free, religious worship and individual rights that are so precious to all of us.

We are living in extremely unsettled, challenging times. In this dangerous world, where aggression and tyranny seek to destroy the rights of all free people, we must stand, as we have always stood, with courage and high purpose, unalterably committed to defend the safety, security, integrity and welfare of the nation, and uphold the principles of truth and justice and ordered liberty upon which our great, free system is based.

There are no easy solutions, no short cuts, no magical formulas by which we can settle the problems of this hour.

To do this, we must be determined, first, last and always, to preserve our own free heritage. We must, and I know we will, continue to strive with all our hearts and energies for a "rule of law", and for a just, enduring, honorable peace in Vietnam and in the world—a universal peace that will permit all human beings to live under the fatherhood of God and the brotherhood of man, free from Communist dictatorship, or any other kind of tyranny, and delivered from the dreadful scourge of nuclear war or any other war. Let us know that peace with freedom is the great question of our day.

As we celebrate, so meaningfully and with such true reverence and devotion, the founding of this typically American town, let us face without flinching the grave problems that are before us.

Let us never abandon the principles and the values that made us the great free God-fearing nation that we are.

Let us always remain firm without fear or doubt, in the spirit of those who founded this country, and those who preceded us, with real courage, faith and determination, to keep this nation as a secure dwelling place and sanctuary for those dedicated to human freedom and committed to peace and progress and amity.

Just a personal word. I want you to know how very proud I am of this town, and its faithful, devoted people, and of the great privilege you of this District have accorded me to represent you in the Congress of the United States, the greatest, deliberative body of its kind in the world.

As your Congressman, your friend, and a most sincere admirer, I am very happy tonight to bring the greetings and felicitations of our great District to all your leaders and your people, and to express the hope and prayer that in the time to come the good Lord will bring you all, each and every one of you, choicest blessings of good health, prosperity, happiness and peace for many years to come.

I express to you my deep gratitude for the encouragement and support you have extended me in my important official work, and for the many evidences of warm friendship that you have so wholeheartedly extended me.

Finally, in the happy trilogy of spiritual dedication, patriotism and zeal for achievement, always so typical of this Town, I am sure that you will go forward together, as you have in the past, to even greater heights of accomplishment, well-being and success, and that you will always maintain here the close ties of loyalty, mutual respect and affection which are so much a part of American community life, so invaluable in building the strength of the nation, safeguarding the fountainhead of enterprise and freedom and preserving the rights of the individual citizen and his family.

I am deeply grateful to you and your distinguished Committee, for giving me the very high honor of being with you on this memorable occasion. Command me when I can be helpful.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 15, 1967

The House met at 11 o'clock a.m.

Rev. Lindell O. Harris, Hardin-Simmons University, Abilene, Tex., offered the following prayer:

Our Heavenly Father, we acknowledge our unworthiness even to approach Thee, but in gratitude we bow our heads and hearts before Thee.

For the blessings of home and country, for the privilege of work and the opportunity of service we give Thee thanks.

Grant to these who represent us the commonsense of the uncommon man and the dedicated perseverance of the true statesman.

Amid the stress and tension of continuing world crisis, help us all to have tough minds and soft hearts. May we be guided by principles of justice tempered with mercy, seeing in all men their virtues more than their vices. All this we pray in the name of Him who loved us and gave Himself for us. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1432) entitled "An act to amend the Universal Military Training and Service Act, and for other purposes."

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

S. 990. An act to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes.

RELIABILITY OF THE M–16 RIFLE

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

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

There was no objection.

Mr. HOWARD. Mr. Speaker, on May 22, I asked Secretary of Defense McNamara to look into complaints that our new M–16 rifles were jamming during combat in Vietnam.

As you know, the distinguished chairman of the House Armed Services Committee, the gentleman from South Carolina, the Honorable L. MENDEL RIVERS, has appointed a three-man subcommittee headed by our colleague, the gentleman from Missouri, the Honorable RICHARD ICHORD, to investigate the M–16 rifle.

On May 22 before I read excerpts of a letter from a New Jersey marine in Vietnam on the floor of the House, I passed this letter on to the Department of Defense and Mr. ICHORD. The subcommittee has now returned from Vietnam where it had the opportunity to look into the M–16 controversy firsthand. Since my remarks on the floor of the House, I have been inundated with mail from across the country. Some of it, I feel, is valuable; some of it may not be. However, I have turned all of this correspondence over to Mr. ICHORD. His subcommittee will issue a complete report in the near future.

While the question of jamming will undoubtedly be settled to our satisfaction by the subcommittee report, I am more than pleased to report to you that several changes and modifications have been made and are being made on the M–16 rifle. These changes relate to a cutdown in the rapidity of fire, the number of rounds of ammunition recommended per clip, method and material for lubrication, and the chrome plating of one piece of equipment.

I feel this does reflect that we have encountered problems with the M–16 but that the military responded quickly to correct the defects discovered. While it is my personal opinion that the military could have announced these modifications without causing any adverse publicity, I commend them for acting swiftly to improve the M–16 rifle.

I am happy that changes toward improvement have been made and are being made. A final determination of the entire M–16 controversy can only be made after Mr. ICHORD's special subcommittee files its report.

RAILROAD STRIKE LEGISLATION

Mr. HARVEY. 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 Michigan?

There was no objection.

Mr. HARVEY. Mr. Speaker, the difficult decision which the House faces this afternoon comes about because there is no existing legislation to handle the problems posed by the threat of a nationwide railroad strike. I believe that the absence of such permanent legislation is a cause of regret for all Americans, and that both Congress and the President must accept a share of the blame.

For the present, there are only three basic alternatives that we have to handle this problem.

We can permit a strike to take place. But I do not believe that this can be viewed as a practical alternative at this time. Certainly, it should be evident to all Members that with almost a half million boys in Vietnam waging a battle

for their very lives, an emergency exists and a strike would be intolerable.

We can seize the railroads, as many would have us do. But this action would not aid in settling the dispute between labor and management.

Furthermore, the criterion for seizure is not present; neither party is accused of wrongdoing which would justify seizure. There is no reason why the employer should be singled out for punishment.

We are left then with House Joint Resolution 559 as the only other reasonable alternative to the problem facing us. No one in Congress is happy with it, for it represents a curious mixture of mediation and compulsory arbitration.

Despite its imperfections and the haste with which we are again asked to pass this legislation, House Joint Resolution 559 appears to me to be the most practical and the fairest solution to the railroad labor dispute at the present time. It is practical because it avoids a strike which our Nation could not under any circumstances afford. It is fair because it treats both labor and management the same. I am not impressed that the special board to be named by President Johnson under House Joint Resolution 559 would be antilabor under any circumstances, or would be any less fair to labor than to management.

Mr. Speaker, it is imperative that this strike be settled and that House Joint Resolution 559 be passed.

CALL OF THE HOUSE

Mr. GROSS. 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. 138]

Ashley	Ford, William D.	Roudebush
Ayres	Fuqua	Rumsfeld
Celler	Hagan	St. Onge
Cohelan	Ichord	Sisk
Collier	Lukens	Tenzer
Conyers	Machen	Thompson, N.J.
Corman	Mayne	Tuck
Dawson	Moore	Utt
de la Garza	Pollock	Williams, Miss.
Dent	Pool	Young
Diggs	Rooney, N.Y.	Younger
Dow		

The SPEAKER. On this rollcall, 399 Members have answered to their name, a quorum.

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

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE REPORT ON H.R. 10867

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tomorrow night, Friday, June 16, to file a report to accompany the bill H.R. 10867.

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

There was no objection.

DISCHARGE PETITION TO COMMITTEE ON THE JUDICIARY

Mr. GIBBONS. Mr. Speaker, yesterday I filed a discharge petition to help bring to the floor an antiriot bill that I think is constructive legislation designed to help to put an end to some of the violent disruptive behavior going on in this country. At the same time the gentleman from Florida [Mr. CRAMER] is proceeding in another but parallel direction through the Committee on Rules. Today he and I discussed the approaches that we are following. I want it clearly understood that I want the antiriot bill to come to the floor and for us to work our will in any way we can get those bills here. I would suggest those of you who would like to have the opportunity to vote again on the Cramer-type amendment to proceed in any manner that you want to. To show my good faith and determination I join Congressman CRAMER in his efforts before the Committee on Rules and further I invite each of you to sign the discharge petition at the clerk's desk to discharge a similar bill. We should push ahead on both fronts to move this vital legislation to the floor of this House for action.

THE NEED FOR DAY CARE CENTERS

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

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

There was no objection.

Mr. GIBBONS. Mr. Speaker, it is my privilege today to introduce a bill on behalf of myself and the gentleman from New York [Mr. OTTINGER], which would provide day care for children of the poor to enable their parents to undertake basic education, job training, or employment and thus remove themselves from the Nation's welfare rolls.

The need for this legislation is clear. There are 900,000 American families headed by women whose household responsibilities limit them to dependence on a monthly welfare check. They represent a major share of the $6.1 billion spent by government on welfare during fiscal 1966. These women will remain on welfare unless responsible care can be provided for their children during working hours. Yet while these families comprise 2.7 million children, the capacity of licensed day care facilities is but 350,000.

The proposed legislation, which is also being introduced today in the other body by Senator JAVITS, would authorize $60 million to set up 50,000 places in day care facilities. This bill would not accommodate the total need, but it would be a solid beginning. It would go a long way toward paying for itself in the number of families it removes from welfare aid. On this basis, I commend it to my colleagues as a sensible, hardheaded investment.

CARDINAL CUSHING IN SUPPORT OF NATIONAL LOTTERY

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

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

There was no objection.

Mr. FINO. Mr. Speaker, I would like to bring to the attention of the Members of this House a statement recently made by His Eminence Cardinal Cushing, in support of the national lottery idea. As the cardinal said:

> If we can have lotteries in Ireland, England, and other countries in Europe, why can't we have them in the States?

The cardinal made these observations in a letter to Francis Kelly, chairman of the Massachusetts Sweepstakes Commission, in which he thanked Mr. Kelly for sending him 25 State lottery tickets which he had purchased in New York.

I am wondering how all of this strikes the distinguished Postmaster General, Mr. O'Brien, who is a good friend of the cardinal's. I say this because Mr. O'Brien continues to oppose the bill which I and other Congressmen have introduced to end the present prohibition of Federal law against sending lottery tickets through the mails.

Surely, the sentiment of the Commonwealth of Massachusetts is overwhelmingly prolottery, and I would think that the Postmaster General might pay some attention to home State opinion.

Let me also say that the House would do well to note the overwhelming support of this Nation for the lottery idea before voting on the Patman bill to cripple the New York State lottery by prohibiting banks from selling lottery tickets in New York.

THE PARTICIPATION CERTIFICATES LEAD PARADE TO HIGHER INTEREST COSTS

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

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, for the first time this year, yields on Treasury bonds yesterday broke through the 5-percent level on the upside. Leading the parade to higher interest costs is a new $900 million issue of Fannie Mae participation certificates being offered today to yield 5.25 percent for the September 1969 maturity and 5.50 percent for the June 1972, maturity.

The interest yield on the new participation certificates tops the return on comparable Treasury issues by approximately one-half percentage point. Treasury 4s of October 1969, are selling at

$98¼ to yield 4.82 percent. Treasury 4s of February 1972, are selling at $96 to yield 4.99 percent. Treasury 4s of August 1973 selling at $94¾ yield 5.02 percent.

Mr. Speaker, this one-half percent added interest cost of participation certificate financing graphically demonstrates the wisdom of this House recently in curtailing participation certificate sale authorization in the Independent Offices Appropriation Act.

The administration asked for authority in that act to sell $3,235 million of participations in the next fiscal year. The House by floor amendments reduced that total to an authorized amount of but $881 million. The reduction of $2,454 million was not to be used for program operation needs but instead represented excess participation certificate sales to be used to jimmy the budget and make the budget deficit appear to be $2,454 million less than it otherwise would be.

On the basis of one-half percent added interest cost of participation certificates financing that action by the House in knocking out $2,454 million of excess participation certificate financing will save the taxpayers $12¼ million of totally unnecessary interest costs per year.

The offering today of $900 million participation certificates is being made under congressional approval granted last year. Over the life of the issues; namely, 2¼ years on $450 million and 5 years on $450 million, taxpayers are being hooked for $16.3 million in added interest costs. This costly, deceptive, and disruptive participation certificate financing practice must be stopped.

TAX DEDUCTIONS FOR TRANSPORTATION EXPENSES

Mr. SCHADEBERG. 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. SCHADEBERG. Mr. Speaker, the day-to-day problem of making a paycheck stretch to meet the needs and obligations of the wage earner has been a matter of deep concern to me for a long time. In these days of inflation, high living costs, and higher taxes, it becomes a more critical problem than ever before.

My own efforts as a Member of Congress, to allow our citizens to keep more of their hard-earned dollars, have been directed to cutting unnecessary spending, stabilizing the currency, balancing the budget and, through several bills which I have introduced, offering the individual taxpayers of this country certain rightful deductions and exemption allowances in computing their Federal income tax.

In line with these efforts, I am today introducing a bill to allow an income tax deduction for the expenses of transportation to and from work. These expenses must be met daily by almost every working man and woman in this country and, in many instances, amount to a goodly portion of his income. Since they usually are a set figure, they must be budgeted for, in computing one's regular and necessary obligations, and, as a rule, they represent a cost which cannot be reduced. They are a particularly heavy burden on our low-income wage earners whose transportation expenses are proportionally much more onerous than the higher income taxpayer's expenses.

Under the terms of the bill which I have introduced, all ordinary and necessary expenses of transportation between a taxpayer's residence and his place of employment, if it is within 30 miles of his residence, may be deducted from his income before his tax is computed. I intend to make every effort to see that this legislation is enacted into law as soon as possible and I urge my colleagues in this body to join with me in sponsoring similar legislation and in pressing for early action on it.

SETTLEMENT OF THE CURRENT RAILWAY LABOR-MANAGEMENT DISPUTE

Mr. FRIEDEL. 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 joint resolution (H.J. Res. 559) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees.

The SPEAKER. The question is on the motion offered by the gentleman from Maryland [Mr. FRIEDEL].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the joint resolution (H.J. Res. 559), with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read the first section of the joint resolution ending on page 3, line 19.

The Clerk will report the committee amendment to the first section.

The Clerk read as follows:

On page 3, line 10, strike out "for" and insert in lieu thereof "per".

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Chair recognizes the distinguished gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Chairman, the situation that confronts us today, as we all understand, is that unless the bill passes both branches a railroad strike will go into effect on Sunday night at 1 minute after midnight.

I might say I consider the importance of this bill somewhat similar to the extension of the Selective Service Act 3 months prior to Pearl Harbor, because I feel strongly the national interests of our country are involved, and seriously so.

That factor, that a strike is going to take place unless action is taken, is inescapable. Failure to pass the pending bill within the time limit involved means that legislation cannot be enacted into law, at least, in my opinion, by next Saturday.

We are faced with a national crisis. No word, no argument, no placing of the blame, can escape this fact or challenge this assertion. Not only is our national economy threatened with hundreds of thousands, if not millions, of workers who are not directly involved facing unemployment, with inflation resulting, with widespread dislocation, but our duty and responsibility to our Armed Forces abroad—and particularly in Vietnam are involved—and who knows what might happen in the Middle East?

With the world situation that now exists, the tying up of our railroads would have a serious effect, and it would in fact have a disastrous effect.

As I mentioned earlier, just as I thought 3 months before Pearl Harbor that it was dangerous to the national interests of our country to fail to extend the then existing Selective Service Act, so do I think today it would be dangerous to the national interests to fail to take action that would keep our railroads moving.

In the national interest of our country and of our people, failure to pass the pending bill is too great a calculated risk to take, and there is no greater responsibility than the national interest of our country.

When the national interest of our country is involved, that should be, and in fact is, of paramount importance.

To me, this is so, no matter who occupies the White House—whether he be a President elected as a Democrat or whether he be a President elected as a Republican—as my Republican friends and the leadership on the Republican side well know.

When President Eisenhower was in office and the late Honorable Sam Rayburn presided as Speaker of this House of Representatives, I and other leaders in all cases where the national interest was involved considered that interest to be paramount. Anyone who closes their eyes to that fact is, as I see it, living in "a dream world of hope." To those few who are opposed to the position that the Government has taken in Vietnam, and whose views I respect although, of course, I disagree, I remind them that they certainly should want to assure to our forces a continuing and uninterrupted means of supplies and of support.

Ask yourself, my colleagues, as I have asked myself, "What would be the situation if a strike did occur?" That possibility is just around the corner unless we act. We are forced to act because there has been a breakdown of collective bargaining.

There are many people who are going to suffer and there will be devastating effects throughout the world that will flow as a result of a strike.

We know that about 75 percent of the employees of the railroads who comprise the membership in 16 unions have agreed on certain contracts and are now working under such contracts. The re-

maining employees—about 132,000 to 137,000 are members of six unions.

The other body passed this bill by a vote of 70 to 15.

I call your attention to these words in the minority views as contained in the report of the committee. Mark you, in these words they give the best reasons and make the best argument as to why they should vote for the bill. I respectfully submit this to you for your consideration.

In the minority views they say:

None of the undersigned wants to vote for seizure of the railroads—

I would add at this point, neither do I. They submitted that in the minority views—none of them do—they say that and we agree.

They say further in the minority views—

nor do we want to vote for compulsory arbitration, however attractively disguised.

There is a difference between compulsory arbitration and machinery providing for mediation and negotiation.

The minority views read further:

None of the undersigned wants to see a nationwide railroad strike either.

Now I can understand gentlemen offering amendments to this legislation, but if the amendments are not adopted, on final passage of the bill how can they vote against the bill is difficult for me to understand. How they can reconcile their views, particularly when they have said that "none of us wants to see a strike occur"—and have expressed themselves in words to similar effect.

Surely that would be a very strange situation to all of us as American citizens and as Members of this representative body.

I stood in the well of this House 3 months before Pearl Harbor. I went *through* that fight. I recall at that time that I admire one of my distinguished colleagues who only a few days ago said he realized afterward in the light of Pearl Harbor occurring, that his vote was wrong, and I do not use the "wrong" but that he had voted on the basis of his judgment at that time but he said later the results showed him that if he had the knowledge he would have voted the other way.

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

Mr. HALEY. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Chairman, we here at this time are looking to the future—and that future is only a few days away. But who can tell what is going to happen? Just imagine the picture and the frightening results that may occur and which will occur and which we know will occur.

The situation, as I said, in the Middle East is very tense. We have the responsibility—ours is the responsibility. Complaining about how it got here does not help us any. We have to face our responsibility.

I urge my colleagues on both sides to view the situation and to think of the natural and probable consequences that reasonably would occur if a strike takes place which would cause so many hundreds of thousands of employees in industry to become unemployed and will hurt those people who are innocent parties.

Mr. Chairman, the national interest of our country calls for the passage of this bill as the committee has reported it to us. I respectfully submit over and above everything else that where the national interest is involved our duty lies in looking out for the national interest of the United States.

AMENDMENT OFFERED BY MR. ADAMS

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

The Clerk read as follows:

Amendment offered by Mr. ADAMS: Strike out all after the resolving clause and insert in lieu thereof the following:

"That there is hereby established a Special Board for the purpose of assisting the parties in the completion of their collective bargaining and the resolution of the remaining issues in dispute. The Special Board shall consist of five members to be named by the President. The National Mediation Board is authorized and directed (1) to compensate the members of the Special Board at a rate not in excess of $100 for each day together with necessary travel and subsistence expenses, and (2) to provide such services and facilities as may be necessary and appropriate in carrying out the purposes of this resolution. Such Special Board shall have the power to sit and act in any place within the United States and shall conduct such hearings, public or private, as it may deem necessary or proper to carry out the purposes of this resolution. For the purposes of any hearing or inquiry conducted by any Special Board appointed under this resolution, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49 and 50, as amended), are hereby made applicable to the powers and duties of such Special Board.

"SEC. 2. The Special Board shall attempt by mediation to bring about a resolution of this dispute and thereby to complete the collective bargaining process.

"SEC. 3. The several departments and agencies of the Government shall cooperate with the Special Board in the discharge of its duties and, upon request, shall furnish such information in their possession relative to the discharge of such duties, and shall detail from time to time such officials and employees, and perform such services as may be appropriate. The National Mediation Board is further authorized and directed to reimburse such other agencies for assistance in carrying out the purposes of this resolution as may be appropriate.

"SEC. 4. If agreement has not been reached within ten days after the enactment of this resolution, the Special Board shall hold hearings on the proposal made by the Special Mediation Panel in its report to the President of April 22, 1967, in implementation of the collective bargaining contemplated in the recommendation of Emergency Board Numbered 169, to determine whether the proposal (1) is in the public interest, (2) is a fair and equitable extension of the collective bargaining in this case, (3) protects the collective-bargaining process, and (4) fulfills the purposes of the Railway Labor Act. At such hearings the parties shall be accorded a full opportunity to present their positions concerning the proposal of the Special Mediation Panel.

"SEC. 5. Within such time as the Special Board may determine, but not to exceed fifteen days after its establishment, the carrier parties to the dispute shall be required to submit to the Special Board a last offer of settlement of the issues in dispute. Within twenty days thereafter the National Mediation Board, with such assistance from other agencies as may be necessary, shall take a secret ballot of the employees of each carrier involved in the dispute on the question of whether they wish to accept the offer. The result of such ballot shall be certified to the Special Board. If the majority of the employees vote to accept such proposal, such determination shall be binding on the parties. If the carriers' offer is rejected, the representatives of such employees shall within five days after certification of rejection submit to the carriers, with copies to the Special Board, a counteroffer, which shall within five days be accepted or rejected. If agreement has not been reached by the parties by use of the above-stated offer and counteroffer, then the Special Board shall continue holding hearings as set forth in section 4 as implemented by the stated public positions set forth in this section. The Special Board shall be authorized to make public any or all of the proceedings and issue such reports to the President, the Congress, and the public as it may deem appropriate.

"At such hearings the parties shall be accorded a full opportunity to present their positions concerning the proposal of the Special Mediation Panel.

"SEC. 6. On or before the sixtieth day after the enactment of this resolution, the Special Board shall make its determination by vote of a majority of the members and shall incorporate the proposal of the Special Mediation Panel with such modification, if any, as the Special Board finds to be necessary to (1) be in the public interest, (2) achieve a fair and equitable extension of the collective bargaining in this case, (3) protect the collective bargaining process, and (4) fulfill the purposes of the Railway Labor Act. The determination shall be promptly transmitted by the Special Board to the President and to the Congress.

"SEC. 7. If agreement has not been reached by the parties upon the expiration of the period specified in section 11, the determination of the Special Board shall take effect and shall continue in effect until the parties reach agreement, or if agreement is not reached, until such time, not to exceed two years from January 1, 1967, as the Special Board shall determine to be appropriate. The Special Board's determination shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et seq.). At the time the determination of the Special Board shall take effect, the President shall direct the Attorney General to petition any district court having jurisdiction of the parties for the appointment of a special receiver or receivers to take immediate possession in the name of the United States of any carrier which is subject to such dispute and to use and operate the equipment and facilities of any such carrier in the interest of the United States, and if the court finds that the exercise of the power and authority provided by this resolution is necessary to protect the national health, safety, or the public interest, it shall have jurisdiction to appoint such receiver or receivers and to make such other orders as may be necessary and appropriate to carry out this resolution.

"Any suit, action, or proceeding under this resolution against an employer, or a labor organization, or other persons subject thereto involving two or more defendants residing

in different districts may be brought in the judicial district whereof any such defendant is an inhabitant; and all process in such cases may be served in the district in which any of them are inhabitants or wherever they may transact business or be found.

"The several district courts of the United States are invested with jurisdiction to prevent and restrain violations of this resolution. Whenever it shall appear to the court before which any such proceeding may be pending that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned whether they reside in the district in which the court is held or not, and supenas to that end may be served in any district by the marshal thereof.

"In any case, the Act of March 23, 1932, entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes' (47 Stat. 70; 29 U.S.C. 101–115) shall not be applicable.

"The order or orders of the court shall be subject to review by the appropriate circuit court of appeals as provided in sections 1291–1292 of title 28, United States Code, and by the Supreme Court upon writ of certiorari or certification as provided in section 1254 of title 28, United States Code.

"SEC. 8. Whenever a district court has appointed a receiver or receivers pursuant to the provisions of this resolution, or has issued such other orders as may be necessary to carry out the purpose thereof, it shall be the duty of the parties to the labor dispute giving rise to such action to make every effort to adjust and to settle their differences, with the assistance of the National Mediation Board. During the period in which possession of any carrier has been taken under this resolution the United States shall hold all income received from the operation thereof in trust for payment of general operating expenses, just compensation to the owners as hereinafter provided, and reimbursement to the United States for expenses incurred by the United States for the operation of any such carrier. Any income remaining shall be covered into the Treasury of the United States as miscellaneous receipts. In determining just compensation to owners of the carriers, due consideration shall be given to the fact that the United States took possession of such carrier when its operation had been interrupted by a work stoppage or that a work stoppage was imminent; the fact that the carriers or the labor organizations, as the case may be, have failed or refused to comply with recommendations for settlement made during proceedings under this resolution; the fact that the United States would have returned such carrier or carriers to its owners at any time an agreement was reached, and to the value the use of such carriers would have had to the owners in the light of the labor dispute prevailing, had they remained in their possession during the period of operation.

"SEC. 9. The President may appoint a Compensation Board to determine the amount to be paid as just compensation under this resolution to the owner or owners of the carriers of which possession is taken. For the purpose of any hearing or inquiry conducted by any such Compensation Board the provisions relating to the conduct of hearings or inquiries by special boards as provided in section 1 of this resolution are hereby made applicable to such hearing or inquiry. The members of Compensation Boards shall be appointed by the President and compensated in accordance with the provisions of section 1 hereof.

"The award of the Compensation Board shall be final and binding on the parties unless within thirty days after the issuance of said award either party moves to have the award set aside or modified in the United States Court of Claims in accordance with the rules of such court.

"SEC. 10. Any carrier or carriers of which possession has been taken under this resolution shall be returned to the owner thereof as soon as (1) agreement has been reached with the representatives of the employees settling the issues in dispute, or (2) the President finds that the continued possession and operation of any such carrier or carriers by the United States is no longer necessary to the national health, safety, or the public interest.

"SEC. 11. The provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160), as heretofore extended by law, shall be hereby extended until 12:01 o'clock antemeridian of the ninety-first day after enactment of this resolution with respect to the dispute referred to in Executive Order 11324, January 28, 1967.

"SEC. 12. If any provision of this resolution or the application of such resolution to any person or circumstance shall be held invalid, the remainder thereof, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

(By unanimous consent, Mr. ADAMS was allowed to proceed for 5 additional minutes.)

Mr. ADAMS. Mr. Chairman, I particularly appreciate the difficult situation we all face today. I know my colleagues do.

I was very pleased that when the Speaker made his remarks this morning he did not come out in opposition to the principle of what we are trying to accomplish by this amendment. I am in complete agreement with him, and I know the rest of us are, that we must meet our responsibilities to our men in Vietnam.

I believe we will find that the members on the committee who are taking the position that I will advocate, and the members who will support it, also support this.

Therefore, the memorandum which was circulated this morning by my distinguished friend and colleague, the gentleman from Louisiana [Mr. BOGGS], the whip, indicating the difficulties of a railroad strike, and the statements which were made by the Speaker this morning, I completely agree with. I completely agree with them.

We do not want to have a strike.

I want to point out that under this substitute we are not going to have a strike. There will be no strike.

As for the date and the time, and whether this can become law, I want to say unequivocally—unequivocally—that the members of the committee, led by the distinguished gentleman from West Virginia, and all the rest of us, have never delayed. We will not delay today. We did not delay yesterday.

If there is a conference, we will go to conference at any time, starting the minute this is passed. We will sit all night, sit all day Friday, all Friday night, and all Saturday, and settle this matter.

So there is no question at all about anyone saying that this matter cannot be settled and that it cannot be done in time.

I agree completely with the remarks of the Speaker that we have a responsibility. I believe that responsibility carries through Thursday, Thursday night, Friday, Friday night, Saturday, Saturday night, Sunday, and Sunday night.

So let us get out of our mind any fact that this cannot become legislation before Sunday. It can. It should. We expect that it will.

The second thing is whether or not there has been a group which has settled. Before explaining each provision of this amendment, I believe these things should be pointed out. I hope all Members have copies of the report, because this is very important in regard to the argument which has been going on about whether or not 80 percent have settled and this is just a matter of a few recalcitrant men, which was put out in this press release.

Let me explain. Look at appendix B in the report. I will refer directly to the facts set forth there.

I do not believe anyone is going to question these facts.

Members will find there a series of groups and railroads listed.

Of these groups the question is, When are they going to reopen?

The first group, September 1 of this year.

The second group, September 1 of this year.

Why will this effect collective bargaining? Because these brotherhoods are waiting to see what this House is going to do, just as management is, with this matter.

If we say, "We will take you off the hook; you will not have to bargain all the way," then, gentlemen, you can expect that after September 1, 1967, you are going to have the trainmen file their notices and start bargaining and you are going to have the firemen file their notices and start, and you are going to have the clerks file their notices and start. You will have a "long time" with the nonoperating people. It will be just March 1 of next year. You just have to plan on that now, because it will hit us sometime about September of next year.

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

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

Mr. DINGELL. I point out now that the trainmen announced they will be reopening September 1 for 12½ cents.

Mr. ADAMS. Absolutely.

Mr. DINGELL. This was in the paper this morning and was announced yesterday in Cleveland.

Mr. ADAMS. As I pointed out yesterday in the Committee of the Whole, the district court here has been hearing the trainmen and oilers in their so-called manning issue. The court of appeals just reversed that. It goes to the Supreme Court. With the time spent by the Supreme Court, gentlemen, you can expect that the trainmen, the firemen, and the oilers will arrive here in the House during the summer of 1968 and you will have this issue before you again. That is the purpose, gentlemen, of what we are trying to do with House Joint Resolution 585.

We are not trying to delay this and we are not trying to say that there should not be a settlement or that you

should not go to a strike. We are merely trying to propose a compromise which, as I pointed out with the gentleman from California yesterday, builds back collective bargaining to the greatest degree we can by legislation. If someone can think of a better way to do it, then God bless them. We would like to have it. We build back here the best way we can put pressures on the parties to settle. That is one of the key points in this bill.

All of you have this bill. It is in the back of the Chamber. But I also refer you, if you do not have it before you, to your seat on the House floor. Just reach beneath the seat and you can obtain a copy of the RECORD of yesterday and turn to pages 15849 and 15850 in the CONGRESSIONAL RECORD. We put it in the RECORD yesterday so you would have it immediately at hand. On page 9 of the bill, section 8, it says this:

During this period of seizure due consideration shall be given to the fact that the United States took possession of such carrier when its operation had been interrupted by a work stoppage or a work stoppage was imminent.

Now, there is a key reason for that provision. What it is trying to do is build back some of the economic pressures into this legislative settlement—into this legislative settlement—to break the parties out of their frozen position. This is why so many of us oppose 559. I can tell you, gentlemen, 559 is just more of the same that these parties have been going through since January of this year, with one exception. That one exception is compulsory arbitration, which is to say—and I do not care how you say it, because you can call it anything you want to, if you want to put another label on it—and feel these are fighting words, then call it finality of wage negotiations. However, as of the date that this goes into effect a board will say these are the rules and this is how you are going to work. Another section will say, "You men are enjoined and you have to continue working." At that point, gentlemen, collective bargaining in the railroad industry is going to be a thing of the past, because in 1963 we did it with the trainmen and the oilers. That is pointed out in the appendix of the report. Now we do it with this group.

What are you going to do with the clerks and the operating people and the conductors and all the rest when they come up? Do you know what they will say in negotiations in those nice, quiet, silent negotiations? They will say, "We know Congress will take us off the hook, so make your last offer." I refer you to the testimony in the hearings of Mr. Wolf where he said, "Our position is the last position that came down from the Board." I said to him, "Are you making another offer? Are you going any place?" He said, "Oh, no. That is our position." Then I said to him, "Would you talk about something?" He said, "Oh, yes. We will talk. We will talk now about anything, but that is our final position."

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. Yes. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Does not experience demonstrate that compulsory arbitration is just a fancy term for Government wage fixing?

Mr. ADAMS. That is it. It is that. You can put any label you want to on it, as I said before, but this is what occurs.

Now, Mr. Chairman, yesterday I pointed out the fact that this argument was 80-percent settlement and 20-percent habit and is just not correct.

Mr. Chairman, what happens is that the 80 percent are sitting there watching to see what is going to happen to the 20 percent. What you do in this legislation is going to affect all of our lives and our future economic problems. It is here. It is not in the future.

Now, Mr. Chairman, the next problem which we have tried—and that is why we asked that this be read all the way through—to follow the proposal. You will find House Joint Resolution 585 follows the President's proposal, section by section, in one proposal after another.

In other words, Mr. Chairman, it provides for the appointment of a board, it provides for mediation, it provides for a period of 90 days during which negotiations may be conducted, it provides for a firm settlement at the end thereof, it provides during the period of time that all of this is going on that the men shall be enjoined, but it also provides a couple of additional things which, frankly, we drafted after listening to the hearings and after having the benefit of additional time and work which came about as a result of those hearings.

Mr. Chairman, having had the privilege of that additional time, we provided that in addition to House Joint Resolution 559, the parties—the parties—can go to this Board and present their various sides of the question.

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

(By unanimous consent, Mr. ADAMS was given permission to proceed for 2 additional minutes.)

Mr. ADAMS. Mr. Chairman, we also provide in one section that this seizure and injunction can be terminated at any time by either agreement, or under the very broad powers of the President. In other words, at any time at which the President feels that the national interest, health, and safety is no longer involved, this action can be taken.

Mr. Chairman, these represent some of the improvements that we have put into this section of the bill.

Mr. Chairman, we have also provided in this substitute for public offers on both sides—in other words, to bring the parties out into the open. In other words, we provide that there shall be offers and counteroffers.

Mr. Chairman, those of us who are familiar with the airline strike last year recall that there was submitted an offer and then there was a vote upon it. They did not agree to it, but there was wide publicity and we did get the parties to settle.

Mr. Chairman, we are bringing out this joint resolution, House Joint Resolution 585, because we feel it is a better resolution—it is a compromise between striking and the President's proposal which has been submitted.

Mr. Chairman, I would plead with the Members of the Committee of the Whole House on the State of the Union to pass this joint resolution and try to preserve and save a little bit of collective bargaining. All of us recognize that we can go in and just simply hold these men; we can do it, but is that fair?

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. ROGERS of Florida. Mr. Chairman, in the consideration of this, I wonder if the gentleman from Washington [Mr. ADAMS] would advise the Committee as to the cost that would be involved to the Government, since compensation would have to be paid if this proposal was adopted.

Now, Mr. Chairman, there was no testimony presented before the committee as to what the costs would be to the Government.

I am sure that the gentleman from Washington realizes that when the railroads were seized in World War I the cost accruing to the Government was in the sum of about $1,600,000,000.

Mr. Chairman, it is my opinion that the Committee of the Whole House on the State of the Union is entitled to know—since the Committee did not have this information and since we did not really go into all of the ramifications of a seizure proposal—I wonder if the gentleman could give this information to the Committee?

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

(By unanimous consent Mr. ADAMS was given permission to proceed for 1 additional minute.)

Mr. ADAMS. Mr. Chairman, I would say this to the gentleman from Florida: We do not have presently available a figure as to what would happen, but the principle which is now involved is different from that involved in the war. In this case the railroads are paid as just compensation only that amount that they would have earned if they had been on strike, which means that into the Treasury flows more money than will go back out.

I want to say this on seizure. We have had a lot of opinions on seizure, but I would say that this does not mean that there are going to be civil servants sent down to run the engines. What this is, actually, is a rather simple matter on the top of a Government-regulated industry of continuing it along in the same fashion that it has continued in the past.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. HOLIFIELD, and by unanimous consent, Mr. ADAMS was permitted to proceed for 1 additional minute.)

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

Mr. ADAMS. I yield to the gentleman.

Mr. HOLIFIELD. The gentleman from Florida [Mr. ROGERS] brought up the cost to the Government during the years of World War II, I believe he said.

Mr. ROGERS of Florida. No; World War I.

Does the gentleman mean World War I rather than World War II?

Mr. ROGERS of Florida. World War I.

Mr. HOLIFIELD. Mr. Chairman, let me call the attention of the House to the fact that the Government rebuilt the railroad beds and replaced the rolling stock of the railroads to the tune of hundreds of millions of dollars, which the railroads inherited when they received the railroads back.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. If the gentleman will permit me to finish, then he may go ahead.

I would say to all the Members that if there are any Members who want time and want to question me about this, I am available to them.

In the President's bill there is also one more further fact. On page 5 you will find in line 6 a provision which fixes the Board's power to continue until these parties have settled their agreement, and if they cannot agree, then there will be no further agreement and the contract will continue until they are back here or forced into court.

I thank the Chairman for his courtesy.

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

(By unanimous consent, Mr. ALBERT was permitted to proceed for 10 minutes).

Mr. ALBERT. Mr. Chairman, first of all may I congratulate the distinguished gentleman from Washington upon the high quality of his presentation. He has obviously done his homework as he always does. Ever since the gentleman from Washington [Mr. ADAMS] first came to Congress he has shown great qualities of legislative leadership. I rejoice that he has lived up to his promise. All Members on both sides of the aisle are always delighted when new Members come who are interested in their jobs, who will work at their jobs, and who are able to make constructive contributions to the House. The gentleman from Washington has certainly proved himself to be such a Member.

I dislike having to disagree with a friend whom I hold in such high esteem. I believe generally he and I are on the same side of most issues.

I believe under the circumstances in which we find ourselves today that the gentleman is mistaken, and that his amendment should be defeated.

It seems to me that seizure under the circumstances which confront us is like using a sledge hammer to swat a fly. It is a most drastic remedy, and I do not believe it is called for by the present situation.

First, the parties are close to a solution, I believe, after over a year of bargaining with the help of two Special Boards composed of some of the most distinguished men in the country.

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

Mr. ALBERT. I would be happy to yield to the gentleman after I complete my statement.

Mr. DINGELL. I would say to the gentleman ordinarily I would be happy to wait until the gentleman concluded, but I just want to point out to the distinguished majority leader that the parties are not close together. The evidence and testimony we have received in the committee is that they are not close together.

Mr. ALBERT. Well, they are reasonably close. I believe the report points out what the parties have asked for and what their present positions are. They are fairly close.

Second, a fair solution that meets the particular facts of this case without the risks and hazards of seizure is available, and that is the proposal which the committee has brought to the floor.

Third, seizure has never been applied, as far as I know, in this kind of a situation. And if I understand the feelings of the House—and I have talked with many Members—I do not believe that the Members at this late hour want to enter into the area of seizure in this dispute.

In the first place, as the gentleman from Florida indicated, this might involve considerable public expense.

In the second place, I know that the President does not want this additional duty. He does not want to take over the job of managing the railroads of the country—at a time when he is so preoccupied with so many other things.

The seizure amendment does not take into account the fact, as has been pointed out before, that it involves now at least only a part of the industry.

The seizure amendment would impose, as I understand it, a no strike and no lockout moratorium not only on the employees who are involved in this dispute, but also on those who have already settled their disputes.

Mr. DINGELL. Mr. Chairman, will the gentleman yield for a correction?

Mr. ALBERT. I yield to the gentleman.

Mr. DINGELL. Mr. Chairman, I would point out to my very dear friend, the distinguished majority leader, that the joint resolution, House Joint Resolution 585, would prevent both a strike and a lockout in precisely the same way as the administration bill, House Joint Resolution 559, does.

Mr. ALBERT. I will say to my friend that I had reference to those who have settled on their own and who are already working.

Seizure, it seems to me, would settle nothing. It would perpetuate an already undesirable situation.

The resolution before us accomplishes the purposes it seems to me that we want to accomplish.

It takes up where the parties left off.

It takes into account also what the Fahy Panel proposed.

It provides for intensive mediation followed by hearings before the parties.

Finally, and only if a settlement has not been reached, it provides for a determination within the framework of collective bargaining and mediation efforts in this case.

Mr. Chairman, what concerns us is not a theory. It is a situation—as Woodrow Wilson once said. We are faced with a matter which involves the national interest of the United States as our distinguished Speaker of the House said a few minutes ago.

This is Thursday afternoon and unless the Congress acts—on Sunday night there will be a nationwide railroad strike. Nobody has disputed that fact.

No Member of this House is unaware of the consequences of such a national catastrophe—particularly one which would paralyze the entire railway transportation industry of this country.

As our distinguished Speaker pointed out, even those who signed the minority report stated emphatically that none of them wanted a nationwide strike. They realize that such a strike would be disastrous to the economy of the country and to the welfare of our people. More important, it would, at this hour, be disastrous to the defense of our Nation.

