a rigged election even if the rigging is done by its friends. To do so would weaken further its credibility throughout the world. And a rigged election would not advance the cause of freedom, independence, and unity in South Vietnam. The result would be deepened division, not unity—heightened antagonism, not reconciliation. Such an election would not satisfy the losers nor would it strengthen the victors.

On the other hand, an election marked by fraud and terrorism which resulted in strengthening the position of elements that are ready to accept Communist rule in South Vietnam could make the position of the United States there untenable.

From its postwar experience with Eastern Europe, this Nation should have learned by now that the consequences of perverted and distorted so-called free elections are grave, if not disastrous.

It will be too late to cry foul after the fact if fraudulent elections produce results unfavorable to the independence and freedom of South Vietnam.

A pledge by participants to accept the election results, careful impartial electoral supervision, and a direct plebiscite on the issue of the war are indispensable, minimal requisites for free and meaningful elections.

The United States should foster the cause of popular government in South Vietnam in every possible way. Honest and meaningful elections are not the only way to this goal, and in the present situation they may not be the best way. But, since elections are to be held, we can start there.

Mr. STRATTON. Mr. Speaker, I wonder if the gentleman from New York will yield to me.

Mr. GOODELL. I yield with pleasure.

Mr. STRATTON. Mr. Speaker, first, I want to commend the gentleman for having presented his remarks on the floor of the House. Since I had occasion to comment on them when they were released to the press before they were delivered here, I think I ought perhaps just to comment on my impressions of the speech as given. I think that the gentleman has certainly covered an interesting historical discussion of the subject of elections and has made one of the points that I have been trying to make for some time; namely, that any kind of election in Vietnam at this time, in the circumstances that exist there, is bound to be a difficult procedure. As the gentleman has pointed out, it would be difficult to know when such election could really be representative of the sentiment of the Vietnamese people.

I am somewhat at a loss to understand exactly why the gentleman dwelt on these circumstances as extensively as he did and suggested conditions which are almost certainly not going to exist in that war-troubled country for some time to come. I certainly hope that the gentleman's ideal conditions are not being set forth today so that if the practical situation that exists does not measure up in every respect to that ideal the gentleman might be able to say it was the fault of the administration.

Mr. GOODELL. If I may interrupt at this point—and I will yield to the gentleman further—I do not suggest that the conditions that I have elucidated here are ideal conditions. I have pointed out that this country is now committed, for better or for worse, apparently, to elections in South Vietnam, and that the country of South Vietnam is committed to this.

Mr. Speaker, under those circumstances, ideal conditions are not avail-

able, if they ever could be. I have talked about minimal requisites to a meaningful election, an election that can avoid perhaps a total disaster from the viewpoint of those South Vietnamese who wish independence and from the viewpoint of the U.S. commitment in southeast Asia. They are minimal. They are not ideal.

Mr. STRATTON. Mr. Speaker, if the gentleman will yield further—

Mr. GOODELL. I yield further to the gentleman from New York.

Mr. STRATTON. The only suggestion in his remarks that is at all unusual, other than the historic review, is the proposal that we ought to have a national plebiscite on whether to let the Vietcong take over the country or, in other words, whether the country wants to surrender to the Vietcong.

Mr. Speaker, this would be a little bit like the suggestion of a Member of the other body from our State who suggested some time ago that we would have to admit the Vietcong into a coalition government.

Mr. GOODELL. If the suggestion I make sounds like that, then the gentleman has not listened very carefully or has not seen the context in which I propose it.

I have very clearly stated my belief; I would not support our commitment in southeast Asia against Communist terrorism and aggression if I did not believe this from the depths of my being, that the South Vietnamese people in overwhelming numbers would reject the proposal from Hanoi. It is important if we are going to have elections that may be extremely confusing in an underdeveloped country, without a tradition of free elections, that we have a clear mandate on this point, because if the elections are not held in a proper manner and if these minimal conditions are not met, our position could be untenable.

Mr. STRATTON. Mr. Speaker, if the gentleman would let me comment on his remarks—and I do not know whether we have any time left, but perhaps the gentleman from Illinois [Mr. PUCINSKI] would give me some time during the next special order—I realize that the gentleman has indicated that he thinks the Vietcong would not win such an election and I would certainly agree with him overwhelmingly.

I notice, however, that there has been some change in the release of the gentleman's speech as prepared for delivery today and the original release that went out earlier and which got into the press on Monday of this week.

Mr. GOODELL. I am glad that the gentleman had the release, because he has made a point of saying that he did not know what I said in advance when I did make this available as of Friday of last week.

Mr. STRATTON. Mr. Speaker, if the gentleman will yield further, I just got the release from the Press Gallery, because the gentleman's release that was sent to my office obviously had some changes made. But the point I think that the gentleman overlooks is, first of all, that elections, as was already indi-

cated, are going to be very difficult in Vietnam.

Then this would apply to any such plebiscite as such?

Mr. GOODELL. What does the gentleman suggest as to elections? We have got to have elections at this point apparently under the commitment of the Ky government and this administration.

Mr. STRATTON. If the gentleman will let me make my point, otherwise there is no point in discussing his remarks—

Mr. GOODELL. I would be glad to yield to the gentleman for a dialog or a colloquy, but I do not want him to have a soliloquy here. I believe we ought to have some discussion.

Mr. STRATTON. I thank the gentleman for his courtesy.

I was going to say that it would be a major mistake if we followed the suggestion which the gentleman makes that we hold a plebiscite on what he says he considers to be the major issue of the war, which is whether the country ought to surrender to the Vietcong. That certainly is not the major issue of the war. I do not believe the Vietnamese people have any concern about this at all, but the major issue is how to get a coalition government that will bring about the support of the majority of the people.

The SPEAKER pro tempore (Mr. FRIEDEL). The time of the gentleman from New York has expired.

A TIME TO RALLY BEHIND PRESIDENT JOHNSON AS VICTORY NEARS IN VIETNAM

The SPEAKER pro tempore (Mr. FRIEDEL). Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 10 minutes.

Mr. PUCINSKI. Mr. Speaker, we undoubtedly are now on the threshold of historical events in Vietnam. Our military forces have now taken virtually complete command of the military situation. We have disrupted totally the lines of communication of the enemy. We have isolated most of the large cities in North Vietnam to the point where there is practically nothing moving in or out of Hanoi. Our American soldiers and our allies; the Australians, the South Koreans, and the others, have indeed written a fantastic chapter of gallantry on the battlefield under the most severe conditions. The entire free world has a right to be proud of them.

President Johnson has quite properly pointed out in his Memorial Day speech that the big problem in Vietnam today is to a great extent political. So it appears to me at this very critical crossroad in history, when the future of world peace is being decided in Vietnam, the cause of peace and justice can best be served by the American people rallying around President Johnson and rallying around the leaders of South Vietnam and trying to keep our colloquys and our criticisms to a minimum.

This is not to suggest that we should cut off debate or criticism, but I think that the next few weeks will call for extremely responsible conduct on the part of all concerned. There is no question

that the vast majority of Buddhists in South Vietnam are trying to work out some sort of accommodation with General Ky so that they can proceed to hold elections. There is no question that some of the political forces in South Vietnam now are struggling for political position so that they can have a voice in the elections and in the government which will emerge after the elections.

I would hate to see a single American life lost in Vietnam because the Communists have again miscalculated our intentions. I respect the gentleman who preceded me and I think he has made an eloquent statement here in suggesting that every step be taken to guarantee that the elections are properly conducted. But I am sure the gentleman is not living in a dream world. The situation in Vietnam today is chaotic. They cannot have in war-torn Vietnam the kind of elections that we have in most of the communities in America in peacetime. The important thing is to give these people an opportunity, under the most difficult conditions, to carve their own destiny in a free election. That is our pledge in Vietnam; that is our promise and that is the hope of the South Vietnamese.

There is every reason to believe today, as we improve with every hour our military situation, that the political problems of South Vietnam can be resolved and that the elections commission will be representative of all factions defending freedom and that indeed it is going to set down ground rules for the elections acceptable to all sides so that the elections can be conducted on September 11 and then the people of South Vietnam can through their elected representatives, decide the future course for their nation.

We have reason to believe today despite the apparent chaos that is now going on in South Vietnam that we can restore some order there.

It would be my hope that we can call upon those who want to participate in this dialog in America and in the rest of the world to be cautious and careful that their remarks do not prolong this conflict or the disorders in South Vietnam.

We know from surveys that have been conducted in South Vietnam by our own agencies; by the South Vietnamese and, yes, by various religious groups including the Quakers that more than 80 percent of the people in South Vietnam today are prepared to vote against any Communist representation in the future Government of South Vietnam.

Now with these facts and these figures, it appears to me we can all make a great contribution toward bringing this war to an early end by remaining resolute on the battlefield as we have and trusting in the integrity and in the intentions of those who are trying to put together this winning package both on the battlefield and in the political field in South Vietnam and, indeed, staying with President Johnson. I know of no man in this country—yes, and as a matter of fact in this entire world, who is more desirous of bringing this conflict in Vietnam to a victorious conclusion than President Johnson. I think the President has done

extremely well up to now. He has weathered great criticism and great debate by formidable forces both in this chamber and in the other body, but President Johnson has not wavered once in his determination to hold the line against Communist aggression in South Vietnam.

The President has remained resolute. He has constantly reminded us that we learned our lesson well from World War II: to yield to aggression merely whets the appetite of the aggressor and leads to greater conflict. We are winning this war in Vietnam. There are imperfections. Of course we know there are imperfections. And there shall be setbacks. But the fact remains that generally and on a broad scale, the forces of freedom in Vietnam today are on the winning side.

So it is my hope, Mr. Speaker, that as we go into these crucial weeks when great things are happening—and, indeed, victory and freedom can be ours in South Vietnam—that we will not permit ourselves to get divided on details. Let us not lose track of the forest for the trees. Certainly we want to take every possible step to guarantee that these elections are free, that they are honest, and that they reflect the will of the people in that country. But for us now to tie ourselves up in the many details and the conditions that my colleague from New York has attempted to spell out here today would mean an unnecessary prolonging of this war. I think the American people have been magnificent in their attitude. They have supported and continue to support their President and their Government. But I do not think there is an American anywhere who wants to prolong this war a day longer than it has to be.

I think if we see the work of this election commission and see the ground rules they spell out very shortly, we will be satisfied that we can have a meaningful election in South Vietnam. And we can have it by September 11—yes under very difficult conditions—but, with the help of our Lord and the heroic determination of our soldiers, we will keep our pledge to give the people of South Vietnam the elections they are entitled to.

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

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. GOODELL. In the first place much of what the gentleman has said, it seems to me, is irrelevant to the proposal I have made. Certainly I found nothing in my remarks—and I worked very carefully to see to it that there was nothing in my remarks—that implied any particular viewpoint on why we are where we are today in Vietnam. I made the specific, positive, and I think constructive suggestions to meet the problem of so-called free elections in South Vietnam. The gentleman has said that we are going to go ahead and have these elections. The gentleman must well recognize that these are hazardous operations and activities in a country such as Vietnam, and we should exercise our influence to see to it that the elections

are, first of all, free and, second of all, meaningful, and that is what my proposals were aimed to accomplish.

I am sure the gentleman would not recommend that we withdraw from Vietnam at this time.

Mr. PUCINSKI. On the contrary, let us not read anything like that into it. I am one of those who have stood in this well time and again and have urged and supported our position in Vietnam. I have stated repeatedly that we cannot retreat from Communist aggression. I suggest to the gentleman from New York that perhaps it is he who is unwittingly suggesting that some of the conditions he is setting up, well meaning as they may be, would unnecessarily prolong the war when we see victory in Vietnam now and perhaps lead to our withdrawal before victory is finalized for the people of South Vietnam.

The gentleman must keep in mind that every time a speech is presented here which is critical of our position, the Vietcong take on false hope that maybe our will to resist is failing and they continue the war thinking we will cave in. We do not want any American boys killed because the Communists miscalculated these speeches.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that I may proceed for an additional 10 minutes, and I will share the time with the gentleman from New York.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois? The Chair hears none; the gentleman is recognized for 10 minutes.

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman made reference to the divisions within our country, encouraging miscalculation of Communists themselves. I would say to the gentleman that I have not in my prepared address, or in any of my comments, made any reference to those in our midst who sincerely but in my opinion ill-advisedly are encouraging the Communists to miscalculation. They have a right to raise these questions.

But I would say to the gentleman in the well the people who are raising the questions that could cause miscalculation among the Communists are primarily members of his own party.

He is addressing his remarks to the wrong individual when he addresses them to the gentleman from New York on this point.

Mr. PUCINSKI. The gentleman from New York suggests some plebiscite to decide whether or not the Vietcong which is dedicated to the overthrow of the present Government of South Vietnam by force and violence and terrorism and subversion should be admitted to the government. The gentleman is suggesting some sort of plebiscite to further determine whether or not the Vietcong should be admitted. I say he is suggesting delays that are unnecessary. Furthermore, he is suggesting we postpone

the real elections in Vietnam when he suggests such a plebiscite.

Mr. GOODELL. The gentleman in the well has said that the result of such a plebiscite, we are confident, would be overwhelming, and would clear the air and give guidance. But the gentleman wants to have elections now in very confusing circumstances.

Mr. PUCINSKI. I trust the gentleman would not recommend a plebiscite in this country to recognize a party that is determined to overthrow this Government by force and violence.

Mr. GOODELL. We in this country have regular elections, and are proud we do.

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

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. STRATTON. I believe the gentleman from Illinois has made his point on this. We are all in favor of free elections, and are all concerned about the problem. The proposal of whether there should be a plebiscite or whether we should surrender to the Vietcong is something, as the gentleman from Illinois has indicated, that could only complicate and delay the delicate and extremely essential job that is now going forward very successfully to establish meaningful elections, to get a free, representative, non-Communist government established in South Vietnam.

The idea that we ought to stop all of this and to hold some kind of plebiscite under conditions that the gentleman from New York admits are extremely difficult and hazardous anyway would be to play entirely into the Communist hands.

Nobody thinks this is the central issue of the war except the Vietcong themselves. Yet the gentleman in his remarks says this is the central issue. The central issue is how are we going to get the Buddhists and the Cao Dais and the Cao Haos and the military and the Catholics all to pull together to establish a solid government, to back up the great military victory that General Westmoreland is winning, as the gentleman pointed out.

I am sure the gentleman from New York was well meaning in his suggestion. But the proposal he is making is like asking one whether he has stopped beating his wife. No matter what the answer is, he is in trouble.

Why should we play the game on the Communist terms?

Mr. PUCINSKI. The gentleman has made a very significant contribution. Again I renew my plea that these Monday morning quarterbacks, sitting back here in Washington, who have been trying to second guess this war and second guess our determination to win this war, take a little respite and let the legitimate forces in Vietnam, and our own generals, and our own President—the people who are dedicated to the destruction of communism in Vietnam—have a chance to work.

Every time there is some major statement in this country critical of how the war is being conducted, it gives unwar-

ranted and misleading confidence to the enemy that maybe our will to win is waning. I am not against criticism of the war, but perhaps a brief moratorium on irresponsible talk would help us bring it to a successful conclusion.

We have facts. We have figures. We know that Hanoi is counting on the fact that the will to resist communism is going to be broken here in Washington, the way it was in Paris. I never have been more proud of my President than when Mr. Johnson said that the war in Vietnam is not going to be lost in Washington the way it was lost in Paris.

Dienbienphu was not the reason for the French pullout. The reason for the French pullout was because the same kind of forces that have been trying to torpedo the war effort in this country were at play in Paris, and they created a political situation over there which made it mandatory for the French Government to seek the smallest excuse to get out of Vietnam. Dienbienphu came along as a convenient excuse, and they pulled their forces out. We would not be in Vietnam today if the French had not pulled out prematurely.

We ought to take a respite and get behind this war effort; get behind General Westmoreland; get behind our American soldiers who are fighting the toughest war in Vietnam; get behind the Government of South Vietnam and yes, get behind President Johnson, and give all these men a chance to pull together, as the gentleman from New York says, and get this war over with.

We are not going to get it over with by suggesting a time-consuming plebiscite; by suggesting that the elections are not going to be honest before we even know the ground rules; by shattering confidence in these elections before they are held.

I suggest that for someone to come before this House, before we even know what the ground rules will be for these elections, and to say that these elections are going to be dishonest and this and that, only gives aid and comfort to the enemy. How do you expect to gather all the forces in Vietnam behind an election when a responsible Member of the American Congress says they will be dishonest before they have even been fully agreed to?

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

Mr. PUCINSKI. I say we cannot have elections in Vietnam under such an aura of doubts planted here in the United States. All of these suggestions make me wonder how sincerely do all of these self-styled experts in Vietnam really want the war to end and how sincerely do they want an honorable peace which will end the needless slaughter of our boys in Vietnam. I say all of these innocent concerns about the validity of the elections are a smoke screen to needlessly prolong the war when our forces have victory virtually in their grasp.

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

Mr. GOODELL. I suggest that the gentleman read my speech. He is paraphrasing it inaccurately.

Mr. PUCINSKI. I yield to my colleague, the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. The gentleman had a distinguished career in the newspaper profession. The gentleman has talked about a respite from Monday morning or Tuesday morning quarterbacks, as the case may be.

I wonder if the gentleman would agree with me that another thing we ought to do is to try to avoid the temptation of coming up with "gimmicks" as solutions. Would not the gentleman agree that the job is a difficult, a tough, and a sensitive job? Does not the gentleman agree that Ambassador Lodge and General Westmoreland are doing a tremendous job in moving us in the right direction?

Mr. PUCINSKI. That is correct.

Mr. STRATTON. Does not the gentleman feel that we ought to avoid coming up with "catchy" things, which might get an occasional newspaper headline, and get behind our President and our representatives in Vietnam?

Mr. PUCINSKI. I agree with the gentleman on one point. It seems to me that every time we are on the threshold of moving forward, every time we have big victories—and we have had some victories over there—the claque comes "claquing" around here in the United States, bringing up all sorts of smoke screens to hide it.

The President quite properly said in his press conference today that it is high time we started to tell the story of our successes in Vietnam. Those successes do not draw the headlines.

There has been some great reporting out of Vietnam. I commend those men who have come forward and told the real stories of Vietnam. But I agree with the gentleman from New York, the less-experienced reporters have been looking for gimmicks; sensationalism instead of hard-core, in-depth reporting.

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

Mr. PUCINSKI. I yield to my colleague from New York, Mr. GOODELL.

Mr. GOODELL. I would tell the gentleman that a great Member in his party in the other body today said that "eventual withdrawal, painful though that may be, is called for in Vietnam." He went on to say:

Let us hope our Administration leaders will be guided by the wisdom of U Thant, Secretary General of the United Nations, and will earnestly seek a ceasefire and withdrawal altogether from what has become an American war.

I say to the gentleman, those are not my words. Those are not my sentiments. I carefully prepared a speech that was constructive, in which I made positive suggestions and in which I was very careful to be responsible and nonpartisan.

The gentleman has chosen to take the well, and, as has my colleague from New York, to interpret this as a partisan attack, and to turn on me the accusations which they should turn on Members of their own party, for dividing this Nation in time of crisis.

Mr. PUCINSKI. If the gentleman will read the RECORD, I have no quarrel with

his remarks, except that I believe they suggest unnecessary and further delays in bringing the war to a conclusion.

Mr. GOODELL. The gentleman paraphrased them incorrectly. That is the difficulty.

Mr. PUCINSKI. I do not know whom the gentleman quotes, but I must say whoever he is, he belongs to that category of quarterbacks who would do better to sit this out and find out where we are going.

Mr. GOODELL. Members of the gentleman's party are in that category.

Mr. PUCINSKI. I have complete confidence in the military. I have complete confidence in Secretary McNamara. I have complete confidence in Secretary Rusk, and I have unequivocal confidence in President Johnson. I believe these men are all dedicated to victory. I resent the idea when some people get up to say, "We do not have a blueprint. We do not have a program. We do not have a plan for victory in Vietnam." These are all smokescreens.

Mr. GOODELL. Could the gentleman find a single reference to any of the points he has made in my prepared address? Did the gentleman find a single reference to any points just made? It is only a straw man the gentleman has raised up, to knock down. He is not talking about my speech and my suggestions.

Mr. PUCINSKI. I do not know why my colleague from New York is objecting, because I have not objected to his speech. I had a special order of my own today to discuss Vietnam. All of my remarks during this time were not directed at my colleague from New York whom I respect very highly. I do not understand why you feel my remarks are directed at you. You raised some questions and I told you I didn't agree with your point—as long as you raised the questions.

The main thrust of my remarks today is to suggest a moratorium on irresponsible criticism of our efforts in Vietnam so the Communists do not think our determination is wavering and a further appeal to get behind President Johnson when we are beginning to see victory in Vietnam. That is all I wanted to say here today.

Mr. GOODELL. That is a concession which I will keep in the record, that the gentleman is not objecting to my speech. I hope he means he is in complete agreement.

Mr. PUCINSKI. I will let the record speak for itself.

THE PERCENTAGE DEPLETION ALLOWANCE ON NATIONAL RESOURCES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, recent proposals for changing the tax structure have neglected an important area in which reform is needed; namely, the percentage depletion allowance on natural resources. The high allowance on gross

income ranging from an allowance of 5 percent on brick and sand all the way up to 27½ percent on oil and gas—has been and continues to be a blatant form of tax favoritism. The depletion allowance represents an unjustifiable loss of revenue to the Government—a loss which other taxpayers have to make up.

The bill I am introducing will increase tax revenues by repealing the allowances. The increased revenues, according to a 1964 report of the U.S. Joint Economic Committee, may total up to \$1.5 billion annually. The additional revenue realized by this reform will hopefully open up the way toward tax relief for those who really need it—our taxpayers in the lower and middle income brackets, the bulk of America's purchasing power. Furthermore, the repeal will ease the inflationary pressures of excessive investment spending in the extractive industries by bringing profits down to a more reasonable level.

The depletion allowance was originally introduced to encourage the small operator who usually assumed a heavy risk. Existing tax treatment, however, often results in the greatest tax benefit for large corporations which usually assume the least risk. Already in 1961, 89 percent of the \$3.6 billion in depletion claimed by corporations was claimed on returns from firms with assets of \$10 million or more.

For large corporations, the depletion allowance is in effect a subsidy which promotes excess capacity, overinvestment, and misallocation of resources. It has these serious defects because it permits complete investment costs to be recovered many times over. Corporations can recover tax free the full amount of their investment in the year it is made, and then in coming years claim additional depletion allowances on those same resources, allowances which bear no relationship to the amount of investment. In other words, the percentage depletion allowances bear no relation to actual development costs; they are deductions which are unwarranted and inequitable. My bill, by repealing the percentage depletion allowances, will correct these inequities.

GRAVE IMPLICATIONS OF FEDERAL ELECTRIC BANK LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. BOW] is recognized for 30 minutes.

Mr. BOW. Mr. Speaker, with almost no fanfare, the House Committee on Agriculture yesterday opened hearings on two bills that could turn the rural electrification system of this country into a giant public utility almost entirely free from congressional or any other control, with up to \$20 billion available for expansion over the next 15 years.

To illustrate the size of this proposed operation, let me say that the total capitalization of the entire electric power industry in the United States is about \$46 billion.

My purpose today is to alert Members and the public to the grave implications

of the proposed Federal Electric Bank legislation, H.R. 14000, H.R. 14387 and related bills. These bills provide additional sources of financing for the rural electrification program.

Over the last 30 years, as a result of the REA program, the farms of the Nation have been electrified and abundant and cheap central-station electric service has been furnished to persons in rural areas. As this program has reached its fulfillment, there has been a growing and justified clamor for the transfer of the financing of this exceptionally successful endeavor from the Federal Government to the private money market. Let no one detract from the marvelous achievements that have been accomplished as a result of the low-cost, long-term Federal loans for construction of electric facilities to serve the farms and rural areas of the Nation. Also, in recognizing the great progress that has been made, let no one detract from the fact that in reaching this advanced stage of service many rural electric cooperatives have, themselves, simultaneously reached full-blown maturity with a degree of independence, efficiency, financial stability, and self-reliance, which compares favorably with corresponding elements in our free enterprise system. This is one of the inherent objectives of development programs. Success in providing a service can only be achieved when the entities created to provide the service concurrently become successful and self-reliant in themselves.

In my remarks today, however, I do not wish to dwell on the philosophy of development programs. REA has demonstrated that they serve a useful purpose. Rather, I shall try to point out to my colleagues certain provisions of the bills which will be considered by the Agriculture Committee to provide supplemental financing for the rural electrification program which would change the scope of its responsibilities from a rural development program into a group of Government subsidized, large public utility systems largely without limit or control as to the type of loads they would serve, to the location of such loads or to the rates to be charged for power and energy. It would also create a number of budgetary and fiscal problems in the appropriations process.

First, the administration bill, H.R. 14387, would continue the present 2-percent loan program through the creation of a rural electrification account. Into this account would be placed all the assets and liabilities of the present program. The existing obligations to the Treasury would be transferred to the new account and provision would be made for use of the funds in the account for payment of interest and principal when due on loans that had been made to the Administrator by the Secretary of the Treasury for electrification purposes. The account would also be available for new 2-percent loans and for purchase of capital stock in a Federal bank which would be established by another title of the bill. Because of these other commitments for use of funds in the account, however, there will never be any money available for the foreseeable

future for repayments on the Administrator's debt to Treasury. Whether such funds will ever be available in the type of operation proposed is doubtful and the taxpayers may never get their money back.

Another questionable feature of the electrification account sections of the bill is the absence of any provision for placing new loan authorizations in the rural electrification account. Section 301(4) of the bill provides that "appropriations" for electrification loans made under authority of section 3 of the basic act shall become part of the account, but there is no mention of any new loan authorizations that may be needed to finance any 2-percent loans that may be made under the plan of operation proposed by the Secretary of Agriculture. As you know, the REA loan program has, with minor exceptions, been financed over the years through borrowing from the Treasury, rather than through appropriations. Is this procedure now to be changed to provide that all new financing of 2-percent loans is to be made without any requirements for repayment of such amounts to the Treasury? Furthermore, in the section 302(b) (1), authorizing use of assets of the account for loans under sections 4 and 5 of the basic act, and for advances in connection therewith, there is language which says that no loans can be made in any year in excess of amounts "available pursuant to section 3 of the act." What does this mean? All of the nearly \$6 billion in money that has been provided to date for the REA program has been made available under the provisions of section 3 of the REA Act. This raises questions as to whether the limit is to encompass all loan authorizations and appropriations made over the years. Is it intended that the limitation would be of that scope? If so, it is no limitation at all, and Congress would never have to act on the amounts available for loans. If it does not mean that, what does it mean? The language should be perfectly clear, so as to avoid any possible circumvention of the appropriation process in the future.

Now, moving to the Federal bank for rural electric systems, a Government corporation would be created which could be of a magnitude of capitalization reaching into many billions of dollars. If the borrowers should purchase stock in the bank to the extent of \$15 million per year, as estimated by NRECA, and stock is purchased by the United States and consumers, and debentures sold, all as contemplated in the bill, loans by borrowers could exceed \$15 billion by 1981. The bank would be the biggest organization of this character ever created. Moreover, when added to the \$4.5 billion of 2-percent loans expected to be made from the rural electrification account over the 15-year period, the total new capital involved will be more than 2½ times the \$8 billion, which the Secretary of Agriculture said would be required. Yet, the purposes for which the loans would be made by this bank are not defined. To the contrary, the scope and breadth of the types of facilities which could be undertaken with

funds obtained from this source are practically limitless. Furthermore, with this enormous undertaking, the bill has no provisions for making the bank's operation self-supporting. Section 410 (b) (2) authorizes two types of loans. The first, called intermediate loans, would have a limit on interest of 4 percent. There is nothing in the bill which assures that these loans will be self-liquidating or amortized over their life. The administrative costs and reserves for losses would not be borne by the bank. They would be subsidized entirely by REA.

The legislation also provides for another type of loan which will bear interest at a rate which reflects the current average rate payable by the electric bank on its debentures plus administrative expenses and estimated losses. Again, however, there is no provision assuring that these loans will be amortized. Furthermore, the material attached to the Secretary's transmission of the bill to the Congress fails to indicate that this type of loan would be amortized. The bill also would authorize the adjustment of payments not only of principal but of interest. There would be no guarantee that either would necessarily ever be paid. Furthermore, the bill authorizes and directs the Secretary of the Treasury to purchase notes issued by the bank if it has insufficient funds in the assets of the electric bank available for paying interest and principal on its debentures. This borrowing is without limitation as to time or amount. Even payments of interest on such notes could be deferred. Such borrowing could be for indefinite periods and would be completely beyond the control of the Congress. This is a perfect example of backdoor financing and the general looseness of the provisions of the administration bill is an outright invitation to use this method of covering operating losses.

Under the proposed legislation we would have three types of loans, or three separate programs, as well as two sources from which money could be obtained. In the absence of any rigid standards for categorizing and classifying the types of facilities proposed, the character of the borrower, and the special conditions involved, it would be most difficult to make any fair and intelligent decision as to which interest rate would apply to the facilities for which the loans would be made. One loan applicant would be played against another, and there would be little the Congress could do about it.

Obviously, the confusion and conflict surrounding the REA Program has reached a point where the country can no longer turn its back on the problem. The legislation which is now being proposed cannot do other than greatly aggravate the difficulties that we have been experiencing. With the two financing sources it will make congressional consideration of the annual program more difficult. It will indefinitely defer the day when the burden can be removed from the Federal Government and the program transferred to true private financing. There is a great need to determine what is to be the proposed future role of the REA co-ops in our pluralistic

electric power system. Once this is determined, the ways and means of best accomplishing these ends for the benefit of all concerned can be more easily found and implemented.

The Congress should look carefully into the ramifications of the legislation. Without restrictions and criteria for granting loans by the bank, the funds could be used to serve urban as well as rural areas. And there is more than this involved.

Eight years ago, at their annual meeting, electric cooperatives were handed a so-called blueprint for action. Two of the points in this plan were:

First:

To set up machinery for cooperatives, municipally owned electric systems and power districts to federate more easily for the construction and operation of their own generation and transmission systems . . .

Such systems could be financed under this legislation.

Second:

To establish backbone, common carrier federal transmission grids, or to require others to build them throughout the country . . .

This, too, could be financed under this legislation. I need to point out to no one that with financing by the Federal Electric Bank the plan would create a nationwide, government subsidized power system, wastefully duplicating the facilities of existing suppliers.

The action of the House in appropriating \$365 million for the REA program for fiscal year 1967 will, together with the \$72 million carryover estimated in the budget, provide for one of the highest annual levels of activity ever experienced by this agency. This sum will be more than adequate to take care of needs pending resolution on the many policy issues that need to be answered before embarking on an entirely new program which is so nebulous in character, need and size as to be beyond comprehension. It is incumbent on the Congress to see that Federal appropriations are made wisely and only for the highest priority purposes. There is no urgency for this legislation. Congress should thoroughly study all of its ramifications before embarking on a new program of this magnitude.

NARCOTICS BILL HAS LOOPHOLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. ASHBROOK], is recognized for 5 minutes.

Mr. ASHBROOK. Mr. Speaker, it is a rare thing to find a legislative enactment by this body that one can agree with 100 percent or oppose 100 percent. The bill we just passed today, the Narcotics Addict Rehabilitation Act, is a good case in point. I think that its provisions are, on the whole, salutary and represent needed emphasis on a critical field in law enforcement.

On the other hand, there is one serious flaw. I believe that it is poor judgment to establish a class of offenders who can escape trial on any theory. If a crime has been committed, the narcotic addict should be brought to trial. If his case warrants rehabilitation in nonpenal sur-

roundings, the judge should have the authority to deal with the case in this manner. I supported all efforts to strengthen this bill and am sorry that the amendment of the gentleman from Virginia [Mr. PORR] did not pass. His amendment would have removed this one serious defect in this bill.

I supported this legislation because it is my firm belief that it will accomplish much good. On the other hand, this defect should be noted and it is my hope that the Senate will act favorably on these provisions so we will not shunt a group of defendants into a new and different track, forgiving them their crimes without trial. The group so preferred under title I of this bill will be determined not by the process of criminal justice but by the fact of a physical condition—drug addiction—and without any showing whatsoever of connection between the physical condition and the commission of the crime.

NICK KOTZ RECEIVES CLAPPER AWARD

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. QUIE. Mr. Speaker, it has been a pleasure to see that this year's so-called youth opportunity campaign, especially in the Post Office Department, is being set up on a merit basis. The merit approach replaces the vast patronage system that marked last year's first attempt at the program in the Post Office Department.

I worked hard in the Congress to see that this program, which the President had announced as being designed to provide jobs for needy young people, was improved. At the same time that I was working toward this end in Congress, an outstanding member of the Washington press corps was working for the same goal through the public media.

It is my pleasure to report that this correspondent, Nick Kotz of the Cowles Publications, has received two major American journalism awards as the result of his outstanding work. He has become the recipient of the Sigma Delta Chi award for distinguished Washington reporting and the Raymond Clapper Memorial Award.