Mr. Chairman, we are engaged in a war. We have 500,000 troops in the field. We face an unsettled situation—a serious, a grave, and an explosive situation in the Middle East.

Mr. Chairman, with these things in mind, yesterday I addressed a letter to the Secretary of Defense and another letter to the Chairman of the Joint Chiefs of Staff on this very subject. I wrote to them that it would be helpful, in my opinion, in connection with the President's legislative request to have an expression of their views as to the impact on our security of a stoppage of our railroad transportation system. I have heard from both the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.

I would like first to read General Wheeler's letter to me. It is as follows:

DEAR MR. ALBERT: You have asked me for my views as to the consequences of a stoppage of the national rail transportation system.

Over 40 per cent of the total freight shipped by the Department of Defense, exclusive of those petroleum products transported by pipeline, is moved by the nation's railroads. During this month of June, 140,000 tons of ammunition are scheduled to move by rail to our ports for shipment overseas. It takes about 150 rail carloads of ammunition to load one ammunition ship.

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

Mr. ALBERT. Yes, I am happy to yield to my distinguished friend, the gentleman from California, who is part of the leadership and who I know wants to work this matter out in a fair and equitable manner.

Mr. MOSS. The gentleman said that he is opposing the substitute.

Mr. ALBERT. The gentleman is correct.

Mr. MOSS. Very clearly, the substitute does not anticipate a national work stoppage, and I ask my good friend what is the pertinency of the material he is now giving the House to the alternative that we are urging?

Mr. ALBERT. I will say to my friend that I am worried about the time element. The alternative that the gentleman urges has not passed another body, has not been reported by the committee, and at this late hour is not ready for consideration by another body. I fear that if the alternative is adopted, we will have a railroad strike on Monday.

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

Mr. ALBERT. Yes, I will yield to the gentleman from California, but first let me ask the gentleman a question.

Mr. MOSS. First, let me respond and say, Yes, the gentleman does want to be blunt.

Mr. ALBERT. I know the gentleman does, but let me ask the gentleman a question.

Mr. MOSS. I shall be pleased to respond.

Mr. ALBERT. Would the gentleman's proposal, or the Adams proposal, offer the best chance of preventing a railroad strike on Monday?

Mr. MOSS. Is expediency the only test that we are to apply to the proposals before this House?

Mr. ALBERT. Of course expediency is not the only test of the proposals, and it is not the test that we are now applying.

Mr. MOSS. The blunt statement the gentleman has from me is that every single Member who signed the minority report felt that we should have worked last evening until midnight or later, if it was necessary, to move us along on the path that we wanted to achieve in getting the bill acted upon and acted upon promptly.

Mr. ALBERT. I am not accusing the gentleman of anything. I am right in the middle of reading an important letter.

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

Mr. ALBERT. Yes, I yield to the gentleman from Michigan.

Mr. DINGELL. As a matter of fact, I will say to my beloved friend, when the Committee rose last night, it rose over my protest.

Mr. ALBERT. The gentleman is correct.

Mr. DINGELL. I spoke to the distinguished majority leader and also to the Speaker, pointing out that we would be in precisely this position if we rose at that time rather than working all night, as we well could have, to arrive at a just, equitable, and proper piece of legislation.

Mr. ALBERT. It would not have made much difference whether we had passed the bill yesterday or today, in my judgment.

Mr. DINGELL. I say to my valued and distinguished friend that the time that could have been spent last night in working to achieve proper legislation could have been well served in resolving the problems before us, and we would have had more time for conference with the other body.

Mr. ALBERT. May I say to the gentleman—and I am not going to yield further—I am reading from General Wheeler's letter:

> The movement of heavy military equipment is especially dependent on rail carriage. Combat vehicles, such as tanks and armored personnel carriers, are being moved daily to and from Vietnam in a program of repair and redistribution.
>
> During the next two weeks, over 3,000 rail cars will be needed to transport ammunition, weapons, tactical vehicles, rations and other combat supplies for Vietnam.
>
> The situation in the Middle East adds further urgency to the need for assuring uninterrupted operation of our national rail transportation system.
>
> I do not personally see how, at a time when our defense needs are greater than they have been at any time since World War II, we can ask anything less than the full and uninterrupted operation of the nation's railroads. A stoppage of the rail transportation system would have immediate and grave consequences on our national security. The Joint Chiefs of Staff are in unanimous agreement with the judgment I have expressed.
>
> EARLE G. WHEELER,
> *Chairman, Joint Chiefs of Staff.*

Now, Mr. Chairman, I should like to read the letter from the Secretary of Defense:

> THE SECRETARY OF DEFENSE,
> *Washington, D.C., June 14, 1967.*
>
> Hon. CARL ALBERT,
> *Majority Leader,*
> *House of Representatives,*
> *Washington, D.C.*
>
> DEAR MR. ALBERT: I am happy to furnish my views on the destructive impact that a railroad strike would have on our national security.
>
> I feel I must tell you that it is the unanimous opinion of the Joint Chiefs of Staff, Mr. Vance and me that acceptance of an interruption of rail movements of defense equipment and defense-related supplies at a time when we have 500,000 men engaged in military operations in the Pacific and simultaneously face the dangerous unknowns associated with the situation in the Middle East would be an act of utter folly, an incredible evasion of our responsibility to our nation.
>
> I realize these are strong words, but I know of no others to describe the effect on our military posture were rail transport of defense goods to be interrupted.
>
> In my prepared statement before the House Committee on Interstate and Foreign Commerce on June 6, 1967, I stated that "it is unthinkable that a strike should be permitted to occur in an industry which constitutes one of the basic elements supporting our military posture." I urge the Committee and now urge the House of Representatives to support the Joint Resolution requested by the President in order that the vital rail transportation facilities of our nation may continue to operate.
>
> Sincerely,
>
> ROBERT S. MCNAMARA.

Mr. Chairman, these are the words of those upon whom rests the responsibility of maintaining the defense forces and the defense facilities of our Nation.

What is the legislative situation which now confronts the House? We have here a resolution which was reported by the Committee on Interstate and Foreign Commerce. That committee considered the amendment presently before the House and other amendments as well. We have on the Speaker's desk a joint resolution passed by the Senate. That body has also considered, both in committee and on the floor of the Senate, the various amendments which have been suggested during the debate on this resolution. I know that these amendments are offered in the best of faith, and I know that they are offered by gentlemen as interested as I in preventing a railroad strike. But it seems to me that the urgency of the matter requires that we proceed as the committee has recommended, to bring this matter to a conclusion by passing today the resolution before the House, and by defeating the amendments which in my mind would beyond any doubt delay the completion of this matter until it was too late to prevent a strike.

I regret that we are here in this unfortunate situation. But in my judgment we will either adopt the resolution or we will face the almost certainty of a railroad strike.

I am not unmindful of the arguments that have been made against this resolution. I agree that there is an element of compulsion in this resolution, but the compulsion is limited. The important thing, it seems to me—and I say this in answer to my good friend, whom I admire and respect as much as I admire any man in the world, the gentleman from California [Mr. Moss], I say to him that it seems to me in the consideration of this amendment, two grave risks confront the House: First, the utter irresponsibility which we would demonstrate if we permitted a nationwide railroad strike, and, second, the danger of adopting amendments which well may have a dilatory effect to the extent that such a strike will become inevitable, and I say this even though I know that gentlemen offering these amendments are not doing so for dilatory purposes. These amendments are offered in good faith, but I fear they will result in delays that may be disastrous.

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

Mr. Chairman, this is the seizure amendment. Let it be known by no other name. It amounts to seizure of the railroads in order to settle this particular dispute.

Let me inform my colleagues in the House that our Interstate and Foreign Commerce Committee fully considered this amendment and they rejected it by a vote of 17 to 10.

I want to say to the Members this afternoon that in my judgment seizure in a case such as this would be a grossly unfair remedy.

I want to address myself to that point for just a minute.

In the first place, let me point out that there is no criterion here for seizure whatsoever. We have not heard any speaker on this floor get up and say that either one of these parties, either the employer or the unions, is guilty of any wrongdoing.

This is not a case, let me say, where the employer has refused to recognize a union. This is not a case where an employer is trying to destroy a union or anything of the sort.

On the contrary, all of the speakers on both sides of the aisle have agreed that this is a case where the parties are separated by one thing only, dollars and cents. That is what separates them.

We keep hearing that somehow seizure is supposed to balance the equities between the parties in the settlement of this dispute.

Let me say here and now, that is a gross distortion of the truth, because just the opposite is true. What seizure will do is weight the remedies strongly in favor of labor. We might just as well pass a bill right now and say, "We are going to settle this dispute and we are going to legislate in favor of the brotherhoods." We might as well do that, be-

cause that is what seizure would do in a case such as this. That is how important it is.

We start out with a situation in which the parties are equal at the present time. They are equal under House Joint Resolution 559. Labor loses the right to strike and management loses the right to a lockout. They agree to go before a Special Board, as they have gone before, I might say, three other Special Boards.

I heard one labor leader say on television that these were antilabor Boards. I was so shocked when I heard him say that on the Walter Cronkite program that I started asking Mr. Leighty and other labor leaders who came before us, "Do you consider these Boards to be antilabor, these Boards appointed in the past by President Johnson and approved by Secretary Wirtz? Is this an antilabor administration?"

I could not believe it. Neither did the labor leaders who came before us. They denied it. In other words, these were fair and reasonable men who tried for a settlement of this dispute.

Let us take a look at the qualifications of some of them.

We started out with the National Mediation Board, with a man by the name of Francis A. O'Neill as Chairman of the Board.

Who is he? He is a distinguished man with 20 years of experience in the U.S. Government in settling disputes such as this and in settling disputes such as this with the airlines as well.

Then we go to Emergency Board No. 169, which the President appointed when the efforts before the National Mediation Board failed.

A man by the name of David Ginsburg headed that Board. He is a distinguished American, an attorney here in the District of Columbia, who has long experience. He was formerly General Counsel of the OPA.

Also on that Board were Frank J. Dugan, a professor of law at Georgetown University, and John W. McConnell, president of the University of New Hampshire.

Do these sound like antilabor men? Would this be the type of people the Johnson administration is appointing?

The Members cannot believe that. Neither can I. Neither does organized labor believe that.

Then we come to the Special Panel. Who composed that Panel?

Judge Fahy, from the District of Columbia, whom we know very well, who just recently retired, was on that Panel.

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

(By unanimous consent, Mr. HARVEY was allowed to proceed for 3 additional minutes.)

Mr. HARVEY. Let me just call to the attention of Members a few facts about Judge Fahy. This man not only retired recently as a judge of the U.S. Court of Appeals, but also he was the first general counsel of the National Labor Relations Board. In addition to that, he was Solicitor General of the United States.

Can you believe a man like Judge Fahy is going to be antilabor? Of course not. Look at Dr. Dunlop's qualifications. He is a Harvard University professor. Look at Dr. Taylor's qualifications who served on the same Panel. He is from the University of Pennsylvania. My point is these are all distinguished Americans. I have no quarrel with them. Leaders of organized labor, including Mr. Leighty, said he had no quarrel with them and he refuted the argument that they were in any way antilabor.

We start out with a Panel in these cases that is fair and equal to both parties. However, when you add the element of seizure, then you are unbalancing the equities. Then you are weighting that Panel strongly in favor of labor. As I say, you are weighting it so strongly that you might just as well say right here and now, "We decided we are going to settle the dispute in Congress and pass a bill in favor of the brotherhoods, and we will settle it."

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

Mr. HARVEY. I yield to the gentleman.

Mr. PICKLE. Dr. Taylor and Judge Fahy are members of this last Board, and they said that Resolution 559, which is the resolution before us, is the fairest and best means of settling this issue. Is that not right?

Mr. HARVEY. They certainly did.

I would point out in conclusion some testimony which I think the Members of this House should very carefully consider. This is the testimony of the Secretary of Labor, Mr. Wirtz. I specifically inquired of him as to what he thought about seizure. Let me quote a few of his remarks here.

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

Mr. HARVEY. Not at this point. No. I quote Secretary Wirtz:

As the chairman indicated, there are an infinite number of problems, one being whether the conditions should be frozen as they are or whether there would be the power to change them. There would be the introduction of all the complexities of the transfer of ownership or operation.

There were about 125 or 135 seizures during the war. Most of them ended up in litigation.

I may say some of them are still in litigation today.

So there are all those complexities.

I also think it is a matter of common fairness involved here, equities of the situation. I don't think the circumstances here warrant the taking over of properties by the Government.

This is what he concluded with.

I am glad to see that the administration does not feel that way, and I certainly share that view. I think to adopt the seizure remedy would be grossly unfair.

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

(By unanimous consent, Mr. HARVEY (at the request of Mr. ROGERS of Florida) was allowed to proceed for 1 additional minute.)

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I am glad to yield to the gentleman from Florida.

Mr. ROGERS of Florida. As a matter of fact, is it not true under the present law after an agreement has been entered into that as individual arguments and individual claims as to wages come up they are settled by arbitration presently under the law?

Mr. HARVEY. That is correct.

Mr. ROGERS of Florida. So that this is a process that is presently used and recognized. Further, it seems to me—and I am sure the gentleman from Michigan will agree with me on that—if I were a unionman representing my union and I had the right to have the Government come in and seize an industry until they met my demand and have a board set up, as has been proposed here, to set the pay scale all during this period of time and at the same time say we are not going to compensate the industry other than on the consideration that a strike has been going on all along, then I would think that is the perfect solution; namely, just to wait and never settle.

One union—one union—could hold up this entire industry and require seizure from now on without any settlement. So I can see the unfairness of the proposition as the gentleman has so clearly explained.

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

(By unanimous consent, Mr. HOLIFIELD was allowed to proceed for 3 additional minutes.)

Mr. HOLIFIELD. Mr. Chairman, as the previous speaker said, seizure is drastic. So is the imposition of arbitrary compulsion upon labor in a free society. That is drastic, too. That strikes at the very foundation of the democratic processes of government. The statutes on labor, including the Wagner Act, and others, have given to labor the right to free collective bargaining, and the right to strike to enforce that bargaining to the extent that this is possible.

Now, Mr. Chairman, we have had a lot of discussion about the boys fighting in Vietnam. This is an appeal to emotionalism. Of course, I have friends and relatives who are fighting in Vietnam. I do not feel that any Member of this House wants to draw the line between patriotism and treason for those who differ as to how this matter should or is going to be settled—for those who are going to vote for House Joint Resolution 559, or for the Adams amendment.

And, Mr. Chairman, if there is any Member who wants to draw that line, let him stand up now. And, if they do not want to draw that line, then quit befuddling the issue with this situation.

Mr. Chairman, there are unionmen who are fighting in Vietnam. There are boys whose fathers are working on the railroads that are fighting in Vietnam. They are fighting there for the free processes of a democratic society, not for compulsion on one side and freedom from compulsion on the other.

Now, Mr. Chairman, either we are at war or we are not at war. If we are at war, then let us follow the pattern of World War I and World War II in which seizure and compulsory arbitration of labor disputes were carried out.

Mr. Chairman, if we are not at war, let us follow the peacetime processes of a democratic society. Now, I will say to the members of the Committee that we are at war. It does not make any difference to me whether it is a declared war or is an undeclared war. We are at war. We have 500,000 men out there in Vietnam.

So, Mr. Chairman, I say that this House today by adopting the Adams amendment can authorize the President to exercise the same powers that were established during World War I and during World War II, to the extent that he deems it necessary.

Yes, Mr. Chairman, the Adams amendment is a seizure amendment. It is a seizure of both management and labor.

Mr. Chairman, the committee joint resolution is a seizure proposal, I will have you know. It seizes the right of labor and nullifies the right of that vital step in the process of negotiation, in the process of collective bargaining, and that is the right to strike. We are taking it away from them and we are taking it away from them in the Adams amendment also.

Now, Mr. Chairman, the Adams amendment is evenhanded pressure upon both parties. It keeps the railroads operating, it protects their profits, and keeps the men from striking. It protects their earnings and sets up measures for the use of the procedure of arbitration and negotiation.

Mr. Chairman, it protects the earnings of the men engaged in this type of employment. It brings pressure to settle by requiring offers and counter offers, and provides for the consideration of the the question that although labor offered, management did not counteroffer.

Mr. Chairman, it was at that point that collective bargaining stopped, because of the lack of the negotiations on the part of management, the lack of a counteroffer to labor's proposal and the ultimatum upon the part of management that they had gone so far and they would go no further.

Mr. Chairman, labor has not refused to bargain. Labor has not said that it will take only the ultimate that they have asked for. It has said that it is ready to sit down and negotiate.

However, Mr. Chairman, management has not said this.

Mr. Chairman, I say to the members of the Committee of the Whole House on the State of Union that there need not be the alternative of imposing compulsory arbitration upon labor and labor alone, and not putting pressure upon management at the same time.

Mr. Chairman, the members of the Committee have the alternative here that was spoken of in the minority report.

The alternative is before us. We do not have to have a strike. We do not have to have arbitrary compulsion against labor without arbitrary seizure of management.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield for a correction?

Mr. HOLIFIELD. Certainly I will yield.

Mr. ROGERS of Florida. Mr. Chairman, I am sure the gentleman would not want to give the impression to the House on a fact that is not true.

Mr. HOLIFIELD. That is right.

Mr. ROGERS of Florida. Mr. Chairman, both sides have stated they are willing to talk and negotiate. They have stated this before the committee, both of the representatives who appeared before the committee.

Mr. HOLIFIELD. As I understand, management said they would talk, but that their position was a final and frozen position.

Mr. ROGERS of Florida. The gentleman is not correct in his understanding.

Mr. HOLIFIELD. I will yield to the gentleman from Washington, Mr. BROCK ADAMS, to correct me if I am wrong.

Mr. ROGERS of Florida. What the parties said was that they thought they were at a position where the parties could no longer reach agreement on the remaining issues.

Mr. HOLIFIELD. Mr. Chairman, I am yielding to the gentleman from Washington.

Mr. ADAMS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I believe it is clear that management's statement—and this was the testimony of Mr. Wolfe—what their last offer was, and when they were asked about bargaining beyond that last offer they said "Yes," they would talk if somebody wanted to talk to them, but that was all they would do.

Mr. Chairman, while I am on my feet, I would like to correct an impression that was made today and yesterday, if the gentleman will yield further.

Mr. HOLIFIELD. I yield to the gentleman.

Mr. ADAMS. And the gentleman from Florida [Mr. ROGERS] corrected it by referring to the statute. And I would point out to the gentleman from Florida that that there is not compulsory arbitration in the railroad industry on the making of agreements. Section 152 has an arbitration agreement for settlements already voluntarily made to interpret them, but under section 157 the statute provides that there shall be collective bargaining on the creating of agreements.

Mr. HOLIFIELD. And that is based on voluntary arbitration.

Mr. ADAMS. Absolutely voluntary.

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

Mr. HOLIFIELD. I yield to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I thank the gentleman for yielding, and I commend my friend for his very useful and helpful statement, and the precise point the gentleman has been making is one which I agree with and that is whether we are going to have evenhanded pressure on both sides, or whether we are in effect going to legislate on the back of labor working conditions, wages, and matters of that kind, and taking away their rights. And I commend the gentleman for bringing this out.

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

Mr. HOLIFIELD. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Chairman, I want to point out and clear the RECORD that on the day we started executive hearings in committee the chairman called the representatives from both sides, management and labor, and both said they were at an impasse, they could not possibly budge on either side.

Mr. HOLIFIELD. The Brock Adams amendment will provide, am I correct, a direction for them to negotiate, whereas the committee bill will only put pressure on labor?

Mr. PICKLE. I would also point out that the chairman asked the representatives of the union at that time if they would submit to voluntary arbitration, and they said "No." The management representative said his group would submit to voluntary arbitration.

Mr. HOLIFIELD. Of course, they said "No."

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

Mr. Chairman, I rise in support of the Adams amendment. I believe it would provide a much fairer solution than House Joint Resolution 559. The gentleman from California has said in his very fine presentation that this is a seizure provision, and in fact it does provide for a seizure, as a last resort, but I believe its genius is that it probably will not result in seizure. It gives an alternative to compulsory arbitration and deprivation of the right to strike, which are clearly pressures against the unions. The unions have rejected compulsory arbitration, deprivation of the right to strike, as the most drastic deprivation you can give them. The Adams bill just puts equal pressure upon management.

The Brock Adams amendment will result in collective bargaining and result in a voluntary settlement of the dispute, not a settlement that is imposed upon it by the Government, but one which will be reached by voluntary agreement among the parties. I am very happy to support the amendment of the gentleman from Washington [Mr. ADAMS].

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

Mr. Chairman, the part of the amendment that we consider, and it is one of the most important that faces us today, is the seizure element of the substitute amendment.

Some of the points have already been made in this argument and let me briefly touch on several of them.

This country has had experience with seizure in World War I and World War II. We have had a bitter and unfortunate experience with seizure in costs and in inefficient operation of the railroads. It has been referred to that in World War I it cost our Government $1,600,000,000 in payments to reimburse the railroads after seizure was over and the railroads were returned to the owners.

It has been estimated that the operating costs were 83 percent higher under the Federal control.

The truth of the matter is that actually seizure would be at the expense of the pocketbooks of the American taxpayers under any seizure decision.

The effect that seizure would have on the 75 to the 80 percent of the employ-

ees who have already voluntarily settled with management has already been mentioned. They would be under a no-strike prohibition. Seizure would cover all of these employees, even though those who have already settled may have legitimate areas of grievance to take up with management.

As a followup to that important point—seizure can result in a complete moratorium on collective bargaining for all of the employees of all these railroads.

The distinguished majority leader has mentioned what a harsh remedy seizure is—a bludgeon. It has been called a blackjack approach. In a sense this would be compulsory arbitration because it would force management to capitulate to union demands.

In effect, seizure would say to management—surrender in the argument—surrender in the controversy before you.

It should be pointed out that seizure comes definitely under the heading of penalty legislation without the commission of a wrong, because there has been no wrong by either party to this dispute. They simply have not agreed on the terms of pay and of working conditions.

This amendment would punish the carriers. It is not the function of the Congress to punish a party to a labor dispute. Our function and a very clear function that we must face, is to keep the wheels rolling on the railroads in the interest of our national security.

I have two more points that I would like to bring to your attention which have been referred to. I think from a practical standpoint it is of great importance that we consider this resolution in terms of the action already taken in the other body.

Seizure has been considered in the other body both in the committee and on the floor of the Senate. Senator YARBOROUGH, of Texas, introduced an economic seizure amendment which was defeated in the committee and it was decisively defeated on the floor of the Senate by a vote of 59 to 23.

Senator KENNEDY of Massachusetts, introduced a general seizure amendment which was defeated in the committee and it was defeated decisively on the floor of the Senate by a vote of 64 to 22.

As has been stated, the bill passed the other body by a vote of 70 to 15.

I think it is practical for us to consider, and I think it is the reality of the situation, that if this House adopted this substitute amendment and we put the seizure provision in this bill that the Senate conferees would not accept the seizure provision and an impasse would result. The strike on Monday would come very surely as a result.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JARMAN. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

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

There was no objection.

Mr. JARMAN. Let me mention one more point that I think is the most serious defect in the substitute amendment. That is, there is no telling how long the seizure would last under this substitute. Seizures have lasted for less than a week, but a seizure in 1950 lasted for 21 months.

This is an extremely one-sided amendment. The effect that it would have in terms of length of seizure is very apparent. As a practical matter, the amendment provides that the decision reached by the Special Board will operate as a floor on the benefits that will be received by the union. All the union has to do, once the Board has reached its decision and set this floor, is to hold out and then, using that determination by the Special Board as a floor, demand increased amounts, and unless the railroads capitulate to those demands, the railroads remain seized for the entire 2 years or possibly longer.

Mr. ADAMS. Mr. Chairman, will the gentleman yield at that point?

Mr. JARMAN. May I finish one more thought and then I shall be glad to yield.

In other words, the amendment seems to assume that the decision by the Special Board is not going to be fair to the unions so that it is necessary to use the decision as a floor on the basis of which the unions can then begin to bargain upward, and I refer you specifically to section 10 of the bill.

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

Mr. JARMAN. I am very happy to yield to the gentleman from Washington.

Mr. ADAMS. That provision was left in this bill to again make it as close as possible to the President's proposal, because if you will refer to the President's proposal you will observe that the last sentence in section 5(a), starting at line 6, states:

> The Board's determination shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act—

Which means that these contracts, which are open ended, would stay in effect until the parties would agree again, and absent agreement the provisions of House Joint Resolution 559 would last indefinitely into the future.

In other words, we were trying to stay close to what the President had asked for. If the gentleman wishes to have both of these proposals changed, then, of course, we would be willing to do so, but this was the reason for that action, and this is the reason it stands at that point.

Mr. JARMAN. In response to the gentleman's statement, let me again say that it is my understanding of his substitute that once a seizure would go into effect, it would stay in effect until—and again I refer you to section 10—

> Any carrier or carriers of which possession has been taken under this resolution shall be returned to the owner thereof as soon as (1) agreement has been reached with the representatives of the employees settling the issues in dispute—

Under the terms of the resolution it follows that seizure will not be lifted until agreement is reached. The employees can use the Board's determination as a floor. The employees can use it as a floor, and refuse to agree, and there is no telling how long the seizure could then be continued.

Mr. ADAMS. Mr. Chairman, will the gentleman yield further?

Mr. JARMAN. I am happy to yield to the gentleman from Washington.

Mr. ADAMS. On page 6 of the substitute you will find that what you have stated could not happen, because the language is carefully worded at that point. It states:

> The determination of the Special Board shall take effect and shall continue in effect until the parties reach agreement, or if agreement is not reached, until such time, not to exceed two years from January 1, 1967, as the Special Board shall determine to be appropriate.

So the matter is reopened at the end of 2 years if the parties have not agreed.

I agree with the gentleman. That was the point I made before, that both of these can continue——

Mr. JARMAN. May I say to the gentleman, since my time is limited, that the area of the bill that he reads on page 6 deals with how long the Board's determination shall last, not how long the seizure shall be in control.

Mr. ADAMS. But the point the gentleman made was that these men would keep these wages indefinitely and that they would have to last indefinitely. What I am pointing out is that this is not true. At the end of 2 years this matter is opened, in both bills.

Mr. JARMAN. We see that as a grave defect of the bill. I leave it to the House.

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

Mr. Chairman, the substitute offered by the gentleman from Washington is speculative in its broadest sense. Somehow he reasons that if we have seizure, the parties will get together and settle things, whereas he thinks under the resolution before us, they will not. It is just as speculative to one as to the other.

The gentleman from Washington starts off with his proposal based on the bedrock proposition, or an offer, a counteroffer, an election. Then, if that is not settled, eventually a special board will make a decision.

We asked the Secretary of Labor what he thought about a procedure such as this, and the Secretary of Labor said it was not only impractical, but his Department or any other department of the Government was not equipped and could not set up the machinery to hold an election of this kind.

I want to go further, because this is not only the position of the Secretary of Labor. This same dialog occurred in the hearings between the gentleman from Washington and the representatives of the labor unions. Mr. Ramsey, who was the spokesman, and who was called in as the person to represent his side, said this, and I call the gentleman's attention to the hearings, May 23, when the following dialog took place:

> Mr. ADAMS. I would like to know what your position is if there are to be these sanctions applied during this period of continuing mediation—I think you may have stated this before—what is your position on re-

quiring at a point in this statement of public position by you as negotiators for the unions and by management in their position as negotiators for all the carriers?

Mr. RAMSEY. A declaration to the public?

Mr. ADAMS. A public statement of your unions. We would envision something like this: The requirement that management submit an offer, and that it be accepted or rejected by your side and then if it were rejected, a statement of counteroffer by your side to be combined with the panel recommendations in terms of a final solution to the matter.

By "final solution" I mean an establishment of conditions during the period of time when management would be held and you would be held.

Mr. RAMSEY. I haven't had time to study the more recent bill that I believe you have sponsored——

Mr. ADAMS. Several of us have introduced an additional bill.

This is the part I really want to get to:

Mr. RAMSEY. We, of course, feel that unless there was very elaborate machinery, No. 1, you could never take a vote of the membership. It would be a delaying tactic that would bring no results; that is, toward a settlement.

Mr. ADAMS. We can reconsider that provision. It was based on the airline strike experience. I am now taking your publicly stated position that you gentlemen sitting at this table have full authority, with no—

Here is the Secretary of Labor saying elections would not work, and he is not set up to do it, and the representative of the union saying it would be a delaying tactic.

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

Mr. PICKLE. I yield to the gentleman from Washington.

Mr. ADAMS. In the first place, Mr. Chairman, I want to point out the gentleman has made the point—and he said it; we have never said it—that this is labor's bill. This substitute is even-handed to both sides.

Mr. PICKLE. The gentleman means the seizure bill?

Mr. ADAMS. Yes, indeed. We have always said that. This has always been our point.

The second thing is that this is based on the experience the committee experienced in the airline strike last year. We wanted to be sure we avoided any possibility of negotiators not being authorized to settle. A vote was held on the airline strike last year, and we have set up provisions in section 3 of the substitute to do it in exactly the same manner as under the Taft-Hartley Act at this time. This is something on which I happen to disagree with the Secretary of Labor and Mr. Ramsey.

Mr. PICKLE. Yes; I accept the fact that the gentleman disagrees with them, but the question is: Will it work? The Secretary of Labor and the union representative said it would not work. It worked in reverse last year, in the airline strike last year.

(By unanimous consent, Mr. PICKLE was allowed to proceed for 1 additional minute.)

Mr. PICKLE. The oddity of the reasoning about it is on the horrors of compulsory arbitration. They say if we adopt this resolution, that is compulsory arbitration.

I would disagree, because House Joint Resolution 559 really is mediation to finality.

Though one may wish to argue, all major authorities in connection with the Government say it is in fact mediation to finality.

Why would it be compulsory arbitration if we passed House Joint Resolution 559 but not be compulsory arbitration if we passed the seizure provision? It would be taking away the right to strike. It would be setting the wages. What is the difference, really, except, I think, in some gentleman's fanciful thoughts and wild hopes, that somehow seizure might be a wedge—nothing more—nothing less.

Secretary Wirtz and former Secretary Goldberg have said in public statements that seizure would be the worst possible thing for the unions. I do not believe the gentleman from Washington wants it. I cannot understand his reasoning when he contends that on one side it is compulsory arbitration and harsh, and on the other hand, if it is done by seizure, it is not.

It applies in both instances, not just on one side.

If we were to pass a seizure provision, I believe it would be the most harsh remedy we could have. It is an enforcement matter; nothing more, nothing less.

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

Once again we are back where we were yesterday, faced with some of the same statements of error that confronted us in the debate at that time.

We are told again today that this Special Mediation Board which would be created under the legislation reported by the committee would effectively lock in the type of settlement that would be finally ordered for the workers.

Let me read the language from Public Law 108 of the 88th Congress. Let me show how carefully we tried to insure that the negotiation would be the basis for the settlement.

The arbitration board shall incorporate in such decision any matters on which it finds the parties were in agreement, shall resolve the matters on which the parties were not in agreement, and shall in making its award give due consideration to those matters on which the parties were in tentative agreement.

Now, we can look back over the 4 years. That did not happen. So we are going to try to correct it, if we take the legislation as it comes down to us, and say that it is going to insure justice, by saying that the Mediation Board shall incorporate the proposal of the Special Mediation Panel with such modifications, if any, as the Board finds to be necessary.

So, if we enact this, we shall have done again what we did before. That did not guarantee equality of treatment to both parties.

The distinguished majority leader said that this substitute was like using a sledge hammer to swat a fly. I liked that, because it struck me that it matters not if it be a sledge hammer or a flyswatter if it kills the fly.

There is a very fragile thing involved here in the issues before the House, a very sensitive thing—an element of freedom. How do we preserve it?

Oh, how bitterly I resent the efforts to say that those of us who have opposed the precise language submitted by the Secretary might be less than loyal or less than vigorous in our support of our efforts in Vietnam.

I recall of no instance from the beginning, back in 1954, until today when I have not given the fullest of support to our effort in Vietnam. This cannot be equated with that. This is a separate matter. This actually involves some of the things we are fighting about in Vietnam; namely, freedom. If we are going to give us the little of it and seize the labor of man, then I say, as I said yesterday, that in fairness we must seize some of the properties and we must hold the feet of both parties to the fire and make it equally uncomfortable for both, and produce from that effort a settlement which they as reasonable individuals finally determine is possible.

The committee bill merely says to labor "You must work at whatever the Special Mediation Board awards, and you will continue to work at least until January 1 of 1969 when you can give notice."

Mr. ALBERT. Mr. Chairman, will my friend yield?

Mr. MOSS. Of course. I will be pleased to yield to the majority leader.

Mr. ALBERT. I tried to make it clear that I am sure everybody on both sides of this issue is together on the question of national defense or at least of the support of our fighting men, but on the issue of compulsion, does not the resolution reported by the committee also say to management, "You will pay, if it goes that far, the wages determined under the provisions of this resolution"? Does it not say that?

Mr. MOSS. It does indeed, and I thank my friend so very much for bringing out that point, because the minute the railroad gets that additional cost above what they wanted to award, they have a remedy.

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

(By unanimous consent, Mr. Moss was allowed to proceed for 3 additional minutes.)

Mr. MOSS. They can go and seek immediately to impose increases on the carriage of every type of commodity. Where is the similar remedy for labor? How can they get a redress of grievance? They are locked in solidly until 1969, and then they can only give notice. They can only give notice of a desire to change the award of the Board because the award of the Board must be regarded as though it were an agreement entered into under the National Railway Labor Act. This is the inequity, and I think that the distinguished majority leader put his finger right on the very heart of the issue.

Mr. ADAMS. Mr. Chairman, will the gentleman yield to me at that point?

Mr. MOSS. Yes. I will be delighted to yield to the gentleman.

Mr. ADAMS. I would further refer the gentleman to the hearings at page 121 where the letter of Mr. Wolfe, dated April 27, 1967, is entered. There he expresses some of the thoughts of the railroad industry on the problem. There is also included a memorandum in support of arbitration ending up saying compul-

sory arbitration is the way to settle these, with another letter dated May 2, 1967, by the same Mr. Wolfe, again in support of arbitration, saying that the fairest and the only solution—the only solution—is for Congress to meet its public responsibility and to legislate compulsory arbitration. So I do not think they are too much worried about bargaining if this is going to be compulsory arbitration.

Mr. MOSS. The railroads want it. Make no mistake about that. They want the bill as it came from the committee. I am not certain as to the degree of enthusiasm of either party for the substitute here, but I am certain that it has a lot of equity built into it.

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

Mr. Chairman, during the general debate yesterday I mentioned the fact that in committee I voted against House Joint Resolution 559, the legislation which we now have under consideration. However, I was in the minority and House Joint Resolution 559 passed.

Mr. Chairman, however, when the present proposition—the amendment which has been offered by the gentleman from Washington [Mr. ADAMS]—came before the Committee, I opposed it.

Mr. Chairman, I am opposed to compulsory arbitration. I am equally opposed to seizure.

But, Mr. Chairman, I feel that one thing which has not been brought out here and which should be considered is this: I have read the hearings that took place in the other body. And, Mr. Chairman, if this amendment is adopted, there is going to have to be a conference. The gentleman from Oregon of the other body is very, very strongly opposed to seizure, according to the testimony and, therefore, in my opinion there is going to be a deadlock. If we have a deadlock, then we are surely going to have a strike because the conferees parties in my opinion will never come to an agreement on this subject. I am confident of this based upon the testimony that I have read from the other body—that the gentleman from Oregon whom, I suppose, will be the chief conferee or one of the conferees on that side, will obviously not go for seizure. We are going to have, therefore, this deadlock.

Mr. Chairman, I am terribly sorry that I must rise and make this statement, because I do not favor House Joint Resolution 559 before us, but I voted against the Adams amendment in committee, as my colleagues will recall.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman from Nebraska yield to me at this point?

Mr. CUNNINGHAM. Yes; I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I say this, that every Member of this body owes his own responsibility on a subject of this kind, and if this substitute should pass, then it becomes the responsibility of the other body to meet the situation that we present to them, just as we are meeting the situation which they presented to us.

Mr. Chairman, if the gentleman will yield further, I do not buy this claim that we are under the pressure of time. We have several days here to work upon this matter.

Mr. Chairman, the gentleman from Nebraska knows, as well as the gentleman speaking, that he has seen this body act expeditiously under the pressure of meeting a deadline and enacting at the proper time necessary legislation.

Mr. Chairman, I would say to the gentleman from Nebraska, let us face our responsibility and present the other body with our ideas on this matter, as they have presented them to us.

Mr. Chairman, I thank the gentleman from Nebraska for yielding.

Mr. CUNNINGHAM. Mr. Chairman, I thank the gentleman from California for his contribution.

Mr. Chairman, the gentleman from California knows that I have great affection for him. However, I am just trying to be practical about this matter. It is my opinion also that we should decide in our own minds what should be done. The other body, however, has decided what it feels ought to be done. But in my view and in reading, as I said, the transcript of the hearings of the other body on this subject, and having some information other than that, it is my opinion that if the Adams substitute is adopted, this legislation is going to be hopelessly deadlocked in conference and that then we will be faced again and again with this serious situation.

Mr. FRIEDEL. Mr. Chairman, I wonder if we can agree upon setting a time limit on this substitute amendment which has been offered by the gentleman from Washington [Mr. ADAMS]?

Mr. Chairman, I ask unanimous consent that all debate on the substitute amendment close within the period of 15 minutes, and the last 5 minutes being reserved to the committee.

The CHAIRMAN pro tempore (Mr. ROSTENKOWSKI). Is there objection to the request of the gentleman from Maryland?

Mr. DINGELL. Mr. Chairman, I object.

Mr. FRIEDEL. Mr. Chairman, I move that all debate on this substitute amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN pro tempore. The gentleman from Maryland [Mr. FRIEDEL] moves that all debate on the amendment and all amendments thereto conclude in 15 minutes.

Mr. FRIEDEL. Mr. Chairman, I withdraw my motion.

The CHAIRMAN pro tempore. Without objection the gentleman withdraws his motion.

MOTION OFFERED BY MR. FRIEDEL

Mr. FRIEDEL. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 25 minutes, and that the last 5 minutes be reserved for the committee.

The CHAIRMAN pro tempore. The gentleman from Maryland [Mr. FRIEDEL] moves that all debate on this amendment and all amendments thereto terminate in 25 minutes, and that the last 5 minutes be reserved for the committee.

Mr. HALL. Mr. Chairman, I make the point of order that time may not be retained under such a motion.

The CHAIRMAN pro tempore. The Chair will state the gentleman is correct.

The gentleman from Maryland moves that all debate on this amendment and all amendments thereto terminate in 25 minutes. The question is on the motion.

The motion was agreed to.

(By unanimous consent, Mr. BROCK yielded his time to Mr. SPRINGER.)

Mr. OTTINGER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state his parliamentary inquiry.

Mr. OTTINGER. Mr. Chairman, may a Member who has previously spoken on this amendment receive additional time under this new time limit?

The CHAIRMAN pro tempore. The Chair will state that under the motion he can. This supersedes the 5-minute operation of the rule.

(By unanimous consent, Mr. DELLENBACK yielded his time to Mr. SPRINGER.)

(By unanimous consent, Mr. SCHERLE yielded his time to Mr. SPRINGER.)

(By unanimous consent, Mr. SATTERFIELD yielded his time to Mr. ROGERS of Florida.)

(By unanimous consent, Mr. MACDONALD of Massachusetts yielded his time to Mr. STAGGERS.)

(By unanimous consent, Mr. VIGORITO yielded his time to Mr. STAGGERS.)

(By unanimous consent, Mr. PICKLE yielded his time to Mr. ROGERS of Florida.)

(By unanimous consent, Mr. TUNNEY yielded his time to Mr. STAGGERS.)

(By unanimous consent, Mr. KASTENMEIER yielded his time to Mr. STAGGERS.)

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD, and to yield the balance of my time to the gentleman from West Virginia [Mr. STAGGERS].

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

There was no objection.

Mr. VANIK. Mr. Chairman, I want to take this opportunity to associate myself with the remarks of my distinguished colleague from the State of Washington, the Honorable BROCK ADAMS.

I support his amendment and his approach to labor controversy. It is studied. It is fair. It reflects a careful appraisal of the entire problem.

House Joint Resolution 559 compels railroad workers to work under terms and conditions which they may not approve. No such compulsion is directed toward management.

If we determine, in the national interest, that we must seize the man, we should also seize the machine. House Joint Resolution 559 in its present form seizes the man and compels his labor. This amendment provides that we should seize the railroad and its machinery in the same manner. It is a fair and reasonable approach to the total problem.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Texas [Mr. ECKHARDT].

Mr. ECKHARDT. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD, and to yield the balance of my time to the gentleman from West Virginia [Mr. STAGGERS].

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

There was no objection.

(By unanimous consent, Mr. BROWN of Ohio yielded his time to Mr. SPRINGER.)

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD, and to yield the balance of my time to the gentleman from West Virginia [Mr. STAGGERS].