During the course of the investigation of impropriety of handling distribution of youth opportunity campaign jobs through the Post Office Department, I had ample opportunity to observe the dedication to his profession, to the truth and to the peoples' right to know which Mr. Kotz displayed. I am honored to join his journalistic colleagues in recognition of his achievement on behalf of the public interest.

Mr. Speaker, following is a copy of the release which the Standing Committee of Correspondents of the Capitol Press Gallery issued following Mr. Kotz' selection as recipient of the Clapper Award.

MONTREAL, May 19.—Nathan K. (Nick) Kotz of the Des Moines Register and the Minneapolis Tribune tonight won the 22nd annual Raymond Clapper Memorial Award for his disclosure in a series of Washington dispatches that summertime anti-poverty jobs were being filled on a patronage basis.

A panel of five prominent newspapermen unanimously selected Kotz "for his comprehensive and discerning reporting" in the best tradition of the late Scripps-Howard columnist, Raymond Clapper.

The award, announced here at the annual banquet of the American Society of Newspaper Editors, carries a cash prize of \$1,000.

From a field of 24 entries the judges also singled out for first honorable mention Dom Bonafede of the New York Herald Tribune, for a series on conflicts of interest among congressmen; and for second honorable mention Ben Price of the Associated Press, for dispatches on government waste, water pollution and the war on poverty.

His citation and check were presented to Kotz by Benjamin R. Cole of the Indianapolis Star, representing the Standing Committee of Correspondents which administers the U.S. congressional press galleries and acts as executive committee of the Raymond Clapper Memorial Association.

The Association makes the award annually to honor Clapper and to foster the kind of Washington reporting that brought him fame as a reporter for United Press, the Washington Post and finally Scripps-Howard. Clapper died in a South Pacific plane crash in World War II.

Kotz, 33, is a native of San Antonio and an honor graduate of Dartmouth College. He has represented the Des Moines Register and the Minneapolis Tribune in Washington since June, 1964.

The award judges said it was a series of Kotz exclusives that broke the story of what they called "subverting" of last summer's youth opportunity program "into a massive handout of congressional patronage."

Others jumped on the story with resulting further disclosures. Congressmen's sons were among those hired. Eventually the White House ordered patronage stopped and the Post Office said future youth hiring would be based solely on merit.

Judges for the award were Glen A. Boissonneault, Editor, the Saginaw News; Grant Dillman, News Editor, Washington Bureau, United Press International; William A. Dyer, Jr., Vice President and General Manager, Indianapolis Newspapers, Inc.; Richard Hollander, Editor, the Washington Daily News; and John C. O'Brien, Washington Bureau Chief, the Philadelphia Inquirer.

Kotz lives in Washington with his wife Mary Lynn and 5-year-old son Jack Mitchell. He attended St. Albans school in Washington and later majored in international relations at Dartmouth, where he was elected to Phi Beta Kappa and was graduated magna cum laude. He then attended the London School of Economics on a Reynolds Scholarship.

He served in the Marine Corps 1956-58 in the U.S., Japan and the Philippines. In 1958 he went to work for the Des Moines Register as a reporter covering police, city, county and state governments.

Kotz's dispatches on the summer job program also won the 1965 Sigma Delta Chi award for Washington correspondence. His other awards include the 1963 Community Service Award from the Jewish Chatauqua Society, for stories about Negro employment; and the 1961 Iowa Associated Press Newswriting Contest.

OUR POSITION IN VIETNAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 10 minutes.

Mr. STRATTON. Mr. Speaker, I want to commend the gentleman from Illinois for his remarks. I think he has certainly served to focus attention on what is really the central issue in this situation in Vietnam. I think we in this House have been reasonably free of some of the suggestions and gimmicks that have been offered in another body. There have been Members in another body of both political parties who have come up with gimmicks of one kind or another designed to catch the headlines. But I was deeply troubled when one of the leading and outstanding Members on the minority side came up with one of these gimmicks himself, one that is playing exactly into the hands of the Vietcong; namely, the idea that we should stop all of our efforts toward free election procedures in September and interfere with the great work being done by Ambassador Lodge and General Westmoreland in Vietnam to bring together these various competing groups in South Vietnam so that we can have the beginning of a meaningful election procedure in September and instead should go to all the trouble of holding a national election on the very issue that the Communists themselves want. Why, we would be asking ourselves, when did we stop beating our wives? Why indeed should we bother to ask the people of Vietnam whether they want to surrender to the Vietcong? Nobody has been burning himself up in Da Nang or Hue in order that the Vietcong might take over. They have been protesting instead so as to get a basis for establishing a free coalition civilian government. And that is precisely what Ambassador Lodge is moving toward. I agree wholeheartedly with the gentleman from Illinois that now that we are winning the war, let us continue in this great House of ours, whatever they may do in another body, to support that war and support our men out there and not try to come up with catchy gimmicks that play directly into the hands of the enemy, however well meaning they may have been in the first place.

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

Mr. STRATTON. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Is it not a fact that while we read about the immolations and various other incidents occurring in Vietnam, behind these sensational events there is actually a tremendously successful effort now being waged at the diplomatic level in conferences between the Catholics, the Buddhists, General Ky, and the other generals? Are they not working very hard over there to try to reach some agreement, and is it not proper to raise some very high hopes that these agreements will indeed be reached and that these elections can be held there, we hope, by September 11 or shortly thereafter, or perhaps even before then?

Mr. STRATTON. That is it exactly. The gentleman is absolutely right. I know he attended with me this morning an extremely helpful, optimistic, and informative briefing by the Assistant Secretary of State for Far Eastern Affairs, Mr. Bundy, in which the Members of the

House who were there—and I am sorry my colleague, the gentleman from New York [Mr. GOODELL] was not there, because I think he would have been encouraged, too—in which Mr. Bundy outlined for us the steps that have been taken to make these elections possible. As a matter of fact, he suggested to us that he hoped the military junta would be enlarged to take in civilian members. And even before he finished speaking the announcement that that development had actually occurred in Vietnam was on the radio. Let us not rock the boat. Our subcommittee which went to Vietnam during the Easter recess came back as a man and stated to this House that we are indeed winning the military war. And the very fact that we are winning the military war has now led these civilian groups to try to jockey for position in the postwar government that will be formed. Fortunately we are carrying on this delicate political job that the gentleman points out in spite of these demonstrations and immolations by a people which has never had much background in democratic procedures, that never had the opportunity to express their political sentiments in other less violent ways. We are working this out, so let us stick with that effort and not rock the boat in this body, regardless of what may be done in another body.

Mr. PUCINSKI. Will the gentleman yield further?

Mr. STRATTON. I am happy to yield to the gentleman.

Mr. PUCINSKI. I can say that I was happy to have been there this morning at that session. I believe that the gentleman is on the Armed Services Committee. Is there any question in the gentleman's mind that we now have taken complete command of the military situation in Vietnam?

Mr. STRATTON. I do not think there is any doubt about it and I would certainly say that victory in a military sense is entirely likely to come over there a lot earlier than we have been led to believe is possible. I have been surprised, frankly, that the reporting from Vietnam has not reflected this encouraging fact more clearly.

We have focused, as the gentleman said, on the trees instead of the forests in Vietnam, but the word is finally coming through.

Mr. Speaker, I put into the RECORD yesterday an article from the Washington Daily News that not only praised General Westmoreland, and his leadership, but pointed out that under his leadership we are winning the war in Vietnam.

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

Mr. STRATTON. I yield to the gentleman from New York.

Mr. GOODELL. I would suggest that the gentleman should withdraw from the RECORD his reference to people in Vietnam. I think this is not calculated to serve our purposes or the purposes of free elections of the people in southeast Asia.

Secondly, I would say to the gentleman that he has raised a whole group of straw men but has refused to discuss the spe-

cific proposal which I made which is that we should have free, supervised elections, with people who are supervising them whom we can trust, and who have experience and practice and understanding of free elections.

Is the gentleman opposed to this?

Mr. STRATTON. The gentleman knows perfectly well that the real key to victory in Vietnam is to get Vietnam on its own two feet as an independent country.

Mr. GOODELL. But are we not going to have elections?

Mr. STRATTON. Mr. Speaker, I decline to yield further to the gentleman until I can make my point.

The SPEAKER. The gentleman declines to yield further.

Mr. GOODELL. You do not want a colloquy; you want a soliloquy.

Mr. STRATTON. Mr. Speaker, regular order.

Mr. GOODELL. Mr. Speaker, I shall object to further time being granted to the gentleman from New York [Mr. STRATTON] should he request it.

Mr. STRATTON. Mr. Speaker, the gentleman would not yield further to me when he had the time. I am certainly going to try to answer the questions which the gentleman has raised, and then I shall be glad to yield to the gentleman if I have any time left.

Mr. Speaker, the whole purpose of our mission in Vietnam is to establish a free, independent country there, one that can stand on its own two feet, so that we can withdraw our forces from out there when the military victory has been achieved and when the stability of the country has been assured.

Certainly you cannot do that by having some outside force, some foreign country that the gentleman cannot even name, come in there and conduct elections for the Government of Vietnam.

Mr. Speaker, what is the essence of the integrity of any country, except its own election procedure? And what the gentleman suggested is that the election should be held upon the very issue which the Communists would like to have us think is a big issue, but which our committee overwhelmingly found is not at all a matter of concern for the Vietnamese people.

Mr. Speaker, the Vietcong are today the enemy. They are the terrorists in the mountains. They are cutting off the heads of villagers. The people of Vietnam do not want them running their country. They want the people who are supporting the government and who have tried to defend the countryside, to have a voice in running the country. The gentleman's suggestion would interrupt that whole process, and would have a very bad effect on all the fine progress we are making.

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

Mr. STRATTON. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman chooses to characterize my proposal in a very, very unfavorable and unfair way.

What I am suggesting is that members of the gentleman's own party have raised serious doubts in the minds of the peo-

ple of the world and of the American people about the will of the Vietnamese people and about the desires for an election or determination on the part of the South Vietnamese people to resist aggression.

I think a very clear mandate could be written in an election procedure. I am not suggesting that the election is for this purpose alone. Our Government has committed us. The South Vietnamese Government under Mr. Ky has committed itself to an election, to choose a constituent assembly sometime this year and at the moment it appears to be September.

Mr. STRATTON. It is going to be September.

Mr. GOODELL. This is a very confusing situation.

Mr. STRATTON. It is going to be September 11, unless the gentleman's suggestion confuses the issue too much.

Mr. GOODELL. If the gentleman wants the answer to some of his questions—

Mr. STRATTON. I cannot yield any further as I want to comment upon the gentleman's remarks.

Mr. Speaker, I do not think the South Vietnamese people need have any concern about the determination of our President or about the determination of this House or for that matter about the determination of this country. The only difficulty I am afraid—and I would be the last one to give recommendations to the gentleman—the only difficulty, I think, is that in making his suggestion about a referendum on the Vietcong the gentleman may have been trying to sit on both sides of the fence at the same time.

PRODUCTION OF MILK AND DAIRY PRODUCTS

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

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

There was no objection.

Mr. RESNICK. Mr. Speaker, we are so accustomed to agricultural abundance in the United States, that it is almost impossible to believe that food of any kind—particularly a vital and basic commodity like milk—could actually be in short supply. Yet, this is precisely what is happening in this country today. Because I believe that this situation has reached crisis proportions, I have today written the following letter to the Secretary of Agriculture:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 1, 1966.

HON. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Steps must be taken to increase the production of milk and dairy products in the United States. It may be difficult for most Americans to accept the fact that a shortage of these essential com-

modities does indeed exist. But this fact is a grim reality.

The evidence is clear and abundant. Milk production in the United States has been sliding down hill for more than a dozen years. In recent months, this slide has become a plunge. March milk production was 7% below the March of one year ago. April production was 4% below last year's. As a matter of fact, last month production reached its lowest level since 1953—a depressing and ominous statistic I am sure you are well aware of. Equally disturbing are the mounting statistics on the mortality of dairy farms, farms which are being disposed of because their owners can no longer afford to keep them.

Strangely, the dairy industry has reached these crossroads of crisis at a time when our population is growing and personal income expenditures, and food consumption have reached record highs. The reason, however, is not hard to figure out. If dairy farmers could make money they would not only remain in business, but would be increasing their production to meet the increasing demand for their product. Somehow the machinery of our farm economy has slipped its gears and—by failing to assure our dairy producers of a proper return on their investment and labor—has caused milk production to fall to the point where we now face serious shortages. The consumer is now paying for this in the form of higher prices for milk, butter, cheese, and other dairy products. For, we see that in the absence of a satisfactory policy in this vital segment of agriculture, both the farmer and the consumer are now being made to suffer.

I call upon the Department of Agriculture, Mr. Secretary, to take immediate steps to turn this dangerous situation around. We can keep our dairy farmers producing. We can prevent them from selling their milk cows for beef. We can get them to expand their herds and increase production to meet the pressing needs of our growing population, as well as export demands. We can once again make the dairy industry a healthy industry. But we can only do these things by establishing and pursuing policies which will guarantee the dairy farmer a decent living. I would suggest that the Department consider giving direct "production payments" to farmers. I think this might be the fastest way of achieving the desired result. This would protect the interest of the farmer by assuring him of enough of a satisfactory return to encourage him to increase his herds and production, and also protect the interests of the consumer by guaranteeing him continued abundance of dairy products at reasonable prices.

I urge immediate steps along these lines to prevent the present shortage from developing into what could become a dairy famine in the United States.

With my very best wishes.

* Cordially yours,

JOSEPH Y. RESNICK,
Member of Congress.

CAMILLUS CUTLERY CO.

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

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

There was no objection.

Mr. HANLEY. Mr. Speaker, a few weeks ago, it was my distinct pleasure to tour the facilities of one of the oldest establishments in my congressional

district, the Camillus Cutlery Co. Today I would like to relate to my colleagues some of the interesting background and activities of this firm.

Founded in 1876 by Adolph Kastor, the Camillus Cutlery Co. has soared to a pre-eminence in the manufacture of knives of every variety. When I visited the plant, the employees were engaged in the production of knives and bayonets for our boys in Vietnam and throughout the world. Thousands of GIs in World War II and Korea came to rely on the fighting knives, pocketknives, and bayonets produced at the cutlery. Corpsmen the world over for years have been familiar with Camillus scalpels.

During World War II alone, Camillus Cutlery produced and delivered over 15 million knives for the war effort. For its contribution, the cutlery was the recipient of four Army-Navy "E" awards.

Today the Camillus Cutlery Co. is the sole producer of the Navy and Marine fighting knife.

As Camillus Cutlery makes substantial contributions to our national defense, so also it plays a significant role in our domestic life. Millions of housewives use Camillus products around the house every day, and sportsmen of every variety rely on Camillus knives for hunting, fishing, and recreational purposes.

The president of the cutlery, Nilo Miori, literally grew up with the company. He knows every one of his employees on a personal basis, and his interest in his employees is reflected in the tenure which many of them have achieved. About 45 percent of the employees have been with the company 10 years or more; 23 percent, 20 years or more; 8 percent, 30 years; and several have worked there over 40 years. This solid relationship between employer and employee, between labor and management could well serve as a model for all manufacturing operations.

Mr. Speaker, I commend the Camillus Cutlery Co. for its solid record of achievement.

EXCLUSION FROM INCOME OF CERTAIN REIMBURSED MOVING EXPENSES

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

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

There was no objection.

Mr. McGRATH. Mr. Speaker, I wish to join with Congressman BURKE in support of his bill, H.R. 13070, which would exclude from income certain reimbursed moving expenses.

In New Jersey's Second District, which I have the honor to represent, the largest employer is the Federal Aviation Agency, which operates the vast National Aviation Facilities Experimental Center in Pomona, near Atlantic City. Among the thousands of Federal employees assigned to this facility, many are called upon to move into our district on a permanent

or semipermanent basis from other FAA facilities, and others are reassigned to FAA installations in all corners of the country. While travel expenses in such cases are reimbursed, these Federal employees are considered for income tax purposes as any privately employed persons, and the current practice of the Bureau of Internal Revenue is to consider this reimbursement of travel expenses as income.

In the cases of these Federal employees, as in the cases of the many privately employed persons in our district and elsewhere in the United States, this works a financial hardship which I feel should be reversed and can be reversed through the terms of H.R. 13070.

Further, Mr. Speaker, I feel it is highly desirable that H.R. 13070's provisions concerning items of expense in addition to the actual cost of moving the employee, his family and household goods to a new place of work, which are clearly nontaxable under present law, be included among the tax exemptions this bill seeks.

Among these are the costs of house-hunting trips of both employee and spouse when both the old and new job locations are within the United States; temporary living expenses at the new employment location while awaiting occupancy of permanent quarters; selling commissions and other expenses incident to the sale of the employee's old residence or to settlement of an unexpired lease on the old residence; out-of-pocket expenses incident to the purchase of a new residence at the new job location, and other miscellaneous expenses directly attributable to the transfer.

Mr. Speaker, I wholeheartedly agree with Representative BURKE that enactment of this legislation is essential if years of litigation, confusion, and hardship affecting many thousands of employees are to be avoided.

To emphasize my support for this legislation, I am submitting a bill identical to H.R. 13070, and I will work for its passage in the House of Representatives.

AUTO SAFETY AND THE TIRES ON AUTOS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. TODD] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. TODD. Mr. Speaker, I have previously discussed before the House the awful toll of traffic fatalities and injuries and the need for prudent and responsible action to cope with this national problem. Basically, there are three factors involved in auto safety: The automobile itself; the driver; and the tires on the automobile.

I believe that the hearings recently held on the subject of auto safety, together with the automobile industry's decision to support a workable auto safety bill, will result in the passage of

appropriate legislation this session. With respect to the driver, I believe that State and local governments have become much more aware of the importance of strict licensing, driver education, and tight law enforcement, particularly on drunk drivers. I do not see any need for Federal activity in this area at present. Today, I wish to discuss the third factor—tires on our cars.

At present, there are over 300 million passenger tires in use in the United States. With advances in automobile engineering and the development of our high-speed Interstate Highway System, these tires are subjected to punishment levels virtually unknown 20 years ago. As car owners and drivers, we expect our tires to perform safely under normal load and use conditions, just as we expect to be able to select, on an informed basis, those tires which we wish to buy.

Recent hearings conducted in the House and Senate together with other published evidence suggest that neither of these requirements is at present being fulfilled.

When possible, I prefer to get direct evidence about problems under consideration by Congress. I can report that I have received many letters from constituents in Michigan's Third District complaining about tire safety. Some people reported that their new tires blew out after normal driving and under normal loads, even after a few thousand miles of use. Others reported that even under light load conditions, the two-ply tires sometimes furnished on new cars failed entirely. One man wrote, complaining that he knows of cars leaving the factory equipped with tires whose load capacity is already exceeded by the unloaded curb weight of the car. Another man wrote, noting that he was concerned about the safety of his tires, yet finding that he was completely unable to understand the grading systems used by tire manufacturers.

These reports led me to ask a question about tire safety on my recent congressional questionnaire sent to the citizens of the Third District. The question read:

Do you favor a bill setting minimum safety and performance standards for automobile tires?

	Percent
Yes.....	74
No.....	15
Undecided.....	11

Clearly, the people of my district want action on tire safety.

There appear to be two main problems in the tire field: first, some tires simply are not safe; second, grading systems are confusing and meaningless.

There is strong evidence to show that some tires put on cars are not safe. There are a number of "grooved" tires sold today, in which the tread has been worn down, and a new tread pattern cut into the rubber; such tires are generally recognized to be very unsafe. Another unsafe type of tire is the "cheapie," a low-priced replacement tire usually sold under an unfamiliar brand name. The Senate Commerce Committee, which held extensive hearings on tire safety, concluded that "significant numbers of these

tires were of poor quality often evidencing, upon close inspection, fatal defects and incapable of performing safely under normal conditions of use." Around 20 percent of all tires in service are retreads. Many of these are safe and conscientious products, but some are inferior and unsafe.

It appears that the statements in letters written by my constituents are clearly backed up. Perhaps the most startling piece of evidence regarding tire safety came out recently in testimony given in the superior court of San Francisco, in which a tiremaker was sued for damages in connection with a blowout. One tire expert, chosen by the tire manufacturer, testified that some tires which his company supplies for a leading popular car would be "expected to rupture" if the car were driven with a normal full load. Another expert testified that with as little as a 10-percent overload—and proper loading figures are difficult to find for the average motorist—a tire would be vulnerable to fabric separation, which could take place when a car runs over a chuckhole or a railroad crossing.

The fact that there are unsafe tires on the market, in itself, is no necessary cause for Government action. After all, there are many products of varying degrees of safety in the market, and the consumer should be expected to use proper prudence in making his selection and in maintaining the purchased product. But the situation in the tire market does not allow the consumer to make an informed choice. This is because tire grading standards are either meaningless or so ambiguous as to make informed judgment impossible.

There are, at present, some 950 different tire names currently being marketed, representing approximately 120 private-label marketers and 14 tire manufacturers. The Senate Commerce Committee concluded that there is "no consumer commodity more sharply characterized by confused and misleading nomenclature than the tire." No uniform grading system presently exists. Most tires are sold on the basis of an illusory grading system. Terms such as "premium," "first line," "second line," and "100 level" seem to imply that an objective grading system does exist. In fact, it does not. These designations have no uniform meaning or definite value. One maker's "premium" may be inferior to another's "third line" tire. The so-called "ply ratings" have no fixed meaning. And, according to the Senate committee, the price of a tire has no discernible relation to its grade or safety level.

In this morass of confusing terms, how can the consumer make an informed choice? Should not he be given the facts on which to make his own buying decision, so that he can insure the safety of himself and his family? I think he should. If there are no minimum performance standards for tire safety, such as exist for drug or food purity, how can we insure that lives are not unnecessarily lost? Should not the public have some protection against clearly unsafe tires? I believe it should.

Constructive action is needed, and to this end I am today introducing a bill dealing with the subject of tire safety. It is similar to that recently passed by the Senate, but it has certain modifications designed to reduce unnecessary interference of the Government in the activities of the consumer and of the marketplace.

Briefly, the bill would direct the Secretary of Commerce to develop minimum safety standards for tires. These standards would be worked out by the National Bureau of Standards, recognized testing authorities, and the automobile and tire industries. These standards would be promulgated on or before January 31, 1969. Interim standards would be prepared by January 31, 1967. The bill also sets up provisions requiring accurate and clear grading standards, with which all tires will be clearly labeled.

The bill would:

First. Eliminate entirely the clearly unsafe tires which constitute such a hazard for the unwary buyer.

Second. Give the buyer reliable facts about size and load-carrying capacity of his tires, so he can buy a tire to suit his particular needs and know clearly what loads are safe to carry in his car.

Third. Set up a uniform quality grading system for tires, so that the buyer can make his tire selection on an informed basis.

My bill differs from the bill which passed the Senate in two minor respects. First, I have modified section 7 to make sure that the standards which may be set by Federal, State, or local governments for their own procurement of tires are not less stringent than the general standards set up by the bill. It seems absurd to set up minimum safety standards, and then allow Government units to turn around and purchase tires that violate these same standards.

Second, I have removed the inspection provisions of the Senate bill, which would have allowed Government agents to enter plants and warehouses of tire-makers and automobile assembly plants where tires are put on cars. It seems to me that the purpose of this bill is to set minimum tire standards, together with grading and labeling provisions.

The bill is not designed as an inspection bill, nor should it contain such detailed inspection provisions. For the business of the Government is to set standards, not to certify all manufacturing procedures. The Government can just as easily buy, on an unannounced basis, tires from various manufacturers at various places around the country to insure compliance with the law. If the Government finds noncompliance, it has recourse to the civil action provisions of the law.

I believe that this bill represents a constructive and reasonable approach to a serious problem. It sets minimum standards, with which manufacturers can surely comply and which will protect the driver. Most of all, it gives the buyer the information, which is presently lacking, to make an informed purchase of tires, and thereby protect his life and the lives of his family.

PROMOTE COMPETITION IN RETAIL DRUG SALES

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. VIVIAN. Mr. Speaker, today I have introduced a bill in the House of Representatives which will promote competition in retail drug sales. In recent years, a few physicians in this Nation have found that they can increase their income by purchasing part interest in a local retail or wholesale drug business, or drug repackaging company, and steering their patients who need medicines to this captive outlet. Individual druggists across the Nation and their association, the National Association of Retail Druggists, strongly object to this unfair and irresponsible restraint on trade. A number of medical doctors have spoken out in opposition, also.

An article in a recent issue of the respected periodical, *Consumer Reports*, outlines the scope of the problem. Mr. Speaker, I ask unanimous consent that the article be printed at this point in the Record.

[From *Consumer Reports*, May 1966]

PROFIT FROM PRESCRIPTIONS—THOUSANDS OF PHYSICIANS MAKE CLEAR THAT MEDICINE IS AT AN ETHICAL CROSSROADS

Again, the California investigation feeds such suspicions. A drugstore manager named Edward Berger told the state board of this proposal made to him by one of the doctor-owners of the Beverly Hills Medical Clinic:

"... they offered to pay me \$15,000 a year base salary, and then this same doctor that I was talking salary with, he says, 'You know, I have never been too interested in the pharmacy before, but I will, since we are going to have a percentage, too, of the gross' and ... he told me, 'You know, I can write two prescriptions instead of one for these people.' He says 'I can write them bigger. ...'"

Conflict of interest between a doctor's medical judgment and his involvement with selling drugs was made painfully clear in the Hart subcommittee's finding about doctor-owned drug repackagers. The problem was already known to the American Medical Association. Dr. James H. Sammons, a Texas physician who was disturbed about it, warned the AMA in 1962 of the "net effect on the image of medicine and on the integrity of the individual when he is subjected to the constant temptations and pressures commensurate with this type of financial investment."

THE PEN PUSHERS

The subcommittee fleshed out the picture with exhibits subpoenaed from the files of doctor-owned repackaging houses. One was Carrtone Laboratories in New Orleans, with 1,200 doctors among its 3,000 stockholders. Its business is the mixing, tableting, and bottling of drugs under its own trade names for sale mainly in the South. These products are well-known pharmaceuticals no longer protected by patent, and Carrtone is only one of many companies now marketing them under private labels or simply under their generic names.

For most of its existence, Carrtone's business has not seemed to prosper. In 1961 the

company complained to its stockholders: "Sales generated per Doctor Stockholder were only \$1.03 per day. ... This represents approximately 1 Carrtone 'script' per day. (Many doctors see 40 to 50 patients a day.) Just imagine if—Each Doctor Stockholder would have written 3 'scripts' each day—Sales would have been a whopping \$168,000—Profits for November over \$65,000."

One of the biggest Carrtone boosters at this time was Dr. Boyce P. Griggs of Lincoln, N.C. Although not in the management of the company, he was a stockholder who, as he declared, looked upon Carrtone "as a rosebud about to bloom, stockwise." Dr. Griggs closed a letter to his fellow investors with this exhortation: "Let's push the pen for Carrtone together and make it grow!"

In 1964 the company had not yet bloomed. It was in the throes of reorganization, and the president was Dr. William W. Frye, dean of the medical school at Louisiana State University. Dr. Frye's appeal to stockholders was only a trifle more subtle than Dr. Griggs': "If each individual stockholder would make up his mind to do just a little bit more for his company, the company would start making a sizable profit immediately."

The company file contained several enthusiastic replies to this appeal. Here are some examples:

"When I was a practitioner in Malvern, Ark., I wrote all Carrtone prescriptions. If we have more physicians with stock in Carrtone who will write prescriptions for the company, it will immediately go into the black. I believe a check of my previous orders ... will verify my previous help to the company."

"... I will continue to ... prescribe as many Carrtone products as I possibly can for the benefit of my patients. Good luck. Good business."

"... like you I feel that it is up to us shareholders to make our company go and grow."

Carrtone was not an isolated case of a drug repackaging company using its doctor-stockholders as promoters. Merit Pharmaceutical Co. of Houston provides another unsettling example. This fairly typical repackaging operation, with 266 doctors among its 444 stockholders, actually paid indirect commission to some of these doctors for promoting the company products until the Texas Medical Association finally managed to put an end to the practice in 1962.

Defenders of the integrity of doctors in general point out that doctors have the same right as anyone else to seek profitable investments and that, except for a very few bad apples, doctor-investors' professional integrity will remain paramount when it comes to prescribing drugs. No ethical principle will be violated if a doctor prescribes the drug of a company in which he has a financial interest, these people say, provided that the drug is the right one for the patient.

How well do doctors keep their financial interests from interfering with their prescribing? A doctoral candidate at the University of Wisconsin did some research into the question in 1963 and 1964. He monitored 7,600 prescriptions written by two groups of 30 physicians; 15 were known to own stock in local pharmaceutical companies; and the other 15 were not stockholders. In other respects the two groups were carefully matched as to their age and the type and location of their practice.

Analysis of these groups' prescriptions showed, first, that the stock-owning physicians indeed tended to prescribe their companies' brands—19% of the time in 1963 and 13% of the time in 1964. More than co-incidentally, their patients paid an average of 33% more for drugs than patients of the other physicians did in 1963, and an average of 20% more in 1964.

But the researcher, now a faculty member at the Philadelphia College of Pharmacy and Science, reached an even more disconcerting conclusion: The physician-owners prescribed antibiotics or sulfas 25 percent more often than did the other physicians in the study. Moreover, the study indicated that "physician-owners of companies which marketed penicillin preparations prescribed penicillin at a rate approximately eight times higher than did control physicians."

Thus it was apparent, from the prescriptions written by these two groups of physicians at least that decisions about medication did not depend entirely on medical judgments or on those judgments combined with a sympathy for the patient's pocketbook.

FREEDOM OF PRICE

Although the medical implications of the Hart subcommittee findings were plain enough to its members and staff, the subcommittee's jurisdiction lay not in medical ethics but in questions of monopoly and restraint of trade. The 1962 Kefauver-Harris Amendments to the Federal Food, Drug and Cosmetic Act had attempted to encourage generic-name prescribing by requiring all prescription-drug labels, advertising, and other promotional material to state the generic name in letters at least half as large as the trade name and by instructing FDA to review all existing generic names and to establish new simpler ones when necessary.

Now here were scores of doctor-owned drug repackagers making a business of buying up generic drugs and reselling them under new brand names at prices that, by and large, were either higher or only a shade lower than those of the major advertised brands. For example, reserpine, a drug occasionally used for severe emotional disorders, was selling to druggists in 1964 at between \$9 and \$39 per 1000 tablets under its three major brand names. Doctor-owned repackagers were buying the same tablets, however, from generic-name suppliers for 75 cents to \$2.75 per 1000, then selling them, under their own labels, to druggists at \$10 to \$30 or more per 1000.

Other drugs followed a similar wholesale pattern. Triple sulfa pills were \$16 to \$23.50 per 1000 from large brand-name drug houses, \$28.42 from the one doctor-owned firm quoting a price per 1000, and only \$9.65 to \$11 from two generic companies. The stimulant dextroamphetamine sulfate/amobarbital was 7.2 cents per capsule from Smith, Kline & French, 5.4 cents to 6 cents from doctor-owned companies, and about 1 cent to 2 cents from generic companies.

If there was any justification for the mark-ups of the doctor-owned company's drugs, the subcommittee failed to detect it. Its final report pointed out repackaging companies had little or no research and development costs and hence could provide opportunities for savings which could be transformed into lower prices instead of the higher prices they charge. As for selling and advertising costs, the subcommittee report noted, "this kind of promotion is hardly necessary to convince a doctor to write a prescription which profits his own company."

The subcommittee could see little prospect, either, of doctors prescribing by generic name if the same doctors had a financial interest in the drug store that was going to fill the prescription. After all, the profit on an expensive drug is higher than on an inexpensive one, even though the percentage of retail mark-up may be the same. Furthermore, the subcommittee suggested, if the particular drug is not controlled by patents, it can be purchased under its low-priced generic name, prescribed generically, and sold to the unaware consumer at the higher prices of the major company brands. In other words, a doctor can go into the repackaging business for himself merely by owning a drugstore.

Independent druggists and opticians did not hesitate to charge that doctor-merchants were resorting to just such methods of reaping excess gain. A spokesman for the National Association of Retail Druggists said that in a Midwestern state prescriptions filled in doctor-owned pharmacies "are priced as much as \$1.50 to \$2 higher than when dispensed by independent pharmacies." An optician in Los Angeles claimed that he had found, in his own survey of eyeglass prices, that ophthalmologists there were charging \$7.50 to \$15.10 more for eyeglasses than local opticians charged.

Spokesmen for the druggists and opticians made much of the fact that doctors can turn their patients into captive customers. Philip Jehle, of the National Association of Retail Druggists, reported that doctor-owners of drugstores steer patients to their stores by writing prescriptions in code, telephoning prescriptions directly to their pharmacy, recommending their pharmacy and disparaging those of competitors, prescribing dosage forms or brands stocked only by their own stores, and printing the name of their stores on prescription blanks. Spokesmen for the opticians said that eyeglass-dispensing ophthalmologists resort to many of these same devices.