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Chairman, seizure is a drastic step and an unpleasant word. Any action or inaction could be drastic in view of the problem. But the basic issue we face today is not whether to take a drastic step, but whether we wish to continue a system of labor relations based on free collective bargaining. The solution to the railroad labor dispute before us today ends with a provision for compulsory arbitration and arbitration lacking choice spells out the beginning of the end of the free labor movement in this country.

If the demands of the war are so urgent—as those who say end collective bargaining insist—then let us, as a nation, exercise the inherent national powers brought into existence by the emergency. That power and the limitation confining it to this issue will be reenforced by the adoption of this amendment.

We are asked by the committee resolution, House Joint Resolution 559, to penalize only the unions by removing the right to strike without any commensurate pressure on management. The Adams amendment imposes responsibility on both labor and management and I find it a sound proposal, although limiting this endorsement toward this specific case as a special situation.

To cite Vietnam as a reason for the abandonment of free and open collective bargaining is an unfair criticism toward those of us who support our President wholeheartedly on his Vietnam policy but who in conscience cannot vote to suppress collective bargaining. If the national interest is indeed jeopardized at this point, then the seizure amendment is a way out of a difficult situation that all of us want to resolve without casting aside one of the foundations of a free society—the principle of free choice in labor relations. Free choice incidently is also at the root of the war in Vietnam. The men now fighting there are certainly entitled to the benefits of a free society when they return from the war.

There have been some very harsh words exchanged in the last 2 days, but one of the voices of reason and temperance has been that of my distinguished colleague from the State of Washington, and I would hope that we would adopt his amendment.

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

Mr. FINO. Mr. Chairman, I rise in support of the Adams substitute resolution because, in my judgment, it is much fairer to the American labor movement than the provisions of House Joint Resolution 559.

It seems to me that the premise of House Joint Resolution 559 is that railroad labor is at fault and that the railroad industry is right. I believe that this is an unfair and unjust stance for the Federal Government to take.

The committee bill does not put any pressure on the railroads to bargain collectively and, in addition, it would establish the very unfortunate precedent of congressional compulsory settlement of all future labor disputes.

The merit of the substitute resolution is that it requires a period of public offer and counteroffer by the two sides and I think that we can expect both sides to make some concessions with the threat of seizure hanging over the heads of the railroads and the continued injunction applying to the unions.

It stands to reason that without the provision that the railroads be seized at the same time as the compulsory settlement is put into effect, there would be no pressure on the railroads to seek agreement with the unions—all of the pressure would be on the unions. That is why the substitute is a better and fairer recommendation.

Needless to say, I feel very strongly about this question. If we make the mistake of passing the committee bill instead of the substitute, we will be replacing collective bargaining with congressional bargaining—a process which bodes ill for the future of the American labor movement.

I think George Meany, president of the AFL–CIO, put it very properly when he said:

> If there is no effective collective bargaining, then I say that this is the beginning of the end of what we call our democratic way of life.

I have repeatedly complained about Government trying to rearrange schoolchildren. I have often complained about Government trying to rearrange residential patterns in the United States. Now we find Government trying to rearrange labor patterns.

I think we have had enough Government involvement in our lives without having further Government involvement in labor movements.

I would like to see the Federal Government stick to the traditional functions of government—like statesmanship—instead of seeking out new power and new controls.

For these reasons, I urge the House to reiterate our longtime faith in collective bargaining by accepting the substitute, which is a fair and just proposal.

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

Mr. WATSON. Mr. Chairman, I agree wholeheartedly with the statement made by our esteemed majority leader when he said the proposed substitute or amendment is a sledge hammer approach to this particular problem. It is both drastic and punitive.

Frankly, I was dismayed and intrigued by the comments of my friend, the gentleman from California, when he said it makes no difference whether it is a sledge hammer or a flyswatter—just so you kill the fly. He cannot mean that. He should be concerned with matters other than the fly. He does not want to break down the table in the process of killing the fly. He does not want to destroy collective bargaining or break the back of the carriers when the application of a flyswatter will do.

While not perfect, this joint resolution, House Joint Resolution 599, is a suitable solution for the problem that we have.

I urge my colleagues in the House to vote down the sledge hammer approach that we have here in the substitute amendment proposed by my esteemed colleague, the gentleman from Washington, BROCK ADAMS. Let us apply a reasonable rather than a radical approach to this crisis situation.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. O'HARA].

(By unanimous consent, Mr. O'HARA of Michigan yielded his time to Mr. STAGGERS.)

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. ADAMS].

(By unanimous consent, Mr. ADAMS yielded his time to Mr. STAGGERS.)

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HANNA].

Mr. HANNA. Mr. Chairman, there are only two questions that appear to me to be pertinent that have been raised here.

The first question is whether or not there is a risk that involves the national security. In my judgment, that question was answered by the Joint Chiefs of Staff, the Secretaries of the Navy and of the Army, and by the office of Mr. McNamara.

I cannot take as a substitute for that answer the minority position of this committee.

The second question that has been raised is, What do we do when the right to strike will not be tolerated by the national interest, the national economy, and by the citizens of the United States?

That question is too large to be decided just for the railroads. That is a question for all labor and ought to be put in a forum where the answer can be given a broad study.

It is not good enough to bring an amendment in on the floor of the House that could not even pass the committee.

Mr. Chairman, those are the two points and that is what we have to decide.

It seems to me our course is clear. We have to defeat the amendment on just that basis.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, House Joint Resolution 559 was authored by the President of the United States. He has put this legislation on the high level of national defense and the immediate public interest. His Secretary of Defense and Secretary of Labor have said this legislation is imperative. He is not my President but I intend to stand by him and our boys in Vietnam in this critical hour. The President said at the White House:

I do not want seizure and I do not need it. I have other duties that keep me busy. The government should not be in the Railroad business.

His statement speaks for itself.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, the issues before this body are very simple. A number of statements have been made about how onerous seizure would be to the railroads. Let me point out that the same people who run the railroads now would run them if the railroads are seized under a judicially appointed receiver.

Let me point out that the full protection of due process and recognition of the constitutional rights of the railroads and their shareholders are insured and assured under the Adams substitute.

Let me point out that on conclusion of the dispute, the railroads will be returned to their rightful owners with full compensation for any damages which they have undergone during the interim period. This is fair, equal, and even-handed treatment. Labor will have some awkward times until they bargain collectively, and management will have some awkward times. The pressure will be on both sides.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PUCINSKI].

(By unanimous consent Mr. PUCINSKI yielded his time to Mr. STAGGERS.)

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Chairman, I am persuaded that the committee resolution is the right approach. I oppose the Adams substitute, and I am persuaded by people who ordinarily would not be persuasive in my case. I have read the debate in the Senate, or the other body, on this particular issue of seizure, and the discussion or debate in the other body on this issue was masterfully handled by men such as the Senator from Oregon [Mr. MORSE], and the Senator from New York [Mr. JAVITS].

They are able Members of the Congress who are convinced beyond any doubt whatsoever that the seizure interjects into this problem an inequity that cannot be justified.

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

The Chair recognizes the gentleman from Illinois [Mr. ARENDS].

(By unanimous consent, Mr. ARENDS yielded his time to Mr. GERALD R. FORD.)

Mr. GERALD R. FORD. Mr. Chairman, I might also say that the members of the President's Cabinet, who are knowledgeable and expert in this area, such as the Secretary of Labor, Mr. Wirtz, strongly opposed the seizure provision or the seizure approach. The President himself opposes seizure and he bases that judgment on the recommendations of his experts in his administration.

In addition, I am convinced by what I have heard said here on the floor by Members of this body who have opposed this particular approach. For that reason, Mr. Chairman, I hope we defeat the Adams substitute. Seizure would be unwise.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. FRIEDEL].

(By unanimous consent, Mr. FRIEDEL yielded his time to Mr. STAGGERS.)

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I oppose the substitute because it is the most drastic interference in the collective bargaining system of this Nation that we can take. I would quote, in support of the committee resolution, the gentleman who has offered the substitute, as saying that the committee resolution interferes least with the collective bargaining procedures in this case. I am quoting from page 125 of the hearings, where Mr. ADAMS, in talking to the Secretary of Labor said:

You stated, and I agree with you, that House Joint Resolution 559 is requiring the littlest possible interference in the collective bargaining process.

Now, this is what the committee has tried to do—to interfere least with the collective bargaining process of this country, and Mr. ADAMS himself admits that the committee action makes the least interference of any possible action.

The committee has gone into this problem. They have recommended to this body this course which brings about the least interference. I would urge that we vote down the substitute, which is the greatest interference, because those employees who have already settled their grievances would be prohibited from striking if they have any other disagreements during the time of the substitute. This is the most drastic action that this Congress could take to destroy collective bargaining.

I urge the defeat of the substitute and support of the committee bill.

Mr. OLSEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. OLSEN. Mr. Chairman, I rise in support of the substitute resolution by the gentleman from Washington. House Joint Resolution 559, the committee resolution, takes away from these 137,000 railroad shopmen their right to strike for a period running as long as to December 31, 1968. The right to strike, Mr. Chairman, is a basic human right in any free society. The possibility of striking is the only legal and peaceful weapon in the hands of our working people to improve their pay and conditions of work.

House Joint Resolution 559 removes that right from the working people and threatens them with Government-imposed forced wages, to the profit of the private railroad corporations. This is completely one-sided and unjust, Mr. Chairman. It gives the railroad corporations exactly what they want—compulsory arbitration.

Surely, if the Nation's interests forbid a national railroad strike—and if Congress is going to treat these railroad men like Government employees by forbidding them to strike—then the even-handed approach is to treat the railroad corporations' property in a similar way.

That, as I understand it, is what the substitute resolution, House Joint Resolution 585 proposes to do. It would be a seizure of the railroads under a court receiver, pending a negotiated settlement of this labor dispute. At the same time, this substitute resolution would insure that the railroad owners receive the constitutionally guaranteed just compensation for Federal use of their properties. The substitute resolution, moreover, would prevent a railroad strike just as effectively as the committee resolution.

As a practical matter, the substitute resolution also has an overwhelming and decisive advantage over the committee resolution in this respect: By imposing a disability on both sides in this dispute, it would encourage both sides in this industry to settle their future disputes themselves and not bring their future quarrels back to Congress. The committee resolution, in contrast, by giving the railroad corporations just what they want—compulsory arbitration of this dispute—encourages the management side to dig in their heels in future disputes and force those disputes back up here to us.

Mr. Chairman, on grounds of principle and on grounds of practicality, the substitute resolution, House Joint Resolution 585—although I may not agree with it in every respect—is a far more sensible approach than the committee resolution.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. STAGGERS], to end debate on this matter.

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

The CHAIRMAN. The Chair will count. [After counting.] One hundred and fifty-two Members are present, a quorum.

Mr. STAGGERS. Mr. Chairman, first I should like to commend all members of the Interstate and Foreign Commerce Committee for the patience they have shown during the consideration of this measure, and also their tolerance for all views expressed by every different side.

I should like to tell the House that, as we consider a question as difficult as this, the measure came out of the committee after several days of hearings and executive session with not the slightest trace of rancor or vindictiveness expressed by any Member for another entering into our discussions at all. I hope before we get through with this proposal the Members of Congress will react in the same way.

We have talked about the national interest and it has been mentioned several times. I do not believe there is a man or a woman in this House who does not put the national interest first, but we are looking for what is the national interest of this great land of ours.

On April 28 of this year the unions involved in this dispute sent a telegram to the Secretary of Defense offering to see that all war materials were delivered and that all materials affecting the health and safety of the Nation were delivered.

There was a response in the press saying that this was useless and that there was not any use trying to do anything about it.

The committee insisted that there be a meeting to discuss the union proposal. Later a meeting was held. That meeting lasted for 50 minutes. I understand the representatives of the railroads were not present.

Later a press conference was held, and an administrative spokesman stated that this was not practicable, again.

The unions offered to do everything possible to see that war materials were delivered to our fighting boys on the fronts everywhere.

They have said that there would not be any stoppage on delivery of war materials in any way, that they would cooperate. They wanted to meet and work it out. Nothing has been done to work it out, as to the delivering of war materials, to this time.

I should like to read a letter, to the House, because the question has been raised that there is not time to work this legislation out peacefully and quietly, and that if we amend this proposal there will not be time to work it out on the other side.

I want to put that argument to rest, because of what was said by our beloved Speaker, a great man and a good man, and by our majority leader. They are two of the finest gentlemen I have ever known in my life. They are great men—great leaders. They have brought up the question of getting war materials to the front, and also the question that there would not be time for a conference if we amend this bill.

The letter I have is from the Railway Labor Executives' Association, as of today, and addressed to me. It reads as follows:

RAILWAY LABOR EXECUTIVES' ASSOCIATION,
Washington, D.C., June 15, 1967.

HON. HARLEY STAGGERS,
Chairman, Interstate and Foreign Commerce Committee, U.S. House of Representatives, Washington, D.C.

DEAR CHAIRMAN STAGGERS: A valid question has been raised by a number of the members with respect to the possibility of a railroad strike occurring before conferees could complete their work in the event S.J. Res. 559 should be amended.

I wish to advise you on behalf of the six shop-craft unions involved in this dispute that no strike action would be taken during the period of time required for the conferees to compose the differences between the measures adopted by the two Chambers.

We would be most appreciative if you would advise your colleagues to this effect.

Sincerely yours,

DONALD S. BEATTIE,
Executive Secretary.

We can continue in hysteria, but I say this is important to America. This is as important a measure as this Congress and as succeeding Congresses will ever work on. There is not anything more fundamental to the rights of America, or more fundamental to that which our boys have been fighting for in Vietnam, and which our men have given their lives for so that we might have freedom and liberty here.

We talk about patriotism. I would like to say that management is just as patriotic as any other group we have in the land. I would also like to say of these labor groups that you will not find a single flag burner or a draft-card burner in that group. You will not find any of them in any union shop in America. If one shows up, his life would be in jeopardy. I can tell you that. They are loyal and patriotic Americans. I want you to know, also, that most of them have fought in different wars. Their sons and daughters are serving now. They want to do their job just as you and I do, but they do not want this Congress to do this. All they ask is that we be fair.

The President's name has been mentioned several times. I should like to say now that I believe our President is one of the most efficient, one of the most dedicated, one of the most farsighted men we have ever had sitting in the White House. He is a man who has had more problems, I believe, than any other President who ever sat in the White House. I believe he will go down in history as one of the great Presidents, when this is all over, that this Nation has ever had, because he is trying to solve the problems abroad and to keep our Nation running in a prosperous way.

America has tried to create an image around the world that it is a fair, great, and good nation. We have spent billions of dollars in creating this image. We give these moneys away to show to all the people in the world how good and how fair we are. But at home we also want to be fair to those who built this land, because it is the laborers of America who built it. The laborers built the bridges, they cleared the forests, built the automobiles that you run, built the television sets that you watch, the airlines that you travel on, and all of the rest of the things we have in this land. Labor did it.

Yes, we need management and capital, but you would not have anything if it were not for the laboring man of America. They are the ones we are trying today to do something to that is unfair. We are saying to them, "Yes, we are going to make you work and we are not going to give you wages that are comparable with those who work around you." According to the figures, some of these men who work in the cities where the railroad workers are working alongside of them get as much as $1 or $1.50 an hour less. This Congress, which I know wants to be fair, wants to say to those men that "We are going to make you work, and work at less wages than the men you have to associate with in the crafts which are comparable to yours."

I know this Congress does not want to do that. There is not a man here that wants to start this country down the road to oblivion. That is what we would be doing if we passed this bill here. You say that this only affects 137,000 people. I say that it will continue down that road to the other 72 million workers we have in America, and we will be saying that they must work and at a set wage which we will be setting for them. The day when we pass this bill America is on the road to darkness and, as I said, to oblivion as a great nation, because labor built this land.

I know the pressures have been terrific on you and I know there are going to be more before the bill passes, but all I ask is for every man to say that he will be fair.

We have three words that are written on the front of the podium. They are "justice, tolerance," and "liberty." Our country is based on these ideas. If you are going to make a man work and say "We will make you work at less wages than a man in the same city who is working right beside you," then that is unfair. This Congress is not being fair if we do that. Tolerance is the capstone and the keystone of our democracy, but we will never keep liberty and freedom in America if we start down this road.

Mr. Chairman, all I want to say is, we are going to create an image of fairness to all of the people if we pass this amendment. All we ask here is just be fair. Be fair.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. ADAMS].

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

Mr. ADAMS. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chairman appointed as tellers Mr. ADAMS and Mr. FRIEDEL.

The Committee divided, and the tellers reported that there were—ayes 111, noes 198.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: Strike out all after the resolving clause, and insert in lieu thereof:

"That there is hereby established a Special Board for the purpose of assisting the parties in the completion of their collective bargaining and the resolution of the remaining issues in dispute. The Special Review Board shall consist of five members. The representatives of the carrier and organization parties to the dispute shall be directed, respectively, within five days after the declaration of a national emergency each to name one person to serve as a member of the Special Review Board. The President shall name the Chairman and two other members. If the parties shall fail to name members to the Board within such five days, such additional members shall also be named by the President. Such Board shall have the power to sit and act in any place within the United States and shall conduct such hearings, public or private, as it may deem necessary or proper to carry out the purposes of this resolution. For the purposes of any hearing or inquiry conducted by any Board appointed under this resolution, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers,

and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49 and 50, as amended), are hereby made applicable to the powers and duties of such Board.

"SEC. 2. The several departments and agencies of the Government shall cooperate with the Board in the discharge of its duties and, upon request, shall furnish such information in their possession relative to the discharge of such duties, and shall detail from time to time such officials and employees, and perform such services as may be appropriate. The National Mediation Board is authorized and directed to compensate the members of such Board at a rate not in excess of $100 for each day, together with necessary travel and subsistence expenses, and to provide such services and facilities as may be necessary and appropriate in effectuating the purposes of this resolution. The National Mediation Board is further authorized and directed to reimburse such other agencies for assistance in carrying out the purposes of this resolution as may be appropriate.

"SEC. 3. Within such time as the Board may determine, but not to exceed fifteen days after its establishment, the carrier parties to any such dispute shall be required to submit to such Board a last offer of settlement of the issues in dispute. Within twenty days thereafter the National Mediation Board, with such assistance from other agencies as may be necessary, shall take a secret ballot of the employees of each carrier involved in the dispute on the question of whether they wish to accept the offer. The result of such ballot shall be certified to the Special Review Board. If the majority of the employees vote to accept such proposal, such determination shall be binding on the parties. If the carrier's offer is rejected, the representatives of such employees shall, within five days after certification of rejection, submit to the carriers, with copies to the Special Review Board, a counteroffer, which shall within five days be accepted or rejected. The Special Review Board shall be authorized to make public any or all of the proceedings and issue such reports to the President, the Congress, and the public as it may deem appropriate.

"SEC. 4. At the expiration of sixty days, unless the dispute has been settled by that time, the President shall direct the Special Board to report to him, within such time as he shall determine, but not to exceed ten days, the status of the dispute. Such report shall include an evaluation of the issues in dispute, the positions of the parties and of those proposals for settlement which appear most reasonable and appropriate for the protection of the public interest. A copy shall be made available to the parties and shall be made public. Upon receipt of such report the President shall be authorized to take such additional action as set forth in section 5 of this resolution.

"SEC. 5. (a) If the parties shall not have reached agreement within ten days of the receipt of such report by the President, he shall be authorized to direct any carrier, or carriers, subject to the provisions of this resolution to transport any goods, material, equipment, or personnel as he may deem necessary to protect the health, welfare, safety, or public interest of the Nation. Any carrier, or carriers, directed to perform such services shall be advised that such order is issued pursuant to this resolution, and the President shall, by rules or regulations issued thereunder, provide such procedures as may be necessary and appropriate to carry out the purposes of this section.

"(b) The President shall be authorized to establish fair and equitable rates for the transportation of such goods, material, equipment, or personnel ordered to be transported pursuant to this resolution and to modify the wages, hours, and working conditions in effect during the performance of any such service: *Provided*, That any such modification shall not be inconsistent with the proposals made by one or both of the parties or the evaluations contained in the report of the Special Board pursuant to section 4. Whenever any such carrier, or carriers, is engaged in such transportation pursuant to an order issued under this section, the wages, hours, and working conditions in effect at the time the dispute arose shall be fully applicable without change, except by agreement between the parties, or as may be modified pursuant to any order of the President, or such agency of the Government as may be designated by the President to perform such functions.

"(c) Fair and just compensation shall be paid by the United States for the transporation of goods, material, equipment, or personnel, to the extent such service is for the sole benefit of the United States.

"(d) He may delegate the authority under this section to any agency of the Government which he deems appropriate, and the several departments and agencies of the Government are authorized and directed, to the extent consistent with law, to exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this section. This section shall be supplemental to any existing authority, and nothing herein shall be deemed to be restrictive of any existing powers, duties, and functions of any such department or agency of the Federal Government.

"SEC. 6. The several district courts of the United States are invested with jurisdiction to prevent and restrain violations of this resolution. Any suit, action, or proceeding under this resolution against an employer, or a labor organization, or other persons subject thereto involving two or more defendants residing in different districts may be brought in the judicial district whereof any such defendant is an inhabitant; and all process in such cases may be served in the district in which any of them are inhabitants or wherever they may transact business or be found. Whenever it shall appear to the court before which any such proceeding may be pending that the ends of justice require that other parties shall be brought before the court, the court may cause them to be summoned whether they reside in the district in which the court is held or not, and subpenas to that end may be served in any district by the marshal thereof.

"In any case, the Act of March 23, 1932, entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes" (47 Stat. 70, 29 U.S.C. 101–115) shall not be applicable.

"The order or orders of the court shall be subject to review by the appropriate circuit court of appeals as provided in sections 1291 and 1292 of title 28, United States Code, and by the Supreme Court upon writ of certiorari or certification as provided in section 1254 of title 28, United States Code.

"SEC. 7. The provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160), as heretofore extended by law, shall be hereby extended until 12:01 o'clock antemeridian of the ninety-first day after the effective date of this resolution with respect to the dispute referred to in Executive Order 11324, January 28, 1967.

"SEC. 8. If any provision of this resolution or the application of such resolution to any person or circumstance shall be held invalid, the remainder thereof, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

"SEC. 9. This resolution shall become effective on ——— 1967."

Mr. DINGELL (during the reading of the amendment). Mr. Chairman, in view of the length of the amendment and in order to save the time of my colleagues, I ask unanimous consent that the amendment be considered as read and printed in the RECORD at this point, and that I may be permitted to explain the amendment.

Mr. SPRINGER. Reserving the right to object, Mr. Chairman, will the gentleman tell me what the amendment is?

Mr. DINGELL. If the gentleman will permit, I will be happy to explain the amendment.

This amendment was originally printed in House Joint Resolution 661 on June 7, 1967.

Mr. SPRINGER. Is this the amendment which was presented in the committee on comparability of pay?

Mr. DINGELL. No; it is not the comparability amendment.

This is an amendment which authorizes the President to issue such rules and regulations as may be appropriate to move any goods, equipment, material, or personnel as may be necessary to protect the health, welfare, safety, and public interest of the Nation.

Mr. SPRINGER. Is this in the nature of an amendment or is this a substitute?

Mr. DINGELL. It is an amendment in the nature of a substitute.

Mr. SPRINGER. Does it strike out all after the enacting clause?

Mr. DINGELL. It strikes out all after the resolving clause.

Mr. SPRINGER. May I ask the gentleman further, under my reservation of objection, is that all there is in the gentleman's amendment?

Mr. DINGELL. That is all there is in the gentleman's amendment. It is precisely as House Joint Resolution 611 is written save that it is offered as an amendment in the nature of a substitute. It is changed slightly from House Joint Resolution 611 but so as to go into immediate effect, instead of leaving the date blank as we sought to do in the other.

Mr. SPRINGER. Does the gentleman tell me that there is nothing in the nature of the substitute like the Adams amendment?

Mr. DINGELL. I offer the gentleman my firmest assurance that I am offering House Joint Resolution 611 precisely as printed and it includes nothing on comparability nor does it include anything of the Brock substitute or the substitute offered by my good friend, the gentleman from Washington [Mr. ADAMS].

Mr. SPRINGER. Nor anything in House Joint Resolution 559?

Mr. DINGELL. I offer the gentleman that assurance.

Mr. SPRINGER. With that understanding, Mr. Chairman, I withdraw my reservation of objection.

Mr. PICKLE. Mr. Chairman, further reserving the right to object, I would ask the gentleman, Is this the same substitute that was offered in committee which was the recommendation of the unions that we divide up shipments in a way so that you could separate commerical from defense shipments?

Mr. DINGELL. No, I would say to the gentleman, this is not the recommenda-

tion of the unions and it has not been discussed with the unions.

I would point out that it simply affords the President the power to issue such orders and rules and regulations as are necessary to assure the transportation of any goods, material, equipment, or personnel that he may deem necessary to protect the health, welfare, or safety, or the public interest of the United States.

It is not a seizure. It is not compulsory arbitration. It has in it no comparability. It is simply an authority for the President to move these goods, equipment, supplies, and personnel as are necessary to protect the health, safety, welfare and the public interest of the United States.

Mr. ROGERS of Florida. Mr. Chairman, further reserving the right to object, suppose there was a strike—would this prevent a strike?

Mr. DINGELL. I give the gentleman my best assurance that this would prevent a strike. It follows the line of the administration bill as closely as I was able to make the amendment follow the administration bill, but instead of compulsory arbitration as is involved in House Joint Resolution 559, it says that the President issues regulations to assure the movement of goods, personnel, and equipment essential to protect the health, welfare, safety, and public interest of the United States.

Mr. ROGERS of Florida. As I understand it then, if either party did not desire to carry out the movement of goods, the President would seize the railroads?

Mr. DINGELL. No.

Mr. ROGERS of Florida. Or the President would issue an order to compel the movement of such goods?

Mr. DINGELL. The gentleman apparently has not read the amendment.

Mr. ROGERS of Florida. Yes; I have read the amendment.

Mr. DINGELL. I am trying to explain it, and I would say the gentleman probably did not give close attention to me as he might have when the legislation was before him previously in committee.

Mr. ROGERS of Florida. Yes, I did; and I voted against it.

Mr. DINGELL. This is not giving seizure power to the President at all. This amendment gives the President the power to go into court to have the necessary mandatory and prohibitory injunction issued by the court to see to it that his rules and regulations are carried out.

Mr. ROGERS of Florida. In other words, this would be the situation that they said would not work. I thank the gentleman.

Mr. DINGELL. No; it is not. The gentleman is entirely in error on that point.

The thing that the Secretary of Labor and the Secretary of Defense said would not work was the offer and the proposal made by labor to move just those goods that are necessary to defense.

My amendment affords the President much more vast and wider powers.

Mr. GROSS. Mr. Chairman, further reserving the right to object, I ask the gentleman from Michigan how much more or less in content is his amendment in the nature of a substitute than the text of House Joint Resolution 559?

Mr. DINGELL. As I read it—and I am giving the gentleman a quick answer and I hope he will understand that——

Mr. GROSS. No, no——

Mr. DINGELL. The only sections we find here on a quick reading of the bill that are different from the administration joint resolution, House Joint Resolution 559, if the gentleman will permit me to continue, are section 5 and some changes in section 6 of the proposal that I offer.

Mr. GROSS. Is the substitute longer or shorter in text than House Joint Resolution 559?

Mr. DINGELL. Well, I think the gentleman could compare those and come to the same conclusion that I would. I will tell the gentleman that the amendment I have offered is nine pages in length whereas the administration proposal is six pages in length.

Mr. GROSS. Mr. Chairman, that answers the question and I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, I should like to thank my good friends for their help, for I believe their reservations of the right to object were extremely helpful.

Let me point out that this committee has labored long and hard to come to a successful conclusion of one of the difficult problems that we face in this country today. We have sailed between Scylla and Charybdis. On the one hand we had seizure. The House has in its wisdom rejected seizure, even though I would say I supported it because I feel it is an appropriate solution to the problem we have before us.

I now offer an alternative to seizure and I point out it is an alternative to the other objectionable alternative, which is compulsory arbitration. Compulsory arbitration is anathema to labor. Compulsory arbitration is anathema to conservatives and to liberals, because it intrudes into the affairs of management on the one hand and it intrudes into the affairs of labor on the other hand.

Seizure is anathema to management because it takes away what are appropriate management prerogatives, and it effectively takes title and control over the whole of the entity of the corporation concerned.

This is an attempt to afford the President the power to issue rules and regulations to assure—and I will read now to my good friends among the membership—to issue regulations "to direct any carrier, or carriers, subject to the provisions of this resolution to transport any goods, material, equipment, or personnel as he may deem necessary to protect the health, welfare, safety, or public interest of the Nation."

The idea behind this provision is to say, "Mr. President, we do not want a strike. We do not want compulsory arbitration. We do not want seizure. But what we do want is that goods, services, equipment, and personnel essential to protect the health, welfare and safety or public interest of this Nation will continue to move."

Now, let us look a little bit at what this means. It means that the crops, supplies, agricultural commodities will continue to move. The President will be able to issue rules and regulations to assure that those commodities will move. It means that where supplies, ammunition, food, troops, and items essential and necessary to the conduct of our affairs in South Vietnam will continue to move on the railroads of this Nation to the ports of embarkation.

What else does it mean? It means that things necessary for the preservation of public health, such as chlorine for the chlorination of water, of our Nation's water supply, fuel for the generation of electric power, oil and coal will continue to move. It means that chemicals, paper, and packaging necessary to the health, welfare, and public safety and public interest of this Nation will continue to move.

I would urge my colleagues to read the bottom of page 5, section 5, and then at the top of page 6. It is a matter of about six lines that should be considered. These are the broad powers that are afforded the President.

Let me say we are now facing a grave situation in this body. The House of Representatives may well find itself, if this amendment is rejected, in a position where it will reject any and all legislation. There is a real peril, according to the remarks of my good friend from Illinois [Mr. SPRINGER] and the leadership on this side, that we may well, if we fail to enact this legislation, find ourselves with a nationwide railroad strike on our hands, and we may find ourselves, if we have that strike, under the circumstances which will jeopardize the economy and under the circumstances which will jeopardize our war effort in Vietnam.

Now I wish to stress again to my colleagues that what we do here is avoid seizure. There is no seizure under this proposal. We avoid compulsory arbitration. The President issues such rules and regulations as are necessary to assure normal transportation of any goods, material, equipment, or personnel as he may deem necessary to protect the health and welfare and safety and the public welfare of our Nation.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to my good friend, the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Chairman, I believe what the gentleman should point out to the House is that Members should also read page 6, because there he is creating a transportation dictator and giving to the President of the United States the authority to set wages and to set prices of transportation.

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

Mr. ROGERS of Florida. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan be recognized for 1 additional minute.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent that I may proceed 5 additional minutes in order to answer

the gentleman from Florida. He is asking an important question.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan for 5 additional minutes.

Mr. DINGELL. Mr. Chairman, the gentleman is absolutely correct. This is one of the reasons I say to my good friend that I introduced this legislation some days ago so that it would be clearly before the membership at this time, so they would know all the things I had in mind. Yes; I say the gentleman is absolutely correct.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield to me so that I may ask the question?

Mr. DINGELL. Mr. Chairman, I will answer the gentleman's question.

Mr. ROGERS of Florida. I have not asked it yet.

Mr. DINGELL. The President is authorized to establish rates for the transportation of goods, material, equipment, or personnel as he may deem necessary to protect the health, welfare, safety, or public interest of the Nation, pursuant to this resolution. The reason that is put in there is to assure labor it will receive fair compensation under the proposal.

Also, I will say to my good friend, I am glad he brought this question up, because the amendment is invaluable to insure fair compensation to the railroads for the transportation of those commodities which will be moved under it, since I recognize that all of the commodities which might otherwise be moved and which are in a dispute of this sort will not be moved, because all of them will not necessarily fit into the qualifications set out for us in lines 1 and 2.

I would point out to my beloved friend from Florida, for whom I have the highest possible regard—and I want him to know that—I will be happy to yield.

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

(On request of Mr. ROGERS of Florida, and by unanimous consent, Mr. DINGELL was allowed to proceed for 1 additional minute.)

Mr. DINGELL. Mr. Chairman, I will yield to my friend as soon as I finish answering his question.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. Mr. Chairman, the gentleman has asked me an important question, and I want to answer it for him. I want to say to my good friend that this is to assure fair treatment to all parties. If the President is going to issue the rules, he should have authority and direction from the House of Representatives to treat the parties concerned fairly, and the language in subsection (b), line 8, page 6, is an attempt to assure that.

Mr. Chairman, I yield further to my beloved friend.

Mr. ROGERS of Florida. Mr. Chairman, I thank the gentleman.

Would the gentleman explain to us what would happen on the 18 railroads that are presently losing money? Would the Government come in and assure them a profit, at more cost to the public, or would the Government pay for it out of tax dollars?

This, I believe, is the most far-reaching proposal I have ever heard the gentleman make, to let the President tell everybody in the transportation industry both management and labor, that they must do exactly what the White House demands—and there goes collective bargaining out the window.

Mr. DINGELL. Mr. Chairman, the gentleman is a much more astute lawyer than this, and I know he cannot really believe what he has just told the House of Representatives. If he does believe it, he has misread the bill entirely and completely misunderstands it. I tried to explain it to my friend from Florida. I sit next to him on the committee, and I know him to be an able Member of this body.

Let me point out that this does not direct the President to change the rates. It says he is to be authorized to establish fair and equitable rates.

If the railroads, which are losing money right now, wish a rate adjustment, I point out to my good friend from Florida, which is a fact well known to him, they can rush immediately to the ICC and ask for a rate adjustment so as to achieve rates fully compensatory to them.

The language about which the gentleman complains simply says the rates will be fair and equitable. It is suggested that the President fix rates at that level so as to achieve the fairest and best possible treatment for all parties. We are trying to legislate equity, not to take sides in a fight.

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

I will take just a minute on this amendment.

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

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

Mr. FRIEDEL. I should like to know whether we can agree on a time to limit debate on this amendment. After the gentleman concludes, I believe we should close debate. Would that be all right?

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

Mr. JARMAN. I am glad to yield to the gentleman from Illinois.

Mr. SPRINGER. May I ask the distinguished gentleman from Maryland how much time he is requesting?

Mr. FRIEDEL. With a speech for and against, after the gentleman from Oklahoma concludes, I believe we should vote on the amendment.

Mr. SPRINGER. How many minutes?

Mr. FRIEDEL. Mr. Chairman, I ask unanimous consent that the debate on this amendment be limited to 5 minutes after the gentleman from Oklahoma has concluded.

Mr. SPRINGER. Mr. Chairman, I have no objection.

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

There was no objection.

Mr. JARMAN. Mr. Chairman, my remarks in opposition to the amendment will be very brief. I merely want to make crystal clear to the committee that this issue, this recommendation, was not covered in the hearings on this subject. It was introduced on last Wednesday, the day before the executive session.

It is seizure, without calling it such. It would put the President in the business of running the railroads. He could give orders to the railroads as to what they could carry, what wages they could pay, and what rates they could charge, under a Presidential order.

It is a far-reaching amendment that has had a very inadequate background of hearings. I urge its defeat.

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

Mr. OTTINGER. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Michigan [Mr. DINGELL].

Mr. JONES of Missouri. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. OTTINGER. Mr. Chairman, I yield to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, the gentleman from Oklahoma expressed a rather clear misunderstanding of the legislation before us.

I would point out that this is not seizure. The terms and conditions under which the President would act are most clearly spelled out under the legislation.

I point out further the very important fact that any action taken under this legislation would be subject to full judicial review and also subject to compensation for any damages occasioned by any parties thereby. So the full constitutional protection of rights would be assured.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. TEAGUE].

Mr. TEAGUE of California. Mr. Chairman, it seems to me this is totally impractical. In my district or near my district freight trains are made up consisting of perhaps 10 cars of strawberries, 10 cars of lemons, 10 cars of roofing materials, 10 cars of cotton, and 10 cars of defense material.

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

Mr. TEAGUE of California. I decline to yield to the gentleman.

Some of these items refer to welfare and some are perishable. Some could be deferred. Others could not. It is totally difficult and impractical to separate some from the others in the makeup of freight trains.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, the gentleman from Oklahoma put his finger on this analysis when he said this is seizure without calling it seizure, no more and no less. Indeed, it is the wildest thing proposed here yet, and I urge its defeat.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, I may say to my colleagues during the course of the afternoon I have followed the principle of trying to find some way of starting these parties bargaining again. This is an alternative which has been proposed that is perhaps less seizure than total control of the railroads. There will be

other amendments which will do such things as giving the President the power voluntarily to seize if he desires to do so. There will also be those that indicate such things as comparable wages being required. We want the House to know the alternatives they have to make these parties bargain.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, I want to assure my colleagues that I have as much interest in the agriculture of my great State as has my colleague, the gentleman from California [Mr. TEAGUE]. The language on the bottom of page 5 and up to the top of page 6 of this legislation makes it very clear that the President would be vested with ample authority to permit the mixed cargo type of train makeup that he mentioned.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I sought to yield to my good friend the gentleman from California [Mr. TEAGUE] at an earlier time. He did not choose to yield to me. But I want to tell him the language of this amendment is drawn precisely as it is drawn so as to cover agricultural commodities to make sure that they will not rot in the fields or rot at the railheads but will continue to move in an orderly fashion from farm to market to the ultimate consumer to make the fact very clear that the interests of the farming people are not hurt.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I hope this amendment will be defeated. I do not believe that anything will be accomplished merely by adopting this substitute for a bill which the committee spent almost 4 weeks of hearings and executive session on. I have not seen exactly this kind of an amendment or substitute before that I can remember. Maybe the gentleman did offer it in committee, but I hope it will be defeated.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER: Strike out all after the enacting clause and substitute therefor, the following:

"That there is hereby established a Special Board for the purpose of assisting the parties in the completion of their collective bargaining and the resolution of the remaining issues in dispute. The Special Board shall consist of five members to be named by the President. The National Mediation Board is authorized and directed (1) to compensate the members of the Board at a rate not in excess of $100 per each day together with necessary travel and subsistence expenses, and (2) to provide such services and facilities as may be necessary and appropriate in carrying out the purposes of this resolution. For the purpose of any hearing conducted by the Special Board, it shall have the authority conferred by the provisions of sections 9 and 10 (relating to the attendance and examination of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 26, 1914, as amended (15 U.S.C. 49, 50).

"SEC. 2. The Special Board shall attempt by mediation to bring about a resolution of this dispute and thereby to complete the collective bargaining process.

"SEC. 3. If agreement has not been reached within thirty days after the enactment of this resolution, the Special Board shall hold hearings on the proposal made by the Special Mediation Panel, in its report to the President of April 22, 1967, in implementation of the collective bargaining contemplated in the recommendation of Emergency Board Numbered 169, to determine whether the proposal (1) is in the public interest, (2) is a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case, (3) protects the collective bargaining process, and (4) fulfills the purposes of the Railway Labor Act. At such hearings the parties shall be accorded a full opportunity to present their positions concerning the proposal of the Special Mediation Panel.

"SEC. 4. The Special Board shall make its determination by vote of the majority of the members on or before the sixtieth day after the enactment of this resolution and shall incorporate the proposal of the Special Mediation Panel with such modifications, if any, as the Board finds to be necessary to (1) be in the public interest, (2) achieve a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case, (3) protect the collective bargaining process, and (4) fulfill the purposes of the Railway Labor Act. The determination shall be promptly transmitted by the Board to the President and to the Congress.

"* * * * *

parties upon the expiration of the period specified in section 6, the determination of the Special Board shall take effect and shall continue in effect until the parties reach agreement or, if agreement is not reached, until such time, not to exceed two years from January 1, 1967, as the Board shall determine to be appropriate. The Board's determination shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et seq.).

"(b) In the event of disagreement as to the meaning of any part or all of a determination by the Special Board, or as to the terms of the detailed agreements or arrangements necessary to give effect thereto, any party may within the effective period of the determination apply to the Board for clarification of its determination, whereupon the Board shall reconvene and shall promptly issue a further determination with respect to the matters raised by any application for clarification. Such further determination may, in the discretion of the Board, be made with or without a further hearing.

"(c) The United States District Court for the District of Columbia shall have exclusive jurisdiction of all suits * * *.

"SEC. 6. At the time the determination of the Special Board shall take effect, the President may, at his discretion, direct the Attorney General to petition any district court having jurisdiction of the parties for the appointment of a special receiver or receivers to take immediate possession in the name of the United States of any carrier which is subject to such dispute and to use and operate the equipment and facilities of any such carrier in the interest of the United States, and if the court finds that the exercise of the power and authority provided by this resolution is necessary to protect the national health, safety, or the public interest, it shall have jurisdiction to appoint such receiver or receivers and to make such other orders as may be necessary and appropriate to carry out this resolution.

"Any suit, action, or proceeding under this resolution against an employer, or a labor organization, or other persons subject thereto involving two or more defendants residing in different districts may be brought in the judicial district whereof any such defendant is an inhabitant; and all process in such cases may be served in the district in which any of them are inhabitants or wherever they may transact business or be found.