ETHICS AND ECONOMICS

Denials poured into the subcommittee from doctors, and from the witness stand. Robert B. Throckmorton, then the general counsel of the AMA, stated organized medicine's position. "... actually, it is not a question of ethics at all, but a matter of raw economic competition," he said. Independent druggists and opticians were simply fighting for survival, and Mr. Throckmorton implied that the fight was a fair one.

Fair or foul, it is a fight that the doctors have been winning. "M.D.-owned pharmacies are steadily increasing at a rate which portends disaster for the nation's independent druggist," said Mr. Jehle. Paul A. Pumphrey, at that time secretary of the Wisconsin State Board of Pharmacy, produced supporting data to show that independent druggists were being wiped out. Wisconsin had only 24 physician-owned pharmacies in 1964, he said, but half had been established since 1960. Three of them, in communities of less than 5000 people, competed with four independent druggists; yet the doctor-owned pharmacies were already filling 80 percent of all prescriptions for these communities. Eight of the doctor-owned pharmacies were in towns of 5,000 to 20,000 people and competed with 28 other pharmacies; yet the doctors were doing almost half the total prescription business for those towns.

Opticians were faring even worse than druggists. Witnesses said they had to compete with 16 of the 17 ophthalmologists in Charlotte, N.C., for the sale of glasses, with 17 of the 19 eye specialists in Tucson, Ariz., with all 20 eye specialists in Reading, Pa., and with 30 of the 40 ophthalmologists in Anaheim, Calif.

ETHICS AND POLITICS

The American Medical Association has not always shrugged off doctor-ownership of drugstores and optical shops as a question of "raw economics." In 1954 its Principles of Medical Ethics stated: "It is unethical for a physician to participate in the ownership of a drugstore in his medical practice area unless adequate drugstore facilities are otherwise unavailable." This pronouncement was in keeping with a principle dating back at least to the 15th century. The Genoa Legal Code of 1407 made all pharmacists swear once a year that they would not keep shop in partnership or agreement with any physician, lest they have "temptation or reason for sinning" and lest prices might then be "raised higher than is becoming."

But, in 1955, the AMA left the straight and narrow Italian path. "It is not unethical,"

the Principles were amended to read, "for a physician to prescribe or supply drugs, remedies, or appliances as long as there is no exploitation of the patient." It was clear by then that the merchant-physician forces were in the ascendancy.

Nevertheless, the AMA's Judicial Council, which has jurisdiction on all matters of medical ethics, took the question of drugstores under intensive study again in 1961 and a year later recommended a new revision making it unethical for a physician to own a drugstore "in many situations." The recommendation was referred to the reference committee of the House of Delegates, policy-making body of the AMA, and the fat was in the fire. Doctors opposing a strict ethic descended en masse on the reference committee hearing. So did officials of clinics that derive large profits from resident pharmacies.

It was a painful day for the members of the Judicial Council. Mrs. Dorothy D. Goodwin, assistant counsel of the Hart subcommittee, elicited as much from Dr. George A. Woodhouse, then chairman of the Judicial Council:

"Mrs. GOODWIN. Isn't it true that there were other physicians there who spoke against your proposal who do in fact own pharmacies themselves?"

"Dr. WOODHOUSE. I presume that there were because they really ground me up pretty fine. I looked like I had come out of a meat grinder."

The upshot, as reprinted from the trade paper *F-D-C Reports* in the subcommittee hearing record, was that "the reference committee not only slapped down the proposed ban, but it also spanked the Judicial Council publicly for the manner in which it presented the issue."

THE FLABBY RULES

It is doubtful that physicians would have been dissuaded from owning drugstores even if the Council had succeeded in reinstating the strict ethical rule. Other such AMA rules seem to carry little weight. For instance, the Judicial Council still advises doctors who run pharmacies to respect the patient's right to choose his own pharmacy when having prescriptions filled. It frowns on direct telephone lines between a doctor's office and a drugstore and on prescription blanks advertising the name of a pharmacy. Yet local medical societies seldom have been known to reprimand or punish doctors for going against the Council's advice.

Indeed, since 1963 the AMA has held it "unethical for a physician to have a financial interest in a drug repackaging company" or to "own stock in a pharmaceutical company which he can control or does control while actively engaged in the practice of medicine." Yet a year later, when the Hart subcommittee conducted hearings, the AMA had done virtually nothing about enforcing this rule either. Mr. Throckmorton, the general counsel apologized:

"It always takes time for new rulings . . . to be widely understood by individual physicians," he said. "The activities of this subcommittee will undoubtedly do much to hasten these developments. The subcommittee can expect that within a reasonable time, physician ownership of drug repackaging companies will, in the main, disappear."

Before Mr. Throckmorton testified, the subcommittee had in August given him a list of 30 such companies and their doctor stockholders. A year later, it sent the AMA a new list of 150 companies. Early this year, however, after a spot check of some of these firms to see what, if anything, had happened to them, Senator Hart told the Senate, "The best I can ascertain today is that the companies are all still flourishing—with their doctor-owners."

The subcommittee staff believes that this industry may in fact be growing faster than anyone suspects. One such firm, Deseret Pharmaceutical Co. of Salt Lake City, is said to be the largest regional drug distributor in the Rocky Mountain States. Other such firms are known to be operating in such populous places as Chicago, San Antonio, Baltimore, Denver, St. Louis, Memphis, Kansas City, Mo., Nutley, N.J. (a New York City suburb), Sacramento, Jacksonville, Dallas, Portland, Oreg., Atlanta, Knoxville, Philadelphia, and Vienna, Va. (a Washington suburb).

DR. JUDD'S SPECTER

Last March the AMA made one more stab at putting its house in order. It called together its first National Congress on Medical Ethics. According to the *Washington Post*, Dr. Walter H. Judd, former Congressman from Minnesota, warned the gathering rather bluntly that if the profession does not act it will be haunted by some continuing, unsavory examples of exploitation of the patient. But the Congress did nothing to exorcise Dr. Judd's specter.

A much more promising source of hope for the future integrity of American medicine is Senate Bill S. 2568 sponsored by Senator HART, titled the Medical Restraint of Trade Act. It would simply forbid a doctor to make a profit, directly or indirectly, from the sale to his patients of drugs or medical devices, including eyeglasses. Hearings are expected to be held sometime in June.

Right now the prospects for S. 2568 are, at best, uncertain. Independent druggists and opticians favor it. The AMA is opposed, and the eyeglass-dispensing ophthalmologists are building a \$250,000 war chest with which to fight it. As for the big drug manufacturers, at this writing they had yet to take a stand. For once, however, it appears that their interest might just lie with, instead of against, their old nemesis, HART's Senate Antitrust and Monopoly Subcommittee. The disappearance of the independent druggist, that citadel of brand-name merchandising, would not be pleasant for this industry to contemplate. Moreover, the drug industry is bound to awaken sooner or later to the serious threat of repackaged brands hawked fervently by their doctor-investors to the exclusion, whenever possible, of the big name brands.

The one interest that should override all these special interests, however, is each citizen's indispensable need to be able to trust his doctor's judgment. In CU's opinion, S. 2568 needs and deserves every bit of public support that can be mustered if American medicine is to be saved from its doctor-merchants.

WHAT TO DO AS A PATIENT

How does a patient, knowing that many physicians profit from the sale of the drugs and eyeglasses they prescribe, assure himself of getting the medicine or glasses he needs at a reasonable price? There is no way to be absolutely sure. The patient can request or even insist on receiving a copy of each prescription in writing and have it filled at the pharmacy or by the optician of his choice.

Any physician who balks at writing out a prescription for drugs or eyeglasses and giving it to you should be immediately suspect. He is violating the ethics of the American Medical Association. So is the physician whose prescription blanks have a pharmacist's name on them, or who has a direct telephone line or a pneumatic tube connecting him with a pharmacy, or who writes his prescription in a code or dosage that only a particular pharmacy can decipher or supply. If the doctor practices in a medical building with its own drugstore, he should not pick up his telephone and call in a prescription or have his nurse deliver it. Any time such rules are broken, a patient can help all ethical physicians in his community, as well as all patients, by informing the local medical so-

ciety. If your doctor, however, asks for the name of your pharmacy and offers to call in the prescription for you, it may save you time—unless you prefer to have a copy of the prescription with which to price shop.

Another way to guard against prescriptions that may have been influenced by a physician's investment is to request the use of generic-name drugs. Many of the most widely used prescription compounds, including the antibiotics penicillin and tetracycline, corticosteroids such as prednisone, tranquilizers such as meprobamate, sulfonamides such as sulfisoxazole and trisulfapyrimidines, and cardiovascular agents such as digitoxin, can be prescribed generically, which usually means the drug will cost less than if prescribed by brand name. Despite drug company claims to the contrary, CU's medical consultants have found no clinical evidence that a brand-name drug is more effective than its generic equivalent. And they feel that, with the Food and Drug Administration now keeping close watch on factory conditions and quality controls, all drugs can with confidence be prescribed generically.

But if your physician says a brand-name drug and not a generic-name drug is called for, his advice must and should be the persuading factor.

Prescribing a drug generically does not always result in saving; it doesn't, for instance, when the drug is still protected by patents. And even when the prescription is written with your pocketbook in mind, you cannot be sure of realizing the saving. Some pharmacies may not stock the generic drug; drug companies have only too zealously implanted in many pharmacists a belief in the superiority of brand-name preparations. So the best advice is that it may pay you to shop around whenever possible, particularly in those cases of chronic illness where long periods of medication may be required.

In the long run, the most effective way to preserve the right to obtain needed prescriptions from the drugstore or optician of your choice is to write your U.S. Senators and Senator HART in support of his bill (S. 2568) to stop a physician from profiting on the prescriptions he writes.

RECENT LEGISLATION AFFECTING EXCEPTIONAL CHILDREN

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FOGARTY. Mr. Speaker, on October 29, 1965, I addressed the Rhode Island Chapter of the Council for Exceptional Children, Ladd School, Exeter, R.I. Under leave to extend my remarks, I include the address:

I am very pleased, as always, to be here at this meeting of the Rhode Island Chapter of the Council for Exceptional Children, and the Association for Teachers of Mentally Retarded Children.

It seems especially fitting that you should be meeting here at Ladd School, an institution that has long been in the forefront in the war on mental retardation.

Today I would like to tell you about some of the recently enacted laws that can, if properly implemented, affect the lives of exceptional children and their families, not only here in this State but throughout this great country of ours.

Let me re-emphasize the words "if properly implemented." This is an important and urgent point to me. To effectively help our

handicapped citizens, there must be effective coordination, guidance, and leadership displayed by officials at the State, county, and local levels. This is the area I am worried about here in the State of Rhode Island, and all across the Nation.

Those in positions of leadership must not be allowed to forget the availability of Federal support and the intense need for rapid implementation of a meaningful program to ease the burden of mental retardation on the community. New hope for the retarded and for their families is now within our grasp. But we must not delay in going about the business of equipping those who adjust and learn more slowly to assume a meaningful place in our society.

Legislation enacted prior to this year authorized Federal funds for State planning to supply better services to the mentally retarded and mentally ill. It also provided funds to aid in the construction of facilities to care for these children and provided a means of giving teacher training for special education. It is my sincere hope that Rhode Island's State officials will soon act to take full advantage of these financial aid programs.

Programs to aid the mentally retarded and mentally ill have increased tremendously since 1963. In fact, I think legislation such as "The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963," were major landmarks in the struggle to mount a national attack on mental retardation and mental illness.

The slowness of many state authorities in gearing up their resources to take full advantage of these existing Federal programs has been disappointing. Implementation of these programs by a dynamic leadership is vital.

As pointed out by the State's comprehensive mental health plan, Rhode Island's small size and the relatively easy geographical access to mental health services are definite assets. Specialized units to provide centralized services throughout Rhode Island can be set up, while at the same time basic mental health services, required by the Federal program, can also be supported without any problems.

A comprehensive mental health plan for practical action that would qualify this State for Federal assistance to construct community mental health centers should now receive our diligent attention. This is an important health area where Rhode Island has the potential for leadership in the national movement for better mental health.

Seven other States, including California and New York, have mental health center plans that have been approved; and four more States have pending plans for approval by Federal authorities. My strong feeling is that when States with huge populations such as California and New York can come up with a workable mental health plan, then Rhode Island should surely be able to do so, and quickly.

Our citizens must be made aware of the 1960 figure of 86,000 persons in Rhode Island that needed psychiatric care. And, that according to the Governor's council, this number may increase to 94,200 by 1970. Even more important is the need for an awareness among us that last year only 32,800 of more than 86,000 persons needing help were treated in Rhode Island. We need to keep before us the obligation to provide more and better services, fast, to care for these people. The Governor's council has recommended expansion of State mental health facilities and construction of new ones where needed. Implementation of this program must move forward with all possible speed.

During my years in Congress, I have always promoted national health, incorporating the sound principle that mental health is public health. Good mental health programs must include both the preventive and

rehabilitative services. I have urged before, and say again, Rhode Island State officials should take a hard look at this principle and then exert the strong leadership needed to insure the mental health of our citizens.

I know most of you here are particularly concerned with mental retardation. Well, fortunately, programs in this area are moving along in a reassuring fashion.

Progress made to date is encouraging, though the job yet before us is great. The State's mental retardation facilities plan calls for 13 new facilities to care for the mentally retarded in four State Regions. Region 1, includes Providence, Cranston, and East Providence; it will get five new facilities. Region 2, comprised of Burrillville, Pawtucket, and Woonsocket, will have three facilities. Exeter, Warwick, and Westerly make up Region 3; it will have three facilities; Region 4, Newport, will get two.

This planning shows positive action by State officials, but still more needs to be accomplished to see that our people receive full benefit from opportunities presented by Federal programs. With State programs already in existence and new Federal ones, a firm opportunity exists to give the fullest possible help to the mentally retarded and mentally ill of Rhode Island. Our State's citizens deserve and must receive all the help we can give them. The State's leaders can show the way for Rhode Island, through effective leadership, to make this State a model of what must be done for handicapped citizens everywhere. The funds to provide the tools of victory over mental retardation and mental illness are available, and they must be used effectively.

This year of 1965 has been a most significant one when you look at the legislation enacted.

The 89th Congress passed, and President Johnson signed into law, legislation authorizing a multitude of programs to benefit this Nation.

We have a new law to provide health care for the aged, and another setting up an administration to guide the study of all the problems peculiar to our older population. We have a law to help those living in poverty to better themselves through retraining and education. Nor have the needs of the rest of our population been neglected. Laws passed this year will help Americans of all ages to achieve a much fuller, happier, and healthier life in the future.

Three new laws, in particular, will have a profound effect on the lives of exceptional children. They are: "The Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965"; "The Elementary and Secondary Education Act of 1965"; and, "The Social Security Amendments of 1965".

I will now describe some benefits of each of these laws to show their special significance.

"The Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965" provides continuation of existing programs for the training of teachers and for research and demonstration projects related to special education. It also contains provisions to aid in staffing community mental health centers.

This law strengthens and expands programs begun earlier, and it accelerates national efforts to give the best possible training to those charged with the education of exceptional children. You all know, I am sure, that some 6 million handicapped children and young adults in our society are in need of special education. Included in this group are the mentally retarded, seriously emotionally disturbed, deaf and hard of hearing, crippled persons, and those with various other handicapping conditions. Approximately 1½ million retarded children in the country who need special education are not

receiving it at this time. And, while some progress is being made in training the teachers needed to educate handicapped children, there are still only between 60,000 and 70,000, or one-sixth of the total 300,000 educators needed in the field.

"The Mental Retardation Facilities Amendments" also authorizes extension and expansion of programs for research and demonstration to acquire new and better methods of teaching the handicapped. Under this portion of the law, the U.S. Commissioner of Education is authorized to grant funds to an institution of higher learning to construct, equip, and operate a special facility to conduct research and demonstration projects to seek better ways of educating the handicapped. The center envisaged here will concentrate all of its resources into bringing the best researchers, teachers, and research trainees together to develop practical and forward looking teaching methods for special education. Information collected from research in this center will then be made available to teachers in the field.

Another new law, "The Elementary and Secondary Education Act of 1965", is also significant. This law recognizes that every child should be given the chance, through education, for adequate preparation for adult life. This goal is particularly pertinent in the case of the handicapped child. The value of education in our society has long been recognized, but many persons have not recognized its special importance in helping the handicapped child or adult achieve his fullest possible potential. In any case, research has shown that handicapped children, including the mentally retarded, can benefit greatly from well-conceived, vigorously pursued special education programs.

As I mentioned earlier, I know all of us here recognize the necessity of expanding the educational opportunities of the retarded and other handicapped children.

"The Elementary and Secondary Education Act," authorizes starting a number of projects aimed at supplying special education teachers, who are competent and well-trained, to educate this country's handicapped children. I would like to mention some features of this law that are particularly important.

First, this act calls for a 3-year effort to encourage and support the creation, expansion, and/or improvement of existing special education programs. This includes construction of facilities to meet the educational needs of culturally deprived children, many of whom are now diagnosed as mentally retarded, but may only be lacking in needed educational experiences. Services under this section could include identification of mentally retarded children. Such early identification would then lead to early help for the retarded. This would also help identify those who are not actually retarded, who could then be helped back into the mainstream of the educational system.

Second, this law provides funds to help the retarded, through special classes and supplementary, interesting teaching methods, to make the best of their sensory and mental capacities. Projects here could include the use of special games, educational toys, picture books, and the like to stimulate the interest of the child.

Third, this act authorizes aid for the retraining of special educators. Such retraining could be done through inservice training using consultants and mobile teams of university specialists. These teams would examine teachers' problems on the spot and offer constructive suggestions to aid teachers right in their own classrooms.

A fourth important part of "The Elementary and Secondary Education Act," provides for assistance in hiring additional teachers to give intensive instruction to mentally retarded students. The ultimate goal of this

portion of the law is an eventual teacher-student ratio of 1 to 13 in special education classes.

A fifth benefit under this act will aid school districts to set up special summer educational camps, or all-day summer schools for educational purposes among other beneficial activities for handicapped children. It is even possible that under such programs, pupil exchanges could be made between camps or schools, thus giving the retarded a wider range of experiences with other children and teachers.

Still another law of tremendous significance is "The Social Security Act Amendments of 1965." A critical area in the war on mental retardation is the need to provide the best care and treatment to those who are already retarded. Despite an increase in the number of clinics during the last several years, a long waiting list of children needing clinical help remains. For example, in 1964 only 29,000 handicapped children were served in 94 hard-pressed clinics throughout the United States. This represents only a small fraction of those children needing care and treatment. Also, large numbers of these children have physical handicaps requiring special attention.

In addition, new programs for handicapped children and construction of university-affiliated centers to care for these children are making ever-increasing demands on the supply of well-trained professionals.

Under provisions of "The Social Security Amendments", funds will be available to train personnel to work in programs for handicapped children and in the university centers.

Beginning in Fiscal Year 1967, programs under this law will continue for an unspecified number of years to provide grants for training of personnel such as physicians, psychologists, nurses, dentists, and social workers. Though some of this type of training assistance was available previously, the new law greatly increases and expands such programs.

Yet another benefit of "The Social Security Amendments" is a provision to give comprehensive medical care to children of low-income families. Services such as screening, diagnosis, preventive care, treatment, and aftercare—both medical and dental—will be provided through this program. It can easily be seen that such a program will also benefit those mentally retarded children who live in areas having high concentrations of low-income families.

These amendments also authorize funds to expand and implement State planning to combat mental retardation. This program, begun under laws enacted in 1963, has so far resulted in a majority of States coming up with workable plans, and many States have discovered new areas which need attention. Some areas the States will explore with funds authorized under the new law include: lack of adequate statistics regarding the extent of retardation and the distribution of the retarded in each State; special needs of retarded persons in certain ethnic groups; and, community planning and integration of such planning into a dynamic State program.

It is in this area of planning that Rhode Island's leadership must improve if we are to have effective statewide programs to combat mental retardation.

The preceding statements have only highlighted these three very important laws, but I think we can all see the tremendous impact such laws can have on the welfare of exceptional children. These laws will aid in the training of teachers that should help to narrow the gap between the numbers of educators needed and those actually available. They will also provide funds to increase efforts aimed at seeking newer and better methods of teaching the retarded child so he may reach for a fuller part in community

life. And, finally, these laws authorize programs for training the many personnel who are in increasing demand to care for and treat the mentally retarded.

While there are still many areas of mental retardation yet to be explored, legislation passed this year is yet another giant step in the march to conquer mental retardation.

You as parents, teachers, and citizens of Rhode Island are doing a tremendous job in improving the chances for the mentally retarded. I am proud of your previous efforts and feel confident that you will continue to work for the final victory over mental retardation. I urge you to raise your voices to make sure that our State leaders are unmistakably aware of your support toward that final victory.

LIVING CARE: SALVATION FOR FORGOTTEN MILLIONS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FOGARTY. Mr. Speaker, it was my privilege to speak at the dedicatory exercises, Hall Manor, Cranston, R.I. By permission heretofore granted, I include the remarks made on that occasion:

Mr. Dailey, distinguished guests, I consider it a great honor to have been invited here for the dedication of Hall Manor, Cranston's first low-rent housing development for the elderly.

As many of you know, during the course of my quarter-century of service in the United States Congress, I have continually worked for legislation to help make projects such as Hall Manor possible—projects and programs aimed at enabling aged Americans to live in comfort, health, and dignity.

The city of Cranston has long been a leader in providing and sustaining health and welfare activities. The Cranston Child Welfare Committee, the Cranston District Nursing Association, and the Scandinavian Home for the Aged—where, incidentally, I had the pleasure to help dedicate a new wing five years ago this month—these are all fine examples of the social awareness of this outstanding Rhode Island community.

Today, Cranston marks a further advance in its social progress. With the aid of a loan of over one million dollars from the United States government, the Cranston Housing Authority has built Hall Manor as part of its long range program to eliminate slums and blight.

But, as we dedicate these eighty modern homes, especially designed and equipped for the needs of the elderly persons of this community, let us not forget the other aged Americans all across our nation—18,000,000 of them—many of whom are forced to live in emptiness, poverty, and without dignity.

Many of these people, though still capable of working and managing their own affairs, have been forced to subsist on low incomes because of a lack of work opportunities for people over 65. Housing developments such as Hall Manor do not exist in most sections of our country.

Though hundreds of studies have been made—each one confirming the sad plight of our elder citizens—and though substantial Federal funds have been made available, there has been comparatively little effort on a national scale directed toward actually getting projects for the aging planned and operating.

Some of this lethargy has been the result of a lack of coordination between the many Federal agencies involved in the aging problem. One of the first things we did to stir the lethargy and move toward more coordination was by organizing a White House Conference in 1961. This conference, and the regional meetings it stimulated, resulted in a number of legislative proposals. And finally this year, the Congress passed the Older Americans Act, which established an independent Aging Administration in the Department of Health, Education, and Welfare. I am particularly proud to have had a part in organizing the White House Conference, to have introduced the Older Americans legislation in the House, and finally, to see the creation of the Aging Administration.

The Aging Administration will help give a new thrust to the various and scattered Federal programs. It will encourage new thinking and set up the machinery to act on new ideas. By working directly with the States, the Aging Administration will serve to encourage the establishment of State agencies on aging.

I have long pointed to the need for such centralized action and have introduced and actively supported many bills to bring such action about. The Older Americans Act is the culmination of all these efforts. The Act provides \$13 million in grants to the States to establish State agencies on aging. Grants to public and private agencies totaling \$4,500,000 for planning and demonstration projects and for the training of personnel are also authorized.

But the Older Americans Act—though a significant step forward—must not mark the end of our efforts to eliminate the waste and indignities now associated with old age. We have made a good beginning, but there are greater tasks before us.

I wonder, for instance, how many Americans realize that there now exist over 2,500,000 elderly people who will actually not benefit from most of our national programs for the aged.

These elderly cannot secure low-rent housing, cannot participate in recreational programs or in vocational rehabilitation projects, will hardly, in fact, benefit at all from the new Medicare provisions.

Who are these forgotten millions? They are the elderly who are not physically or mentally capable of taking advantage of these opportunities. These persons are the completely disabled, the chronically ill, the senile and the mentally disturbed who cannot exist independent of full-time care and attention.

These then are people who cannot profit from mere financial assistance. They require much more than that. Yet, what are we doing for this special group of elderly persons? I'm afraid the answer is: not very much at all.

It is ironic that too many of us speak of older Americans as if they were all a group of people—aged 65—who mysteriously remain at that age until they die.

We know better, of course, but for some reason we do not seem to want to admit the unfortunate truth that the elderly too, are aging. It is very well for us to build modern housing facilities, encourage employers to hire elderly persons, and to develop exciting new programs for the benefit of the hale 65-year-old. But what are we doing for the frail 75-year-old?

What of these elderly who cannot enjoy handicrafts, who cannot go downtown with friends to a movie, who cannot indeed do much of anything but lie hopelessly in bed, requiring constant nursing care and frequent medical attention.

Approximately one-third of the nation's elder population is over 75 years of age. Over 10,000 Americans are aged 100 years or more. The tragic side to these statistics—

which at a glance indicate that we all are living longer—is that 83 per cent of this 75 plus group are suffering from one or more chronic diseases and nearly one quarter of these are totally or almost totally disabled.

Included in these figures are an especially unfortunate group of elderly persons who—because of mental retardation or other problems—were never able to adequately adjust to adult life. The difficulties of these people are sadly multiplied in old age.

How are the disabled elderly living, now? Some of them, of course, are in nursing homes. It has been estimated that some 600,000 are resident in 25,000 nursing homes—homes which I might add, represent varying degrees of quality and which maintain a wide range of standards. It is another irony that not all elderly persons in nursing homes need to be there, while many others on the outside desperately need the full-time care only these facilities can provide.

These others live at home, completely dependent on family and friends. Many of them, afraid of what they have heard about nursing home conditions, actually prefer to live at home. But here, they are often viewed not as unfortunate loved ones, but as nagging burdens. They receive resentment instead of love; indifference instead of care. Many younger people who are obligated to support dependent older relatives can barely afford to support themselves and their own families.

The elderly person who must live off his children or other relatives thus often suffers psychologically as well as physically, because he knows he is not wanted. He often receives no more care than necessary food, clothing and shelter. It is known that many general hospitals often retain chronically ill, elderly patients long beyond the period actually necessary for hospital care, rather than return them to poor home environments.

There is, therefore, an urgent need for long-term comprehensive care for the elderly who cannot take care of themselves. I do not just mean medical care, but an entire program of services to provide for all of the needs of life—in short, living care.

There is a need for pre- and post-hospital facilities in which living care can be best provided—facilities which will assure the continuity of social and medical services. Such homes for the aged require paid continuous medical supervision under a responsible medical director, who has ready access to special consultants. Regular medical examinations need to be made and arrangements established for ready transfer to a hospital when more difficult treatment is required and for rapid return when treatment is completed.

In addition to providing care for the maintenance of the disabled patient, comprehensive nursing facilities would be able to prevent further deterioration of the patient which is fostered by being bedridden. Prevention of bedsores, bone atrophy, and physical depreciation through non-use of the muscles is possible if precautions are taken. It is not too much to hope that under these ideal conditions many patients could benefit from rehabilitation techniques which might possibly return them to some lesser degree of dependence. Studies by the U.S. Office of Vocational Rehabilitation bear this out.

Nursing homes providing comprehensive living care will require—in addition to a well-trained medical staff—specially trained nurses, familiar with the particular problems and needs of the disabled elderly patient.

This then is what we need, but what do we now have? Homes for the aged have historically provided little more than food and shelter for old people who, though poor and without family, were for the most part in fair physical and mental health and able to care for their own needs. Pneumonia and other acute diseases, which we

are now able to control, usually brought a swift death.

Today such homes are finding that residents are living to greater ages, yet at the same time encountering chronic illnesses which result in bedfastness, physical dependency, and the need for full-time nursing care. The older nursing home is finding itself pitifully ill-equipped and ill-staffed to meet these new demands.

Some efforts have been made to meet the increased need for livingcare. Voluntary associations, religious and fraternal organizations, and labor unions operate non-profit organizations, and labor unions operate non-profit nursing homes. But financing of such homes is difficult to obtain. Encouraged by loans from the Small Business Administration, several private nursing homes have been built in recent years which provide comprehensive care programs of varying quality. However, many, many more high quality homes of both types are greatly needed.

There is a provision in the Hill-Burton Hospital Construction and Survey Act to provide public agencies with partial funds for the construction of nursing homes. According to the Public Health Service, about 40 per cent of the approximately 500,000 nursing home beds are not fit for use. At least 500,000 more nursing home beds will be needed in the next few years to replace the unacceptable ones and provide for increasing needs.

Because of certain limitations in the Act, and the inability of the States to provide their share, Hill-Burton has been only limitedly successful in meeting this need. What is obviously needed is a system of low-interest, Federal loans especially for the construction of public and non-profit private nursing facilities.

There is ample precedent for loans, or even direct grants, to the States for nursing home construction would not constitute much of a problem. But much more drastic measures are needed.

For, assuming that enough well-trained personnel were available, the cost to the elderly patient or his family of long-term nursing care would still be too great to be borne by any but the wealthy few.

I therefore am preparing a proposal for the second session of the 89th Congress to provide a system of federal support of long-term comprehensive medical and social care—livingcare—for elderly persons judged medically and socially in need of such services.

I am well aware that such a proposal calls for the acceptance of a whole new concept of medical care in this country. Yet the conditions which have fostered such a proposal are deplorable. If experience shows that others fail to act to change these conditions—and in this case they have—then it is the responsibility of the Federal Government to act in their stead.

I am aware that much more information on this subject needs to be accumulated. Because of the large number of incapacitated elderly persons living at home only pieces of the total problem are now known.

Before any detailed plan is drafted I would suggest that preliminary study of this segment of our elderly population by a committee of the Surgeon General of the United States Public Health Service to report back to Congress in twelve to eighteen months. I would expect that the committee would provide a solid body of facts on this presently neglected area of health care and suggest guidelines for a plan to assist the forgotten disabled elderly. I would then recommend speedy action to draft and implement such a plan.

So that I am not misunderstood, may I again emphasize that I am not speaking now of the many elderly persons who can well take care of themselves if given half a chance. There is already much being done for their

benefit, and much more could be accomplished if only those in authority would look around them and get moving.

But for maintaining the lives of forgotten disabled millions—the elderly person who is a helpless burden on his family—the elderly person whom our society is morally committed to support—there is no provision.

According to reports of the Social Security Administration, 1,900,000 retired couples and 5,700,000 retired single persons do not have an adequate standard of living. The income of half of all persons aged 65 and older in this country is less than \$1,000 a year.

It is ridiculous to even pose the question: how can such people afford the long-term costs of nursing care?

Nothing less than the proposal I make here today can make this care possible. We need nothing less than full federal responsibility for maintaining these neglected lives.

I know well that, hearing this proposal, many voices will cry out—cry out as they did against Medicare, and as they did against the heart disease, cancer, and stroke program, and as they cried out against most of the other far-sighted public health bills passed by the 89th Congress.

But I say to them, as I said in Congress this year when asked where this "kind of business" will end; that I, for one, intend to keep going and going until we take adequate care of as many people as we possibly can who so badly need better health services—no matter how long it takes, no matter how much we need to spend.

While the nation spends its billions on needless luxuries and extravagances, I only ask for enough to insure our health, and to insure that old age be not a time for misery and despair, but a time of at least minimal comfort as a small regard for a life well spent.

We owe ourselves nothing less than this. We have made some important strides in this direction, but there are many who still cry out in distress. And there are many such as the forgotten, disabled elderly who cannot cry out at all. Surely to these millions we owe salvation and care, surely to them we owe, not resentment and contempt, but the dignity and honor that is rightfully theirs.

RESOLUTION ON THE FAIR LABOR STANDARDS ACT

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. DENT. Mr. Speaker, I wish to present to the House a resolution adopted by the Amalgamated Clothing Workers of America in support of the recent amendments to the Fair Labor Standards Act sponsored by myself and passed by the House of Representatives.

The resolution is indicative of the great need for this humanitarian legislation:

RESOLUTION ON THE FAIR LABOR STANDARDS ACT

The Fair Labor Standards Act has been a basic safeguard for American workers and a major source of stability for our economy. Since 1938, the Act, which sets a floor under wages and a penalty for overtime, has benefited millions of workers and their families and curbed unfair competition based on substandard wages.

To accomplish its purpose, however, the provisions of the Act must keep pace with our advancing economy. The need for

prompt revision is particularly urgent since wage and hours standards are key elements in the "war on poverty."

At present, 17,500,000 workers are excluded from coverage of the Fair Labor Standards Act by unduly narrow definitions and special exemptions. These exclusions are particularly tragic for, among them, are the most poorly paid—sales clerks, workers in laundries and dry cleaning plants, hotels and restaurants, hospitals and nursing homes, and farm laborers.

The present minimum rate of \$1.25 is outdated and clearly inadequate. At a time when the federal government has declared that family incomes of less than \$3,000 constitute poverty, it is inconsistent for federal law to provide for a minimum wage which results in annual earnings of only \$2,600. A federal minimum rate of \$2.00 an hour is needed.