"The several district courts of the United States are invested with jurisdiction to prevent and restrain violations of this resolution. Whenever it shall appear to the court before which any such proceeding may be pending that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned whether they reside in the district in which the court is held or not, and subpenas to that end may be served in any district by the marshal thereof.

"In any case, the Act of March 23, 1932, entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes' (47 Stat. 70; 29 U.S.C. 101–115) shall not be applicable.

"The order or orders of the court shall be subject to review by the appropriate circuit court of appeals as provided in sections 1291, 1292 of title 28, United States Code, and by the Supreme Court upon writ of certiorari or certification as provided in section 1254 of title 28, United States Code.

"SEC. 7. Whenever a district court has appointed a receiver or receivers pursuant to the provisions of this resolution, or has issued such other orders as may be necessary to carry out the purpose thereof, it shall be the duty of the parties to the labor dispute giving rise to such action to make every effort to adjust and to settle their differences, with the assistance of the National Mediation Board. During the period in which possession of any carrier has been taken under this resolution the United States shall hold all income received from the operation thereof in trust for payment of general operating expenses, just compensation to the owners as hereinafter provided, and reimbursement to the United States for expenses incurred by the United States for the operation of any such carrier. Any income remaining shall be paid into the Treasury of the United States as miscellaneous receipts. In determining just compensation to owners of the carriers, due consideration shall be given to the fact that the United States took possession of such carrier when its operation had been interrupted by a work stoppage or that a work stoppage was imminent; the fact that the carriers or the labor organizations, as the case may be, have failed or refused to comply with recommendations for settlement made during proceedings under this resolution; the fact that the United States would have returned such carrier or carriers to its owners at any time an agreement was reached, and to the value the use of such carriers would have had to the owners in the light of the labor dispute prevailing, had they remained in their possession during the period of operation; and should the operations of any carrier during the period of seizure have resulted in a loss greater than the just compensation as determined hereunder, such carrier shall be obligated to pay such loss in excess of just compensation to the Treasury of the United States.

"SEC. 8. The President may appoint a Compensation Board to determine the amount to be paid as just compensation under this resolution to the owner or owners of the carriers of which possession is taken. For the purpose of any * * * conducted by any such Compensation Board the provisions relating to the conduct of hearings or inquiries by special boards as provided in sec-

tion 1 of this resolution are hereby made applicable to such hearing or inquiry. The members of the Compensation Board shall be appointed by the President and compensated in accordance with the provision of section 1 hereof.

"The award of the Compensation Board shall be final and binding on the parties unless within thirty days after the issuance of said award either party moves to have the award set aside or modified in the United States Court of Claims in accordance with the rules of such court.

"SEC. 9. Any carrier or carriers of which possession has been taken under this resolution shall be returned to the owner thereof as soon as (1) agreement has been reached with the representatives of the employees settling the issues in dispute, or (2) the President finds that the continued possession and operation of any such carrier or carriers by the United States is no longer necessary to the national health, safety, or the public interest.

"SEC. 10. The provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160), as heretofore extended by law, shall be hereby extended until 12:01 o'clock ante meridian of the ninety-first day after enactment of this resolution with respect to the dispute referred to in Executive Order 11324, January 28, 1967.

"SEC. 11. If any provision of this resolution or the application of such resolution to any person or circumstance shall be held invalid, the remainder thereof, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

Mr. OTTINGER (during reading of the amendment). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

Mr. Chairman, I circulated a letter to every Member of the House explaining just what this amendment contains. It is quite long and involved.

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

Mr. SPRINGER. Mr. Chairman, reserving the right to object, is the distinguished gentleman from New York going to explain his amendment?

Mr. OTTINGER. Mr. Chairman, if the gentleman from Illinois will yield, I shall be glad to tell the gentleman that this is the amendment—the same proposition—that I offered in the committee. It proposes to give the President the discretion of either choosing receivership or compulsory arbitration.

Mr. SPRINGER. In other words, under the provisions of the gentleman's proposed amendment, it would allow the President to proceed in this matter; is that correct?

Mr. OTTINGER. Mr. Chairman, if the gentleman will yield further, this would allow the President, in his discretion, 91 days from now, to impose a receivership decision.

Mr. SPRINGER. Mr. Chairman, did the gentleman from New York introduce this amendment in the form of legislation?

Mr. OTTINGER. I did.

Mr. SPRINGER. Mr. Chairman, can the gentleman give me the number of the resolution?

Mr. OTTINGER. No; I am sorry; I did not introduce it separately as a separate resolution.

Mr. SPRINGER. Mr. Chairman, I wonder if the gentleman from New York would furnish to me a copy of the resolution?

Mr. OTTINGER. I shall be very glad to do so.

Mr. SPRINGER. Mr. Chairman, with that understanding, I withdraw my reservation of objection.

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

There was no objection.

(By unanimous consent, Mr. OTTINGER was allowed to proceed for 5 additional minutes.)

Mr. OTTINGER. Mr. Chairman, we have just had rejected by this Committee what I consider to be a very excellent proposal which was offered by the distinguished gentleman from Washington [Mr. ADAMS], the proposal that provided as a last resort, receivership or seizure. I supported that amendment.

But, Mr. Chairman, I really do not think, as the President proposes, that we should be asked in the Congress to impose receivership as the ultimate solution to this problem, and certainly not what amounts to compulsory arbitration, as we are asked to do in the administration joint resolution, House Joint Resolution 559.

Mr. Chairman, I do not believe that we can know at this time, 91 days before these provisions and this decision are to go into effect, whether the conditions in this country will make it necessary to have compulsory arbitration or seizure, or, indeed, any kind of interference with the rights of collective bargaining.

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

Mr. OTTINGER. I am glad to yield to my colleague from New York.

Mr. WYDLER. Mr. Chairman, I wonder if the gentleman from New York [Mr. OTTINGER] can tell the Members whether the gentleman knows or has been informed as to whether the President wants the discretionary powers that the gentleman wishes to grant to him under this amendment?

Mr. OTTINGER. I have no idea about that. However, it seems to me that the President should not try to dump this problem into the lap of the Congress, because the President has got the information with reference to the dispute and he has been working with the various parties involved.

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

Mr. OTTINGER. I yield to my colleague on the committee, the gentleman from Texas.

Mr. PICKLE. Mr. Chairman, with reference to the question of the President dumping this question into the lap of the Congress, is it not a fact that the problem which faces the United States of America today requires that this Congress has to act upon some kind of legislation directed toward this problem, because the President of the United States has no alternative with reference thereto?

Mr. OTTINGER. Mr. Chairman, I decline to yield further.

Mr. Chairman, the President of the United States has asked us to institute the provisions of House Joint Resolution 559, and I do not feel that we should be asked to make that decision 91 days—3 months—before the actual decision has to be made.

Mr. Chairman, it is my opinion that the President ought to have flexibility, and flexibility is provided for in my substitute amendment.

My amendment, if adopted, would give the President the option of invoking either the receivership provision as contained in the resolution offered by my colleague, the distinguished gentleman from Washington [Mr. ADAMS], or the so-called "mediation to finality" provision contained in the current legislation.

The President should have these options, for three reasons: First of all, it is a fair solution, applying equal pressure to both sides of the issue.

Second, it really does preserve the theory of collective bargaining. In other words, if one side declines to bargain, it will be threatened by the prospect of seizure, and if the other side declines to bargain, it will be faced with the prospect of compulsory arbitration.

So, Mr. Chairman, the President would have really effective tools which would give the parties the latitude of real bargaining and which would allow and permit them to arrive at a voluntary settlement to this dispute.

It would permit the President to choose the solution which appears to be most appropriate in the light of the state of the negotiations, 91 days from now, and also the national and international conditions that may be prevailing at that time.

My amendment would allow the President the option to do one or the other. It does not direct the President to seize the carriers as was directed under the Adams amendment, nor does it direct him to apply so-called "mediation to finality." It merely permits him to do either if in his wisdom he decides such a step is necessary and appropriate.

This places the responsibility for action right where I think it belongs—not with the Congress, but with the President. It gives him the tools with which to achieve a fair and equitable solution. The decision as to whether a national railway tieup must be averted, and if so, how, ought not to be made 91 days in advance. It should be made by the President in the light of the national and international situation prevailing at the time the action is required. The decision must take into account many factors which can change radically between now and this fall when the ultimate provisions of House Joint Resolution 559 would go into effect.

This dispute involves a complex and changing situation. Only the President will have the information to make the solution fit the conditions at the time a choice of remedies must be selected. In our haste and our concern we must not and we need not restrict the President in his choice of alternatives.

There is an equally pressing reason for adopting this amendment. One of the greatest dangers in hasty action is the very bad precedent that we may set by

imposing compulsory arbitration. Labor disputes should not be settled by Congress; they should be settled by free collective bargaining between labor and management. House Joint Resolution 559 simply does not promote this. It imposes a settlement already accepted by management. Management will have no incentive to bargain. Under the amendment I am offering both parties would be confronted with equally distasteful alternatives, and I believe that negotiations would result.

National emergency labor settlements should not be continually dumped in the lap of Congress at the last minute before a national tieup is about to occur.

I believe the administration has failed badly in not providing long-promised, permanent settlement proposals for such situations; and, in my opinion, the administration has failed in this instance to provide a solution that is either fair or effective.

The best way for Congress to assure that it will not continue to be the recipient of these last-minute appeals for legislative settlements—and will not have to impose the bad precedent of compulsory arbitration—is to give the President responsibility for making these determinations and the tools with which he can make them fairly and equitably.

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

Mr. OTTINGER. I will be glad to yield to the gentleman.

Mr. KORNEGAY. Mr. Chairman, I appreciate the gentleman yielding to me. I might say that I do not have the copy of the substitute, and therefore I would like to ask the gentleman what these tools are that the gentleman is proposing to give to the President to put him in a position to force the parties to this dispute to bargain.

Mr. OTTINGER. The tools my substitute gives to the President are, first of all, the very tools for which he asks, the power to impose settlement by mediation to finality, or compulsory arbitration, or whatever you want to call it. Second, my substitute gives the President a second set of tools, which are the tools offered by the gentleman from Washington [Mr. ADAMS] in his resolution, the option of a receivership or seizure.

I believe that this is a balanced proposal which will enable the President to give both of the parties equal treatment.

Mr. KORNEGAY. In other words, the President on his own motion can seize the railroads?

Mr. OTTINGER. That is correct, at the end of the 90-day period.

Mr. KORNEGAY. Taking the control away from the management and forcing the employees to work?

Mr. OTTINGER. That is right—just as you are taking away from the employees the right to strike.

Mr. KORNEGAY. But in effect it would be doing the same thing, would it not, under the terms of the resolution?

Mr. OTTINGER. That is correct.

Mr. KORNEGAY. How long would it last under your resolution?

Mr. OTTINGER. For the same period as provided by the administration resolution.

Mr. KORNEGAY. That is January 1, 1969.

Mr. OTTINGER. That is right.

Mr. KORNEGAY. I thank the gentleman very much.

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

Mr. OTTINGER. I am glad to yield to my colleague, the gentleman from New York [Mr. HORTON].

Mr. HORTON. According to the gentleman's notice that he sent out to each Member, he indicated that he was going to provide in his amendment the so-called mediation to finality proposal. I assume that that is included in this amendment?

Mr. OTTINGER. That is correct.

Mr. HORTON. Does the gentleman agree with me that mediation to finality is compulsory arbitration?

Mr. OTTINGER. I certainly do. That is what it amounts to.

Mr. HORTON. I want to indicate to the gentleman that I am opposed to his resolution because I do not feel even the Congress should authorize compulsory arbitration much less give this or delegate this power to the President, and I do not feel the President should have this unusual power.

Now how would the gentleman explain his proposal to give the power of compulsory arbitration to the President?

Mr. OTTINGER. I find it distasteful. I wish, just as the gentleman must also and most Members, that we were not confronted with this problem at all. But making a choice of alternatives, it seems to me that the best way to assure that this dispute will be resolved by collective bargaining would be to force both sides to negotiate by giving them both a choice of equally distasteful alternatives.

Mr. ROGERS of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would point out to the House that this proposed amendment was rejected by the committee in its consideration for a number of reasons.

Here it is proposed to give to the President, any time he so desires, the right to come in and take over the whole industry, again going through this process that would apply in seizure where wages are set, prevention of strikes, and so forth.

The House has already determined that it is not a good procedure.

Furthermore, we get into the problem of compensation which has so many ramifications that the committee does not even know what they are because we did not go into this problem at all in the hearings.

So there are so many compelling reasons to turn down this proposal that I would hope the Committee of the Whole would defeat this amendment overwhelmingly.

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

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

Mr. OTTINGER. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. BROCK

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

The Clerk read as follows:

Amendment offered by Mr. BROCK: Strike out all after the resolving clause and insert in lieu thereof the following:

"That section 10 of the Railway Labor Act is amended (1) by striking out the center heading of such section and inserting in lieu thereof 'SETTLEMENT OF EMERGENCY DISPUTES'; (2) by inserting '(a)' after 'SEC. 10.', and (3) by adding at the end thereof the following new subsections:

"'(b) If on the last day of the thirty-day period referred to in the third paragraph of subsection (a) the parties have not reached an agreement for settling the dispute and the President finds that the dispute, if permitted to continue, will imperil the national health or safety, the President shall issue an Executive order setting forth such finding. In such case, commencing with the tenth day after the last day of such thirty-day period and until such time as the dispute is settled—

"'(1) no carrier involved in the dispute may, with respect to terms and conditions of employment for his employees involved in the dispute or with respect to terms and conditions for the settlement of the dispute, act in concert or consult with any other carrier involved in the dispute with respect to the terms and conditions of employment of such an employee or with respect to terms and conditions for the settlement of the dispute; and—

"'(2) no person may be the representative, for purposes of collective bargaining, of the employees of more than one carrier involved in the dispute and such person may not act in concert or consult with the representative of the employees of any other carrier involved in the dispute with respect to terms and conditions of employment or with respect to terms and conditions for the settlement of the dispute.

"'(c) For the purpose of carrying out subsection (b) the Mediation Board shall prescribe by regulation how the representative of the employees of each carrier involved in the dispute shall be determined.'.

"SEC. 2. Section 2 of the Railway Labor Act is amended by adding at the end thereof the following:

"'Twelfth. (a) No employee shall engage in any strike growing out of a labor dispute with respect to which the services of the Mediation Board may be invoked unless a majority of the employees in the appropriate unit (as determined by the Mediation Board) have voted by secret ballot in favor of such a strike, and no employee shall continue any strike growing out of any such labor dispute for more than twenty-one days unless a majority of the employees in such unit have voted by secret ballot to continue such strike.

"'(b) Upon receiving a request therefor from any representative of employees, the Mediation Board shall forthwith take a secret ballot of the employees in the unit such Board finds to be appropriate on the question of whether they wish to strike or continue to strike, and shall certify the results to the representative and employers concerned.'

"SEC. 3. The provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160), as heretofore extended by law, shall be hereby extended until 12:01 o'clock antemeridian of the ninety-first day after enactment of this resolution with respect to the dispute referred to the Executive Order 11324, January 28, 1967.

"SEC. 4. The amendments made by the first

two sections of this join resolution shall be applicable to the labor dispute between the carriers represented by the National Labor Railway Conference and certain of their employees with respect to which the provisions of the final paragraph of section 10 of the Railway Labor Act have been extended by Public Law 90–10 as amended, except that upon the enactment of this joint resolution the President is authorized to issue immediately an Executive order setting forth a finding that this labor dispute if permitted to continue will imperil the national health and safety, as provided in subsection (b) of section 10 of the Railway Labor Act, as amended by this joint resolution."

Mr. DINGELL. Mr. Chairman, I wish to assure that I will have an opportunity to make a point of order to the amendment, but in order to permit my friend and colleague from Tennessee the privilege of speaking on his amendment, I should like to ask unanimous consent that he be permitted to be heard and that thereafter I may be heard on the point of order.

The CHAIRMAN. The gentleman from Michigan reserves a point of order.

Mr. JARMAN. Mr. Chairman, I rise also to reserve a point of order.

The CHAIRMAN. The gentleman from Oklahoma reserves a point of order.

The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, first of all, I would like to pay tribute to the distinguished gentleman from Tennessee. I know he has given this matter a great deal of thought, and he has spent a great deal of time in research on it before coming to the conclusion as to what he believes should be done. I know the entire House respects him for being willing to take a stand on what he believes to be right.

Mr. Chairman, I cannot support this, and I told the gentleman that I cannot, and there are practical reasons why I cannot. Both management and labor are opposed to fragmentary settlements. I believe we can understand that. There are 154 standard railroads in the United States. I am talking about large railroads. This does not take into consideration short lines and others, of which I understand there are 70 or 80.

It would mean, if they were to bargain railroad by railroad, that there could be two or three on a strike, and the others not on strike. Going into a State, other railroads would be operating, with connecting lines into other railroads which were a part of the strike. Delivery might be made to the terminal of a railroad, and that railroad could not deliver the goods because of a strike on that railroad.

Those are the practical problems which are involved in a big industry such as the railroad industry, in which there are some 24 brotherhoods which to bargain.

It presents such practical limitations that both management and labor testified before our committee they did not favor doing so. They were sharply questioned on this point. Two members of the committee, one on my side of the aisle, deeply believe that this is perhaps a way to work out something, trying to get a settlement unit by unit.

I thought that both management and labor gave excellent reasons why this, at its very best, even though there might be some merit to it, actually would bring about an impossible situation for them to undertake.

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

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

Mr. BROCK. What is it that makes the railroads different from all the rest of the industry of the world? Are they so unique, they can find no way to bargain together, the management of each company and the employees of that company?

Mr. SPRINGER. I believe it is the fact which was referred to a moment ago. These lines are all interdependent and connected with each other.

That is not true of the automobile industry. If the Ford Motor Co. should shut down, I could buy a Chevrolet. If the Chevrolet production should shut down, I could buy another automobile.

In the industry of the railroads, that is not true. They are all connected.

I can send something from Seattle to Miami, and even though it goes over five railroads eventually it will arrive. Suppose that a connecting railroad somewhere in between Washington and Florida were on strike.

I believe we can see that bargaining unit by unit for an entire network, for the entire country, simply would not work.

Mr. BROCK. The point of the amendment is to protect the consumer, the general public of this country. We have to talk about providing an alternative source of supply.

Mr. SPRINGER. May I say in reply, if we were talking about the trucking industry I could not give such a positive answer, because in nearly every community there are two or three trucking companies. If one of them is on strike, the others will pick up and deliver whatever needs to be delivered to and from that community.

This is an industry to which we have given much consideration. This is not the first time the proposal has been up for consideration. It is not the first time it was asked for in our committee. As some Members know, it goes back to 1953, when I first went on the committee. We went into the problems of whether this could be done unit by unit. We came to the conclusion it was an impossibility.

Mr. BROCK. If the gentleman will yield further, the purpose of the measure today is to avoid a national emergency through a national railroad strike. The problem is created by the fact that there are no real pressures to enforce responsible collective bargaining, so we have a situation today of the need for pressure without compulsory arbitration. What I am trying to do is to bring competition back into play by putting each railroad on a competitive basis, so that it must try to solve its problems with its employees in order to stay in business.

In my home State there is the L. & N. and the Southern Railroad. If one railroad settles, the other had darned well better settle, or it will go out of business. Without my amendment this factor is missing. Without it, all sink or all swim—and only the public suffers.

If we allow free market economic pressures to work, the railroads and the unions will be more responsible. This would go a long way toward solving today's problem.

Mr. SPRINGER. Suppose that both of the railroads were on strike. Then how could we expect that community to be served?

Mr. BROCK. Of all the railroads and all the unions in the country, I am quite sure that someone in management and labor would accept their responsibility to the American public. If one did, the rest would be forced to do so. All I ask is the reinstitution of free market competitive factors.

Mr. SPRINGER. I agree with the gentleman, insofar as his efforts are concerned. I commend him.

Mr. BROCK. Mr. Chairman, I appreciate the opportunity to explain this amendment. I have been most interested in the debate today. There is a germ of truth in what almost everyone has said. I agree with the majority leader when he says that the country cannot afford a cessation of railroad operations. But I also agree with the gentleman from California [Mr. Moss], when he says that we cannot, in this Congress, allow expediency to override our principles.

I must say that I personally resent very deeply the utilization of the tragic situation in Vietnam as an emotional argument to pass a joint resolution which would impinge upon the very freedom for which those young men are fighting.

I agree with the gentleman from California [Mr. HOLIFIELD], when he says this bill, as written, represents compulsion on organized labor. I agree with the gentleman from Michigan, who said the argument for seizure represents the same problem for industry.

I would like to propose another alternative. The gentleman from Washington said he would like very much to have some other solution proposed which does not involve compulsion. I hope to propose such a solution.

The basic problem in this dispute is involved in the fact that under industry-wide negotiations we have two people, one representing all labor, and the other representing all management, dealing with an issue which involves the general public. This represents an intolerable concentration of power. There is no competitive pressure on these two people to be responsible, because they know full well that this country will never accept a railroad strike which destroys our national security.

We have seen the results of this kind of attitude. Since the 25th of April, both sides, while professing to want to negotiate, have not even sat down at the same table with each other—not one time since Congress extended the strike.

Now, how do we get back to the basic purpose of free collective bargaining, the purpose of creating a dialog between the management of a corporation and the employees of that company on economic issues involved, and take the general

public out of the discussion and out of involvement?

I propose to do two things: first, to put off the strike for 90 days as is proposed in the bill, and second, during this period, to take an entirely different approach, based upon the problem, not the symptom that we are treating with compulsory arbitration. I would prohibit industrywide bargaining and require as an alternative carrier-by-carrier negotiations.

The obvious principle involved is to get the bargaining back down to the corporate level, the competitive level where collective bargaining really works.

Unless we do this, we never are going to solve the problem we are faced with today. I have heard people on both sides say that this just diminishes collective bargaining a little bit. That is like being a "little bit pregnant." The ultimate conclusion of this bill will be the destruction of freedom of the workingman in this country. I do not believe this House can afford to take that step. I believe we have to find some alternative to compulsory arbitration. This responsibility was given each of us, and it cannot be refused.

Very simply then, my substitute is to extend the no-strike authority of the President for 90 days and fractionalize the bargaining. Only in this way can the corporation and its employees negotiate together and come to a common conclusion which is satisfactory to both. Only in this way can Congress maintain the security of this Nation while at the same time maintaining a very basic freedom on the part of the individuals involved.

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

The CHAIRMAN. We first have to dispose of two points of order.

Mr. DINGELL. Mr. Chairman, I would be glad to reserve my point of order so the gentleman from Illinois can be recognized to speak.

The CHAIRMAN. The gentleman can continue to reserve his point of order if he desires to do that.

Mr. DINGELL. Mr. Chairman, I renew my point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Michigan on his point of order.

Mr. DINGELL. Mr. Chairman, I renew my point of order on a series of grounds.

First, the amendment goes beyond the fundamental purpose of the legislation before the committee today. As such it is not germane to the fundamental purposes of the measure.

I would cite that the amendment deals with sections of the Railway Labor Act other than those presently before us.

I would point out that the amendment also deals with duties of representatives and the responsibility of bargaining units, something far beyond the matters presently before the committee.

In addition to this, the pending measure is limited to a specific labor dispute, whereas the amendment offered by the distinguished gentleman from Tennessee deals with all labor disputes.

The legislation pending before the committee today deals with railroads in one specific instance, Mr. Chairman, whereas the amendment sponsored by my distinguished friend from Tennessee [Mr. BROCK] deals with every industry covered by the Railway Labor Act, which would also include the airlines.

In addition to that, Mr. Chairman, the amendment deals with matters involved in elections such as the requirement for secret ballot, whereas no such requirement is presently pending in legislation before the committee today.

Mr. Chairman, I believe it is well settled that where an amendment is so much more sweeping and broad than that presently before the body that it is defective because of the violation of the rule of germaneness and thus subject to a point of order.

Mr. Chairman, in addition to this I would point out that legislation dealing with a specific subject or a specific set of circumstances under the rules may not be amended by a provision which is general in nature even when of the class or the specific subject involved.

Therefore, Mr. Chairman, I would necessarily renew my point of order and urge on the Chair that the amendment presently pending, offered by my distinguished friend from Tennessee, is not germane and therefore is subject to a point of order.

The CHAIRMAN. Does the gentleman from Tennessee desire to be heard?

Mr. BROCK. Yes, Mr. Chairman.

I merely wish to say my amendment strikes at the resulting cause whereas the gentleman made reference to a specific situation. Second, in talking about the fact that some of it goes beyond the intent of the present legislation, it does not relate to germaneness, because the amendment, as is the bill, is an amendment to the Railway Labor Act. I cannot see that there is any question about it.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point or order?

Mr. JARMAN. No, Mr. Chairman.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from Tennessee [Mr. BROCK] offers an amendment in the nature of a substitute to which the gentleman from Michigan [Mr. DINGELL] makes a point of order on the ground that the amendment is not germane to House Joint Resolution 559, the resolution before the Committee.

The Chair will call attention to "Cannon's Precedents," volume 8, page 479, section 2912, which reads as follows:

> To a bill proposing measures to meet a declared emergency and limited in operation to a period of five years an amendment proposing permanent legislation of the same character was held not to be germane.

Because the amendment offered by the gentleman from Tennessee is permanent legislation and the resolution before the committee is limited to an existing situation and is not permanent in nature, the Chair holds that the amendment is not germane and sustains the point of order made by the gentleman from Michigan [Mr. DINGELL].

Are there any further amendments to section 1?

AMENDMENT OFFERED BY MR. ECKHARDT

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

The Clerk read as follows:

> Amendment offered by Mr. ECKHARDT: Amend H.J. Res. 559 by striking the period on page 3, line 19 thereof and adding the following language: ", and the matter under investigation shall include any and all fiscal and financial affairs of the carriers, including their relations with each other and with other persons and corporations, as the Special Board may deem appropriate for inquiry."

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes in support of his amendment.

Mr. ECKHARDT. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

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

Mr. HALL. Mr. Chairman, reserving the right to object, I would ask that the gentleman from Texas make his request at the end of the 5 minutes.

Mr. ECKHARDT. Mr. Chairman, I withdraw my request.

Mr. Chairman, this amendment is a very narrow and specific amendment, but I believe it is of such importance that if the amendment were carried, I should support the bill. I think it makes that much difference, because I believe if it did carry, it would increase the pressure upon the carriers to come to an agreement within the first 30 days.

Mr. Chairman, there are two matters now pending before this Congress. One of those matters is the matter of negotiations during the 30 days. And, second, there is the question of compulsory arbitration.

Mr. Chairman, if there was built within the bill sufficient pressures to require agreement, then we never come to the question of compulsory arbitration.

Mr. Chairman, the amendment which I propose would simply go to the sentence of section 1 which reads as follows, with the amendment added; it simply adds another portion to that sentence. On page 3, line 13, there is stated the following:

> For the purpose of any hearing conducted by the Special Board, it shall have the authority conferred by the provisions of sections 9 and 10 (relating to the attendance and examination of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 26, 1941, as amended (15 U.S.C. 49, 50).

Then, Mr. Chairman, there would be added to that the following: ", and the matter under investigation shall include any and all fiscal and financial affairs of the carriers, including their relations with each other and with other persons and corporations, as the Special Board may deem appropriate for inquiry."

Mr. Chairman, the reason for the offering of my amendment is brought about by the limitation contained in sections 9 and 10 of the Federal Trade Commission Act, which are set out at page 19 of the committee report in appendix C, as follows: "and the Commission shall have power to require production of all such documentary evidence relating to any matter under investigation."

Now, Mr. Chairman, it will be noted that section 3 of the resolution itself limits the scope of the action of the Special Board to matters pertaining to "a fair and equitable settlement within the limits of collective bargaining and mediation efforts in the case."

Mr. Chairman, as I read the section of House Joint Resolution 559 so limiting the scope of the Board in connection with sections 9 and 10 of the Federal Trade Commission Act, this will limit inquiry upon the part of the Board to those issues which have been raised by the unions and by the carriers.

Mr. Chairman, I submit that neither the unions nor the carriers are the sole parties in interest with respect to investigation of the financial condition of the carriers; such conditions that are pertinent to public examination.

Mr. Chairman, we are not here to arbitrate between labor and management but to consider matters involving the public interest, which interest may go beyond the urgings of either labor or management.

Therefore, Mr. Chairman, this amendment would simply open up and extend the consideration to any and all fiscal and financial affairs of the carriers, including their relations with each other and with other persons and corporations, as the Special Board may deem appropriate for inquiry, which relations may be extremely pertinent to the public interest, although these relations may not be of interest to either labor or management.

Mr. ADAMS. Mr. Chairman, will the distinguished gentleman yield?

Mr. ECKHARDT. I yield to the distinguished gentleman from Washington.

Mr. ADAMS. Mr. Chairman, the gentleman from Texas has made a very fine statement and I think also that the gentleman has proposed a very fine amendment to House Joint Resolution 559.

Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from Texas.

Mr. Chairman, one of the things that we have attempted to say with reference to the parties involved is that the public interest becomes involved when there is a rail strike, and we have pending before the Congress the question involving the oldtime collective bargaining rules which in effect state that you can keep everything tight and quiet and close to the vest and not permit a full disclosure thereof.

The public is a third party to these negotiations. I think the gentleman's amendment would do that, and I have heard it stated in the committee, stated to the Secretary of Labor, the same thing, that we have to have more than minimum interference in this field.

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

Mr. Chairman, I would like to point out that the amendment proposed by the gentleman from Texas is one on which our committee has held no hearings. It is unfortunate indeed that the gentleman did not bring it to the attention of the committee during the period of time that we considered this matter extending approximately 1 month.

Having said that, Mr. Chairman, I fail to see—nor can I understand—where the subject matter of this particular amendment has anything to do with the dispute. It certainly does not go to the heart of the issues which are in dispute, nor does it deal with the resolution presently pending on this floor, and its attempt to resolve those issues.

Already we have nationwide bargaining on the part of labor and on the part of management, and I fail to see where any effort to inquire into the financial structure of the railroads or the relations between them would offer any help in efforts to resolve this most difficult matter.

Mr. Chairman, I would hope the House will see fit to reject this amendment.

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

Mr. SATTERFIELD. Yes; I yield to the gentleman.

Mr. ECKHARDT. Mr. Chairman, may I point out to my distinguished colleague that the provisions here do not necessarily go to the entire structure of the railroads, but they go to their financial and fiscal relations, and their relations with each other, and do not require the Board to look into matters other than those that the Board considers pertinent to the inquiry. But there is a broader range of inquiry for the Board so that the white light of public opinion can be directed at the carriers which frankly I believe would tend to impel the railroads to come to some agreement with the unions with whom they are bargaining.

If it would tend to do so, certainly the amendment would not hurt.

Mr. SATTERFIELD. Mr. Chairman, I would say in reply to the gentleman that what the gentleman is really trying to do is embarrass the railroads into a position where they will have to settle. Is that correct?

Mr. ECKHARDT. I hope they will not be embarrassed by the white light of public opinion.

Mr. SATTERFIELD. In any event, I fail to see how this subject deals with the issues brought before us today. It would have absolutely nothing to do with the determination of the issues involved here or the issues between the parties that they cannot now resolve.

Mr. ECKHARDT. But my colleague will note that that determination lies with the Board.

Mr. SATTERFIELD. Mr. Chairman, I ask that this amendment be rejected.

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

Mr. Chairman, I do not set myself up here as an expert on the resolving of this issue, and I have not spoken on it before, but I am a little bit concerned as I attempted to listen to what the gentleman from Texas [Mr. ECKHARDT] was proposing here. I was particularly intrigued by the comments of the gentleman who apparently was opposing him.

As I understood the amendment, this is an amendment which requires that all the facts be laid on the table, all the facts concerning labor and labor's problems, and all the facts concerning management and management's problems, in an attempt to settle this issue.

Is there someone here—and I would like to direct my question to the gentleman opposing the amendment, the gentleman from Virginia [Mr. SATTERFIELD], because I was curious about the objection. Does the gentleman object to all the facts being laid out on the table in the settlement of this strike?

Mr. SATTERFIELD. As I understand what is involved in this amendment—and I have not had a chance to read the amendment, but listened to it as it was read—it would give the special board the right to inquire into the finances of the railroads and the relationships between them, and I do not believe in that regard there should be or need be any additional broadening of the investigation.

Mr. SISK. I would like to direct a question to the gentleman from Texas then because I am seeking information here as to whether I want to support this amendment or not. I do feel it is imperative that more facts be brought out and more light be shed than there has been in the past and that we can settle this.

Can the gentleman from Texas comment on that as to just what his intent is here in his amendment?

Mr. ECKHARDT. I am glad to respond to my colleague, the gentleman from California.

The only effect of the amendment is to widen the rather narrow scope of section 9 and section 10. After all, we are borrowing from another section of the act and that section of the act is limited under its own language to such documentary evidence relating to any matter under investigation.

Now we have narrowed the investigation, or at least we have narrowed the ultimate decision, to a consideration of the differences between the carriers and the unions.

If we are to consider the public interest, we must widen that scope of the investigation to include the financial and fiscal matters of the railroads, which matters the Board may consider pertinent.

All this amendment does is to open that door but it in addition limits the scope of investigation to that which the Board considers pertinent.

Mr. SISK. As I say, my interest here is, and it certainly would be my hope, that this Board once it is set up to mediate or to attempt to mediate this strike would be given all the information—information as to the brotherhoods and their position and the why of their position as well as information from the roads and their ability to meet the requirements or the requests rather that have been made.

All I am seeking is to see that all possible light is shed upon the subject for the purpose of the Board being able to operate in broad daylight.

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

Mr. SISK. I yield to the gentleman because here again, as I say, I am still seeking information.

Mr. PICKLE. Mr. Chairman, that sounds very good—but what information is the gentleman asking for?

Mr. SISK. All I am asking for is whether there is some desire on the part of the gentleman or those, let us say, who are supporting this bill to limit information to the Board?

Mr. PICKLE. The bill clearly says that such information with respect to section 9 and section 10 shall be made available and this has been brought out all throughout the consideration of this bill.

What information are you asking for that the parties have not brought out? The gentleman from Texas [Mr. ECKHARDT] said clearly that his own purpose was to bring in some kind of great big basketful of information and put pressure on the carriers.

Mr. SISK. Let me say to my good friend, the gentleman from Texas, I personally am not seeking any information other than as to the intent of this amendment which I understood was to make certain that the Board had available to it all information from both sides.

There has been talk about books. I have heard about a third set of books that the railroads have. Has the gentleman ever heard of that?

Mr. PICKLE. I have not, and I have been going to the hearings and sitting there for weeks and weeks and this issue never came before our committee that I know of.

Mr. SISK. Let me say to my good friend as I said, I have come into the well without any particular idea as to whether I would support or oppose the gentleman's amendment. But I am concerned about any objection to the shedding of any light on this subject that it would be possible to shed, coming from any source.

I want to say on behalf of some of us who have been somewhat concerned about this issue and with reference to whether or not it has been heard in the committee, I want to say to the gentleman from Virginia that his committee came up before our Committee on Rules in a very peculiar position the other day and in essence said to us on the Committee on Rules, "We have done the very best we could. We had a 16 to 16 vote. We have had a standoff and we have not been able to solve this issue so we would like to have the right to go down to the floor of the House with a bill and let the House decide."

It is a little unusual for the Committee on Rules to have an admission practically from a committee that it had been unable to solve the situation, at least from its standpoint.

So as I say, when we come to the point of any resistance to the shedding of additional light, then I get a little bit concerned and that is the reason for my question.

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

Mr. SISK. I yield to the gentleman.

Mr. SATTERFIELD. I invite the gentleman's attention to page 4, section 3 of House Joint Resolution 559, which sets forth four broad criteria on which the Special Board is expected to make its determination. When we read the two sections together, it is quite obvious that it has the power to produce whatever information is necessary for that Special Board to make a determination under these directions of the resolution and within this criteria.

Mr. SISK. They can require the unions and the railroads both to produce all information.

Mr. ROGERS of Florida. Everything that is relevant to this dispute that is necessary for the Board to make a decision on the criteria spelled out in section 5 of the joint resolution, may be required to be produced by the Board.

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

Mr. SISK. I yield to the gentleman from Texas.

Mr. ECKHARDT. If this be true, how would the amendment hurt the bill? All the amendment does is to make quite clear that this is true, and the way the resolution is written, it is written with respect to that narrow issue of difference between the railroads and the unions. I had the same question raised to me in the Texas Legislature, where it was said that the trucks and the railroads have their say. Why do you need another spokesman? I say that the important spokesman are the people as between those two interests.

Mr. SISK. Of course, that was the reason I raise the question.

Mr. ROGERS of Florida. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. SISK] may proceed for an additional 1 minute.

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

There was no objection.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. ROGERS of Florida. I think it should be made clear that on page 3 of the joint resolution the Board is given authority to require all evidence they desire. The Board can require the attendance and examination of witnesses and the production of books, papers, and documents. This authority would be given by the resolution. The Board would have that authority.

Mr. SISK. As I understand, this is a rather simple amendment. I do not have it in front of me. I heard it read. It seems to me that it would simply require that all information be made available to the Board. Why do you object to that?

Mr. ROGERS of Florida. Such a provision is already in the joint resolution.

Mr. SISK. Does the gentleman feel that the amendment is superfluous?

Mr. ROGERS of Florida. I believe it would be superfluous.

Mr. SISK. Would it hurt the legislation any?

Mr. ROGERS of Florida. Yes.

Mr. SISK. Why?

Mr. ROGERS of Florida. Because we are hopeful that the House will act on this legislation so that we can immediately——

Mr. SISK. Oh, the gentleman does not want the joint resolution to go to conference. Is that the idea?

Mr. ROGERS of Florida. I think the decision should be made to go ahead and act. We have a crisis staring in our face. The amendment is superfluous. It is very clear in the language that the Board can get all the documents the Board wants. There is no question about it. The amendment was not even raised before the committee.

Mr. MOSS. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. SISK] may proceed for 1 additional minute.

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

There was no objection.

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

Mr. SISK. I yield to my friend and colleague from California.

Mr. MOSS. Does my friend from California have the feeling that I seem to sense that we in the House are being presumptuous to consider anything different from that which was reported by the other body?

Mr. SISK. That, of course, was the thing that concerned me a little. It seemed to me that my friends protesteth too much. If the amendment does no harm and would simply make certain that all information would be made available, I would not be afraid to go to a conference on the joint resolution, I might say. I think we have had pretty good assurance that a conference would not necessarily upset the apple cart. The gentleman from West Virginia, the chairman of the committee, I think made that quite clear early in the afternoon.

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

Mr. SISK. I yield to the chairman of the committee.

Mr. STAGGERS. I reiterate what I said earlier. If the joint resolution goes to conference, there will be no strike, and the fact that it might go to conference is no excuse for not putting in the joint resolution an amendment that would help the bill. It is no excuse to prevent us from making it a better joint resolution. They have given their word that there will be no strike.

Mr. WATSON. Mr. Chairman, I move to strike the requisite number of words. I shall not take the 5 minutes that is allotted to me, but I wish to say that the amendment has raised an interesting point. I think we should clarify it. There is absolutely no intention under this joint resolution to withhold or to conceal any financial or other information which might be necessary in order for the Special Board to arrive at a just and equitable determination.

I agree with the statement of the gentleman from Florida that the amendment is superfluous. In my judgment, it is unnecessary. But additionally we have this point. We tried as best we could in this joint resolution to narrow and restrict the authority of the Special Board. I believe all my friends on the other side of the aisle and those who are interested in the brotherhoods would recognize the fact and admit that already these disputants have agreed on a number of issues. Let us not disturb those matters

already agreed upon voluntarily by the parties.

It was the purpose of this resolution to restrict the authority of the Special Board to mediate those issues which have not been resolved. In my humble judgment, if the amendment of the gentleman from Texas should carry, then we could very well open a Pandora's box, which would open up some of the other issues which have already been arbitrated, or which have been agreed to by the parties in dispute.

Certainly we do not desire to permit any party to withhold or conceal any information. As the gentleman from Florida said, in this resolution they, the Special Board, have the authority to force the production of any documents, any books, any records, or any witnesses that can shed any light on the particular issues which are yet unresolved.

I hope this House will not go beyond that. These parties have bargained and agreed on a number of issues. Let us not disrupt or upset those matters which have been already agreed upon.

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

Mr. WATSON. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, will the gentleman not agree that if Pandora's box contains a third set of records, that the public ought to get into Pandora's box?

Mr. WATSON. I believe the gentleman is being unfair and unrealistic in his implications. We have had about a month of hearings. No man from either side has intimated, much less said, that there was a third set of books. All of these parties—each of the other—have said they negotiated in good faith.