Despite changes in our economy, there has been no change in the basic workweek set forth in the Fair Labor Standards Act since 1938. There are already significant areas in our economy in which workweeks shorter than 40 hours prevail. Between 10 and 15 percent of workers in manufacturing are estimated to be on shorter workweeks. In this era of rapid technological advance, reduction of the workweek to 35 hours, without a reduction in earnings, is necessary to reduce unemployment and maintain a full employment economy.

Hand in hand with a shorter workweek, there should be a revision in the overtime penalty, which has also remained unchanged for almost 30 years. In 1938, a penalty of time-and-a-half for work over 40 hours a week was a powerful incentive for employers to hire additional workers. This is not the case today. Since fringe benefits now amount to about one-fifth the hourly wage, employers prefer to pay overtime rather than employ more workers. As a consequence, overtime work has been rising steadily. According to the United States Department of Labor, 1,500,000 additional full-time jobs would have been created if not for overtime work. Premium pay of double-time is in order.

The law also needs improvement in its provisions for Puerto Rico, the Virgin Islands, and American Samoa. Increases equivalent to mainland increases should be applied automatically to these areas without exception, so that minimum rates there will reach the minimum wages on the mainland as rapidly as possible.

The Fair Labor Standards Act cannot be any more effective than its enforcement. Evasions of its provisions are mounting and deprive workers of their rightful earnings. Government investigators found a 25 percent increase in underpayments in 1965 over the previous year and have forecast even greater violations for this year, totaling some \$85,000,000. They have also uncovered violations of the child labor and equal pay provisions. Yet, lack of funds has forced the Department of Labor to cut back its investigations. It has been estimated that full investigation would show violations of about \$300,000,000 a year.

H.R. 13712, sponsored by Representative JOHN H. DENT, proposes substantial improvements in the Fair Labor Standards Act. It extends coverage to 7,000,000 more workers; provides for a minimum wage of \$1.40 an hour in February 1967 and \$1.60 an hour in February 1968; provides for automatic equivalent increases, without exception, for Puerto Rico, the Virgin Islands, and American Samoa; and extends to three years the statute of limitations for willful violations of the law. While these amendments do not meet all our current need, its enactment would be a definite improvement. The proposed changes would bolster purchasing power, strengthen our economy, increase

employment, and make a significant contribution to the "war on poverty".

Resolved, That the 25th Biennial Convention of the Amalgamated Clothing Workers of America, AFL-CIO, CLC—

1. Urges Congress to enact promptly H.R. 13712, the Dent Bill, to make some of the long-needed improvements in the Fair Labor Standards Act;

2. Calls upon Congress to appropriate sufficient funds to make possible an expanded program of enforcement of the Fair Labor Standards Act by the United States Department of Labor;

3. Recommends that the Department of Labor enforce vigorously all provisions of the Act; and

4. Pledges to continue the Union's efforts to achieve further amendments to the Fair Labor Standards Act to provide for a federal minimum wage of \$2.00 an hour, further expanded coverage, a 35-hour workweek, and double time for overtime.

**ADDRESS BY THE HONORABLE
HORACE R. KORNEGAY AT COM-
MENCEMENT EXERCISE, GREENS-
BORO COLLEGE, GREENSBORO,
N.C.**

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. WHITENER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WHITENER. Mr. Speaker, Greensboro College, located in Greensboro, N.C., is one of the truly great educational institutions of the South. Under the able and dynamic leadership of Dr. J. Ralph Jolly this splendid Methodist college is making an invaluable contribution to the Nation.

On Sunday, May 29, 1966, the commencement exercise of Greensboro College were held and 120 young men and women were awarded degrees. The principal speaker at the ceremony was our distinguished colleague, Congressman HORACE R. KORNEGAY, of the Sixth North Carolina District. The message of Congressman KORNEGAY is of such excellence that I commend it to all of our people. The great story of America and the opportunities available under our system for young people is always exciting. Congressman KORNEGAY has well stated it again and I know that it will be of inestimable value to all of us to read his fine message.

I ask that the address of our colleague be made a part of my remarks at this point in the body of the RECORD.

AMERICA AND YOU—THE INDIVIDUAL

(Address by HORACE R. KORNEGAY, Member of Congress of the Sixth District, North Carolina, at Greensboro College Commencement Exercises, Greensboro, N. C., May 29, 1966)

Mr. Cowan, Dr. Jolly, Members of the Faculty, Members of the Class of 1966 and Ladies and Gentlemen, Mr. Cowan, I am extremely grateful to you for that most generous introduction. It is undeserved but very much appreciated.

I want to congratulate each of the graduates for selecting Greensboro College for his college training. It is a venerable and

outstanding institution which has made a great contribution to our community, our State and our Nation for well over a century.

I also want to congratulate each of you graduates for reaching this milestone in your life, although for some of you this may not be as much of a milestone as it is a cloverleaf in the highway of life and you may not have a map outlining which way you want to travel in the future.

I want to talk to you today about what I think has made America the greatest nation on earth—the individual.

For centuries, mankind has been engaged in three great struggles: First, the struggle for political freedom and against tyranny; second, the struggle for economic freedom and against poverty; and third, the struggle for intellectual freedom and against ignorance.

History is the story of man's effort to gain these three freedoms which liberate humanity from tyranny, poverty and ignorance. In vast areas of the world plodding generations have followed a slow and painful—and sometimes vain—road in pursuit of these freedoms.

There has never been any question in this nation of our determination to achieve these objectives. Speaking of man and of what should be included in the Declaration of Independence, John Adams said, "Let us hear the dignity of his nature and the noble rank he holds among the works of God." This impressive philosophy held high the dignity of the individual. With the adoption of the Constitution and the Bill of Rights, defining the right of free men to govern themselves, the struggle for political freedom for the individual made a monumental gain.

The American people then began to make those significant contributions to economic, educational and intellectual progress that were to become the envy of the world. They were determined to eliminate ignorance so that every man could have intellectual freedom.

Early Americans crossed the nation from East to West by the tens of thousands to conquer a wild continent. They made highways of rivers, fertile fields of prairies, cities of hamlets. They cleared forests, built roads and staked out a new nation which reached from ocean to ocean. They began the process of binding the East and West with stagecoaches and railroads.

They developed the iron plow and the reaper to take their reward from the soil. They invented the sewing machine and the telegraph, they laid foundations for vast new industries. The economic pendulum began its upswing.

But, there were booms and depressions, the tragedy of a disastrous Civil War, crop failures and crises that shook the nation to its yet-weak foundations. Life was hard. Child labor was common. Hours of labor were long. There was as yet no large well-to-do middle class.

Still, the gifted people of all lands and races were attracted to this nation. It was a period rich in achievement, crowded with the heights and depths of living. Those Americans believed almost anything possible, if a man was willing to try.

Consider the dramatic changes in this nation since 1900. Then, our population was 76 million; today it is over 192 million. In 1900, an American worker earned between \$400 and \$500 a year. The standard wage for an unskilled worker was \$1.50 a day. Under a new Federal minimum wage bill we discussed in the House this past week, every worker could get that much in one hour. The average work week in 1900 was 60 hours—10 hours a day, six days a week. For some it was 70 hours. Today, the standard work week is 40 hours and there are pressures to reduce it further. Personal income per capita is now over \$2,550 annually, and the aver-

age income per family is estimated at \$7,900 per year.

In 1900, one out of every four children between the ages of 10 and 15 was employed, in mills and factories. Less than one boy and girl out of ten of high school age was actually in high school. In that year we graduated about 27,000 from college—or one college graduate for every 3,500 of our population. Today, we have 4½ million students in our more than 2000 colleges and universities. Over 500,000 Americans a year now receive college degrees, or one for every 390 of our people. The struggle against ignorance is being won.

Take a look at our transportation!

In the first part of this century, there were no traffic policemen, no taxicabs, no airports, no parking meters, no filling stations, no women voters. There was no income tax, no inheritance tax, no sales tax, no movies, no radio, no telephones, no television. In some ways you could say, it wasn't so bad. And, April 15 was just the day after April 14.

This brings up the story of the class studying the history of the United States. "What two documents," the teacher asked, "have contributed most to our government?"

One student, the son of an accountant, raised his hand and said: "Forms 1040 and 1040A."

Economic freedom for the human individual means his right to speak, to create, and to experiment. It means his right to save and to risk his savings. The right to be in business, to own and manage, to earn and hold, to succeed—and even to fail—is freedom. It is independence. It is individualism. It is America.

Only a century ago, 50 percent of our workers had to toil on farms to produce the food and fiber we needed. Today, less than 7 percent are required to do the same job, and 93 percent are free to produce medical, educational, recreational and other services and goods to raise the standards of living of our people.

Spurred by our technological and educational advances, in just the past 20 years, we have gone from radio to color television, from propeller to jet to satellites that can orbit the globe in 90 minutes, and from the first nuclear reaction to bombs that can destroy entire nations.

Today, our machines supply 98 per cent of all power for industry, and men have been set free from the hardest physical labor. Despite the dire predictions about automation, there are 8 million more persons with jobs than there were only 10 years ago, and real wage rates and per capita income have increased. The American worker receives better wages, has shorter hours and more leisure and recreation time, produces more goods and has more plant, equipment and energy working for him than any worker in the world. Nowhere else has there been such progress in surmounting the age-old obstacles of poverty and ignorance. We have become the finest illustration in history of how a people enrich life and raise their whole level of economic well-being when the individual is given justice, freedom and the incentive to do.

The changes in our economy have been of tremendous magnitude and they reflect, and are a result of, the far-reaching achievements of individual men—free men.

The increasing role of government in the nation's life has had a major influence upon the role of the individual. Historically, the government has played three roles. From 1790 to 1860, the functions of government were confined largely to national defense, foreign affairs, law enforcement, tax collection, tariff administration, the postal service, minting of currency, banking regulation, patents, land grants, veterans' pensions and

Indian affairs. The total Federal budget in 1790 was approximately \$1.4 million—less than the modern-day cost of a moderate-sized sewage treatment facility for a town the size of Greensboro.

In the second period, from 1860 to 1940, the Federal government became more and more the regulator of business. The major reason that government interfered very little in business almost up to 1900 is to be found in the social and economic environment in which this nation was established and in which it grew. The early colonists were ambitious, liberty-loving, energetic persons who came here determined to improve their individual welfare. Tremendous areas of rich land, combined with an industrial revolution, gave them opportunity and they asked only to be left alone to use this opportunity fully. Most of them lived on farms. In 1860, agriculture was by far the leading industry. The isolation of the rural community raised very few of the difficult problems that came later with the growth of congested and industrialized urban areas. But conditions were changing. By 1900, 60 per cent of all workers were in nonagricultural pursuits, and the nation was facing the new problems of industrialization.

From 1896 to 1940, the Federal government established approximately 100 new agencies, including such now well-known major agencies, as the Bureau of the Budget, Federal Bureau of Investigation, Rural Electrification Administration, Federal Trade Commission, Federal Power Commission, Veterans Administration, Social Security Board and many others. With the increase in the number of new government agencies, there was also an expansion in the older agencies. This was the major period for the development of regulation by government.

With the coming of the 1940's and American's entry into World War II, the Federal government took on a new role. It became the nation's largest purchaser of goods and services. The Federal government is now the most important economic and financial power in the nation and government revenues and expenditures have far-reaching effects on the economy and the individual.

Another major development, which significantly affects the life of every individual is the fairly recent assumption of world leadership by the United States. The great colonial empires of the world have been shattered. We have witnessed the rise of dozens of new nations struggling to maintain political stability as they face poverty and insolvency. Many of these countries have inexperienced leadership, inadequate savings and capital and illiterate hungry masses unprepared for the responsibilities of self-government.

There are over 2 billion persons in the under-developed nations. In only 18 years, the United States has poured more than \$100 billion into these nations in the hope that there might be some assurance of economic progress, stability and peace. Part of the problem is that the population growth of the under-developed nations is the most rapid in the world.

With all our help and all our good will, we cannot accomplish the economic and intellectual development of all men and women everywhere—as much as we would want to do so. We can assist them to the best of our ability, but they themselves must take the steps which are imperative to progress by providing a satisfactory political and economic environment.

In order to stimulate healthy and steady development for the widespread benefit of the people, an underdeveloped nation should take steps to stimulate the investment of private capital, both domestic and foreign, and above all, it should protect the liberties of the individual citizen.

With the large number of new nations now unprepared for self-government, it seems in-

evitable that we shall face for many years a turbulent and politically unstable world. This sweeping change may well be the most explosive development of our time and may vitally influence the direction of our own lives. This clearly means that as individuals and as a nation we must be economically, intellectually, socially and spiritually strong.

With this background of our own dramatic development, with the gradual expansion of the role of government, and with the complete reorganization of the world's political structure in our time, what is the responsibility and place of the individual in our nation?

Government is now the regulator of countless segments of our lives. The historical record indicates that the role of government will grow larger, not smaller, as our economy becomes more complex. But, we can accept this as a challenge, which we can meet, as we have others. We need not turn over the management of the entire society to an all-powerful state. We need constantly to examine the role of government. We need to examine our own relationship to government.

We need to show some restraint in running to government with problems we ought to solve locally and individually. If we become less willing to assume responsibilities, it is certain that government will feel impelled to make decisions that belong to us as individuals. It is then that we begin to undermine the basic doctrine of our national life. That doctrine holds that the ultimate goal of this nation is to guard the individual's rights, insure the maximum development of his abilities and talents, expand his opportunities for self-expression and choice, and enhance his dignity.

In an age of science, technology and automation and well-trained manpower, it is not government, but modern, private industry with its massive power-driven equipment producing a continuous flow of goods, which is the major instrument for the social and economic enrichment of man and for his personal emancipation from drudgery, poverty and insecurity. It is not government, but private business which produces the goods and services that we demand, and pay for, and which in essence keeps the wheel of progress turning. The real revolutionists of our time are individual businessmen creating wealth for the masses. Therefore, while some functions and services of government may expand, it is still within our power as individuals to have the relative role of government decline, if we continue our amazing record of raising the standard of living for our people—and if we as individuals ask less of our government, not more. As we know, more government controls come only when there is citizen demand or in absence of self-discipline.

We are engaged in a war against human want. In the great outpouring of wealth by automated and power-driven industry, we are giving the individual the highest standard of living in history. Even more, we are producing the wealth necessary for a further major advancement of mankind. The increasing wealth created by individual initiative foreshadows an extension of education and a new cultural release for art and literature and music. It prophesies also even more leisure for the common man. The greatest social, educational and economic advance for the individual in the years ahead will come as a result of the progress of industry as it makes increasingly available to the masses the comforts, conveniences and cultural advantages that once were the privilege of the few.

Critics have said that with challenging new technological changes and automation, we will produce an over-abundance of goods. It may be possible to saturate a market with specific products, but not with all products and services. Moreover, new and improved

products and new wants are constantly being created. An official of a major corporation said recently that 50 per cent of the sales of that company now consist of products they did not even produce five years ago. There is no evidence that all the wants and needs of our people have been satisfied. There are also critics who suggest that you cannot have massive power-driven machinery without quantity production and that, as such quality is sacrificed. These critics have not reckoned with the genius of the businessman of today nor with the appetite of the American consumer for more and better products. Nor have they reckoned with the creative and imaginative minds our colleges are now training.

To discharge his responsibilities competently in our time, an individual must possess far greater knowledge than at any period in our history. The training you have received here will stand you in good stead, for men have never lived in a time of such great economic, political and social changes. We live in a world of tangled economics and treacherous world politics.

An industrialist revisited his university for a class reunion and while on campus, he went to see his old economics professor. He found the professor grading examination papers. The businessman picked up one and looked it over.

"Professor," he exclaimed, "do you know that these are the same questions you asked my class 25 years ago? Don't you know that the students keep copies of these examinations of yours and pass them on to succeeding classes?"

"Of course," replied the professor blandly, "but when it comes to economics, the answers are constantly changing!"

And, so they are.

Less than a generation ago, the balance of payments was an unfamiliar term, even to sophisticated businessmen. Today, most businessmen must understand the vital relationship of the balance of payments to his own economic well-being and to the life of his country. Imports, exports, interest rates, credit, and the monetary and fiscal policy of this nation are all involved in the complexities of this one problem.

Vast changes are taking place in our daily lives, particularly in our business segment. Businessmen in small communities find that automobiles and improved highways make it easy for customers to shop in larger cities further away. Businessmen in the larger cities face the erosion of their own business by outlying shopping centers and traffic congestion. Businessmen contemplating mergers to diversify their products, balance their seasonal production and serve their customers better must be certain now that the regulatory agencies of government are in agreement. Businessmen know that a profitable product today may go to the scrap heap tomorrow by a competitor's research.