I believe it is a sad commentary at this late hour for anyone to impugn the good faith of either party. I am sure this Board will get from labor and from management every record and every document they need in order to resolve these narrow issues that are yet unresolved. Let us not go ahead and upset matters that have been already agreed upon through collective bargaining.

Mr. ECKHARDT. If the gentleman will yield further, I am not saying there is anything in Pandora's box that it need be opened. The only thing I am saying is we as a public body have a responsibility to dig as deeply as possible into this matter. It is of basic interest to the general public of the United States.

Mr. WATSON. Mr. Chairman, I am sure the gentleman would not ask this House to pass an amendment on pure conjecture that there might be a third set of books. We do not legislate that way. If the gentleman has any evidence on which to base his accusation, he can bring it before the House. Otherwise, if he does not, let us leave these parties as they are, for the Special Board has ample authority to get the information it needs to resolve these basic issues.

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

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

Mr. DINGELL. I yield to the gentleman from Maryland.

Mr. FRIEDEL. Mr. Chairman, I am going to ask to set a time limit for debate on this amendment.

Mr. SPRINGER. Mr. Chairman, we would like to have 5 minutes on this side.

Mr. DINGELL. Mr. Chairman, before I yield further, is this time coming out of my time?

The CHAIRMAN. Yes, it is coming out of the time of the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, then I decline to yield further.

Mr. Chairman, my distinguished friend from South Carolina has hit the nail on the head here. He has called this amendment superfluous. I would point out that while it may be superfluous to the language of the bill and to the authority of the body concerned, the Special Board, it is, nevertheless, of vital importance to the legislation. I thoroughly agree with him when he says it is not necessary, because I would point out that the Special Board, operating under the legislation on page 4, beginning with line 5, has a number of responsibilities. One of them is to determine whether the proposals are in the public interest.

This would give that body the broadest possible authority to go into all financial and fiscal matters of the carriers as set forth in the amendment. Also it would give them the broadest authority to go into the relations of one carrier with another, because the carriers not infrequently, acting under exemptions of antitrust laws, do engage in fixing rates under the authority allowed them by tolerance of the ICC. It would allow the special mediation panel to go into the questions involving the relationships with other persons and corporations, because this would be very much involved in the determination of whether these matters are indeed in the public interest. The resolution would also permit the information to be gotten under other requirements, such as item 2, to determine whether or not it is a fair and equitable settlement within collective bargaining.

It would also include the opportunity to go into those same questions, the fiscal and financial affairs of the carriers, to ascertain whether those arrangements are indeed fair to the carriers, because the only way the Board would be able to ascertain whether or not the settlement it imposed was going to be fair to the carriers would be by going into the question of the financial capacity and capability of the carriers to pay wages and other similar matters.

I would point out that this same information is necessary to assure that this will effectuate the purposes of the protection of collective bargaining as set out under item 3, line 8, page 4 of the measure.

In a like manner, it is necessary to assure the Board whether or not the proposed orders and requirements of the Board will fulfill the purposes of the Railway Labor Act.

While I wish to commend my valued and distinguished friend from Texas, who has come up with a very useful device, something which I believe enunciates purposes already involved in the resolution, House Joint Resolution 559, and while I support it, I feel compelled to point out to the House of Representatives that this power, under the very broad and sweeping authority afforded the body which will arrange the compulsory arbitration, is already available, and the Board is able to require this information to be able to decide exactly these questions.

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

Mr. DINGELL. I yield to my friend from Washington.

Mr. ADAMS. We are pleased to hear the response of the gentleman, because we have made it absolutely clear by the legislative history that this is in the bill and that these carriers can be so required to bring forth these books.

I support the concept. If everybody is in agreement it is already in the measure, it is established by legislative history and we will not have to argue about it further.

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

May I say to my colleague, somewhere in this we ought to keep some kind of perspective.

I realize that it is most difficult for the Members to try to talk about an amendment they do not have before them.

There are three matters involved in this particular amendment. I ask the Members to listen to this closely: "and the matter under investigation shall include any and all fiscal and financial affairs of the carriers, including their relations with each other and with other persons and corporations, as the Special Board may deem appropriate for inquiry."

There is not anything there about labor producing records of any kind in this regard. It is purely a one-sided amendment, which would require one party to come in with any records that they wanted, leaving out the other party.

That is the first objection to it.

Gentlemen, let us come to the heart of this question. Assuming it had merit, which it does not have, this is not the body to consider the thing which the gentleman from Texas talks about. The Interstate Commerce Commission has jurisdiction over all of these matters. All of these matters are on record in the Interstate Commerce Commission. Any time the Commission wants to, it can subpena any witness to come down and to give it this information, if it does not already have it on record. They do this from time to time.

They do this in regard to consolidations and mergers of railroads. The evidence is piled high down there, including every single aspect. Any information that anybody may want, the Interstate Commerce Commission has on file.

Let us go further than that. If we read this proposal, we see that they can compel this to be brought in. They will not, because this is not their jurisdiction. The Special Board is not created for that. It is created for the purpose of resolving the issues open in this particular dispute, and that is as far as it would go. There is not anything in this legislation that would prevent them from getting all necessary information.

That is the second reason.

We do have here, may I say, a one-sided amendment, which would apply to one party and not apply to the other.

If someone from my side of the aisle brought in an amendment to force labor to bring in such records, I would be just as strenuously opposed to that.

It is not the purpose of this special board, to go into such things as the structure of unions and the structure of railroads.

The third point is that under this proposal the board could get needed information and proceed to resolve the one issue before it.

That is what this is all about, and I think we ought to have the picture here with reference to the amendment the gentleman brought in on this particular thing. At least I think we ought to keep some kind of perspective about this amendment.

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

Mr. SPRINGER. If I have any time left.

Mr. ECKHARDT. Will the gentleman then agree that without the amendment the authority to reach the matters covered by the amendment are available to the Board as are the affairs of the unions so bearing on the issue?

Mr. SPRINGER. Yes, sir; I do.

Mr. ECKHARDT. Then, I will withdraw my amendment.

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

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. The Special Board shall attempt by mediation to bring about a resolution of this dispute and thereby to complete the collective bargaining process.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike the last word.

Mr. Chairman, mine has been a long and happy marriage with labor. For much over 60 years I have made my humble contribution to the cause of labor. For much over 60 years labor has been my friend. Labor has supported me in every election. Labor has given me help and counsel and strength when I needed it. And always, Mr. Chairman, I have given everything in me, of heart and mind and body, to the toilers in the days and years of this long struggle to reach upward to a higher plane of welfare and dignity.

Always, Mr. Chairman, I have believed that compulsory arbitration is the graveyard of labor. It likewise is the enemy of forward-looking management that has found that in voluntary cooperation with labor is the surest road to a sound national economy and happy society.

For much over 60 years I fought for labor. It has been a long, hard battle.

Now if we go back to compulsory arbitration, we are setting back the clock. We are digging the grave for the hopes that we have built all these years.

Yet, Mr. Chairman, this to me is a sad day. I know that the great and dedicated, the God-fearing man in the White House, has his troubles. I do not think any President of ours was ever more heavily laden, and I do not think that any President of ours ever has spent more hours in prayer humbly seeking Divine guidance than President Johnson.

I for one cannot turn back.

The great and noble Speaker of the House and the great and noble majority leader know with what faith and fidelity I have leaned upon and been guided by counsel.

But today, Mr. Chairman, I am voting "no." I who have been blessed with many years, during which labor has by sacrifice and struggle and suffering gained its foothold in the sunshine, cannot vote to return to compulsory arbitration and thus turn back the clock. No, Mr. Chairman, I will look at that clock as I vote "no," and I will say, "Mr. Clock, I am not turning you back. If you go back to the 'yesterdays,' it is not my vote that sends you back." That is all.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. If agreement has not been reached within thirty days after the enactment of this resolution, the Special Board shall hold hearings on the proposal made by the Special Mediation Panel, in its report to the President of April 22, 1967, in implementation of the collective bargaining contemplated in the recommendation of Emergency Board Numbered 169, to determine whether the proposal (1) is in the public interest, (2) is a fair and equitable extension of the collective bargaining in this case, (3) protects the collective bargaining process, and (4) fulfills the purposes of the Railway Labor Act. At such hearings the parties shall be accorded a full opportunity to present their positions concerning the proposal of the Special Mediation Panel.

COMMITTEE AMENDMENTS

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

The Clerk read as follows:

On page 4, line 6, strike out "extension" and insert in lieu thereof "settlement within the limits".

The committee amendment was agreed to.

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

The Clerk read as follows:

On page 4, line 7, immediately after "bargaining" insert the following: "and mediation efforts".

The committee amendment was agreed to.

AMENDMENTS OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment which is now pending at the desk, but before that amendment is reported, I ask unanimous consent, since I have a further amendment to page 4, line 21 in the next section, section 3, and since both of these amendments deal generally with the same subject matter, that they be considered en bloc.

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

Mr. SPRINGER. Mr. Chairman, reserving the right to object, will the gentleman from Michigan [Mr. DINGELL] explain to the members of the Committee the intent of the amendments which he has in mind?

Mr. DINGELL. Mr. Chairman, if the gentleman from Illinois will yield, yes, I shall be delighted to explain to my good friend, the distinguished gentleman from Illinois [Mr. SPRINGER] the purpose and intent of the amendments which I am offering.

Mr. Chairman, the second amendment which I have asked unanimous consent to be read and considered en bloc, is that amendment which goes to the question of comparability. This is the amendment which states that at such hearing the Special Board shall take such action as may be necessary to determine the average wages for those crafts and employment in other industries which are similar to those crafts and employment involved in this dispute.

Mr. Chairman, the first amendment, I will say to my good friend, the gentleman from Illinois [Mr. SPRINGER], is one which says that the Special Board shall take such action as to assure that wages are comparable to average wages for similar crafts and employment in other industries.

Mr. SPRINGER. Mr. Chairman, may I ask the gentleman from Michigan one further question? Does the gentleman have any further amendments pending along this line?

Mr. DINGELL. Mr. Chairman, if the gentleman will yield further, these are the last two amendments that at this time I intend contemplating offering. I will tell the gentleman from Illinois that I have no other amendments drafted and that I have no other amendments pending at the desk.

Mr. SPRINGER. Mr. Chairman, are these amendments applicable to the same section?

Mr. DINGELL. Mr. Chairman, I beg the gentleman's pardon. I did not hear the gentleman's question.

Mr. SPRINGER. Are these applicable to the same section?

Mr. DINGELL. No; the amendment which I have just offered is applicable to section 3 and the other one which I have asked unanimous consent to have considered en bloc is applicable to section 4.

Mr. SPRINGER. Mr. Chairman, I withdraw my reservation of objection, although may I ask the gentleman from Michigan if he will furnish to me a copy of the proposed amendments?

Mr. DINGELL. I shall be happy to do so.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. DINGELL: On page 4, line 10, after the period insert the following: "At such hearing the Special Board shall take such action as may be necessary to determine the average wages for those crafts and employment in other industries which are similar to those crafts and employment involved in this dispute."

And on page 4, line 21, strike "and" and on page 4, line 22, immediately before the period insert the following: "and (5) assure that wages are comparable to average wages for similar crafts and employment in other industries."

Mr. DINGELL. Mr. Chairman, I am sure most of my colleagues have now heard about this pair of amendments. They are very simple. They say that when the Government is going to fix the wages of workingmen, and when the Government is going to compel compulsory arbitration, that it shall insofar as possible assure that the wages of those same workingmen are comparable to average wages for similarly situated crafts and trades in other industries.

I would point out that the gentleman from California [Mr. Moss] has not long past put into the CONGRESSIONAL RECORD figures and satistics showing rather conclusively that for the same trades, crafts, and professions, the railroad shop crafts are paid as much as 30 cents to $3.30 less than other groups similarly situated.

I would point out that this is an evidence of the gross unfairness, and it is evidence of the reason why this Congress should not be imposing so unilaterally a settlement and so heavy a burden upon one side in this labor dispute.

I believe that this amendment, while not curing all of the defects of the legislation now before us, goes a long way to assure that when Government steps into collective bargaining disputes that it at least tries to do so in a full, fair, and equitable manner.

The wages fixed would be done on the average, and this would thus enable the Board to arrive at a very fair consideration of what is the wage.

This change in my amendment came about as a result of an amendment which was offered by my valued friend from North Carolina [Mr. KORNEGAY] and was adopted by the committee. I would point out that this amendment was adopted by the committee in the morning by a vote of 14 to 13. I would point out that it was reconsidered in the afternoon on a very narrow vote, after a rather heavy lobbying pressure by the railroads, and by the administration, and by certain other persons.

I would point out that the amendment then failed on a 16 to 16 vote when the final question was presented to the committee.

I believe this amendment does, as nearly as we are possibly able to do in an unfair and unjust piece of legislation, insure as much equity as we can secure.

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

Mr. DINGELL. I yield to the gentleman.

Mr. KORNEGAY. Mr. Chairman, I want to first commend the gentleman for introducing the amendment, notwithstanding what happened to it in the committee, and at the same time I want to ask the gentleman if, under the amendment, it is not limited strictly to wages rather than other forms of compensation or fringe benefits?

Mr. DINGELL. The gentleman is absolutely correct on that point.

Since the gentleman has brought this up I would like to make it very clear that the framework, insofar as comparability will be applied by the Board, is within the framework of the last offer of management and the last offer of labor so that we will not be faced with a very high or a very low fixing of wages. They will not be above the offer which labor said they will take, and they will not be below the offer which management said they would make. So that this is well within the language adopted just now in the committee amendments which say that the fixing of wages by the Board shall be within the limits of the collective bargaining and mediation efforts in this case.

Mr. KORNEGAY. Mr. Chairman, will the gentleman yield further?

Mr. DINGELL. Mr. Chairman, I would like to raise just one more point, if I may, and then I will be most pleased to yield to my very dear friend, and that is that the Railway Labor Executives' Association has on June 14, 1967, sent me a letter, and this letter is signed by Mr. Donald Beattie who is the executive secretary.

The letter referred to is as follows:

RAILWAY LABOR EXECUTIVES' ASSOCIATION,
Washington, D.C., June 14, 1967.

Hon. JOHN DINGELL,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: In case you offer on the floor of the House a "comparable wage" amendment to H.J. Res. 559 similar to the amendment offered by you in the Interstate Commerce Committee, I feel you should know that this amendment has the support of railway labor and specifically of the six railroad shopcraft unions.

Our understanding also is that your amendment would in no way weaken the clear legislative intent that the new Special Board shall not get involved in recommending or undertaking a "job evaluation" study or survey, since the Fahy mediation panel has already turned down that proposal.

Although we consider your "comparable wage" amendment a significant effort to make H.J. Res. 559 less one-sided, we cannot support H.J. Res. 559 even with this amendment in it. This legislation would still threaten railroad employees with working at compulsory wages for the profit of their private employers—an unjust, unfair and un-American procedure.

Sincerely yours,

DONALD S. BEATTIE,
Executive Secretary.

This is supported by the unions. It does have the inprimatur of that group.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KORNEGAY. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may proceed for 3 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

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

Mr. DINGELL. I thank my good friend, and I am delighted to yield to him.

Mr. KORNEGAY. I have asked the gentleman to yield for one further question in order that the record may be clear on the subject. May I ask the gentleman, my good friend in the well, if this provision would last just for the life of the legislation that we have here under consideration today?

Mr. DINGELL. The gentleman is entirely correct.

Mr. KORNEGAY. In other words, there is nothing permanent in this amendment which would have the effect on a permanent basis of having any control over the setting of the wages by the Government?

Mr. DINGELL. The gentleman is entirely correct. The amendment deals only with the wages which would be fixed by the Board and the duration of comparability requirement on this would be limited to the life of the legislation now before us.

Mr. KORNEGAY. I thank the gentleman very much and again I would commend the gentleman for his amendment.

Mr. DINGELL. I would stress to my colleagues, and I think this is extremely important, that this amendment only says that the wages shall be comparable within the requirements of the legislation set out in subsection 2, line 6, page 4 wherein the requirement is imposed on the Board to ascertain that settlements and wages imposed are a fair and equitable settlement within the judgment of the collective bargaining and mediation efforts.

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

Mr. DINGELL. I yield to the gentleman.

Mr. BENNETT. I want to congratulate the gentleman for introducing this amendment.

This amendment takes out many of the objections that a great many of us have to this legislation and I think it makes it a better bill. It is analogous to what has been in the statutes with regard to blue collar workers in the military repair and overhaul shops for almost 100 years. It has worked very well there. Therefore, I think this piece of legislation with this provision in it would be something that we can be proud of; and without it it would need further attention.

Mr. DINGELL. I thank my good friend.

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

Mr. Chairman, I rise in opposition to the so-called comparability amendments.

There are several points on which all of the parties to this matter on the floor of the House seem to agree. The first one is that we should not be discussing this matter at all.

The second one is that of the three alternatives—seizure, compulsory arbitration, and a national strike—all are very undesirable.

Third, I think the testimony of the past 2 days has pointed out that we should not be getting directly involved in the matter of the principle of this labor dispute itself, or the actual negotiation of the points of disagreement.

First, I would like to read to you from the committee hearings on this matter beginning at the bottom of page 330, referring to the testimony of Mr. Schoene, who is the general counsel of the Railroad Labor Executives' Association.

Mr. Schoene is explaining how the matter of compression of wages came about.

I wish to point out, Mr. Chairman, that approximately 10 consecutive agreements by labor—10 consecutive requests were instigated by labor. I wish to point out that by design, by plan—and I am not

saying whether the plan was wise or not—this compression of wages was created over 21 years of agreements inspired by labor itself.

I quote Mr. Schoene where he says:

Our efforts over the years have been directed in that way, except when we went on the 40-hour week and there was a percentage adjustment at that time. But any percentage adjustment, that was possible in 1946 on a 57-cent-an-hour rate, would just have been peanuts for those people.

Mr. KUYKENDALL. I understand. You and Mr. Wolfe did agree on this particular explanation.

Mr. BROWN. This created, however, the compression which you are trying to compensate for now.

Mr. SCHOENE. There is no question about that.

Mr. BROWN. And that was the labor policy at that time, was it not?

Mr. SCHOENE. Yes. We had a difficult choice between having people work at disgracefully low rates or build up compression. We chose to get the minimum rates up first, and now we are seeking to eliminate the compression.

Mr. Chairman, the testimony itself, in the words of the labor counsel, Mr. Schoene, points out clearly that the matter of compression of wages is one of the major—if not the principal—areas yet unresolved in this dispute. Both parties to the dispute agree completely that the wage compression does exist. However, there is disagreement on how it should be handled. The brotherhoods are asking for two 12½-cent-per-hour increases on top of the regular percentage increase to solve the compressed wage situation. The railroads have made no specific offer except the offer to help by having a wage evaluation panel make a study of the case. The brotherhoods have objected strongly to wage evaluation.

Mr. Chairman, my point is this. This amendment, which I oppose, interjects the Congress of the United States directly into a wage fixing of the parties. I certainly concur that some of the brotherhoods are underpaid for their skills. But if we set the dangerous precedent of actually awarding by an act of Congress a wage increase to a labor union, I see no reason why every union in the country whose wages for reasons beyond control might be lower than the average should not simply come to Congress and seek a handout.

I ask every member of this Committee seriously to consider whether or not he wants to arbitrarily adjust the wages of the parties in a labor dispute.

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

Mr. Chairman, I say to my distinguished colleague that we have already by this joint resolution done everything that he criticized in his remarks. We have injected ourselves just as fully as we possibly can.

Now the question remains in this last possible opportunity: Do we try to insure at the very least that these people whose labor we are going to seize shall be compensated on a standard of comparability?

Compression is interesting. I recall coming here 15 years ago and serving as a member of the Post Office and Civil Service Committee. We then faced the fact that the Federal Government as an employer of labor had followed a pattern of compression of wages. And 15 years later that is still the fact, and it has been the fact in every intervening year.

But comparability can be determined. We require it by law—the Davis-Bacon Act. Theoretically now we require it by law for our own employees. We have not yet achieved it. My State of California requires it by law for its employees. It has been far more successful in achieving it than we have at the Federal level.

The gentleman recalls full well that during the extensive debate on this amendment in the committee that we explored the problems which will always be inherent in attempting to determine comparability.

I cited instances in the railroad shops in my own district where one craft was paid $3.04 an hour while the same skill on the civil service lists of my home city was paid $4.70 an hour. There are gross inequities and they are found in the Fahy Panel report. No one has denied that this type of inequity exists.

It exists, gentleman, because this unique industry has not, since 1924, been permitted to complete the process of collective bargaining without that skeleton in the cloakroom saying, "we are going to intervene"—that is, Government. They are going to be seized, they are going to be arbitrated, or something is going to happen. So there has always been a compulsion implied or, as will be the case if this bill passes today, explicitly stated.

So, in simple justice, can we not add the other guideline that merely says the average comparable wage, the national average comparable wage paid to similar craft in other industries? How in the world can we do less than that?

Mr. DINGELL. Mr. Chairman, will the gentleman yield? I would like to point out something.

Mr. MOSS. I yield to my friend from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, the hearings are available. Secretary Wirtz agreed that wages in the shop crafts in the railroad industry are below comparability, by a substantial amount below the other industries. If my friends will consult the tables beginning on page 25, they will see there very clearly that the wages of the shop crafts in the railroad industries are significantly below, on both a local and a national basis, any measurable comparability with similar crafts in other industries in this Nation.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

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

(By unanimous consent, Mr. Moss was allowed to proceed for 2 additional minutes.)

Mr. MOSS. Mr. Chairman, I will make one brief statement and then I will be pleased to yield to the distinguished gentleman from Michigan, the minority leader [Mr. GERALD R. FORD].

I want to say we have a very real responsibility here. We are going to require these people to continue working, and that responsibility imposes upon us the requirement to be fair.

Now I yield to the distinguished gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Chairman, the gentleman from Michigan and the gentleman from California made a very eloquent plea for this amendment. I would respectfully ask both: If this amendment is approved, will they vote for the legislation?

Mr. MOSS. Mr. Chairman, I am of the opinion I probably will.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman from Michigan respond?

Mr. DINGELL. Mr. Chairman, let me assure my good friend I am giving consideration at this time as to what I will do in this bill. I am giving very careful and prayerful consideration, may I say, and I may well vote for this bill if this amendment is included.

Mr. MOSS. Mr. Chairman, I would like to say to the minority leader, I have not tried to destroy this bill. I have not tried to provoke a labor dispute. I have tried to find a middle course that represents fairness to both parties. I have not sought an advantage for one over the other. I do not seek it now.

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

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

(On request of Mr. ALBERT and by unanimous consent, Mr. Moss was allowed to proceed for 1 additional minute.)

Mr. MOSS. I am pleased to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, is it not true that the question of wage comparability is within the subject matter of the resolution as it stands? In other words, it is a point on which the parties can negotiate, it is a point with respect to which mediation can be had. Is that not true?

Mr. MOSS. Mr. Chairman, I rather doubt that it is sufficiently explicit.

Mr. ALBERT. I would like to refer the gentleman to a statement made by the Emergency Board No. 169.

Though it may require several years to fully correct these inequities—

This is admitting there are inequities, which have been so found—

the evidence is more than ample to warrant an immediate 'down payment'. In the case of shop mechanics, to close the demonstrated differentials, of the order of 40–50 cents, might require 3 or 4 years, but the evidence fully justifies a 'down payment' of 13 or 14 cents at once, and the Board should so recommend."

May I inquire of the gentleman whether the hearings disclose that even the unions have thought this is a matter which might require 3 or 4 years to accomplish? Is this not a part of the subject matter of the resolution, and should we not proceed within the terms of the resolution?

Mr. MOSS. I believe the resolution refers to the Special Mediation Panel, which was the Fahy Panel, and not the findings of Board No. 169, although they might be comprehended within mediation already undertaken.

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

Mr. MOSS. Mr. Chairman, I ask unanimous consent that I may proceed for an additional 2 minutes.

Mr. ARENDS. Mr. Chairman, reserving

the right to object, I shall not object to this one more extension of time, but I trust the Members will not continue this pattern of everyone asking for additional time.

Mr. Chairman, I withdraw my reservation.

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

There was no objection.

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

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

Mr. DINGELL. I should like to point out to the distinguished majority leader that this was a question on which I inquired rather carefully of the Secretary of Labor. The answer I got back, I must confess, of his interpretation of House Joint Resolution 559, was rather fuzzy but I felt it might well be at variance with my own, which is that the requirement of "fair and equitable" appearing at page 4 of the bill necessarily includes comparability.

I would point out it was my impression that the Board would be, under sections 3 and 4, item 2 in each instance, appearing on lines 6 and 18 respectively, absolutely compelled to consider comparability, because in each instance the Board would be required to ascertain whether that was fair and equitable.

But I would point out—and I am rather ashamed of this, I say to the majority leader—that great efforts were made by the Departments downtown and the railroads to reverse the consideration of the committee and the interpretation of the committee in the morning. That is why we have the question now placed before us.

I believe that fair and equitable also means comparable. That is why the amendment is offered. It is also why the amendment is offered in such a way that it stays within the last offer of both management and labor, as required under the amendments just adopted by the committee, and indeed adopted by the Committee of the Whole by unanimous consent, which formulate the framework as to what constitutes a fair and equitable settlement.

Mr. MOSS. I just want to say, if it is comprehended within the language, because of the confusion there can certainly be nothing but good by including it very specifically in the language and making it clear what is the intent of this body.

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

Mr. MOSS. I am happy to yield to the gentleman from Tennessee.

Mr. KUYKENDALL. I believe the record will show that in my questioning of the witnesses there is an indication—I know there is a compression of wages. My testimony here pointed out that compression of wages has been created over a 21-year period. I deplore this compression of wages. But I am not criticizing the motives behind it.

My point is very similar to the one made by the distinguished majority leader. Since this is a major area of concern, and since it is a major area of negotiation, which I believe House Joint Resolution 559 leaves to this Board, I would fully hope that the Board, when it acts, would take this under consideration. I just do not feel it is our business here on the floor to do so.

Mr. MOSS. I would not only hope, but I feel we should direct them to.

Mr. PICKLE. Mr. Chairman, I rise in oppostion to the amendments.

Mr. Chairman, first, the Dingell amendment is inconsistent with the substantive provisions of House Joint Resolution 559. The joint resolution provides that the Special Board established therein shall incorporate in its determination the proposal of the Special Mediation Panel—Fahy Panel—with such modifications as it deems appropriate in the light of four Board criteria. One of the criteria is that the proposal of the Special Mediation Panel "achieves a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case." The Dingell amendment would have the effect of providing the basis for a settlement beyond the limits of the collective bargaining and mediation efforts in this case.

Second, the Dingell amendment would possibly produce the basis for a settlement beyond anything conceived by the parties. In their final brief before Emergency Board No. 169, the shop craft unions made the following comments with respect to wage inequities:

> Though it may require several years to fully correct these inequities, the evidence is more than ample to warrant an immediate "downpayment". In the case of shop mechanics, to close the demonstrated differentials, of the order of 40–50 cents, might require 3 or 4 years, but the evidence fully justifies a "downpayment" of 13 or 14 cents at once, and the Board should so recommend.

The most recent formal position of the unions is that they would accept a wage inequity adjustment of 12½ cents in 1967 and 12½ cents in 1968. On the other hand the Dingell amendment would provide an immediate adjustment to correct the entire inequity gap even though the unions have argued on the record that it might require 3 or 4 years to accomplish.

Third, the Dingell amendment would seriously disrupt the labor relations picture throughout the railroad industry. A number of key railroad labor agreements expire on December 31, 1967, and June 30, 1968. If the shop craft unions achieved a complete wage inequity adjustment it would precipitate crises in all the forthcoming railroad labor negotiations.

Fourth, the Dingell amendment could have a negative effect on the wages of a number of shop craft employees. The Dingell amendment provides that wages be made comparable to average wages for similar crafts and employment in other industries. Presumably, many railroad shop craft employees at the lower end of the skilled craft spectrum could receive wage reductions as a consequence.

Fifth, any objective wage comparability determination would require a qualitative analysis of job content. This could give rise to a "job evaluation" study—a procedure the shop craft unions have objected to throughout the course of this dispute.

Sixth, the Dingell amendment could create a serious and lasting adverse impact on the economic structure of the railroad industry. Railroad wage rates have a direct and intertwined relationship, one to another. Any settlement giving rise to a marked departure in these relationships would give rise to similar demands from other railroad unions—as indicated in 3 above—demands which could only be met through substantial rate increases.

Seventh, the Dingell amendment would have the effect of moving the Congress into the collective bargaining process to an unwarranted degree. The whole thrust of the administration proposal is to produce a mechanism for the resolution of this dispute with the least possible intrusion into the private bargaining of the parties. It is for this reason that House Joint Resolution 559 is carefully framed to give overriding consideration to the collective bargaining and mediation efforts in this case—as reflected by the report of Emergency Board No. 169 and the proposal of the Fahy Panel. Incorporation of the Dingell amendment into the resolution provides basis for settlement bearing little relationship to the limited band of disagreement presently between the parties and arrived at through the private decisionmaking process.

This was defeated in the House Commerce Committee and for good reason.

It could open the door for huge and immediate inflationary wage increases, and upset the careful negotiations which have already produced a stable pattern of wage settlements in 75 percent of the railroad industry.

Comparability is a principle both parties recognize. The question is when comparability should be achieved. There is ample room within the negotiations of the past year and the recommendations of the Ginsburg and Fahy Panel proposals on this issue. These factors will be taken into account in the settlement. To go beyond them goes against the grain and fractures the concept of the President's proposal.

If passed, it will make the House version different from the Senate version, and the delay in a conference could well plunge the Nation into a disastrous rail strike.

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

Mr. Chairman, I shall speak for only about 1 minute on this subject.

Mr. Chairman, the argument over this question of comparability in my opinion involves a question concerning which many of us have lost sight, and that is the fact that we are forcing men to work.

Mr. Chairman, the least we can do if we follow this course is to say to these men that we will provide wages to them that are comparable with the wages paid to other men who work beside them and who are engaged in a similar occupation.

Mr. Chairman, if we are going to force these men to continue working and say that they have got to work, we ought to

give them wages that are fair, instead of leaving the question up to the decision of a board. We should not leave this responsibility up to someone else, when, in fact, the Congress is legislating in this field and is saying that this must be done. Mr. Chairman, we should provide that these men who continue to work shall receive comparable wages to others who are engaged in similar work.

Mr. PICKLE. The President is simply trying to mediate this dispute and has been so engaged in those efforts and extensive hearings during the past 12 months.

Mr. STAGGERS. Mr. Chairman, when you put men to work—and that is what you are doing under this resolution—then you are saying that they must work for the wages which we set.

Mr. PICKLE. If the gentleman used the expression of "seizure," then the gentleman must admit that seizure does the same thing.

Mr. STAGGERS. We are not talking about seizure.

Mr. PICKLE. I am just talking along the line that this involves the same principle.

Mr. STAGGERS. Mr. Chairman, in response to what the gentleman from Texas has said, if we are going to force men to work, then we ought to see to it that they are treated fairly. In other words, the least we can do is to provide for them comparable wages.

Mr. PICKLE. This is the point of this resolution which is now pending before us and which involves the Mediation Board which can provide for it.

Mr. STAGGERS. In any event, it represents bad policy because if you are going to say that men have got to work, then on the other hand let us say that they shall receive comparable wages.

Mr. FRIEDEL. Mr. Chairman, I ask unanimous consent to limit debate on these amendments to 10 minutes, 5 minutes to be allocated to the proponents and 5 minutes to be allocated to the opponents.

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

Mr. SISK. Mr. Chairman, I object.

Mr. FRIEDEL. Mr. Chairman, I move that all debate on these amendments close in 10 minutes.

Mr. SPRINGER. Mr. Chairman, reserving the right to object——

The CHAIRMAN. The gentleman from Maryland is making a motion. Is the gentleman from Maryland moving that all debate on this amendment close in 10 minutes?

Mr. FRIEDEL. Twenty minutes, Mr. Chairman.

The CHAIRMAN. Twenty minutes on this amendment?

Mr. FRIEDEL. Yes; on the amendment.

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Michigan will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Chairman, we have had in the past and we have had today, under these circumstances, a number of Members standing up on both sides of the aisle and on both sides of the various pending amendments. All of us understand why. However, only a relatively few wanted to take their time during which to comment and to participate in the debate, the net result being that additional time has been made available to the principal spokesmen who were going to speak.

Mr. Chairman, I know that several Members on our side of the aisle feel that it would be much more constructive if only those who are really going to speak during the debate would actually ask for and seek time during which to speak.

Mr. Chairman, I know that there are one or two Members who are going to object to the transfer or reallocation of time under a motion to limit debate. So, I shall stand up and, frankly, right now indicate that whatever time we get on this side of the aisle I would like to have granted to the gentleman from Illinois [Mr. SPRINGER].

Mr. FRIEDEL. Mr. Chairman, I withdraw my motion, because I see a great number of other Members rising right now to be heard again. Therefore, Mr. Chairman, I withdraw my motion and shall let them speak on their own time under the rules of the Committee.

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

Mr. Chairman, I shall not consume the 5 minutes allocated to me.

Mr. Chairman, when Members talk about establishing in this legislation pay comparability for the workers—and, perhaps, they are entitled to a pay increase—I do not know, what about the effect upon that vital third party, the public, in the matter of rates generated by such action?

There has been no discussion of what is going to happen to the public to whom such costs would be passed. I do not understand how we can in good conscience here this afternoon, without any evidence whatever as to its effect, write into this bill a comparability provision.

Another interesting angle to this situation is that on January 12, 1966, President Johnson, apparently having the rail situation as well as other labor disputes in mind, said he would come to Congress with a bill dealing with labor disputes. We have not heard one word, as far as I know, during the year and a half that has elapsed, from the White House about specific legislation to deal with this dispute and others.

About the same time in 1966, if memory serves me correctly, the steel companies said they wanted to increase prices, and they were immediately slapped down by the same President of the United States.

Then the aluminum companies came along and said they needed to increase prices. They, too, were slapped down, and the threat was made that if they increased steel and aluminum prices they might well find their Government contracts cut off. Regardless of the merit or demerit of the attempted action by the steel and aluminum companies, the White House intervened.

Mr. Chairman, it seems to me that during this period, this long period that has elapsed since January 12, 1966, President Johnson could have acted to prevent the situation in which we find ourselves here today. I say to you that he has been derelict in carrying out his assurance to the Nation that he would take specific action.

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

Mr. Chairman, my contribution to the argument on this amendment will take only about 30 seconds.

The thing I would like to emphasize to my colleagues in the House is that there have been no hearings before our committee on this amendment. It sets completely new standards. It would open up a virtual Pandora's box of problems that none of us can envisage at the present time. There has been no real record made, so no Member of the House voting on this amendment can know exactly what he is voting for.

Mr. Chairman, I urge the House to vote against this amendment.

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

Mr. Chairman, I will not take the full time. I merely wish to point out to the House that in section 3, on page 4, of the bill, certain conditions are laid down and made incumbent upon the Special Board. There are four of them. This is the fifth one, this amendment we have under consideration.

The second provision says—and the requirement of that one is—fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case, which as I interpret it, means the top level and the bottom level of the offers in connection with wages. Now, this amendment would simply say this: that is, it gives assurance to the workers that they would receive average wages comparable to similar skills in other industries at the hands of the Board during the life of this legislation.

There is nothing mysterious about it. It was amended in the committee, and we have tried very hard to point out here today that it is workable, and that it would certainly help the bill and not hurt the bill.

Mr. Chairman, I would say that I am not here to try to hurt the bill. I want to improve it.

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

Mr. KORNEGAY. Yes, I yield to the gentleman.

Mr. DINGELL. Mr. Chairman, I thank the gentleman for yielding to me.

I just want to be sure that I set right an error that is in the mind of my good friend from Texas [Mr. PICKLE], in regard to the reading of the language of that particular section. I am sure if the gentleman will reread that language he will find that the highest limits and the lowest limits on comparability are the offers of the parties under the language which is in the bill which stays within the limits of the collective bargaining. If the gentleman reads that he will find that labor cannot receive more than they offered, and they cannot receive lower than management has offered.

These I think are the boundaries under which we are discussing comparabil-

ity. There are not going to be any extraordinary increases given under this, or any wage cuts given below that which management has already offered.

So, Mr. Chairman, this is a very good amendment that the gentleman knows would be good for the country.

Mr. PICKLE. Mr. Chairman, would the gentleman from North Carolina yield to me?

Mr. KORNEGAY. Yes; I yield to the gentleman.

Mr. PICKLE. Mr. Chairman, I do not labor under any misapprehension, I would say to the gentleman.

Mr. DINGELL. The gentleman is under a grievous misapprehension.

Mr. PICKLE. Item 2 on page 4—and this is part of the resolution we passed—is a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case.

Mr. DINGELL. Now the gentleman has read the exact language.

Mr. PICKLE. That is what you are doing now.

Mr. DINGELL. As the author of the amendment I have just attempted to clarify wherever confusion exists in the mind of the gentleman and to set his mind at ease and give him a more perfect understanding of the amendment.

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

Mr. Chairman, today we are considering legislation to prevent a railroad strike. If we pass this legislation in its present form, we are denying the right of free collective bargaining. Both sides of the House, it seems to me, are divided. This bill might well fail to pass. To insure its passage and that our carriers continue to transport our military supplies, and to insure receipt of necessary weapons, bombs, and food by our men in Vietnam, it would seem wise that we give wage comparability to the craft unions, which have not, at this time, reached a settlement with management.

This means that a boilermaker or a machinist in a railroad shop would receive wages comparable to those received by a boilermaker or a machinist in a shipbuilding company. And what could be wrong with this? We know that many crafts do not receive wages comparable to those received by like crafts in other industries.

If this one amendment is agreed to, House Joint Resolution 559 will pass and a crippling, disastrous strike will be avoided. I urge agreement to this amendment.

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

Mr. CARTER. I yield to the gentleman.

Mr. ALBERT. What would happen if the railroad workers in one of these crafts or in any area should be getting more than the national average—would their wages have to be lowered? Would this be a mandatory reduction of the wages of those workers?

Mr. CARTER. That is entirely possible. If we agree to comparability; it works both ways.

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

Mr. CARTER. I yield to the gentleman.

Mr. DINGELL. According to the statement, the gentleman from Oklahoma is laboring under the same misapprehensions our valued and distinguished friend, the gentleman from Texas, labors under and that is that the periphery and boundaries within which comparability is going to be fixed is within the borders of collective bargaining which is going on—which means the maximum offer of management and the minimum offer of labor. Above or below that point, comparability will not be fixed. It is going to operate in that zone and I hope I made that abundantly clear.

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

Mr. CARTER. I yield to the gentleman.

Mr. ALBERT. Is it not true that if the management offer is below what the national average is, and the craft wage in that area is above the national average, that some workingman might have his wages cut?

Mr. CARTER. I shall answer that by saying that that condition is not true, according to the figures I have seen. The average at least in craft unions is much below, as was pointed out by the distinguished gentleman from California in one case. It was $3.04 and in another union it went up to $4.70, I believe.

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

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

Mr. DINGELL. One of our committee staff has just brought to my attention the fact that the parties have agreed to "red circle" which means in the parlance of collective bargaining that labor will not take the cut below existing wages for the incumbent in the job. Labor will not take a cut under the language of this amendment. So I believe the objection raised by my valued friend, the majority leader, is well answered by that point.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman.

Mr. ROGERS of Florida. I still think we just need to get back to the resolution to see what it does.

The gentleman from Michigan says that comparability is going to come within the limits set, the high and low limits that labor and management said they would go for. So we have the limit set. This is the very point of the resolution, that the parties are to get together between these two figures. That is what the gentleman from Michigan says he wants to do. That is what the resolution calls for, and the amendment is not needed at all. That is the very purpose of the resolution—to get these parties together within the limits. I urge the defeat of the amendment.

Mr. CARTER. Mr. Chairman, I regret that the gentlemen have taken a little more time for speeches than questions, but this is going to be compulsory arbitration, and not as we have it by free and collective bargaining. That is one of our objections to this position. I urge agreement to this amendment.

Mr. OTTINGER. Mr. Chairman, I move to strike the requisite number of words. I shall not take a great deal of the time of the House, but I do wish to point out, perhaps in response to a misapprehension that may have been left in the minds of the Committee by my friend and colleague, the gentleman from Oklahoma [Mr. JARMAN], that this amendment was not considered in the committee. It was in fact considered carefully. It came to one vote in the committee and passed. A motion to reconsider was entertained, and because of whatever mysterious things may have happened in the interim, the amendment failed by a tie vote of 16 to 16.

I very heartily support the excellent amendment of the gentleman from Michigan. I think if we are going to do the undesirable thing of imposing working conditions, at least they should be fair working conditions.

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

Mr. OTTINGER. I am glad to yield to the gentleman from Oklahoma.

Mr. JARMAN. I would say to the gentleman the one thing I tried to impress upon the House was that there have been no hearings, that no real record has been made in the hearings of our committee, and that the one time it was brought up and discussed was in executive session.

Mr. OTTINGER. I would disagree with the gentleman on that as well. We took the most detailed evidence in 16 days of hearings on the question of what the wages of the workers involved here were and how they compared with wages paid in other industries. On page 25 of the hearings there is an extensive table that goes into the differences between the payment of these workers and the payment to workers in comparable industries. The Secretary of Labor, in point of fact, admitted in the hearing that the wages of these railway workers were not comparable, and that the wages in these shop crafts unions were substantially less than those of comparable workers.

Mr. JARMAN. Mr. Chairman, will the gentleman yield further for a response?

Mr. OTTINGER. I yield to the gentleman from Oklahoma.

Mr. JARMAN. It is true that there is a table on page 25 that is a part of the hearings, but there is no discussion of it. It was not actually gone into in the hearings. There is no colloquy between the committee members and the witnesses. We have only a table.

Mr. OTTINGER. I would disagree with the gentleman in that the next 10 pages go into a specific discussion of the various details of comparable wage rates. This amendment came to a vote and the amendment was defeated on the second go around by a tie vote.

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

Mr. OTTINGER. I am glad to yield to the gentleman from South Carolina, my colleague on the committee.

Mr. WATSON. Since you are offering a proposal to establish comparability of wages, in a desire to be fair would you likewise expand your amendment

to require the Special Board to insure comparability of profits of the railroads with other industries of the country?

I want to assure you that in asking the question I would be just as strongly opposed to dictating or trying to dictate to this Special Board that they must give comparability of profits to railroads with those of other industries as I am to this proposal. But do you not believe that it would be fair to require the Board to give comparability to the railroads in the way of profits?

Mr. OTTINGER. I think it would be completely fair. In point of fact, you have that situation now. The Interstate Commerce Commission is required to do that very thing. They are required to assure that the carriers receive a fair return.

Mr. WATSON. But not a comparable profit with that of other industries, and your amendment does not require comparability of profits——

Mr. OTTINGER. It is not my amendment. *It is the* amendment of the gentleman from Michigan.

Mr. WATSON. The amendment you are supporting.

Mr. OTTINGER. Yes. And it is not necessary to make a provision for comparability of profits in view of the fact that the Interstate Commerce Act already makes adequate provision in that regard.

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

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

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

Mr. AYRES. Mr. Chairman, I have just returned from the annual meeting of the International Labor Organization in Geneva which I attended as a representative of this body. This branch of the United Nations is tripartite in structure, being composed of representatives of labor, employers, and government of 119 nations. In my many discussions with delegates from these nations, it was my proud boast that our country's labor-management relations were based on free collective bargaining and not on government compulsion. They are amazed that our system has worked so well in bringing about the highest standard of living in the history of mankind.

Mr. Chairman, it is my strongest hope that we will do nothing to impair this policy which is a fundamental cornerstone of our free and democratic society. I have always opposed compulsory arbitration, which is the complete negation of the voluntary collective bargaining process.

All of you, I am sure, recall the proposal by former President Harry Truman to draft striking railroad workers into the Armed Forces shortly following the end of hostilities in World War II. The measure passed the House overwhelmingly. But in the Senate, the late Robert A. Taft, of my own State of Ohio, opposed the bill and succeeded in preventing its enactment. Although not a Member of Congress at the time, I was in full accord with the Senator from Ohio. The issue was then resolved without radical departure from our collective-bargaining system. I believe that this present issue can be brought to an equally satisfactory conclusion.

Mr. Chairman, in my opinion, the enactment of laws imposing compulsory arbitration is just as coercive and dictatorial as drafting strikers into the Armed Forces. Both would compel free American workers to work under conditions of employment which they would not accept if they were permitted to exercise their right to choose freely. And I am sure that none of us have been deluded into believing that the measure pending before us is, in the final analysis, anything but compulsory arbitration—the imposition of terms and conditions of employment not through free collective bargaining but through Government fiat. None of us are so naive as to believe that the precedent set here would not apply in the future to other industries.

I cannot but believe that both sides in the present controversy are seriously concerned with our situation in Vietnam and will do nothing to endanger the national security.

Mr. Chairman, if this body reaches the conclusion that the pending proposal must be enacted in the present circumstances, I would like to say this. The time has come for this Congress, whether the administration wishes it or not, to initiate immediately a thorough reexamination and review of our existing laws dealing with labor-management relations. The object of such a study should be the gathering together of such legislation into a single, unified law covering all of American industry and containing provisions to deal effectively with situations such as the present one while preserving our fundamental framework of free collective bargaining.

We are suffering now from our failure to have launched such a reexamination long before the current crisis arose, and from the failure of this administration to live up to its pledge more than a year ago to recommend permanent measures for dealing with these problems. I hope and pray that the Congress will not prove equally remiss.

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

Mr. Chairman, I shall not take 5 minutes, but I would say the most profound statement which has been made during this debate was just made by the gentleman who concluded his statement in the well. He said, in effect, that if these two amendments are adopted it will resolve the dispute. I cannot think of any better way for this body to act than to resolve the dispute.

I have listened to every bit of this debate, Mr. Chairman, and I have heard almost without exception every Member express strong disappointment in the fact that we are being called upon to vote for a compulsory arbitration measure. It appears to me, on the basis of what the gentleman just said, if we adopt these two amendments we need not concern ourselves about compulsory arbitration. On that basis I sincerely hope the two amendments will be agreed to.

Mr. Chairman, I rise in opposition to the compulsory arbitration resolution before the House.

Nearly everyone who has spoken on this measure in the last 2 days has either indicated some displeasure with the resolution or if not that, they have strongly disclaimed any authorship. Everyone seems to hate the thought of such compulsory arbitration, but for some unknown reason, a majority fails to dislike it sufficiently enough to vote for the alternatives offered; which in all probability would force the parties to reach a negotiated settlement. If no alternative to compulsory arbitration is agreed upon, I shall vote against the resolution.

As Chairman STAGGERS has already said, the labor groups involved have agreed that the Nation's security will not be put in jeopardy. They have given strong assurances that all work necessary to guarantee such security will be done. Even though other important matters of public interest may be involved, the way to resolve these matters of interest is to provide all incentives necessary to force a conclusion to the collective bargaining process.

Free men, offering free expressions in a free society, should not be forced against their will, to accept anything other than that which they have themselves bargained for, so long as the national security and welfare is not involved.

Therefore, it is my opinion that if no legislation is passed, the national interest will be served nonetheless. I am hopeful, however, that agreement can still be reached in this body on meaningful alternatives that will assist the collective bargaining process—not hamstring it.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan [Mr. DINGELL].

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

Mr. DINGELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DINGELL and Mr. FRIEDEL.

The committee divided, and the tellers reported that there were—ayes 88, noes 137.

So the amendments were rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. The Special Board shall make its determination by vote of the majority of the members on or before the sixtieth day after the enactment of this resolution, and shall incorporate the proposal of the Special Mediation Panel with such modifications, if any, as the Board finds to be necessary to (1) be in the public interest, (2) achieve a fair and equitable extension of the collective bargaining in this case, (3) protect the collective bargaining process, and (4) fulfill the purposes of the Railway Labor Act. The determination shall be promptly transmitted by the Board to the President and to the Congress.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendment to section 4.

The Clerk read as follows:

On page 4, line 19, strike out "extension" and insert in lieu thereof "settlement within the limits."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will re-

port the next committee amendment to section 4.

The Clerk read as follows:

On page 4, line 20, immediately after "bargaining" insert the following: "and mediation efforts."

The committee amendment was agreed to.

The CHAIRMAN. If there are no further amendments to section 4, the Clerk will read.

The Clerk read as follows:

SEC. 5. If agreement has not been reached by the parties upon the expiration of the period specified in section 6, the determination of the Special Board shall take effect and shall continue in effect until the parties reach agreement or, if agreement is not reached, until such time, not to exceed two years from January 1, 1967, as the Board shall determine to be appropriate. The Board's determination shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et seq.).

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendment to section 5.

The Clerk read as follows:

On page 4, line 25, immediately after "SEC. 5." insert "(a)".

The committee amendment was agreed to.

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

The Clerk read as follows:

On page 5, immediately following line 10, insert the following:

"(b) In the event of disagreement as to the meaning of any part or all of a determination by the Special Board, or as to the terms of the detailed agreements or arrangements necessary to give effect thereto, any party may within the effective period of the determination apply to the Board for clarification of its determination, whereupon the Board shall reconvene and shall promptly issue a further determination with respect to the matters raised by any application for clarification. Such further determination may, in the discretion of the Board, be made with or without a further hearing.

"(c) The United States District Court for the District of Columbia shall have exclusive jurisdiction of all suits concerning the determination of the Special Board."

The committee amendment was agreed to.

The CHAIRMAN. Are there any other amendments to section 5?

AMENDMENT OFFERED BY MR. PEPPER

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

The Clerk read as follows:

Amendment offered by Mr. PEPPER: On page 4, strike out line 25 and all that follows down through and including line 24 on page 5, and renumber the succeeding section accordingly.

Mr. PEPPER. Mr. Chairman, this amendment preserves in its entirety the resolution which we are considering today, but would strike from that resolution all of section 5. That is the compulsory arbitration section of the resolution.

Mr. Chairman, I do not suppose that there is any serious doubt in the mind of any Member, however many nice distinctions may be made to the contrary, that section 5 is compulsory arbitration, because the section reads in and of itself on page 5 as follows:

The Board's determination shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et seq.).

In other words, this is to say that the recommendations of the Special Board is by law made the same as an agreement of the parties under the Railway Labor Act.

Now, Mr. Chairman, it is my opinion that every one of us in this House of Representatives is thoroughly sensible of his or her obligations to our country; and even if we have to make a hard decision, if we are compelled to do it in the national interest, we shall make the personal or political sacrifice in order to do it. But, Mr. Chairman, it is not my opinion that we are compelled to make that final decision at this time.

I do not see why it is not equally satisfactory in the national interest if we preclude a strike for 90 days as this bill does, and as it would do if my amendment should be adopted, instead of having now to preclude further consideration of this subject until January 1, 1969. If my amendment is adopted any strike would be precluded for 90 days so that there is, meanwhile, no detriment to the national interest. There would be a Special Board authorized by the Congress and appointed by the President to consist of five persons as provided in the resolution. That Board, as provided in the resolution, for a period of 30 days would act as a board of mediation striving to bring the parties together, and as provided in the resolution, if they were unsuccessful in bringing the parties together in conciliation of the dispute, then in the second 30 days this Board of five authorized by the Congress and appointed by the President would hold public hearings on the report of the Fahy committee of three which reported to the President April 22 to see in what respects if any that report should be modified. At the end of the 60-day period or the second 30-day period, under the resolution, as it would be if my amendment were adopted, then the recommendations of the Special Board authorized by this resolution would be transmitted to the President and to the Congress. The report would be public for 30 days, as the resolution provides. The President, the Congress, the public, and the parties themselves would have the benefit of the recommendations of this Special Board.

Now, the difference in the resolution as it now is and as it would be if my amendment were adopted is this: If my amendment is not adopted, and the resolution is enacted, on the 91st day the recommendations of the Board have the effect of law. We will have legislated a mutual agreement of the parties according to the language of the bill on page 5. Not only that, but as the lawyer for the committee will tell you, or anyone else who is informed will advise you, this resolution, if it were adopted without amendment, provides that if any employees employed by the railroads were to quit work or to strike in concert, that strike could be enjoined by a Federal court, and the offenders appropriately punished for contempt by the court issuing the injunction. If my amendment is adopted, all the provisions of this resolution except section 5, the compulsory arbitration provision, will be in effect.

Mr. Chairman, I did not discover until today that the Fahy committee was not authorized by the Congress when it extended for 20 days the no-strike provision. That committee was appointed by the President, so this is the first time, if we do it today, that the Congress has provided for a special board with all the authority of the Congress behind it, and the President has appointed that board of five pursuant to the act of Congress to mediate this dispute and to make recommendations if its mediation effort should not succeed.

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

(On request of Mr. YATES, and by unanimous consent, Mr. PEPPER was allowed to proceed for 5 additional minutes.)

Mr. PEPPER. Now, Mr. Chairman, what does that Board do? The Special Board authorized by this resolution first acts as a mediation board for 30 days; then, if its mediation efforts do not succeed for the next 30 days, it holds public hearings. That would be the first time any Presidential Board except the original Emergency Board shall have held public hearings relative to this dispute. The Fahy committee did not hold public hearings.

I have on my desk from the committee the number of hours the railway employees, through their officials, had in consultation with the Fahy committee, and it comes to a total of 24 hours and 20 minutes. That is the total consulting time. I do not know how long the railway executives were in consultation with the Fahy committee. I do not disparage that distinguished committee. I am only saying those hearings were not public and they were relatively brief.

But the hearings of this Special Board which we would authorize in this resolution are public and the public has the right to hear both sides of this dispute. Finally, when on the basis of the public hearings this Special Board makes its report to the President and the Congress, we all will have the benefit of that 30 days of study pursuant to public hearings of this distinguished Board of five, as authorized by this resolution, and their report to the President and the Congress.

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

Mr. PEPPER. I yield to the gentleman.

Mr. HOLIFIELD. If the gentleman's amendment is adopted, the trains will continue to run and the status quo will remain the same, as I understand it for 90 days?

Mr. PEPPER. That is right.

Mr. HOLIFIELD. Then at that time we can face the issue and the boys in Vietnam will be protected for 90 days?

Mr. PEPPER. I will say to my able friend, every aspect of the public interest, by the continued and uninterrupted operation of the railroads is preserved by

this resolution, if my amendment is adopted.

But by my amendment the compulsory arbitration provision does not go into effect automatically, as the resolution unamended would provide, in 91 days.

Mr. HOLIFIELD. I want to compliment the gentleman on his amendment.

If this amendment carries, I will vote for the bill. If it does not, then I will vote against the bill because I am not ready to cross the bridge of compulsory arbitration, against one side of a labor dispute with management.

Mr. PEPPER. Mr. Chairman, may I just say this in conclusion.

There is an old saying in the law that hard cases make bad law.

Mr. Chairman, the national interest must be preserved. I want to make my position clear. If all the amendments are defeated, I am going to vote for this bill. But in doing so it will be contrary to my judgment and contrary to my principles and belief. We ought not to do it unless and *until* we have exhausted every possibility in an attempt to find a way in which this matter might be brought to a satisfactory conclusion.

Mr. Chairman, the bill reflecting the threatened railroad strike that we passed in 1963 has carried this Congress a long way down the road toward the abolition of, in the case of major disputes, of the principles of free collective bargaining. Add one more meaningful precedent to that one and from now on this Congress becomes the compulsory arbitration tribunal of the United States in every major dispute that arises in our country.

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman from Florida yield?

Mr. PEPPER. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. I feel there is a stroke of statesmanship in the amendment of the gentleman from Florida. Is it not true that the searchlight of public opinion will come into full operation under the gentleman's amendment and thereby help to bring about a speedier settlement?

Mr. PEPPER. That is correct. It is also true, and I hope it will be fully understood, that the sentiment of this House of Representatives is that management and labor must always recognize that the people of this country are superior to any special interest, whoever they may happen to be, and that each should conscientiously in the next 90 days if we adopt this amendment—conscientiously cooperate with the Special Board authorized by the Congress to try to bring about a fair settlement of this dispute—and not by unjustified demand or refusal force the Congress in order to protect the essential public interest to sacrifice the vital democratic principle of collective bargaining.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, many of us have been waiting patiently and hopefully throughout this long legislative day for the vehicle to come along that would enable us by the action of this House today to support a measure which would be effective in trying to avoid a disastrous railroad strike without at the same time compromising principles that we all hold dear.

Mr. Chairman, I rise to support the amendment offered by the gentleman from Florida and to tell the gentleman I believe that in his amendment we have that vehicle and we have that solution.

I was a little surprised for a moment this morning at the turn that this debate took when it was suggested that a vote against this resolution or a vote for any change in the language of this resolution would be comparable to a vote against the extension of the selective service law back in 1940.

I think when that analogy was used, frankly, our distinguished Speaker was perhaps using an analogy that was more apt than he realized—but apt in quite a different sense. We would in fact be impressing into service men to work in an industry in this country without giving them the right to have any part in the determination of the wages and conditions of employment under which they would operate.

So, Mr. Chairman, I would suggest that perhaps in quite a different sense the analogy he used was somewhat apt.

Let us take a quick look at the arguments that will be raised against this amendment. One is that we cannot take the chance of changing the language of this joint resolution, House Joint Resolution 559, because it would then have to go to conference, the time is short, and we are facing a crisis in the Nation.

Well, I would hate to think, my friends on the committee, that we have come to the point where we have to abdicate our responsibility as a coequal and as an independent body in a situation of this kind. We might as well have a unicameral national legislature if we are to suggest that we dare not change the sacrosanct language of this resolution.

And it pains me to differ with my distinguished and able friend, who is the ranking member on my side of this committee. I respect him, and I respect the hard work and the long hours that he has put in, along with other members of the committee, in trying to arrive at a solution. But I think there is an even higher duty today that we respond to those convictions of conscience that tell us that this is not the best possible joint resolution that we can work out on the floor of this House today.

Let me very quickly address myself to, I know, the second argument that will be raised against the amendment, and that is that this is just another extension. We have had two before. We failed in those previous extensions to get the parties to hammer out an agreement. So why try again?

You know, I am reminded at this point of something from the Scriptures. I think it was Simon Peter who came to our Lord and said, "If I have forgiven my brother seven times, Lord, have I fulfilled my responsibility?"

As I recall it, the answer that he received from the Lord was something like this: "Go back and forgive thy brother 70 times seven."

I would suggest that the principle that we support here of free collective bargaining is important enough that if we told these parties to go back and bargain 70 times 7, it would be too much.

I would suggest that to use the argument because they had failed twice before to come to an agreement using the processes of free collective bargaining is scarcely the kind of argument that should be used to defeat the amendment of the gentleman from Florida.

You know, it was some 60 years ago that a great leader in this country, a great leader of the miners, John Mitchell, wrote this:

> In the long run, the success or the failure of trade unions will depend upon the intelligent judgment of the American people.

My colleagues, we can use our resources to summon that intelligent judgment on the part of the American people during the next 90 days to compel these parties to come to an agreement. As I suggested in my speech yesterday, very belatedly the administration finally seems to have found its voice, and we actually had a member of this administration, the Secretary of Transportation, Mr. Boyd, speak out against Mr. Siemiller, the head of the International Association of Machinists, saying that here was a man who was putting private selffish interest ahead of the public good.

I somehow dare to hope that other voices in the administration will be raised during the next 90 days.

Let me suggest one further reason why we should adopt the amendment of the gentleman from Florida. A 90-day extension would give the administration one last chance to forward to this Congress what they should have done a year and a half ago—a definitive set of proposals whereby we can frame the kind of emergency strike legislation so that we do not have to deal with this on an ad hoc basis, and maybe if they do that, and if these parties fail during the next 90 days to come to an agreement, I will take an entirely different position in the well of this House. I will suggest that under the terms and under the framework of a general statute—not an ad hoc statute—but a general statute, that if they have failed, if they have failed to come to an agreement, then in the public interest the time will have come for this Congress to act.

I beg you to adopt the amendment of the gentleman from Florida.

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

Mr. Chairman, I have listened with great interest to the impassioned speeches of my dear and distinguished friend from Florida [Mr. PEPPER], and my good friend from Illinois [Mr. ANDERSON].

I would say that I bow to no man in this Chamber in having supported the fundamental rights of organized labor. For many years, I have stood in the well of this House time and time again, when it has not been particularly popular, to support and to work for what I consider the legitimate needs and demands of the great labor movement in our country.

As I read what we have before us today, it is a proposal to maintain the processes of collective bargaining, not to restrain them, but to maintain them for at least 90 days. If they have not suc-

ceeded in the 90-day period, it provides for a 2-year period, during which time the parties can come to an agreement, using the full force of collective bargaining.

Why are we here? We are here because collective bargaining has broken down, not because we are trying to interfere with collective bargaining.

Why do I say it has broken down? Does not the record show that it has broken down?

There was a year of negotiation under the Railway Labor Act. There was an Emergency Board appointed. That was the first Board. That is a public Board. Then there were two other Boards appointed, the Ginsburg Board and the Fahy Board. Both of them wrestled and grappled with the problem. In all three instances collective bargaining failed to work.

Congress said, twice in that period, let us let collective bargaining do the job, so we came in with a 20-day extension—we all remember that—and then we came back again with a 45-day extension—and we all remember that.

Now, if I read the proposal of my distinguished friend from Florida, what it really says in essence is that there will be just another 90-day resolution, because it takes from the heart of this resolution the procedures which would go into effect in the event the collective bargaining fails to operate within the next 90-day period.

But my friends, if we adopt the amendment suggested by my friend from Florida, what will happen in my humble judgment is that in place of this being a spur to collective bargaining, it will be a spur to come back to the Congress at the end of the 90-day period, and then we will be right where we are this afternoon, after 2 days of debate, after two extensions, after extensive hearings before the committee, and after all the amendments which have been voted on here today.

So I say to my friends on both sides of the aisle, let us face it now. If we do not face it today, if we adopt the amendment of the gentleman from Florida, come September we will be back, and we will have the same issues, the identical issues, and we will have to establish some kind of machinery.

I agree with the gentleman from Illinois hopefully that we will in the wisdom of the Congress and the executive branch be able to establish the legislative machinery and the legal machinery to deal with crises in these public utility industries.

This afternoon we are confronted with an emergency. The suggestion of my dear friend from Florida would not solve it. It will simply put it off, to come back another day, rather than to do what is required to be done now.

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

Mr. Chairman, some 45 days ago I stepped into the well of this House to oppose an extension.

I step here today to support it, as the only desirable alternative remaining before this House, in my judgment.

We are here because one party to this dispute has from the beginning wanted compulsory arbitration. If we accept this amendment at this time we will make very clear the strength and determination of this House that we want the processes of collective bargaining to work.

If the Pepper amendment acts as a barrier to collective bargaining, then the administration proposal also acts as a barrier to collective bargaining, because the only difference is that the Pepper amendment strikes the compulsory arbitration. It strikes section 5. The procedures up to that point are identical.

Then we would get a report back. Perhaps in the meantime, in this additional moment, we could act to secure a more effective means of dealing with this type of problem.

I am at the point where I have explored over the past several months virtually every type of proposal that could be conceived of. I know the House has been patient, and I know that all members of the committee on both sides of the aisle have spent many hours in the hearings before the Committee on Interstate and Foreign Commerce in an effort to find the ideal solution.

Now the solution seems to be only time to continue to seek and, as I say, after this experience, to demonstrate conclusively the determination of this body that collective bargaining will work.

At the same time, the security of the Nation is not imperiled. Vital services continue.

I hope the amendment will be adopted.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I am pleased to yield to the distinguished gentleman from Maryland.

Mr. LONG of Maryland. Would not the gentleman agree that passage of this amendment would give the administration time in which to come forward with the kind of permanent strike settlement proposals we have all been hoping they would present for a long time?

Mr. MOSS. It would give to the administration time, and it would give to this Congress the opportunity, if it must take the initiative, to do its job, for it is also our responsibility as much as it is the responsibility of the President of the United States, if not more so.

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

Mr. MOSS. Yes. I yield to my colleague from Washington.

Mr. ADAMS. I hope at this point we will be able to close debate and vote on this amendment, Mr. Chairman. I am in support of it and will not speak any longer on it, but I think it gives us an alternative where we can perhaps make this work.

Mr. Chairman, I have a parliamentary inquiry. Can we move in Committee of the Whole that debate be closed at this point?

The CHAIRMAN. Only on the amended section and the amendments thereto.

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

Mr. Chairman, what has been the history of this whole matter? On October 19, roughly 8 months ago, the mediation process under the Railway Labor Act began. On January 6 it terminated. No results. On January 28 Emergency Board No. 169 appointed by the President began to work. On March 10 Emergency Board No. 169 made its report and came to an end. From October 19 to January 6 the mediation process worked under the Railway Labor Act. From January 28 to March 10 Emergency Board 169 appointed by the President operated. There were no results in either case. From April 14 to April 23 the Fahy panel operated. No results. Then we extended it for some 40 days. First I believe we extended it for 20 days and then 40 days to June 19.

May I say to my colleagues that spiritually, morally, may I say, the parties are further apart today in their own minds—they are further apart today than they were on October 19 when they started their discussions.

The gentleman from Florida examined me no end before the Committee on Rules. I told him at that time that there was not any chance for any agreement. We had both parties before us in the first hour of our executive committee meeting on the first day. We had there Mr. Wolfe and Mr. Ramsey, who represented both management and labor. I asked them, "Are you deadlocked?" And they said, "We are deadlocked." Now, if they were deadlocked only pennies apart, that would be different, but there is a difference here of between 5 and 6½ and 20 percent.

Mr. Chairman, I will admit that I have had nothing of more importance during the last 6 weeks except this problem pending upon my desk.

Mr. Chairman, if the members of the committee think the pressures have been great upon them on both sides—both labor and management; and I know who has been going about the halls and who has been dropping into the office of everyone—if the Members think the pressure is going to be released during the next 90 days, I want you to know that that is going to be the biggest mistake you will make in your congressional career, because pressures are going to be increased during the next 90 days.

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

(By unanimous consent Mr. SPRINGER was given permission to proceed for 2 additional minutes.)

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

Mr. SPRINGER. I am delighted to yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Chairman, the distinguished gentleman from Illinois has presented the very clear and powerful case with which we are confronted today, a breakdown in collective bargaining.

Mr. Chairman, the resolution now pending before the Committee of the Whole House on the State of the Union proposes to restore the processes of collective bargaining.

Mr. Chairman, any time within the 30-day period, constituting 90 days during which negotiations have been taking place, a settlement made at any time afterward, within the 2-year period and the parties get together and negotiate

and make a settlement, then the operation of this joint resolution having been enacted into law will be inoperable.

Mr. Chairman, for us to simply extend this law for another 90 days—and that is all the Pepper amendment is—is simply postponing the day of reckoning.

Mr. Chairman, it seems to me that we have not faced up to our responsibility unless we defeat the pending amendment.

Mr. SPRINGER. Mr. Chairman, I thank the distinguished gentleman from Massachusetts, the Speaker of the House of Representatives.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not intend to consume the full 5 minutes allocated to me under my pro forma motion.

However, Mr. Chairman, it is my opinion that it should be clearly pointed out that if this amendment prevails we, in effect, will be doing precisely what we did on April 11 when we extended the time 20 days; we will be doing precisely what we did on May 1, 1967, when we extended the time 27 days; we will be doing, more voluminously in words and phrases, what we did in a very simple resolution on those two previous occasions.

Frankly, Mr. Chairman, I will be here for the purpose of going through this legislative experience again later this year. All of us will be here. However, Mr. Chairman, there is not one scintilla of evidence about which I have heard from anyone which indicates that the 90 days—which will represent an extension of 47 days—will result in the resolution of the problem.

Now, Mr. Chairman, let us take this step represented by the Pepper amendment with our eyes wide open.

Mr. Chairman, if the amendment which has been offered by the gentleman from Florida [Mr. PEPPER] is approved, let us understand the net result. I caution you that you will be right back here within a period of 90 days, going through the same process. I think further delay will be most unwise.

Therefore, Mr. Chairman, I hope the amendment is defeated.

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

Mr. FLYNT. Mr. Chairman, will the distinguished gentleman from Michigan yield?

Mr. DINGELL. I yield to my distinguished friend, the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, I rise in support of the pending amendment offered by the distinguished gentleman from Florida [Mr. PEPPER].

Mr. Chairman, I support the amendment because I feel that it is and does represent a most reasonable approach. It is the most reasonable approach which has yet been made to resolving this grave and serious nationwide problem, a problem which could result in a strike and a tieup of the Nation's rail transportation at 1 minute past midnight on Monday next.

In response to the statements made by the distinguished ranking minority member of the great Committee on Interstate and Foreign Commerce, for whom I have the utmost respect, he refers to the 19th of July, the 19th of August, and the 19th of September, and says, hopefully, that we will be at our homes by that time.

Let me say most respectfully to my friend from Illinois, that if we can avert a nationwide rail strike and at the same time preserve the right of collective bargaining, then I am willing to stay here until the leaves fall off the trees and the snow covers the ground. I say this because I feel that there is a very meaningful hope that there will be a voluntary solution and settlement of this labor dispute which exists between the management and the unions involved in this present situation, this present labor dispute.

To pass this bill without the pending amendment can be compared to giving a patient with a bad cold an overdose of arsenic. It might cure the cold, but it would kill the patient in the process. On the other hand, to adopt the Pepper amendment, we might both cure the cold and save the patient.

I believe that as the temperament and the temper of the House, as demonstrated here today, becomes known to all parties to this dispute, to management and to labor alike, they will come to a meaningful solution to this dispute between now and the 90-day period which is called for in the Pepper amendment.

Mr. Chairman, all that the amendment of the gentleman from Florida [Mr. PEPPER] does is to delete section 5 to maintain the present injunctive status in effect for 90 or 91 more days, during which time I believe that reasonable men—reasonable men of good will—can get together and prevent the onslaught of the destructive and devastating strike which confronts this Nation.

Mr. Chairman, there are three alternatives in addition to the adoption of the Pepper amendment. Let us see what those three alternatives are:

The first would be a nationwide strike, devastating and crippling to our whole national economy. That course of action would appear to me to be unacceptable and intolerable.

The next course of action would be for the U.S. Government to seize and operate the railroad network of this country. This would be inefficient, costly, possibly dangerous, and 180° away from our concepts of a free enterprise system. It could possibly result in permanent nationalization of the railroads, other public utilities, and other major industries. To me, this course appears to be totally unacceptable and intolerable and only slightly less offensive than a nationwide strike.

A third course of action would be the enactment of House Joint Resolution 559, which the rejection of the Pepper amendment will unquestionably mean since it is identical in form and substance with a similar bill passed by the other body. The only things that I can think of which appear to me to be worse than House Joint Resolution 559 in its present form are a nationwide strike or seizure of all railroads.

This leaves as the only acceptable course, the passage of House Joint Resolution 559 as amended by the pending amendment.

I believe the only reasonable solution which this House has before it today which can be promptly and properly acted upon, is to adopt the amendment of the gentleman from Florida, and let the voice of reason be heard in bona fide collective bargaining between the parties to this dispute.

Mr. Chairman, I am not opposed to this legislation. I certainly take no pleasure in opposing the committee position of the great Committee on Interstate and Foreign Commerce which brings this bill to the floor. I served on this committee for the first 7 years of my congressional service, and for it and its members, I have the highest and most affectionate regard and respect.

If this amendment should be rejected, I shall probably vote for the bill in its present unamended form. I think that no other substantive amendment has a chance of adoption.

I sincerely believe that the pending amendment will so improve House Joint Resolution 559 that the House will pass it with the amendment overwhelmingly, perhaps with near unanimity, and without a record vote. If this amendment is adopted and the joint resolution, as amended, is passed by the House of Representatives, it will be a good example of the House responsibly working its will to improve pending legislation during full and open debate and in accordance with sound practices, rules, and procedures of this body.

Mr. Chairman, I feel this will be a reasonable and an honorable solution, and one with which this Nation can live and live in peace.

The CHAIRMAN. The Chair recognizes the distinguished chairman of the Committee on Rules at this point.

Mr. COLMER. Mr. Chairman, I thank the able and very courteous Chairman for recognizing me.

Mr. Chairman, I ask unanimous consent to speak out of order, and apologize to the Committee for doing so.

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

There was no objection.

Mr. COLMER. Mr. Chairman, I apologize to the membership for interrupting the orderly procedure of debate on this important bill, but I feel that I am justified in doing so in order that not only the membership generally, but the members of the committees affected, may have ample and appropriate notice of a hearing which we propose to conduct in the Committee on Rules.

Mr. Chairman, as important as the current bill under consideration is, there is another matter of even greater importance on which this Congress should act. I refer to a substantial number of bills pending in the Judiciary Committee, which have for their purpose the curbing of certain unlawful and most unfortunate riots which are currently, and have for some time in the past infested the Nation. These are the riots which are instigated by persons outside

the State who have used interstate facilities to bring about planned chaos. Many of these riots are scheduled and announced in advance, and they are resulting not only in the destruction of property, but in the loss of lives.

Last year when the country suffered a rash of these riots, this House—by an overwhelming vote of 389 to 25—adopted the so-called Cramer amendment to the Civil Rights Act of 1967, which, if properly administered, would have put a stop to this wave of crime. That civil rights bill, with the antiriot amendment, was not acted upon by the other body.

This year there have been more than 90 similar antiriot bills introduced in the House. A number of them have been pending in the Judiciary Committee, to which they were referred, for some 6 months with no action being taken by that committee.

Over 100 resolutions have been introduced and referred to the Rules Committee which would, if adopted by the Rules Committee, bring this subject matter to the floor of the House.

Mr. Chairman, the Nation's house is threatened with conflagration by these disorderly and unwarranted actions. The situation is daily growing worse, with riots occurring or threatened all over the Nation from Florida to Ohio.

The time has arrived for some action. The people of this country are seriously and justifiably alarmed. They are entitled to some relief from threatened anarchy.

Therefore, Mr. Chairman, notice is now given that on Tuesday, June 27, the Committee on Rules will conduct hearings on these over 100 resolutions pending before it to take this matter directly to the floor for some remedial action.

Mr. SMITH of California. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield to the gentleman.

Mr. SMITH of California. Mr. Chairman, I appreciate the distinguished chairman yielding to me. I commend the chairman on the position being taken here today on this extremely important legislation pending before the Congress. I can assure the gentleman that the minority members of the Committee on Rules will be present at 10:30 a.m. on Tuesday, June 27, to hear any Members who wish to testify on the measures pending in this regard.

Mr. COLMER. I thank my distinguished colleague. I express the hope that the Members on the majority side will also be present and that this matter may be thoroughly considered. Some action must be taken on this important matter.

Mr. FRIEDEL. Mr. Chairman, I ask unanimous consent that debate on the pending amendment conclude in 5 minutes.

Mr. PICKLE. Mr. Chairman, I object.

Mr. FRIEDEL. Mr. Chairman, I move that all debate on the pending amendment close in 10 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Maryland [Mr. FRIEDEL].

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, I plan to support the Pepper amendment. I feel very strongly that this is the way we can avert a national railroad strike and at the same time not get into compulsory arbitration, which is dangerous to our basic freedom of voluntary collective bargaining.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, underlying much of the debate today and yesterday has been the fear or the assumption that unless this legislation contains elements of compulsion, there will be brought down upon the heads of the people of our country a railway strike. I shall vote for the Pepper amendment on the assumption and with the faith that the parties to this dispute will act as free, responsible, and patriotic Americans and come to an agreement during the next 90 days. Both sides are by now fully advised and duly warned as to the prospects of compulsory arbitration and/or seizure if this is not the case. The disputants themselves have a responsibility to their country, and to the public, and to all who have labored to develop and defend free collective bargaining.

I believe they will recognize and fulfill their responsibilities, but if we err, let it be on the side of freedom, and not of compulsion. I urge the passage of this amendment. In so doing, we will be keeping faith with the institutions of freedom. With faith in free men, I shall so vote.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Chairman, I rise in support of the amendment. I recognize that 90 days is not a long time, but when one is about to be executed, it is worth considering. Many of us are opposed to compulsion, whether it be in farm programs, open housing, or right-to-work laws, so-called compulsory unionism. I very much dislike voting for compulsory arbitration and therefore, strongly support the Pepper amendment and urge that it be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I, too, support the Pepper amendment. I object most strongly to the tone of futility and frustration that has been expressed by the leadership on both sides of the House. I think that with the appointment of a new Board, in accordance with this amendment and under the legislation, there will be opportunity again to consider this matter, and by free collective bargaining achieve a result that will permit the parties to get together.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. SKUBITZ].

Mr. SKUBITZ. Mr. Chairman, I rise in support of the Pepper amendment. If it is adopted, I shall support the bill.

During the last session of Congress, I opposed the effort to strike 14(b) from the Taft-Hartley Act because I felt strongly that no man should be forced to join a union against his will.

Mr. Chairman, if collective bargaining is to be preserved, then labor's right to strike must also be preserved. But, I hasten to add, this right is not an inalienable right—it is not superior to the collective rights of all the people when the national health, safety, or welfare is endangered. I opposed the seizure proposal that has been submitted to this body but, here again, if the national interest demanded such action, I would support it.

By this amendment, a strike is averted for 90 days. Labor and management have one more chance to resolve their differences with these additions: A Board appointed by the President to help mediate the dispute. If an agreement is not reached in 30 days, then the Board shall hold public hearings on the proposals and submit its determination to the President and Congress.

Nothing is lost by this action. If Congress must convene 90 days hence because the parties have not acted, I, for one, am willing to do so. But I think every effort should be made by this body to let the parties resolve the issues—which in this instance is wages.

However, if this amendment fails, then I shall support the committee bill because I feel a strike at this time would endanger our national security. The national interest of this country demands that there must not be a strike. Nothing must be done by labor or management to hamper or interfere with the free flow of goods to our boys in Vietnam.

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

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

Mr. McCLORY. Mr. Chairman, I am opposed to compulsory arbitration and, accordingly, I support the amendment to the bill which will delete section 5 from the bill.

I am satisfied in my own mind that the parties can arrive at an agreement as to wages and working conditions. To impose compulsory arbitration on the railway unions and the railway management would do a disservice to all parties to the controversy, and would do violence to the entire institution of collective bargaining.

With the elimination of section 5 from this bill the administration and the Congress will have 90 days within which to present some general legislation to meet critical labor disputes such as the threatened railway strike. Appropriate general legislation is a far preferable method of resolving national strikes which affect the public interest. I hope that general legislation may be considered and finally acted upon within the next 90 days.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I yield back my time.

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

Mr. WATSON. Mr. Chairman, I am sure, from the reaction we see, that the

amendment will probably be adopted. But let me say this in all humility and honesty to my friends. If you had been with the committee and had wrestled with this problem, you would not have as much hope and faith as you have today. In striking out section 5, you are striking out the very thing which will force these parties to get together in 90 days. If you strike it out, they will not get together in 90 days.

We believe in collective bargaining. All of us are against compulsory arbitration. Under this joint resolution, you would put the parties in dispute on the line. You would say, "If you believe in the matter of collective bargaining, if you are against compulsory arbitration, then you have it within your power to settle within 90 days, and this compulsory arbitration feature will never be triggered under House Joint Resolution 559."

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. SATTERFIELD].

Mr. SATTERFIELD. Mr. Chairman, like the gentlemen who preceded me have stated, I still have hope that under House Joint Resolution 559 the parties will get together. I would like to remind this House that our committee heard the witnesses and parties to this dispute, and based upon their testimony I am confident that we will be back here within 90 days with similar legislation, because I do not think there is any possibility that a settlement will be arrived at if this amendment is passed.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, if we vote for this amendment, we are taking the easy way out. This dispute has been going on for over a year. We have given two extensions of time. They have not come to agreement. Any further extension is going to make the situation worse.

I say the time has come for this Congress to say to both management and labor: "You are not bigger than the Congress or the Nation and you must try to reach some type of agreement." They have not done so, and they will not do so.

We have labored long and hard and there has been no decision. I say the American people expect us to take some kind of action, and the public patience is running thin.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I, too, would sense the mood of the House in postponing a decision on this matter. I do think we should consider, in making this decision, that we are in effect postponing a pay raise as well. The solution to this problem is being postponed. It has been going for a year, and they have been doing without the increased pay for a year. This postpones it for another 3 months.

I believe we should think seriously whether this decision should be made at this time or whether we should go ahead, as the committee has proposed, after extensive hearings, and make a decision to get them to negotiate on a collective-bargaining basis, to proceed as suggested.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. JARMAN].

Mr. JARMAN. Mr. Chairman, I take this one last opportunity to express a firm personal conviction that the very best and fairest chance we have of solving this problem is through the provisions of House Joint Resolution 559, mediation to finality.

It has been a long dispute. It has been worked on for a long time. We need to measure up to the challenge that is before us today.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. PEPPER].

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. PEPPER and Mr. FRIEDEL.

The Committee divided, and the tellers reported that there were—yeas 189, noes 105.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. The provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160), as heretofore extended by law, shall be hereby extended until 10:01 o'clock antemeridian of the ninety-first day after enactment of this resolution with respect to the dispute referred to in Executive Order 11324, January 28, 1967.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 6, line 2, strike out "10:01" and insert in lieu thereof "12:01".

The committee amendment was agreed to.

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

Mr. Chairman, I think that many members of this Committee had their feeling on the railroad arbitration bill reflected in the eloquent remarks made yesterday by the gentleman from Illinois [Mr. ANDERSON].

The clock has struck 13, and once again this body is being asked to react to an immediate crisis, a crisis which is the end result of a series of procrastinations, by the Chief Executive, and by the parties to this dispute. I have yet to see truly wise and prudent actions adopted by the legislative branch when it operates under the "blackjack" of an approaching calamity. We improvise, we rationalize, and we eulogize, and then we go ahead and act after time and circumstance have removed all our other options.