These are the problems that you must face and cope with. These are the challenges that are your contemporaries, just as were those confronting our forebearers in the wilderness and the problems of that time.

As you retrace the pathway of American history, you quickly discover the reason for the greatness of this nation. It is the genius of the individual. It is the genius of the competent businessman who combines labor, capital and raw materials to produce a vast outpouring of goods to enrich the lives of the masses. It is the genius of the working man, whose labor, self-discipline and thrift are vital to the creation and operation of modern industry. It is the genius of the great doctor who frees children from crippling disease. It is the genius of the talented architect who creates magnificent buildings. It is the genius of the dedicated public servant who enables good government to survive. It is the genius of the devoted teacher who inspires youth to greatness.

A teacher noted on a report card: "Your son excels in initiative, group integration, responsiveness, and activity participation. Now, if he'd only learn to read and write."

The individual can take just pride in the truck and the tractor, the jet plane, the computer, the healing drug and the modern hospital. He can take pride in the soaring skyscraper and the power-driven factory, the public library and the university, and he can truthfully say, "All these I have created."

Those who built this nation to its present greatness believed in the invincibility of individual intelligence, economy and hard work. Guided by Providence, they entered a wilderness with vision, industry and courage. They took the forked stick and made a steel plow. They took the crude sickle and made a reaper. They took the wagon and made an engine, an automobile, an airplane, a tractor. They made an iron thread into an ocean cable, rough type into great color printing presses, and steel beams into soaring skyscrapers. They made forest trails into magnificent highways.

From a wilderness, they created a dynamic nation.

America is great because individual men have freedom and equality, because individual men have been given the incentive to create, to produce, and to save, because individual men have been rewarded for their labor with a generous share of the goods they helped to produce. America has taken its place among the great civilizations of history because the cornerstone upon which the Republic rests is the social, educational, economic and spiritual betterment of individual men.

We must protect and defend this individualism and the individual freedoms that are threatened—at home and abroad. In spite of attacks upon these rich inheritances, there is genius enough in the individuals in this nation to give us in material well-being and political and social and spiritual enrichment a future that will exceed even the amazing progress of the past.

But we shall need to bring to the difficult problems of our time those heroic qualities of character, industry and self-discipline which have made our people strong and this nation great. We shall need to constantly reaffirm our deep faith in the dignity of the individual and in his creation by Almighty God. Our success depends upon you as an individual. May God bless you and speed you—in all that you do.

Thank you.

BILL REQUIRING 5-YEAR COST ESTIMATES ON PROGRAMS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. BENNETT] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. BENNETT. Mr. Speaker, I have today introduced a bill which would amend the rules of the House to require committee reports on bills to include an estimate for the first 5 fiscal years of specific costs of a proposed program. I feel this bill will put "teeth" in Public Law 801 of 1956 and which still today requires the executive branch to give such estimates; but this has been complied with only on a limited scale. My bill would allow any Member of Congress to object to the consideration of the pending measure unless the report complies with this rule.

We have a duty to work toward human progress, and I feel that this requires us to maintain sound fiscal policies, for otherwise we put unnecessary burdens on our generation and those that follow.

Expanding social and other programs to infinite limits or unnecessary proportions without any logical planning or perspective on the total freedom on responsibility aspects will harm the people the programs seek to help. The fiscal problems we face today are the responsibilities of the Congress, not just the executive branch; for it is the Congress which authorizes these programs and appropriates the necessary funds. It is not all the fault of the executive branch, as many would have us believe. It is largely the failure of the Congress to cut out what is not needed and substitute funds for items necessary for the war in Vietnam, our defense, and existent welfare programs; or in some cases to forgo, postpone, or reduce new programs.

My bill will not provide the entire answer to the problem of how to maintain fiscal responsibility, but it will help. If it is coupled with a computerized analytical capability that would be provided the Congress in my bill, H.R. 13445, which would establish a congressional comptrollership, I feel that the pendulum of power which has slipped away from the Congress to the executive will again return to its intended place.

A copy of the bill follows:

(A resolution amending the Rules of the House of Representatives to require the inclusion of additional information in committee reports on certain bills and joint resolutions)

Resolved, That Rule XIII of the Rules of the House of Representatives is amended by adding at the end thereof the following:

"7. Whenever a committee reports a bill or joint resolution which, as reported, will entail an estimated annual expenditure of appropriated funds in excess of \$1,000,000 and which proposes the creation or expansion of any function, activity, or authority of any department, agency, independent establishment, or instrumentality of the executive branch, or judicial branch, of the Government, in addition to those functions, activities, and authorities existing at the time such bill or joint resolution is reported, it shall include in its report or in an accompanying document a statement, for each of the first five fiscal years during which such additional or expanded function, activity, or authority is proposed to be in effect, disclosing the estimated maximum additional—

"(1) man-years of civilian employment, by general categories of positions,

"(2) expenditures for personal services, and

"(3) expenditures for all purposes other than personal services, which are attributable to such function, activity, or authority and which will be required to be effected by such department, agency, independent establishment, or instrumentality in connection with the performance of such function, activity, or authority."

RESOURCE CONSERVATION PROTECTS NATION'S WEALTH

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DE LA GARZA] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, I am most concerned about the lack of public interest and support in resource conservation and development. The true wealth of this Nation has always been measured in its soil and water resources.

This was the source of our strength when we were an emerging nation. It has sustained us well ever since. But our future is in doubt if we do not today husband these resources more diligently than we have in the past.

Our own burgeoning population is putting unprecedented demands on both soil and water resources. In addition, hungry people throughout the free world look to us for food and fiber until they can develop their own natural resources and become self-sustaining.

To meet these commitments, we must plan our land uses wisely. The small band of dedicated conservationists working toward this end have my full support and appreciation.

In the 15th Congressional District of Texas, we know the importance of resource management. Farmers and ranchers in this relatively small section of the State produce about 10 percent of all the cash crops in Texas. Most of the citrus fruits and vegetables grown in the State come from this congressional district.

The 13 counties included are completely blanketed by locally governed soil and water conservation districts. Their progress in soil and water conservation on individual farms has been exceptionally good. Their interest in watershed development continues to outstrip planning assistance funds.

Two watershed projects under Public Law 566 are currently under construction and 12 more are among the 63 throughout the State competing for planning priority recommendations.

In Cameron County, the sponsors of three watershed projects decided to move ahead on their own. The local people, through the Cameron County Commissioners Court, are paying all costs of engineering surveys, project evaluation, and preparation of watershed work plans.

I am proud of these people and what they are doing. And I pledge my continued support of their efforts in conserving and developing our rich heritage of renewable natural resources. All of us benefit by it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REINECKE (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. WYATT, for June 3, 1963–June 20, 1966, inclusive, on account of official business as official adviser to World Forestry Congress, Madrid, Spain, appointed by Hon. JOHN W. MCCORMACK.

Mr. MORTON (at the request of Mr. GERALD R. FORD), beginning June 2

through June 7, 1966, on account of official business.

Mr. MATSUNAGA, for period June 2 through June 13, 1966, on account of business in State.

Mrs. MINK, for June 2, June 3, June 6, on account of official business.

Mr. RONCALIO, for Tuesday, Wednesday, Thursday, and Friday, May 31, June 1, June 2, and June 3, 1966, on account of the funeral of the Honorable Walter B. Phelan, Speaker of the Wyoming House of Representatives, at which he will be a pallbearer.

Mr. PELLY, for June 2 through June 9, on account of official business.

Mr. FLYNT (at the request of Mr. STEPHENS), from May 31 through June 2, on account of business in district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SMITH of California, for Monday, June 6, 1966, for 30 minutes; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. GROVER) to revise and extend their remarks and to include extraneous material:)

Mr. HALPERN, for 10 minutes, today.

Mr. KUPFERMAN, for 30 minutes, on Thursday, June 2.

Mr. BOW, for 30 minutes, today.

Mr. PIRNIE, for 60 minutes, on June 6.

Mr. ASHBROOK, for 5 minutes, today.

Mr. SMITH of Iowa (at the request of Mr. STRATTON), for 30 minutes, on June 7; and to revise and extend his remarks and include extraneous matter.

Mr. STRATTON, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MOELLER.

(The following Members (at the request of Mr. STRATTON) and to include extraneous matter:)

Mr. VIVIAN.

Mr. FOGARTY in three instances.

Mr. HOWARD.

Mr. RONCALIO.

ENROLLED JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 763. Joint resolution authorizing the President to proclaim the week in which June 14 occurs as National Flag Week.

ADJOURNMENT

Mr. STRATTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 16 minutes p.m.) the House adjourned until tomorrow, Thursday, June 2, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2452. A letter from the Chief Justice, Supreme Court of the United States, transmitting the report of the proceedings of a special meeting of the Judicial Conference of the United States, pursuant to the provisions of 28 U.S.C. 331 (H. Doc. No. 451); to the Committee on the Judiciary and ordered to be printed.

2453. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff on March 31, 1966, pursuant to the provisions of section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

2454. A letter from the chairman, Legal Aid Agency for the District of Columbia, transmitting the annual report of the agency's work, financial condition, and expenses for the period from June 1, 1965, to May 31, 1966, pursuant to the provisions of 74 Stat. 229, D.C. Code 1961; to the Committee on the District of Columbia.

2455. A letter from the Comptroller General of the United States, transmitting a report of preferential allowances paid to certain contractor employees at the Hanford Works, Richland, Wash., Atomic Energy Commission; to the Committee on Government Operations.

2456. A letter from the Comptroller General of the United States, transmitting a report of review of prices charged for meals served to employees and visitors at penal institutions, Bureau of Prisons, Department of Justice; to the Committee on Government Operations.

2457. A letter from the Comptroller General of the United States, transmitting a report of review of accelerated business collection and delivery program at Baltimore, Boston, and Washington, D.C., Post Offices, Post Office Department; to the Committee on Government Operations.

2458. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved, according to the beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FASCELL: Committee on Foreign Affairs. Report on the United Nations financial situation, article 19, controversy over the financing of U.N. peacekeeping operations; without amendment (Rept. No. 1564). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIGGS: Committee on Foreign Affairs. Report of the special study mission to Africa, November 27-December 14, 1965; without amendment (Rept. No. 1565). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 698. A bill to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes; with amendments (Rept. No. 1566). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 12389. A bill to increase the amount authorized to be appropriated for the development of the Arkansas Post National Memorial; without amendment (Rept. No. 1567). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 15111. A bill to provide for continued progress in the Nation's war on poverty; without amendment (Rept. No. 1568). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BANDSTRA:

H.R. 15384. A bill to amend the Packers and Stockyards Act of 1921, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. BLATNIK:

H.R. 15385. A bill relating to the reduction of the public debt; to the Committee on Armed Services.

By Mr. PINO:

H.R. 15386. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 15387. A bill to amend title 38 of the United States Code to provide a monthly pension of \$50 to any person awarded the Distinguished Service Cross or the Navy Cross; to the Committee on Veterans' Affairs.

By Mr. GALLAGHER:

H.R. 15388. A bill to amend the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McGRATH:

H.R. 15389. A bill to extend the benefits of the Consolidated Farmers Home Administration Act to oyster planters; to the Committee on Agriculture.

H.R. 15390. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 15391. A bill authorizing the sale of standard silver dollars held by the Treasury; to the Committee on Banking and Currency.

By Mr. PERKINS:

H.R. 15392. A bill to increase the investment credit allowable with respect to facilities to control water and air pollution; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:

H.R. 15393. A bill to convey certain lands to the Borough of Shamokin, Pa.; to the Committee on Public Works.

By Mr. ROBISON:

H.R. 15394. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for contributions to candidates for elective Federal office or to political parties; to the Committee on Ways and Means.

By Mr. VIVIAN:

H.R. 15395. A bill to amend the Mental Retardation Facilities Construction Act in order to permit the construction of classrooms under that act; to the Committee on Interstate and Foreign Commerce.

H.R. 15396. A bill to strengthen the anti-trust laws by prohibiting the payment to or receipt by persons licensed to engage in the practice of medicine, of profit, rebates, refunds, commissions, discounts, rentals, or other valuable considerations in connection with the supplying to patients drugs, devices, or other products prescribed by such licensees; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 15397. A bill to amend title 38 of the United States Code, to increase the rate of pension to certain veterans of World War I, World War II, and the Korean conflict, their widows and children, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 15398. A bill to amend section 521 of title 38, United States Code, to exclude from consideration as income, for the purpose of determining eligibility for pension, all payments of any kind or from any source, including salary, retirement or annuity payments, endowments or similar income, which a veteran receives or is entitled to receive after attaining age 72; to the Committee on Veterans' Affairs.

H.R. 15399. A bill to increase the rate of pension payable to certain veterans of World War I, World War II, and the Korean conflict, their widows, and certain other dependents, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GALLAGHER:

H.R. 15400. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RESNICK:

H.R. 15401. A bill to amend title II of Public Law 874, 81st Congress, to require the Commissioner of Education to use the most recent data available in making allotments among the States thereunder; to the Committee on Education and Labor.

By Mr. TODD:

H.R. 15402. A bill to establish safety standards for motor vehicle tires sold or shipped in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WATTS:

H.R. 15403. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. CHELF:

H.R. 15404. A bill to provide for exemptions from the antitrust laws to encourage automobile manufacturers in the joint development of safety devices, facilities, and procedures; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 15405. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method of determining the deduction for depletion of natural resources; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.J. Res. 1154. Joint resolution authorizing and requesting the President to set aside and proclaim the first Sunday in June 1966 as Teacher Remembrance Day; to the Committee on the Judiciary.

By Mr. BENNETT:

H. Res. 874. Resolution amending the Rules of the House of Representatives to require the inclusion of additional information in committee reports on certain bills and joint resolutions; to the Committee on Rules.

By Mr. MORRISON:

H. Res. 875. Resolution providing for the consideration of the bill H.R. 14904, to revise postal rates on certain fourth-class mail,

and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 15406. A bill for the relief of Giuseppe Tocco; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 15407. A bill for the relief of John Dennis Chambers, Vicki Jill Chambers, Philip Michael Chambers, Peter Gregory Chambers, and Kathleen Anne Chambers; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 15408. A bill for the relief of Mrs. Hania M. Warfield; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 15409. A bill for the relief of Mario Cutolo; to the Committee on the Judiciary.

H.R. 15410. A bill for the relief of Felice Boffice; to the Committee on the Judiciary.

H.R. 15411. A bill for the relief of Jose Jesus Villalobos; to the Committee on the Judiciary.

H.R. 15412. A bill for the relief of Rosa Binetti; to the Committee on the Judiciary.

H.R. 15413. A bill for the relief of Antonino Ruffino; to the Committee on the Judiciary.

By Mr. REES:

H.R. 15414. A bill for the relief of Rosario Rodriguez and her minor son, Federico Rodriguez; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 15415. A bill for the relief of Sidney Gibson and Umlita Gibson; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JUNE 1, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. HOWARD W. CANNON, a Senator from the State of Nevada.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of the nations, in this forum of government we come to Thee in sure confidence that the way of the Republic is down no fatal slope but up to freer light and air.

Again, in the cycle of the years, a grateful nation founded on spiritual verities has remembered its yesterdays and its stirring past.

O valiant hearts, who to your glory came through dust of conflict and thro' battle flame; your memory hallowed in the land you loved:

Proudly you gathered, rank on rank to war, as you heard God's message from afar; all you had hoped for, all you had, you gave to save mankind—yourselves you scorned to save.

In the assurance of that faith which overcometh the world, strengthen us to give the best that is in us against the wrong that needs resistance, for the right that needs assistance, and for the future in the distance and the good that we may do.

We ask it in the name of the Master of all good workmen. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 1, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HOWARD W. CANNON, a Senator from the State of Nevada, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. CANNON 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 Friday, May 27, 1966, and Tuesday, May 31, 1966, was dispensed with.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of May 26, 1966,

The following reports of a committee were submitted on May 31, 1966:

By Mr. MONRONEY, from the Committee on Commerce, without amendment:

S. 2267. A bill to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance (Rept. No. 1195).

By Mr. PASTORE, from the Committee on Commerce, with an amendment:

S. 1015. A bill to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception (Rept. No. 1194).

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.

REPORT OF ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 447)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of section 10 of Public Law 358, 83d Congress, I transmit herewith for the information of the Congress the annual report of the St. Lawrence Seaway Development Corporation, covering its activities for the year ended December 31, 1965.

LYNDON B. JOHNSON.

THE WHITE HOUSE, May 31, 1966.