I predict that no one will be happy with this legislation, not the railroads, not labor, and not the American people. Members of Congress who vote for this measure, and—after study, hearings, debate, and reading the report of the committee—I reluctantly expect to be among them, will have to live with the uneasy feeling that in so doing they may have struck a mortal blow to the concept of collective bargaining. Members of Congress who oppose this measure, may feel that they have saved collective bargaining but only at the expense of a national transportation disaster, and worse yet; at the expense of sons and brothers in Vietnam whose lifeline extends across the Pacific Ocean to the railroad tracks across the Nation.

As a member of the Armed Services Committee, who has had more than his share of disagreements with Secretary of Defense McNamara, I am constrained to admit that I agree with his appraisal of the ultimate effect of a transportation strike upon our defense needs. It would certainly be disastrous. As a member of the Committee on Armed Services, I am privy to the daily tons of high explosives alone, transshipped across the United States and Pacific to our men. Union officials may challenge this claim, but were they in our positions would they be willing to take the gamble? I think not. But also, Mr. Chairman, this dilemma in which the Committee finds itself today, reflects dismally upon the executive branch.

Today it calls upon us to prevent a threatened breakdown of our transportation system. But, this is not just some Johnny-come-lately threat, it is a threat which has been years in the making. It was even recognized by the President of the United States in his state of the Union message each of the past two sessions of Congress. He appointed a Presidential Task Force on emergency strike legislation. but he then apparently waited for a consensus on something which surely the most illiterate could see was beyond consensus. What a tragic opium has been perpetrated upon the public by the acceptance of the word "consensus." He who would wait for all parties to a dispute to reach consensus on a truly fundamental difference will find himself waiting forever, and the demands of the moment do not allow us that luxury.

I take no joy in stating that I expect to vote for this bill, only because the sands of time have run out. But I also say that it establishes a precedent which is dangerous for all—for management, for labor, and for the public.

It may be a case of "closing the barn door after the mule has been stolen," for new legislation in the labor relations field, but there are many more barn doors that are open, and the President should be put on notice that the promissory note he gave us last January is due, in fact overdue, and that he has a responsibility to make specific proposals to this Congress just as we will then have a responsibility to act on, or amend them.

AMENDMENT OFFERED BY MRS. SULLIVAN

Mrs. SULLIVAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. SULLIVAN: Add at the end of the joint resolution a new section as follows:

"SEC. 7. The Special Board established by the first section of this joint resolution shall also have and exercise, with respect to any labor dispute to which the Florida East Coast Railway Company is a party and which is the subject of any strike now in effect, the same powers and duties set forth in sections 2, 3, and 4 of this joint resolution. In the exercise of such powers and duties pursuant to this section the Special Board shall use, in

lieu of the proposals of the Special Mediation Panel, the recommendations of Emergency Board Number 157 as contained in its report of December 23, 1963 with respect to disputes covered by said report and shall extend the principles underlying said recommendations to the other disputes covered by this section. The recommendations of the Special Board made pursuant to this section shall operate and take effect in accordance with section 5 of this joint resolution."

Mr. FRIEDEL. Mr. Chairman, I reserve a point of order against the amendment.

Mrs. SULLIVAN. Mr. Chairman, what about the longest railroad strike in history? Have we forgotten about it? What about a situation where the railroad has not only refused to bargain but has locked out its employees? This resolution fails to include one of the worst labor disputes in the United States involving one of the most arrogant manipulators of great wealth in this country. My amendment would correct this deficiency by including the disputes on the Florida East Coast Railway under House Joint Resolution 559.

The Florida East Coast offers a shocking example of bad labor relations. The strike there has been going on since January 23, 1963. Two Presidential Emergency Boards recommended settlement terms—which were accepted by the unions and rejected by management. Repeatedly the highest Government officials, including the late President Kennedy and the Florida delegation in Congress, urged voluntary arbitration of this Florida East Coast dispute. The unions each time accepted; the management each time refused. This strike began on the part of the nonoperating unions, but it now includes all the railway unions. The Florida East Coast Railway is now operated on a partial basis by strikebreakers. This railroad forms part of a billion dollar financial-industrial empire known as the Du Pont Estate, whose dominant figure, Mr. Edward Ball, clearly has no intention of settling the FEC dispute. If we are going to take away the right to strike of the railroad shopmen, then justice calls for ending Mr. Edward Ball's right to lock out his union railroad employees—because that is what this Florida East Coast situation has turned into.

In addition to the factors I have cited, the Florida East Coast dispute—unless it is ended—runs the risk of interrupting the essential flow of railroad transportation in interstate commerce. This is apt to occur through picketing by FEC strikers of the yards, shops, and tracks of connecting railroads that interchange freight traffic with the FEC. Such picketing was enjoined at first by the Federal courts. But the Fifth Circuit Court of Appeals, in a decision which the Supreme Court upheld, has ruled that such Federal injunctions are illegal. A Florida State court injunction is now outstanding against such picketing, but that injunction is being appealed. Without attempting to prejudge the case, it is certainly quite possible that this State injunction will be ruled invalid shortly on the basis that Federal law is paramount in this kind of peaceful labor dispute.

I want to stress that House Joint Resolution 559 as it now stands contains nothing to prevent this kind of spreading out of the Florida East Coast dispute. My amendment would remedy that lack in House Joint Resolution 559.

My amendment would extend the no-strike, no-lockout provisions of House Joint Resolution 559 to the Florida East Coast Railway. The Special Board created by House Joint Resolution 559 would be given the same powers and duties in connection with the disputes that have created strikes on the FEC as in the national shop craft dispute. In the Florida East Coast situation, the Special Board would use the findings and principles of Presidential Emergency Board 157—which recommended settlement terms for the original FEC strike—in the same way as it uses the recommendations of the Fahy Mediation Panel in the national shop craft dispute.

In the Committee on Banking and Currency, we were subjected to a real example of the kind of disregard for the public interest demonstrated by Mr. Edward Ball. He can truly be said to be in the mold of another railroad tycoon who said "The public be damned."

Mr. Chairman, my amendment is an act of simple justice. It would also avert the very real danger that the Florida East Coast dispute may spread and disrupt essential transportation service. I hope and trust that my amendment will meet with overwhelming bipartisan support.

Mr. FRIEDEL. Mr. Chairman, I make the point of order that the amendment which has been offered by the distinguished gentlewoman from Missouri [Mrs. SULLIVAN] is not germane to the joint resolution now under consideration.

Mr. Chairman, the joint resolution (H.J. Res. 559) deals with a nationwide railroad dispute with the shop craft unions. However, the amendment which has been offered by the distinguished gentlewoman from Missouri [Mrs. SULLIVAN] deals with a single dispute involving one railroad and all of its employees, not just the shop craft union.

Mr. Chairman, the amendment involves a different group of employees, a different railroad, and a different dispute from the matters dealt with in the joint resolution.

The CHAIRMAN. Does the distinguished gentlewoman from Missouri wish to be heard further on the point of order?

Mrs. SULLIVAN. Mr. Chairman, I have nothing further to add, except to say that this is a railroad dispute. It has been in existence since 1963 and this railroad does haul or carry freight and passengers in interstate commerce.

The CHAIRMAN. The Chair is prepared to rule.

The gentlewoman from Missouri offers an amendment to the joint resolution to which the gentleman from Maryland makes a point of order on the ground that the amendment is not germane.

The Chair has had an opportunity to read the amendment and to consult the precedents as well. The joint resolution (H.J. Res. 559) is aimed at one specific controversy between labor and management. The amendment posed by the gentlewoman from Missouri [Mrs. SULLIVAN] relates to a different controversy involving different classifications of unions as pointed out by the gentleman from Maryland [Mr. FRIEDEL].

The amendment therefore is beyond the purview of the resolution (H.J. Res. 559). The Chair sustains the point of order made by the gentleman from Maryland.

Mr. BRAY. Mr. Chairman, being forced to consider a bill under pressure of a last-minute emergency is the worst situation that can face any lawmaking body. Yet, that is exactly what faces this Committee today when it votes on the administration's railroad labor dispute legislation.

In the President's 1966 state of the Union message given on January 12, he promised that legislation to deal with labor crises would be submitted to the Congress. He also announced appointment of a special Presidential task force to deal with the problem. However, to date, the task force has made no report, the President has failed to forward any recommendations, and the Secretary of Labor has testified that the promised legislation may never even be submitted.

Thanks to administration vacillation and indecision, the Congress is faced with a choice that is really not a choice at all. The essence of the administration proposal before the Congress today is compulsory arbitration, which is a definite threat to the principle of free collective bargaining. However, on the other hand, we have the prospect of the crippling of our war effort, great damage to the Nation's economy, and the general national chaos that would result from a nationwide rail strike.

The fact that the Congress today has no alternative but to vote for or against national chaos is certainly a severe condemnation of the quality of our present national leadership.

The Pepper amendment does put off the ultimate decision for 90 days, but at the end of 90 days we will face the same problem unless the administration or House leadership proposes a real solution.

Mr. DELLENBACK. Mr. Chairman, the national interest takes many forms and in some instances is greater than the sum of its individual parts. So here today, with its threatened impact on this Nation's commitments, not only in Vietnam, but throughout the world, the railroad crisis does in truth involve the national interest. And, on the basis of the best evidence before us, that national interest demands at this time there be no cessation of railroad operations.

But the national interest is made up of parts, and those parts are often critically important. So it is that the welfare of the people in my State of Oregon is a vital part of the national interest. And the working men and women of Oregon—heavily dependent on our forest products industry and badly hurt during the last year and one-half by high-interest rates, tight money, and a nationwide home-building slump—cannot stand a cessation of railroad operations at this time. There are mills whose operations are on a day-to-day basis, to which railroads are absolutely essential and which will be out

of operation—possibly permanently—if the railroads cease to operate. The loss of jobs, the general injury to the economy of Oregon and most particularly within the Fourth District of Oregon, are blows which my State is poorly equipped to stand.

There may well be others here who are in positions similar to mine—who have perishable crops or other products which must roll on the rails. There are areas involved where a failure to keep the railroads operating will mean not simply discomfort, not simply hardship, but disaster.

There are serious drawbacks to this bill as it appears before us for vote. But it gives us hope that our economy and our own effort will not suffer disaster; that the parties will succeed in reaching agreement during the additional breathing spell; that the President will fulfill his pledge to suggest permanent legislation in this field. If he does not do so, we of the Congress should move forward on our own.

With all its drawbacks, this is legislation which must be approved here tonight.

Mr. MURPHY of New York. Mr. Chairman, there is one important point to be made in connection with the resolution before us—it is that at this stage of the current railroad dispute the interest of the public is far more important than the interests of management or labor.

Clearly, it is not in the interest of the public to sustain a nationwide railroad strike—a short strike, a partial strike, or any kind of strike. Our defense effort, our great urban centers and our whole economy depends on the maintenance of rail service. That is how the public interest is defined.

A railroad strike is far more than a matter of inconvenience.

It is a matter of coal, which travels almost totally by rail, reaching the points where it is used to produce electric power.

It is a matter of chlorine, again traveling mostly by rail, reaching those places where it is used to purify the water supplies of our great cities.

It is a matter of tanks, guns, and ammunition, all vitally needed for the war in Vietnam, reaching the ports for shipment to Southeast Asia.

It is a matter of this Nation's agricultural products reaching ports for shipment to foreign nations—nations who depend heavily on receiving those products.

It is a matter of sustaining the high level of employment which we have achieved. A strike would have a spreading effect on factories and industries which would have to shut down for lack of raw materials and bulk commodities.

It is a matter of maintaining our postal service. The Post Office would be forced to refuse all second-, third-, and fourth-class mail, including parcel post, moving more than 150 miles from origin.

The question, then, is what do you do to prevent such a crippling strike? Do you junk the collective-bargaining process and impose a hurried settlement? Do you seize the railroads in an unwarranted intervention of the Government into private industry? Do you put the Congress in the business of setting wage rates?

Or do you continue the collective bargaining process, build upon the substantial agreements that have already been reached, and guarantee continued rail service? This is the course that must be taken. The proposals in the amendment to the resolution before us offered by the gentleman from Florida are the best possible under the circumstances. We have run out of alternatives. We have run out of time.

We have 211,500 miles of railroads that carry 738 billion ton-miles of freight in a single year to over 50,000 communities. We are not so rich and powerful a nation as to ignore the importance of those figures.

In 1963, the Council of Economic Advisers estimated that a rail strike of a single month's duration would produce a decline in our gross national product of over 13 percent—nearly four times the quarter-to-quarter drop in GNP during our greatest postwar recession in 1957–58. Even the richest Nation on earth cannot afford that.

Nearly 40 percent of the ton-miles of Defense Department freight moves by rail—the most powerful nation on earth cannot afford to interrupt that flow.

I feel strongly that this is not the time for seizure of the railroads.

This is not the time to deny the laboring man the right to strike.

This is the time to extend once again to both management and labor in this dispute, an opportunity to resolve the differences with free and open collective bargaining.

I strongly urge the passage of the Pepper amendment to the resolution before us.

Mr. ANNUNZIO. Mr. Chairman, I am opposed to, and shall vote against, the administration's proposal and any similar effort to take away from labor its right to strike.

I have followed very carefully the course of this dispute between the carriers and the nonoperating unions. Mr. Chairman, there has not been any genuine effort made by the railroads to arrive at a settlement in this dispute. There has not been any disposition on the part of the representatives of the carriers, at any time, to sit down and honestly engage in the genuine give and take of collective bargaining. This is how I read the record.

Allow me to cite an example from that record. Last March, during the 30-day period following the submission of the report of the Presidential Emergency Board, the chief management negotiator, Mr. J. E. Wolfe, informed the negotiators for the unions that if they would make him a serious settlement proposal he would give it "profound" consideration. The unions responded with an offer which, among other matters, scaled down their original request for a 20-percent general pay increase to one for 7 percent.

This proposal was made on March 29. The railroads "considered," all right. They considered the proposal for 5 minutes and rejected it. This was their "profound" consideration.

Management did, however, promise a counterproposal. But it was not made at the next meeting or the next. Indeed, as far as I am aware, no actual counterproposal has yet been made, at least none which is on record. The unions cut their demand from 20 percent to 7 percent to 6½ percent. The railroad would not budge from their original position of 5 percent.

To my way of thinking, the railroads are stalling, hoping, believing, expecting, that, as a rail strike will not be allowed, they have only to hold back and have Congress intervene and force a settlement.

They can look to a considerable body of precedent. We intervened for them in 1963. I think you know, Mr. Chairman, how that intervention turned out. The carriers had hoped to get an agreement which would permit some 5,000 to 7,000 firemen to be discharged. Congress passed a law which allowed some 17,000 to be fired.

We all remember, too, I fear, the 1946 strike emergency. We remember, too, that it was settled, and without legislation.

Mr. Chairman, I shall be brief. We have heard repeatedly that there is no substitute for collective bargaining. Then we have heard it said that strikes on the railroads are intolerable. By now it should be clear to this sort of double-talk leads only to an abdication of bargaining responsibility by whichever party to the bargaining that fancies it will be the gainer if governmental intervention takes place.

One slogan must be dropped. If we abandon hope of collective bargaining and insist only that a strike cannot be tolerated, our course is clear. Let me call the attention of the Speaker to what Congress did in 1916. Then a railroad strike threatened under world conditions when our intervention in a war seemed likely. President Wilson and Congress responded by passage of the Adamson Act—a dictated settlement along lines which had been previously accepted by the unions and rejected by the carriers.

Let me call the attention of the gentlemen who represent our railroads to this settlement. They need not assume that if they force matters to a showdown they will like what Congress does to settle the dispute. This is not 1916, but neither is it 1963.

The other alternative for Congress is to refuse to intervene, to tell both parties that they must reach a settlement, and to assist them in every way possible to do so.

Let me call the attention of the parties to another dispute. In 1941, when America knew it was on the road to war, and was straining every effort to arm its allies and to rearm itself, a rail strike was threatened. The issues, as today, concerned wages and vacations. This strike was settled by an Emergency Board, which, after its original recommendations, based on the record made at its hearings, were rejected, then proceeded to mediate the dispute and obtained a settlement. The employees received a substantial wage increase and paid vacations. The carriers were subsequently allowed a rate adjustment to offset, in part, their increased costs.

If I were sitting at the bargaining table and had a choice of making concessions and reaching a settlement as in 1941 or having one dictated to me by the

Congress as in 1916, I would say, again, "there is no substitute for collective bargaining," and, this time, prove it, by engaging in such bargaining.

Mr. Chairman, there is no room in America for compulsory arbitration which is tantamount to slave labor. We in America pride ourselves on our free trade labor unions and genuine collective bargaining. I am voting against the administration's proposal in order to preserve these cherished American ideals.

Mr. FULTON of Pennsylvania. Mr. Chairman, above all else, as we consider this resolution before us today, I hope that we will profit by past experience. Congress took the road of compulsory arbitration in a railroad labor dispute back in 1963. I warned against that course at the time. We have now had nearly 4 years of experience under that 1963 compulsory arbitration law, and it has not worked farily, it has not worked justly, and it has not settled that railroad work rules dispute. That 1963 dispute may well return to haunt us here in Congress again—as I shall explain in a minute. The only real solution for labor-management disputes in a free enterprise economy lies in collective bargaining and freely negotiated settlements. Let us emphasize that point. Let us look at this resolution before us not only from the standpoint of the dangers of a national railroad strike but also from the standpoint of whether this resolution would help or hurt collective bargaining and the prospect for a negotiated settlement.

What is the substance of this resolution? It is another action of compulsory arbitration. It can be called "mediation to finality." But the fact is that under this resolution a new Special Board—a Government board—is given the power, after 90 days, to impose on the parties its own decision about wages and terms of work. That is compulsion. It is the very opposite of collective bargaining.

The resolution gives the parties the right to make a collective bargaining agreement and supersede the Special Board procedure. But how much does this mean? In practical terms, it means nothing. Back in 1963, Congress gave the two sides the same right—or thought it did. But as soon as Congress passed that 1963 compulsory arbitration law, collective bargaining in that dispute ceased, on the two issues that Congress put under compulsion.

I voted against that resolution in 1963. At that time I made for the RECORD the following statement:

Mr. FULTON of Pennsylvania. Both sides of this railroad dispute have been in to see me in my office, and not a few of them. My advice to each one is, go back and bargain collectively. Come up with a good contract agreement, as you should, not only for the benefit of the railroad business but for the benefit of the labor movement of this country. Management and labor should run the U.S. railroads, not the U.S. Government.

I would like to point out further that this is a very unusual thing where railroad management and the owners in this country are not only sitting on the lap of Government, but they are jumping on it. Where is this industry, this free enterprise that has said, "Let me handle management affairs without Government interference, and keep big government out"? Where is this brave new world of free enterprise which is always coming in here and saying to me, "JIMMY, do not put more controls on us"? Here in the railroad dispute, we have industry itself coming in and asking for compulsory arbitration.

May I point out further that the method of enforcement of this particular resolution is by force. This is return to the old injunction procedures without specifically saying it. The administration must now come to injunction by force and by court order. We people in the steel industry and in the coal mining areas of this country know what rule by injunction was. We have advanced beyond that in Pennsylvania. I hope the Congress will defeat this resolution, because first, it is ex post facto; secondly, it is rule by injunction; and thirdly, this proposed legislation is setting the terms of agreement and employment by Government action which is a completely new departure in labor-management legislation in America.

I would emphasize that the Taft-Hartley 80-day delay provision is a cooling-off period only and does not settle the terms of the contract for the parties, as this legislation does. We must remember that the Taft-Hartley Act did not settle or terminate the dispute, it simply postpones and maintains status quo for 80 days. I emphasize the Taft-Hartley Act postponed. in order to have a cooling-off period. This proposed legislation makes the Taft-Hartley Act provisions look like a summer tea party. This legislation not only provides a cooling-off period, not for 80 days but for 150 to 180 days, and on top of that, imposes for 2 years the word of the Government on everything through compulsory arbitration. This determines who shall be employed, who loses his job, and can easily be extended to wages, hours, and working conditions. It is impossible and implausible to divide up collective bargaining so that by this legislation there can be collective bargaining on one part, or on two parts or six parts, of an industrial dispute such as this, and then have forced arbitration on two basic proposals in dispute between the parties, with the arbitration board decisions binding on both parties. My experience in collective bargaining has been as attorney representing both management and labor and as a small employer. I have 70 or 80 employees on 6 newspapers who are represented by their chosen union. And let me tell you that we have our arguments. I have had big disagreements with the representatives of these employees. We have worked out all problems by collective bargaining and voluntary agreement. I like collective bargaining procedures and oppose this resolution which substitutes, for collective bargaining and freedom of contract, compulsory arbitration and imposition of settlement on the parties by Government force and action. This is a bad precedent.

Congress should make these people go back to free collective bargaining, the industry must get over this attitude of sitting on its hands and waiting for Congress to do something and rescue them. The railroads must be run by people in the railroad industry, and they will be better and more efficiently managed and run.

Neither Congress nor the President should assume the authority to direct the terms and procedures which mandatorily prescribe rules that determine the provisions contained in a labor-management contract large or small. We in this House should make the conditions which encourage free collective bargaining, the best that can be worked out. As soon as this House takes over the settlement of disputes, that is the beginning of the end for collective bargaining in this country.

Mr. Chairman, I wish every Member of the House could go through the testimony relating to that 1963 law at the recent hearings of the Interstate and Foreign Commerce Committee on the resolution now before us. I wish we could all read the testimony of the presidents of the two unions most affected by that law, the Locomotive Firemen and the Trainmen—testimony that was underscored. The railroads have gone through a sorrowful time under that 1963 law.

I would like to quote a few remarks in the recent hearings by U.S. Secretary of Labor W. Willard Wirtz about the 1963 law. Secretary Wirtz, as you know, supported that earlier resolution. There were many claims at that time that the resolution was not really compulsory arbitration, that the resolution was simply building upon the collective bargaining in the case. Secretary Wirtz said in regard to the 1963 law in his testimony of May 9, 1967, before the Interstate and Foreign Commerce Committee that the 1963 law "turned out to be compulsory arbitration. There was an effort, an honest effort made, to prevent that happening because the Congress wrote into that law that the Arbitration Board shall incorporate in its decision any matters on which it finds the parties were in agreement, shall resolve the matters on which the parties were not in agreement and shall, in making its award, give due consideration to those matters on which the parties were in tentative agreement, and to the narrowing of the areas of disagreement which had been accomplished in bargaining and mediation. But we all know that it developed—that the board found it necessary to establish its own framework of decision."

That Arbitration Board paid little or no attention to the instructions of Congress. The board established its own "framework of decision." And the courts—bless them—upheld that arbitration in so doing. Secretary Wirtz said further that there resulted "a lot of litigation, some of which is still pending." Still pending—after 5 years of what was supposed to be, under the law, a 2-year arbitration. Secretary Wirtz summed it up as an "unfortunate experience"—House hearings, pages 14–16.

Mr. Chairman, that was the Secretary of Labor speaking about that 1963 compulsory arbitration law—a law he came up here at the time and asked the Congress to enact. Now the administration is up here again, for the same purpose, with essentially the same kind of bill, in another railroad dispute. One such experience ought to be enough. I predict that the parties would quickly settle this dispute by themselves. And that should be our goal.

I am glad I voted against the 1963 bill. Congress should realize that this one experience ought to be enough. How much will be left? It will be practically the end of collective bargaining. The House of Representatives should have the courage not to pass this resolution designed to take away collective bargaining procedures from the industry.

My position is that the parties should be notified to bargain continuously under collective bargaining procedures and to avert the strike which might occur at midnight on Monday, June 19. We in Congress have given ample extension to the parties for collective bargaining.

Good faith requires good collective bargaining.

Good corporate and good union management require contract provisions freely arrived at through collective bargaining procedures rather than the heavy hand of Government in effect taking over the decisions of the railroad industry, though not the operations at this time.

The U.S. Congress should not set contractual terms for employment except for minimum wages in any U.S. industry, and should not control collective bargaining contracts that have provisions governing hours, wages, fringe benefits, vacations, insurance provisions, and so forth, which are the essence of successful corporate management, successful union endeavor, and the operation of the free enterprise system.

Mr. MORTON. Mr. Chairman, in good conscience, I saw no alternative but to support the amendment so eloquently presented by the gentleman from Florida to eliminate compulsory arbitration from the resolution before us.

Let us not regard this amendment as a solution. It is, in fact, and in short, a provision of time in which a solution to the railway labor problem before the Nation can be finally developed.

We have been told over and over again during this debate, that if the Congress fails to act, and if the committee bill before us fails to pass, the Nation's great arteries of commerce, the railroads, will come to a screeching halt, military supplies will be dammed up and our boys in Vietnam undermined for lack of logistic support.

Mr. Chairman, yesterday was Flag Day. In this Chamber resounded the words and music of patriotism unprecedented. The ceremony here was a stern reminder of our need for national purpose and unity of effort. The question is, Does this requirement apply only to us in this Chamber or does it apply equally to the thousands of people who work for the railroads and the hundreds in their management?

I cannot for one minute believe that the level of patriotism of the railroad workers, who have contributed so much to the building of this country would allow them to stand on principle to the extent that a single boy's life in Southeast Asia would be jeopardized because of a failure to deliver the goods. As a nation, we have too much to lose and too little to gain by arbitrary stubbornness which could tie up the world's greatest transportation system.

Therefore, Mr. Chairman, time is needed and the amendment provided it. In the issues that separate the parties, there is a middle ground to be found by probing and negotiation and not by legislation or arbitration. I supported this amendment, not because in it I saw the answer, but because it would again have given men of good faith who operate our vast railroad network and men of equally good faith who represent its vital skills a new opportunity to reflect upon the needs of their country to find in themselves the energy to pursue the search for an equitable solution. To expect them to do otherwise in these times would indeed be downgrading their sense of responsibility to a nation of which they are an integral part, a nation to which they have contributed so much and yes, a nation who has given unlimited opportunity and unprecedented success. Let us get on with the resolution.

Mr. CLEVELAND. Mr. Chairman, the 2 days of debate and discussion here in the House on House Joint Resolution 559 have not changed my intention of again voting against this sort of legislation. Admittedly, there are compelling reasons for this legislation but I am troubled by the fact that once again Congress is being used to settle a strike by compulsory arbitration in a crisis atmosphere on an ad hoc basis and under intense administration pressure.

In addition, I am disturbed by the fact that this administration has not yet submitted its promised recommendations to the Congress for general legislation to meet the problem of strikes that affect the national interest within the framework of a free representative government. It is true this is a difficult assignment, but the record is clear that an explicit promise for general legislation was made by the President right here in this House in his 1966 state of the Union message. The President said here on January 12, 1966:

> And I also intend to ask the Congress to consider measures which, without improperly invading state and local authority, will enable us effectively to deal with strikes which threaten irreparable damage to the national interest.

By attempting to settle this strike at the last minute, on an ad hoc basis, and under pressure, we are simply putting off the day when we will face up to our real responsibilities to legislate generally in this critical area.

Four years ago we enacted—then, too, at the last minute—work rules legislation to settle a railway dispute. The issues involved in that dispute are still not settled, and more congressional action may be needed. This points up the futility of using Congress as a glorified arbitration board. This is not fair to labor, management, or the public.

Mr. RANDALL. Mr. Chairman, if House Joint Resolution 559 were before this body for a record vote, without amendment, many of us would have no recourse but to vote against the resolution. It is appropriate I should state the reasons why.

One of the foremost objections is that the resolution would have taken away the right of collective bargaining, no matter how many denials to the contrary. The provisions of House Joint Resolution 559 is nothing more or less than compulsory arbitration. Let us look for a minute at some of the other things going on in this country and then try to understand why collective bargaining should be the first freedom limited or restricted as a casualty of the Vietnam conflict. We have had the "beatniks" and "peaceniks" who have laid across the railroad tracks to stop shipments to Vietnam. We have had the flag burners. Also the draft-card burners. For some strange reason all of them have been forgiven. Why does it suddenly become an injustice and something evil for workingmen to hold out for a rate of pay they believe they deserve.

In all of the debate the grave urgency and the talk of a national emergency is predicated upon the movement of defense materials to Vietnam. Railroad labor offered to move shipments necessary to the military effort and also all shipments necessary to the public health. It is hard to understand why there was a flat refusal by administration spokesmen of this offer, but it is a fact the offer was rejected.

Another reason I cannot support House Joint Resolution 559 without amendments is that the entire penalty is placed against the railroad workers. There is no comparable penalty of any kind against railroad management. These railroad corporations will benefit by profit from the labor of their employees during the time of the injunction imposed by this resolution. We have all heard the expression that this resolution will mean forced labor. True, these workers can quit their jobs, but, if so, they lose their seniority and retirement and they must work some place to support their families.

Mr. Chairman, when all the oratory is silenced and all of the use of rhetoric has been concluded and we come to consider what is fair and equitable and the application of good conscience, if the railroad workers are denied their right to strike and enjoined and restrained in this matter then certainly equal restraint should be placed against management.

If railroad workers are forced to work for wages they have not agreed to and have no recourse but to lose all the rights acquired over the years when they quit their jobs, then railroads should be prevented from exercising some of the privileges they have enjoyed such as the right to abandon service, proposal of mergers or to apply for change of rates. All I am saying is both sides should be treated alike. Some restrictions must be placed on management if restrictions are going to be placed upon labor.

For the RECORD, I want to make it plain I supported House Joint Resolution 585 offered as an amendment in the nature of a substitute which contemplated evenhanded pressure on both parties. It said in effect that Congress expects labor and management to settle the differences by collective bargaining rather than by ad hoc settlements. After this amendment was defeated, I supported House Joint Resolution 611 which would provide the granting of extraordinary power to the President to order the railroads to carry defense materials and such shipments as are necessary for the national health. After this was defeated, I supported the Ottinger amendment which would give the President the option of invoking either so-called seizure provisions or other provisions of House Joint Resolution 559 because I felt the President should be given the responsibility to determine the choice of tools at such times as negotiations broke down rather than come back and dump this matter again in the lap of the Congress at the last minute before a national tie-up is about to occur. Then when this amendment was defeated, I supported

the Dingell comparability amendment, only to see this go down to defeat. Finally and most reluctantly, I supported the Pepper amendment upon the faith and hope that the Senate will accept the House action for another 90 days extension to permit the parties to make a last effort to iron out their differences, rather than have to submit to compulsory arbitration which could be binding until 1969.

Those who would be critical say there may be a strike at midnight Sunday. I have confidence rail labor groups will not strike as long as this matter is in conference and as long as they believe there is a reasonable hope that the House and Senate can agree. In this instance the Senate should and must recede from its position and concur with the House.

One thing more should be put in the RECORD. Railroad management has found time or consented to sit down around the collective bargaining table for only 6 hours and 40 minutes in the past 2 years. While these figures have been furnished by the Railway Labor Association, I have checked this with members of our Commerce Committee and they tell me they believe it is accurate. Can it be true that the reason management has been so reluctant to sit down and negotiate, is because of their hope, their omission to engage in collective bargaining would force Congress into compulsory arbitration?

Maybe it is more true that some believe that the administration's one-sided bill has caused the railroads to become confident that they can drop every effort toward settlement. It is my opinion management should be warned against trying this sort of thing. The other body may continue on their course, but in my opinion, the House will insist that if restraints and restrictions are placed upon labor, some equal restrictions be placed against management to serve as a source of motivation for the parties to commence to work together in an effort to agree between themselves.

Finally, let me make it crystal clear for the record, railroad labor is not strike happy. Out of 42 national negotiations launched by the unions in the past 15 years, 40 of these 42 have been settled without a crisis reaching Congress.

Mr. ASHLEY. Mr. Chairman, the prospect of compulsory arbitration is repugnant to a vast majority of this body and the citizenry of our country. The strength of our great industrial society, the most productive in the history of mankind, is directly attributable to the vitality of our labor movement and the process of free collective bargaining.

Successful collective bargaining requires not only a sense of responsibility on the part of management and labor but also a recognition by them of the public interest. When this critical element is overlooked or ignored the inevitable result is a weakening of economic stability and injury to the public.

In situations in which the potential injury to the public is irreparable, it is fundamental that the Government intercede in behalf of an otherwise voiceless citizenry.

This is the situation that confronts us today, Mr. Chairman. We have it on no less authority than that of the President of the United States, the Secretary of Defense, Secretary of Labor, and the Secretary of Transportation that a nationwide railway strike would cripple our war effort and damage our economy incalculably. We are told that the continued support of American fighting forces in the Far East is heavily dependent upon our domestic rail system. Transportation experts have provided impressive evidence that, in the event of a strike, it would be impossible to provide special handling of defense products in any acceptable volume.

According to the testimony by the Secretary of Transportation, the maximum divertible amount of transfer from rail to other carriers is approximately 10 percent of the normal rail volume and this would only be attainable after several weeks of extensive adjustment. Even if efforts were made to continue purely military shipments by rail, injury to our Nation's economy would soon cause budgetary problems so serious as to affect our national security.

Because it is widely recognized that a shutdown of our railroads would result in unacceptable injury to the American public, efforts have been made to achieve a legislative solution to the bargaining impasse. The bill before us, passed earlier this week in the Senate, is in my view an awkward and inequitable mechanism to achieve this end. It provides first for a 90-day extension of the injunction against the strike, then calls for a special 5-member Board appointed by the President to report back with a determination of the dispute within 60 days. In the event the parties have not reached an agreement before the expiration of the injunction, then the Board's determinations take effect and continue until the parties reach agreement or until July 1, 1969, whichever comes first.

Under the circumstances, it seems clear to me that management is in an enormously advantageous position. They can await the findings of the Special Board and then decide whether the recommendations are to their advantage or whether it is more advantageous to seek an agreement with labor.

Should the Special Board recommendations be favorable in their eyes, they could forestall further bargaining and accept a settlement which would freeze the Board's findings and guarantee 2 years of labor peace.

Under the Senate proposal, the position of the railroad employees would obviously be very different from that of any other employees in private industry and they would be at a distinct disadvantage. Their choice would simply be to accept the Board's demands in the form of a labor contract or face the imposition of a 2-year coverage of the Board's findings.

This mechanism which purports to offer the means of equitably resolving the areas of dispute offers options to management which simply are not available to labor.

The three aims of legislation in this dispute should be to prevent railway strikes during a national emergency, to require the parties to bargain collectively and arrive at a negotiated settlement, and in the event of failure to set a helpful rather than a harmful precedent.

The Senate proposal would answer the first requirement but it would discourage negotiated settlement and thus set a harmful precedent. The proposed substitute, House Joint Resolution 585, contemplates more evenhanded pressures on both parties to settle. Further, it would provide strong evidence that Congress expects labor and management in this critical industry to settle disputes by collective bargaining and not hold out false hopes of congressional largesse.

Quite honestly, I feel that seizure is an extreme recourse, but I am deeply concerned about congressional action freezing employee rates while leaving management's prerogatives, including higher profits, untouched.

Another compelling reason for supporting the substitute is procedural in nature. If the House adopts legislation differing from the Senate version, the matter will go to a House-Senate conference where it may be entirely possible to work out a compromise which would impress upon management a prospective burden short of seizure, but enough of a deterrent to encourage them to bargain in good faith to settle their differences.

Mr. Chairman, I am opposed to compulsory arbitration, regardless of its form or by what other names it may be disguised, because I believe it weakens the basic responsibility of management and labor and the process of free collective bargaining.

I will continue to vote for amendments which will result in equal treatment to the parties of the dispute before us.

In the final analysis, Mr. Chairman, I am going to support responsible legislation because nearly 50,000 American men are fighting a grim and desperate war 10,000 miles from where we sit today. These men surely desire the full support of the Nation they serve. No labor-management dispute, regardless of the industry, can be allowed to deprive these men of the continuous flow of materiel and supplies upon which their lives depend.

The CHAIRMAN. Under the rule, the Committee arises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the joint resolution (H.J. Res. 559) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, pursuant to House Resolution 511, he reported the joint resolution 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?

Mr. PICKLE. Mr. Chairman, I demand a separate vote on the so-called Pepper amendment.

The SPEAKER. Is a separate vote demanded on any other amendment?

If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amend page 4 by striking out line 25 and all that follows down through and including line 24 on page 5, and renumber the succeeding sections accordingly.

The SPEAKER. The question is on the amendment.

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

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

The yeas and nays were refused.

So the amendment was agreed to.

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

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

MOTION TO RECOMMIT

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

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. CUNNINGHAM. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. CUNNINGHAM moves to recommit the joint resolution (H.J. Res. 559) to the Committee on Interstate and Foreign Commerce.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

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

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution (H.J. Res. 559) was passed.

A motion to reconsider was laid on the table.

Mr. FRIEDEL. Mr. Speaker, pursuant to House Resolution 511, I call up from the Speaker's table for immediate consideration Senate Joint Resolution 81 to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees.

The Clerk read the title of the Senate joint resolution.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 81

Whereas the labor dispute between the carriers represented by the National Railway Labor Conference and certain of their employees represented by the International Association of Machinists and Aerospace Workers; International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers; Sheet Metal Workers' International Association; International Brotherhood of Electrical Workers; Brotherhood of Railway Carmen of America; International Brotherhood of Firemen and Oilers functioning through the Railway Employees' Department, AFL–CIO, labor organizations, threatens essential transportation services of the Nation; and

Whereas Emergency Board Numbered 169 (created by Executive Order 11324, January 28, 1967, 32 F.R. 1075) has made its report; and

Whereas, under procedures for resolving such dispute provided for in the Railway Labor Act as extended and implemented by Public Law 90–10 of April 12, 1967, as amended, the parties have not succeeded completely in resolving all of their differences through the processes of free collective bargaining; and

Whereas related disputes have been settled by private collective bargaining between the carriers and other organizations representing approximately three-quarters of their employees, so that the present dispute represents a barrier to the completion of this round of bargaining in this industry; and

Whereas a Special Mediation Panel appointed by the President upon enactment of Public Law 90–10 proposed settlement terms to assist the parties in implementation of the collective bargaining envisaged in the recommendations of Emergency Board Numbered 169; and

Whereas it is desirable to provide procedures for the orderly culmination of this collective bargaining process; and

Whereas the national interest, including the national health and defense, requires that transportation services essential to interstate commerce be maintained; and

Whereas the Congress finds that an emergency measure is essential to security and continuity of transportation services by such carriers: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Special Board for the purpose of assisting the parties in the completion of their collective bargaining and the resolution of the remaining issues in dispute. The Special Board shall consist of five members to be named by the President. The National Mediation Board is authorized and directed (1) to compensate the members of the Board at a rate not in excess of $100 per each day together with necessary travel and subsistence expenses, and (2) to provide such services and facilities as may be necessary and appropriate in carrying out the purposes of this resolution. For the purpose of any hearing conducted by the Special Board, it shall have the authority conferred by the provisions of sections 9 and 10 (relating to the attendance and examination of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 26, 1914, as amended (15 U.S.C. 49, 50).

SEC. 2. The Special Board shall attempt by mediation to bring about a resolution of this dispute and thereby to complete the collective bargaining process.

SEC. 3. If agreement has not been reached within thirty days after the enactment of this resolution, the Special Board shall hold hearings on the proposal made by the Special Mediation Panel, in its report to the President of April 22, 1967, in implementation of the collective bargaining contemplated in the recommendation of Emergency Board Numbered 169, to determine whether the proposal (1) is in the public interest, (2) is a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case, (3) protects the collective bargaining process, and (4) fulfills the purposes of the Railway Labor Act. At such hearings the parties shall be accorded a full opportunity to present their positions concerning the proposal of the Special Mediation Panel.

SEC. 4. The Special Board shall make its determination by vote of the majority of the members on or before the sixtieth day after the enactment of this resolution, and shall incorporate the proposal of the Special Mediation Panel with such modifications, if any, as the Board finds to be necessary to (1) be in the public interest, (2) achieve a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case, (3) protect the collective bargaining process, and (4) fulfill the purposes of the Railway Labor Act. The determination shall be promptly transmitted by the Board to the President and to the Congress.

SEC. 5. (a) If agreement has not been reached by the parties upon the expiration of the period specified in section 6, the determination of the Special Board shall take effect and shall continue in effect until the parties reach agreement or, if agreement is not reached, until such time, not to exceed two years from January 1, 1967, as the Board shall determine to be appropriate. The Board's determination shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et seq.).

(b) In the event of disagreement as to the meaning of any part or all of a determination by the Special Board, or as to the terms of the detailed agreements or arrangements necessary to give effect thereto, any party may within the effective period of the determination apply to the Board for clarification of its determination, whereupon the Board shall reconvene and shall promptly issue a further determination with respect to the matters raised by any application for clarification. Such further determination may, in the discretion of the Board, be made with or without a further hearing.

(c) The United States District Court for the District of Columbia shall have exclusive jurisdiction of all suits concerning the determination of the Special Board.

SEC. 6. The provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160), as heretofore extended by law, shall be hereby extended until 12:01 o'clock antemeridian of the ninety-first day after enactment of this resolution with respect to the dispute referred to in Executive Order 11324, January 28, 1967.

Mr. FRIEDEL. Mr. Speaker, I move to strike out all after the resolving clause of Senate Joint Resolution 81 and to insert the language of House Joint Resolution 559, as passed by the House.

The Clerk read as follows:

Mr. FRIEDEL moves to strike out all after the resolving clause of Senate Joint Resolution 81 and insert the provisions of House Joint Resolution 559, as passed by the House, as follows:

"That there is hereby established a Special Board for the purpose of assisting the parties in the completion of their collective bargaining and the resolution of the remaining issues in dispute. The Special Board shall consist of five members to be named by the President. The National Mediation Board is authorized and directed (1) to compensate the members of the Board at a rate not in excess of $100 per each day together with necessary travel and subsistence expenses, and (2) to provide such services and facilities as may be necessary and appropriate in carrying out the purposes of this resolution. For the purpose of any hearing conducted by the Special Board, it shall have the authority conferred by the provisions of sections 9 and 10 (relating to the attendance and examination of witnesses and the production of books, papers, and documents) of

the Federal Trade Commission Act of September 26, 1914, as amended (15 U.S.C. 49, 50).

"SEC. 2. The Special Board shall attempt by mediation to bring about a resolution of this dispute and thereby to complete the collective bargaining process.

"SEC. 3. If agreement has not been reached within thirty days after the enactment of this resolution, the Special Board shall hold hearings on the proposal made by the Special Mediation Panel, in its report to the President of April 22, 1967, in implementation of the collective bargaining contemplated in the recommendations of Emergency Board Numbered 169, to determine whether the proposal (1) is in the public interest, (2) is a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case, (3) protects the collective bargaining process, and (4) fulfills the purposes of the Railway Labor Act. At such hearings the parties shall be accorded a full opportunity to present their positions concerning the proposal of the Special Mediation Panel.

"SEC. 4. The Special Board shall make its determination by vote of the majority of the members on or before the sixtieth day after the enactment of this resolution, and shall incorporate the proposal of the Special Mediation Panel with such modifications, if any, as the Board finds to be necessary to (1) be in the public interest, (2) achieve a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case, (3) protect the collective bargaining process, and (4) fulfill the purposes of the Railway Labor Act. The determination shall be promptly transmitted by the Board to the President and to the Congress.

"SEC. 5. The provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160), as heretofore extended by law, shall be hereby extended until 12:01 o'clock antemeridian of the ninety-first day after enactment of this resolution with respect to the dispute referred to in Executive Order 11324, January 28, 1967."

The motion was agreed to.

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

A similar House joint resolution (H.J. Res. 559) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO SPECIAL SUBCOMMITTEE ON EDUCATION TO SIT DURING REMAINDER OF SESSION TODAY

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the special Subcommittee on Education be permitted to sit during the remainder of the session of the House of this afternoon.

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, would the gentleman repeat his request?

Mr. PERKINS. I have asked unanimous consent for the special Subcommittee on Education to sit for a hearing, for the remainder of the session this afternoon, because we are trying to agree on reporting out a bill.

Mr. GERALD R. FORD. Has this been cleared with the ranking minority Member?

Mr. PERKINS. Yes, it has been cleared with the gentleman from Minnesota [Mr. QUIE] and the gentleman from New York [Mr. GOODELL] on your side.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute for the purpose of asking the distinguished majority leader what the schedule or program is for the remainder of this week and possibly next week.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

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

Mr. GERALD R. FORD. I am glad to yield to the gentleman.

Mr. ALBERT. Mr. Speaker, with reference to the inquiry of the distinguished minority leader, we will of course meet tomorrow but we will put over the legislative business that we have scheduled for today until next week.

We will announce the legislative program for next week either tomorrow or Saturday.

Mr. GERALD R. FORD. May I ask the distinguished majority leader whether it is contemplated that conferees will be appointed. Undoubtedly, a conference will be held on the legislation which was just passed, but of course we do not know when the conferees will meet.

Mr. ALBERT. May I say to the gentleman that until the Senate acts on the House joint resolution, as passed, I do not believe I would be in a position to advise the Members. If the Senate should agree to the House amendment, of course, that would end the matter. If the Senate should disagree and ask for a conference, I, without having consulted with the Speaker, would think that the appointment of conferees would be the next order of business.

Mr. GERALD R. FORD. Is it possible that there would be a conference report on this tomorrow and/or Saturday?

Mr. ALBERT. It is possible; yes.

Mr. GERALD R. FORD. We are not ruling out the possibility, then, of a session on Saturday?

Mr. ALBERT. No; we are not.

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

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

Mr. GROSS. Would that be the only legislative business?

Mr. ALBERT. That is the only legislative business that we plan to program for the balance of the week, if that becomes in order.

STAR-CHAMBER OTEPKA CASE

Mr. GROSS. 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 Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the newspaper articles which I shall insert in the CONGRESSIONAL RECORD as a part of my remarks tell the story of a series of amazing decisions in the State Department and by high officials of that Department in the attempt to fire Otto F. Otepka, Chief Security Evaluator.

The Otepka hearing is presently being conducted behind closed doors in the State Department and behind a cloak of secrecy that is totally unwarranted. The exclusion of the public and the press is an apparent coverup of the illegal and unauthorized eavesdropping and wiretapping that has been condoned by high State Department officials.

Simple justice to Otepka demands that the transcript of the hearings be made public. It also demands that the doors to the hearings be open so that the people of this country may have a day-to-day account of this outrageous affair.

Simple justice also demands that the State Department provide Otepka with the recordings and transcripts of the illegally acquired recordings of his—Otepka's—telephone conversations. As an honorable employee of this Government he is certainly entitled to these recordings and transcripts in defending himself.

This is particularly true at a time when the Johnson administration went so far out of its way to make records of wiretapping available to Bobby Baker, James Hoffa, and Fred B. Black, Jr.

Otepka is fighting to save his job and the integrity of the whole Government personnel system is at stake in this case.

Mr. Speaker, the following newspaper articles set forth in detail the sordid story of the persecution of Otto Otepka:

FUROR OVER SECRECY IN OTEPKA CASE—GROSS CALLS ACTION ANOTHER "INJUSTICE"

(By Clark Mollenhoff)

WASHINGTON, D.C., June 11, 1967.—The State Department last week clamped the tight secrecy of a national security classification on the Otto F. Otepka personnel hearings despite the fact that all documents to be produced at the hearings have been made public.

The State Department action has already resulted in protests from Congress, with Representative John M. Ashbrook (Rep., Ohio) declaring that this "unfair" treatment of an employee by the "federal juggernaut" will discourage responsible and competent people in government.

GROSS IS SHOCKED

Representative H. R. Gross (Rep., Ia.) expressed his "shock" in a letter to Secretary of State Dean Rusk, at learning that a State Department hearing officer had ruled that a transcript of the Otepka hearing was to carry a national security classification of "confidential."

Gross said that the secret hearings constituted "an outrageous injustice" piled upon

many injustices in the handling of the Otepka matter.

Gross declared that he believed "an open hearing was assumed as essential to basic fair play in a democracy."

The secrecy action was taken at the request of Irving Jaffe, a Justice Department lawyer, who is serving as lawyer for the State Department in an effort to fire Otepka, chief security evaluator.

Otepka and his lawyer, Roger Robb, have protested the security classification, but were overruled by hearing officer Edward Dragon.

PROVIDED DOCUMENTS

Otepka, a veteran Civil Service lawyer with more than 25 years of seniority, is charged with "insubordination" because he provided three State Department documents to a Senate investigating subcommittee to prove that he had given truthful testimony relative to the handling of a security case.

The State Department contends that Otepka violated a State Department and executive branch order by failing to clear with his superior, John F. Reilly, before giving the documents to the Senate internal security counsel, J. G. Sourwine.

Otepka and his counsel contend that he was required to produce the documents to prove he was telling the truth and that it was unreasonable to expect him to clear this with Reilly because those documents proved that Reilly had given untruthful testimony under oath relative to the handling of the security case in question.

There was a national security classification of "confidential" on two of the three documents that Otepka gave to the Senate Internal Security Subcommittee, but violation of security is not an issue since the committee staff and members are cleared to receive access to such documents.

NO LONGER ISSUE

However, the secrecy of the documents is no longer an issue because the Senate subcommittee has reviewed them, judged that no security problem is involved and has published them in a report released to the public months ago.

The secrecy was imposed over the objections of Robb, who argued that his client has nothing to hide and that he wants a full open hearing so the public can see the kind of case the State Department is trying to make for firing him.

Jaffe said that two documents with national security classifications will be introduced into the evidence, and that therefore the entire transcript should be classified.

Robb argued that it would be possible to conduct an open hearing on all other matters and only impose secrecy on the two documents that carry a security classification.

Jaffe also confirmed that the State Department formally has dropped 10 of 13 charges that were placed against Otepka by Reilly.

The 10 charges being dropped involved allegation that Otepka had mutilated some classified documents found in his burn bag. Otepka has denied these charges, has contended that those charges were a frame-up and has said he would take a lie detector test if Reilly and other State Department superiors would also submit to a lie detector test.

"INSUBORDINATE CHARGES"

The three charges still pending against Otepka are allegations that he was "insubordinate" in giving three documents to the Senate subcommittee without informing his superior, Reilly.

Otepka and Robb argue that Otepka had a responsibility to tell the truth to a properly authorized committee of Congress, and to produce the documents to prove the truth of his statements.

Jaffe told The Register that he does not plan to call Reilly as a witness and that he is not sure that Reilly will appear as requested to be questioned by Robb.

Jaffe also told The Register that since Reilly is no longer with the State Department, he cannot assure Otepka that Reilly will appear voluntarily.

REILLY WITH FCC

"It is up to Reilly to determine if he wants to testify," Jaffe said. "He is now an employe of another agency [The Federal Communications Commission (FCC)] and we have notified that agency that Mr. Otepka wants Reilly as a witness."

Otepka and Robb have contended that it is vital to Otepka's defense that he be permitted to question the man who was his accuser in the first instance. In connection with this, it has been established that Reilly and two other high State Department officials engaged in an effort "to get" Otepka. This included general harassment and illegal eavesdropping, wiretapping and surveillance of his burn bag and his associations.

Reilly, and two of his aides—David Belisle and Elmer D. Hill—denied under oath before the Senate subcommittee that they had ever engaged in wiretapping on Otepka and denied any knowledge that this had been done. Later, they were forced to admit that they had known of the wiretapping, had taken part in planning it and had given untruthful testimony under oath about it.

A spokesman for the FCC stated that Reilly probably will be tied up in the television application hearing for three or more weeks and that it is not certain that he will be available to testify in the Otepka hearing.

WASHINGTON, D.C., June 14, 1967.—The State Department Tuesday was asked to produce the long secret recording obtained by wiretapping the telephone of Otto F. Otepka, the former chief security evaluator for the Department.

The demand for the wiretaps was made by Roger Robb, lawyer for Otepka, in connection with the hearing on Secretary Dean Rusk's effort to fire Otepka for giving documents to a Senate investigating subcommittee.

Robb said he made the demands in the closed hearing before State Department hearing officer Edward Dragon, and argued that "justice" to Otepka demands that the State Department make available the mysterious wiretap recordings that were admitted to have been made prior to the time ouster charges were started against Otepka.

Robb declared that "the administration has voluntarily made public the records of eavesdropping and wiretapping involving such persons as Fred B. Black, Jr., (Robert G.) Bobby Baker and James R. Hoffa even when it represented the possibility of upsetting a criminal case."

"It would appear to me that there should be no reluctance on the part of the State Department to make any similar records available to Mr. Otepka when he is fighting to save his Government job," Robb said.

Irving Jaffe, the Justice Department lawyer who is pressing the ouster action against Otepka, informed Robb that he is not certain that the recordings of the wiretap still exist. At Robb's request, Jaffe said that he would inquire to determine if the recordings or transcripts still exist and if Secretary of State Rusk will permit them to be made available.

Robb declared that there is testimony before the Senate Internal Security Subcommittee on the details of how three State Department officials—John Reilly, David Belisle and Elmer D. Hill—planned and executed the wiretapping of Otepka's telephone as a part of a "get Otepka drive" that had the approval of still unnamed superiors.

"There is no reason why the recordings or the transcripts of such recordings should have been destroyed," Robb said. "If they are in existence they should be given to Otepka so we can determine if the case against Otepka was in any manner based on such illegal wiretapping and eavesdropping."

The Senate internal subcommittee record shows that Reilly, Belisle and Hill first denied under oath that there had been any eavesdropping or recording of Otepka's telephone conversations. However, faced with evidence that they were not truthful, they admitted that they had knowledge of the illegal eavesdropping and that Reilly and Hill had actually taken part in the placing of the device in Otepka's telephone.

The last known record of the recordings was in the testimony of Hill who admitted that he had custody of the recordings, had discussed them with Reilly who found them "very interesting." He said that at Reilly's instructions he had given them to some still unidentified superior in the State Department.

Although Reilly, Hill and Belisle admitted giving false and misleading testimony under oath relative to the wiretapping of Otepka, they have never been subjected to any critical comment by Rusk or other high state department officials. Belisle is still in the State Department, Reilly resigned but was almost immediately employed as a hearing officer at the Federal Communications Commission.

In the face of this record, the State Department is continuing to press to try to fire Otepka for "insubordination" for delivering two documents to the Senate Internal Security Subcommittee to establish the truth relative to laxity in the handling of certain security cases at the State Department.

Otepka is in the witness chair in the closed hearings. The secrecy of a national security classification has been placed on the record by the State Department that bars publication of the details of his story on his problems with security under the Rusk regime.

GRAND COULEE PROJECT MUST NOT GO TO RUSSIA

Mrs. MAY. 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 gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, I am greatly perturbed to read in the papers that the President of the United States has been considering an invitation to Soviet Russia to build and install giant turbines and generators in Grand Coulee Dam in the State of Washington.

As incredible as it may seem, Mr. Speaker, such a decision was reportedly urged at least 6 weeks ago by the Department of State. Inasmuch as the President has not as yet announced his decision, it is not too late for him to reject the State Department recommendation as both preposterous and outrageous.

However, if for any reason, the President decides to allow Soviet bidding on this giant project, I intend to introduce legislation in the House of Representatives to prevent the administration from carrying out such a decision.

According to the documented evidence, Mr. Speaker, Soviet Russia first expressed interest in bidding on $340 million in

heavy electrical equipment for the proposed third powerplant at Grand Coulee Dam in my State last March. The Soviet interest was taken under advisement. The Secretary of the Interior, who had presented the third powerplant proposal to the Congress as a wonderful opportunity for American free enterprise to recapture the lead over Soviet Russia in building big power equipment, was supposed to make the decision as to whether foreign bidding would be allowed.

But, Mr. Speaker, that decision was not left to him. Apparently, against the better judgment of the Secretary of the Interior, the collective weight of the Department of State, the Bureau of the Budget, and the White House itself, was brought to bear, and as finally evolved, the Soviets would be allowed to submit bids. The plan submitted to the President is to the effect that the first three of six giant turbine-generator sets to be installed at the dam would be procured in the United States, but the second set of three turbine generators would be procured from the "world market."

As mother of a boy in the U.S. Marine Corps, I feel it is preposterous and shameful that the administration has before it a plan to allow the Soviet Union to furnish electrical equipment for this project at the same time that Soviet equipment is killing our boys in Vietnam. Not only would such a decision lack any sense of morality, but any decision to encourage Communist slave labor to compete with American free enterprise would reek of sheer economic stupidity.

Mr. Speaker, on April 13 I wrote to the President to express my conviction that if the Soviet Union were a successful bidder, the Communists would have every political gain while the United States would have everything to lose. The gains to the Soviet Union in political prestige over the United States could be so great as to entice the Soviet Union into submitting a ridiculously low bid at sizable monetary loss to them in order to secure such advantage.

Here and now, Mr. Speaker, I call upon the President of the United States to openly and publicly reject the recommendation of his advisers and to announce that all six of the turbine-generator sets to be installed at Grand Coulee Dam will be built by American initiative and know-how, and the Soviet interest in this project is flatly rejected.

COMMISSION ON OBSCENE AND NOXIOUS MATERIALS

Mr. ST GERMAIN. 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 Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the world in which we live requires the utmost development of our mental capabilities if man is to progress as he should. For our Nation, it means the best possible educational development of our citizens.

As we all know, the educational process is not confined to the walls of our educational institutions. Much of our education is acquired outside the halls of our schools and a good portion of this is in the form of the various reading matter that we come in contact with.

In view of this, it is greatly disturbing to see any pornographic literature reach our citizens, let alone the sea of filth that is cast before their eyes today. This obscenity can only serve to distract and mislead our citizens and deprive them of those intellectual and moral pursuits that enrich all of society.

Mr. Speaker, as the chosen representatives of the people, we have an obligation to do whatever we can to foster the educational and moral development of our citizens and protect them as best we can from those things that only hinder this development.

Currently, our citizens are spending $1 billion a year for the purchase of pornographic materials. Yes, this business grosses $1 billion a year and every dollar that it receives contributes to its further growth. And what steps have we in the Congress taken to curb the distribution of obscene literature? What have we done to curtail the growth of this pernicious business that gnaws away at the moral fibers of our society? The fact that it still remains a $1 billion business answers these questions most poignantly.

What provokes me most is that our mail system is used as a primary means of distribution for this business. In other words, we even subsidize its distribution into our homes and most of the pornographic material received in the mail is unsolicited.

In testimony before the House Committee on Education and Labor, the Chief Postal Inspector, Mr. Henry Montague, told the committee that 20 million pieces of unsolicited direct-mail advertising offering material in the "gray" area of obscenity are sent through the mail each year. Mr. Montague stated:

> It is the indiscriminate mailing of such offensive material that so arouses the mail receiving public. The operations of one dealer alone has resulted in over 100,000 complaints to the Department during the past four years. Some persons have individually received as many as thirty lurid, unsolicited advertisements from the same promoter.

Just the other day one of my constituents gave me a direct-mail advertisement sent to her home unsolicited. It offered a number of obscene publications that could be ordered by mail, any one of which would prove most detrimental to the children residing in that home. The advertisement itself would suffice in leaving an ugly mark on her children.

Now I realize that there is much debate as to what constitutes obscenity but very little has been said as to what can be done about it once it is defined.

Legislation is now before the Congress that, if enacted, can lead toward an acceptable definition of obscenity and what should be done about curbing its distribution in these United States. I rise today in support of Senator MUNDT's bill which has passed the Senate and is now before this body for consideration.

This legislation would create a Commission on Noxious and Obscene Matters and Materials to be comprised of 20 persons from many walks of life who have knowledge of the seriousness of the problems associated with the suppression of the traffic in obscene materials. These people, to be appointed by the President, would include among others: Members of Congress and of the clergy; representatives from the Post Office Department, Department of Justice, book publishing and periodical industries, and prominent educators.

The purposes of the Commission would be to:

First, explore the methods of combating the traffic in obscene and noxious materials;

Second, seek the means of improving coordination between the various levels of government in suppressing such traffic;

Third, endeavor to inform the public about the problem;

Fourth, report its findings and recommendations as to what legislative, administrative, or other forms of action needs to be taken to combat the traffic in obscene and noxious material.

I am very pleased to cosponsor this legislation in this body for, while it may not provide all the answers, it nevertheless provides us with the means to these vital answers. No effectual legislation has been adopted in the past which deals a crippling blow to this insidious industry that causes such moral decay in our society. The legislation which has passed the Senate and which I have cosponsored, would be the first step toward gaining an effectual program to curb the distribution of pornographic material.

Therefore, Mr. Speaker, I urge that my colleagues join me in support of this legislation to create a Commission on Noxious and Obscene Matters and Materials.

Far too much time has passed and far too many minds have been marred to allow any further delay in coming to grips with this problem.

THE APPROPRIATIONS BUSINESS, 90TH CONGRESS, FIRST SESSION

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

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

There was no objection.

Mr. MAHON. Mr. Speaker, because several of the underlying authorization bills will not be ready on time, the reporting schedule of the Committee on Appropriations has been interrupted, in consequence of which the appropriations business in the House is now at a virtual standstill. We will not be able to report another appropriation bill until sometime after the first of the new fiscal year.

On yesterday, I took the liberty of sending a letter to all Members of the House, summarizing the appropriation bills to date, as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., June 14, 1967.

Of special interest to all members (action on the appropriation bills).

DEAR COLLEAGUE: I thought you would like a brief résumé of the appropriations business of the session, supplementing status reports in the RECORD of yesterday and on several earlier occasions. A simplified summary table showing the total amounts is also being sent *to you today.*

House action in 11 bills to date: The House has considered $126,888,000,000 of budget requests for appropriations at this session in 2 supplemental bills for 1967 and 9 bills for 1968. This is about 85% of the total appropriation requests which it is now tentatively indicated will be before us for action in bills this session. The House has made net reductions totaling $3,039,000,000 in the 11 bills. $83.9 billion of the requests involved defense purposes (including the $14.4 billion supplemental some weeks ago); $43.0 billion related to non-defense bills. The sum of $1,671,000,000 was cut from the non-defense requests, $1,368,000,000 from the defense items.

Bills remaining: 5 bills for fiscal 1968 remain to be reported, involving roughly $20,900,000,000 of budget requests now pending, plus such indeterminate additional amounts as may be submitted later for consideration in the closing supplemental bill, as follows:

1. Public Works ($4,867,000,000)
2. Foreign Aid ($3,818,000,000)
3. Military Construction ($2,937,000,000)
4. Transportation ($1,718,000,000)
5. Closing supplemental (space, poverty, higher education, etc. etc. $7,472,000,000 deferred from earlier bills for lack of authorization, plus any necessary last minute supplements)

Including roughly $15.2 billion of so-called permanent appropriations—mainly interest on the debt—that do not come before us for a vote in the annual bills but do have to be reckoned in budget totals, it is tentatively indicated that budget requests for appropriations at this session will aggregate something like $163,000,000,000 plus.

Thus far we have kept to our reporting schedule on the bills *but are now at a standstill.* Reason: All of the 5 appropriation bills remaining hinge wholly or in part on authorization bills not yet reported or enacted. This means that we will not be able to report another appropriation bill until sometime after the first of the new fiscal year. It will, of course, be necessary to again consider a continuing resolution before July 1.

Cordially,

GEORGE MAHON,
Chairman.

Mr. Speaker, summarizing tne figures in the letter another way, the $163 billion, plus, probable total administrative budget requests for appropriations at this session would involve:

First, about $87,000,000,000 in three defense bills of the session—the supplemental earlier in the spring; the regular defense bill for 1968; and the military construction bill not yet reported;

Second, about $61,000,000,000 in 13 other bills of the session; and

Third, about $15,000,000,000 in so-called permanent appropriations that accrue under legislation of earlier years and must be counted but which we are not called to vote on in bills of the session.

SENATE ACTION

While the House has passed 11 appropriation bills this session, the Senate has passed only four of them—the two supplementals for 1967 and two regular bills for 1968. They involved about $23.6 billion of budget requests. They reflected net reduction of $195 million below those requests.

FINAL ACTION

Three appropriation bills have received final clearance this session—the two supplementals for fiscal 1967 and the Interior appropriation bill for fiscal 1968. They involved $15,991 million of budget requests. They appropriated $15,777 million, a reduction of $214 million.

BUDGET DEFICITS

The estimates of the budget deficits for fiscal years 1967 and 1968 that were tentatively projected in the budget message of last January 24 are out of date. Budget projections never materialize; they always turn out differently. They often turn out worse; sometimes for the better. They always rest on many assumptions, many contingencies, many uncertainties. This year's budget projections were no exception to the unvarying pattern.

The January budget projected a revised administrative budget deficit for the current fiscal year 1967 of $9.7 billion. The latest official Executive revision shows a deficit of $11.0 billion, an increase of $1.3 billion. Revenues are adjusted downward by $0.5 billion and expenditures are now estimated to be $0.8 billion higher.

Mr. Speaker, somewhat repeating what I said here on the floor on Tuesday last, the tentative administrative budget deficit projection for the forthcoming fiscal year 1968 was $8.1 billion—resting, however, as always, on a number of legislative actions. That projection was recently revised upward by the executive branch to $11.1 billion, an increase of $3.0 billion. The revenue projection was lowered by $1.5 billion; estimated expenditures were elevated by $1.5 billion.

Further, as to the tentative character of the projected deficit for fiscal 1968, I repeated what was said on the House floor on January 24—the day the President's new budget was submitted—that even if only a handful of selected budget assumptions and contingencies did not materialize, the administrative budget deficit for 1968 could go as high as $18.3 billion, and supplied the details in tabular form. And in a letter to all Members of the House on March 14, I said:

> Even the $8.1 billion deficit for fiscal 1968 hinges significantly on Congress enacting the 6 percent surtax proposal, a postage increase, an acceleration of corporate tax collections, and approval of $5 billion of participation certificates. The proposed pay increase is in the budget at $1 billion. If just this series of actions is not approved by Congress, for instance, the estimated deficit would be $18.3 billion.

This is not the time to discuss whether there should be a tax increase. But these shifts in the budget outlook, joined with the contingencies and uncertainties still surrounding the revised $11.1 billion budget deficit figure, have evoked estimates of an administrative budget deficit upward of $24 to $29 billion in fiscal 1968. This alone should compel us to greater prudence in conference dealings, in considering the $20 billion, plus, in budget requests remaining to be voted on, and in voting on all legislative authorizations.

The $3,039,000,000 cut by the House to date from the appropriation requests is much larger than the final cuts by Congress on all of the appropriation bills in the last session, and larger than the year before, but the fiscal situation facing us this year is vastly different, vastly more critical. So greater caution and prudence ought to be the order of the day.

Mr. Speaker, for ready reference and information, I include two supporting tabulations of the figures on the appropriation bills. One is a highly summarized picture of the totals; the other shows the figures on an individual bill basis. Both reflect the same results:

Summary of action on budget estimates of "appropriations" in appropriation bills, 90th Cong., 1st sess., as of June 15, 1967

[Does not include any "back-door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	All figures are rounded amounts		
	Bills for fiscal 1967	Bills for fiscal 1968	Bills for the session
A. House actions:			
1. Budget requests for "appropriations" considered	$14,411,000,000	[2] [3] $112,477,000,000	$126,888,000,000
2. Amounts in 11 bills passed by House	14,238,000,000	[2] [3] 109,611,000,000	123,849,000,000
3. Change from corresponding budget requests	−173,000,000	−2,866,000,000	−3,039,000,000
B. Senate actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	9,073,000,000	23,606,000,000
2. Amounts in 4 bills passed by Senate	14,457,000,000	8,954,000,000	23,411,000,000
3. Change from corresponding budget requests	−76,000,000	−119,000,000	−195,000,000
4. Compared with House amounts in these 4 bills	+219,000,000	+90,000,000	+309,000,000
C. Final actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	1,458,000,000	15,991,000,000
2. Amounts approved in 3 bills enacted	14,394,000,000	1,383,000,000	15,777,000,000
3. Comparison—with corresponding budget requests	−139,000,000	−75,000,000	−214,000,000

[1] Permanent appropriations were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968.
[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House $925,000,000).
[3] And participation sales authorizations as follows: Total authorizations requested in budget, $4,300,000,000; total in House bills $1,946,000,000.

Summary of action on budget estimates of "appropriations" in appropriation bills, 90th Cong., 1st sess., as of June 15, 1967

[Does not include any "back-door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Budget estimates considered by House	Passed House	Budget estimates considered by Senate	Passed Senate	Enacted	(+) or (−), latest action compared to budget
Bills for fiscal 1968:						
Treasury-Post Office	$7,613,787,000	$7,499,230,000	$7,615,148,000	$7,555,167,000		−$59,981,000
District of Columbia:						
Federal payments	63,499,000	59,499,000				−4,000,000
Federal loan appropriation	49,600,000	48,100,000				−1,500,000
Interior	1,443,793,000	1,365,310,150	1,458,218,000	1,399,359,550	$1,382,848,350	−75,369,650
Loan and contract authorizations	(30,700,000)	(16,200,000)	(30,700,000)	(16,200,000)	(16,200,000)	(−14,500,000)
Independent offices-HUD	[2][3] 10,804,642,700	[2][3] 10,013,178,782				−791,463,918
Contract authorization	(40,000,000)					(−40,000,000)
Labor-HEW	[3] 13,322,603,000	[3] 13,137,488,000				−185,115,500
State, Justice, Commerce, and judiciary	[3] 2,342,942,000	[3] 2,194,026,500				−148,915,000
Legislative	231,311,132	228,089,952				−3,221,180
Agriculture	[3] 5,021,097,400	[3] 4,770,580,950				−250,516,450
Loan authorization	(859,600,000)	(859,600,000)				(−)
Defense	71,584,000,000	70,295,200,000				−1,288,800,000
Public works	[4] (4,867,813,000)					
Military construction	[4] (2,937,000,000)					
Foreign assistance	[4] (3,818,736,000)					
Transportation	[4] (1,718,618,772)					
Supplemental (NASA, poverty, other deferred items; usual supplementals)	([5])					
Subtotal, 1968 bills	112,477,275,232	109,610,703,334	9,073,366,000	8,954,526,550	1,382,848,350	−2,808,882,698
Supplementals for fiscal 1967:						
Defense supplemental (Vietnam)	12,275,870,000	12,196,520,000	12,275,870,000	12,196,520,000	12,196,520,000	−79,350,000
2d supplemental	2,134,932,833	2,041,826,133	2,257,604,652	2,260,246,933	2,197,931,417	−59,673,235
Subtotal, 1967 bills	14,410,802,833	14,238,346,133	14,533,474,652	14,456,766,933	14,394,451,417	−139,023,235
Cumulative "appropriation" totals for the session:						
House	126,888,078,065	123,849,049,467				−3,039,028,598
Senate			23,606,840,652	23,411,293,483		−195,547,169
Enacted			15,991,692,652		15,777,299,767	−214,392,885

[1] Permanent "appropriations" were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968. (All forms of permanent "new obligational authority" for 1968 were tentatively estimated in the January budget at $17,452,899,000.)

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House bill, $925,000,000).

[3] And participation sales authorizations as follows: Independent offices-HUD, $3,235,000,000 in budget estimates and $881,000,000 in House bill; Labor-HEW, $115,000,000 in budget estimates and House bill; State, Justice, Commerce, and judiciary, $150,000,000 in budget estimates and House bill; Agriculture, $800,000,000 in budget estimates and House bill. Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000.

[4] These are the amounts presently pending consideration in the committee.

[5] Several billion.

INVESTIGATE CONTINENTAL TELEPHONE

Mr. OLSEN. 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 Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I am today introducing a resolution for the establishment of a Select Committee To Investigate the Continental Telephone Corp., a telephone holding company. This telephone holding company by its own admission is the third largest telephone holding company in the United States. It readily admits that it was formed for the purpose of gathering together and merging under one head numerous small telephone companies.

It is my understanding that this company has absorbed a great many small companies, numbering in the hundreds, many of which were financed by REA funds. It is my further understanding that this company owns and controls small companies to the extent that approximately 11 percent of all REA funds authorized by this Congress are presently being utilized by it and are under its direction. I feel that this trend toward complete monopoly of the small telephone companies in this country and the further encroachment upon REA funds is going to continue. I feel that it is paramount for this Congress to create this committee for an immediate investigation of this matter.

Mr. Speaker, the following is a copy of the resolution I have today introduced:

A resolution to establish a select committee to investigate and study the acquisition of small investor-financed and REA-financed telephone companies by the Continental Telephone Corp., a telephone holding company

Resolved, That there is hereby created a select committee to be composed of five Members of the House of Representatives appointed by the Speaker, one of whom he shall designate as chairman, and not more than three of whom shall be appointed from the same political party. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

SEC. 2. The committee is authorized and directed to conduct a full and complete investigation and study into the policies and practices of the Continental Telephone Corporation of 130 South Bemiston Street, St. Louis, Missouri, whose president is Philip J. Lucier.

In the conduct of such an investigation and study the matters considered by the committee shall include, but not be limited to, the following data:

(1) The number of small telephone companies the said Continental Telephone Corporation acquired in the last five years, both privately financed and financed in whole or in part by Rural Electrification Administration funds;

(2) The number of transactions in which investor-owned, REA-financed independents have sold out to said Continental Telephone Corporation by tax free exchange of stock;

(3) The amount of REA funds presently being utilized by each and all of the telephone companies owned or controlled by Continental Telephone Corporation;

(4) The manner and method employed by the said Continental Telephone Corporation in acquiring control of these smaller companies, both investor-financed and REA-financed;

(5) The prices paid by the Continental Telephone Corporation, a holding company, per station in the companies it acquired.

(6) The prices being paid for telephone companies by said Continental Telephone Corporation for stock of acquired companies, including cash or stock paid, and fringe benefits offered to officers of the acquired companies, if any, whether or not these benefits are of record; and the relationship of the full price paid, delivered or promised to the actual value of the stock of the acquired company based on past earnings of that company; and

(7) To check into and ascertain the actual earnings of said Continental Telephone Corporation as compared to present dividends which may be excessive and which could cause an ultimate loss to stockholders in the future with what is commonly known as watered or diluted stock.

SEC. 3. The committee shall consider and make recommendations with respect to its findings.

SEC. 4. For the purpose of carrying out this Resolution the committee or any subcommittee thereof authorized by the committee to hold hearings is authorized to sit and act during the present Congress at such times and places within the United States including any commonwealth or possession thereof whether the House is in session, has recessed, or has adjourned, to hold such hearings and to require by subpoena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpoenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him and may be served by any person designated by such chairman or member. The committee shall report to the House not later than

ninety days following the date on which the committee is first appointed under this Resolution the results of its investigation and study together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

HUNG COURT

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

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

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I am sure there are very few of us who were overly startled by the President's nomination of Thurgood Marshall to be the first Negro Justice on the Supreme Court. I suppose we should be thankful it was not Stokely Carmichael who got the job.

The appointment of Mr. Marshall probably would not have much of an effect one way or the other on the Court's philosophies, but it does point out just how far we are removed from the ideas our Founding Fathers had of an unbiased court serving the law. What we have now is a topheavy group of social philosophers picked, not for judicial impartiality, but for their proven tendencies to interpret laws not on the basis of two centuries of wisdom, but rather in line with current social fads and their own personal theories on how to create the perfect society.

A column by Joseph Kraft in the June 15 Washington Post expresses the opinions of many of us:

HUNG COURT

(By Joseph Kraft)

The appointment of Thurgood Marshall to the Supreme Court is an unhappily fit climax to a term that has shown the Court to be hung up on outworn liberal and moralistic doctrines of the past.

Mr. Marshall may not be a bad Justice. By all accounts, he has generous sympathies, common sense and a feel for the political issues that bulk so largely in the work of the Court. But Mr. Marshall will not bring to the Court penetrating analysis or distinction of mind.

Beyond any doubt, Mr. Marshall was appointed because he is a Negro; not just any Negro, not even the best qualified Negro. He was appointed because he is a Negro well known to the Negro community for action on behalf of Negro causes. He was appointed, in other words, on the outmoded principle of ethnic representation, and for years to come his seat on the Court will probably be a Negro seat.

Perhaps that is the price for generations of unfair treatment that find current expression in the case of Adam Clayton Powell and the wave of racial rioting. But it is not, at this particular time, as small a price as it may seem.

For the Supreme Court has recently suffered grievously from a shortage of penetrating analytic minds. More and more it has seemed to be ruled not so much by the internal logic of cases as by a desire to reach results in line with a simple good guys versus bad guys morality.

In the rare cases that present themselves in such simple terms, the Court speaks out with clarity and sweep. A good example is the ringing 9-to-0 decision last Monday that found "no doubt" that a state law against interracial marriage "violates the central principle" of the Constitution.

But most cases involve far more sophisticated issues. And here the Court has frequently followed its emotional bent to dubious results, often speaking with divided tongue and in obscure tone.

In the field of criminal procedure, the Court has been hung up between those who want a Mr. Clean image for the law and those who believe the police must be given sharper tools to do their work. In that vein, last Monday, by a curiously indecisive 5-4 ruling, the Court declared unconstitutional a New York statute that permitted court-authorized eavesdropping on suspected criminals.

The majority opinion by retiring Justice Tom Clark obviously left room for some kind of statute authorizing bugging. But at the same time it declared, in the best liberal rhetoric, that: "few threats to liberty exist which are greater than that posed by the use of eavesdropping devices."

In the field of libel, the Court has been divided on the claims of the right of privacy as against the freedom of the press. In that spirit last week it settled, by 5-to-4 votes with Chief Justice Warren as the swing man, two libel cases in exactly opposite directions.

Wallace Butts, the former Georgia football coach, was awarded a judgment against the publishers of the Saturday Evening Post. But Maj. Gen. Edwin Walker, the retired right-wing officer, was denied a judgment against the Associated Press.

The ostensible distinction was the difference between a wire service and a magazine—a matter on which the Court has no special competence. It is very hard not to believe that the football coach, a good guy, prevailed over the right-wing General who would be, in the eyes of Chief Justice Warren, a bad guy.

Similar patterns of unresolved claims of principle eventually being decided on a good guy versus bad guy basis cropped up last Monday in decisions concerning civil rights and antitrust. In the civil rights field, the Court, by a 5-to-4 majority seemingly rooted in dislike of "Black Power" techniques, approved a 5-day jail sentence meted out to Martin Luther King in Birmingham, Ala.

As to antitrust, in the Schwinn bicycle case, the Court appeared to hand down a ruling that moved two ways at once. It forbids big manufacturers to police the selling arrangements of their dealers. But it seems to authorize smaller manufacturers to prevent their selling agents from passing on products to the big discount houses.

To me anyway, this thicket of contradictions announces the need for a new rationale in the Supreme Court. But for that, the Court will have to wait at least until the President's next appointment.

MRS. GANDHI BLASTS UNITED STATES, LAUDS NASSER

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

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

There was no objection.

Mr. WAGGONNER. Mr. Speaker, it is at a time of crisis that you find out who your real friends are. India's Prime Minister Indira Gandhi this week again demonstrated that she is not at all averse to biting the hand that feeds her.

Her peculiar logic and complete antipathy for an open mind on the Middle East problems are most convincingly illustrated in the following news story from the June 12, 1967, Shreveport Times. While criticizing the United States for not giving India more food, Mrs. Gandhi is praising President Nasser who in his Middle East field day closed the Suez Canal and thus deprived India of much of her vital food imports. There is an even greater sense of awe at her continued condemnation of U.S. policy in Vietnam coupled with a blanket pledge of support for President Nasser. Anyone who takes the time to look can see a definite pattern here.

[From the Shreveport (La.) Times, June 12, 1967]

MRS. GANDHI BLASTS UNITED STATES, LAUDS NASSER

NEW DELHI, INDIA (Associated Press).—Prime Minister Indira Gandhi has unleashed a bitter attack on U.S. foreign aid policies and pledged continued support for Egyptian President Gamal Abdel Nasser, whom she described as "a force for progress."

"We are not getting aid without pressures, but I am sure that abundant aid would be forthcoming if we agree to set up a capitalist system," she said at a public rally Saturday night in Ambikapur, 500 miles southeast of New Delhi. Her remarks were reported Sunday by Indian news agencies.

Mrs. Gandhi left no doubt that the United States, the largest aid-giver to India, was the main target of her remarks.

She specifically criticized U.S. policies of selling arms to Pakistan, and demanding "matching food assistance from other nations at a time when India is in urgent need of food."

"When America first started giving arms aid to Pakistan (the late Prime Minister) Nehru repeatedly told the United States those arms would be used against India, but then America said no, they were meant for containing communism," Mrs. Gandhi said.

"Eventually those arms were used against us."

India and Pakistan fought a brief war in 1965 over Pakistani claims to the Indian-held section of Kashmir.

Mrs. Gandhi drew a parallel between Israel and Pakistan, saying both nations had been armed heavily by the West.

"The seeds of the current conflict were sown at the time of the birth of Israel," she said.

En route back to New Delhi on Sunday morning she told newsmen: "Mr. Nasser is a force for progress and his continued leadership of the United Arab Republic—Egypt—should be welcomed."

Her remarks were in line with pro-Arab policy enunciated in the 1950s by Nehru and his close adviser, V. K. Krishna Menon.

Her comments on U.S. food aid were a reference to President Johnson's policy of having more nations help alleviate India's food shortage.

A 100-YEAR-OLD CONNECTICUT NEWSPAPER SUPPORTS PROPOSAL FOR SHORTER PRESIDENTIAL CAMPAIGNS

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

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

There was no objection.

Mr. MONAGAN. Mr. Speaker, once again I am encouraged by public response to my continuing efforts to bring about through legislation or constitutional amendment, an elimination of

lengthy and enervating presidential campaigns. The timing of the current enthusiasm for shorter campaigns is unique in that I have found that normally the grassroots wave of enthusiasm has not developed before a presidential campaign, but thereafter.

I am hopeful that public support for shorter campaigns will continue to grow and that we may find it possible to set up acceptable standards for the 1968 campaign.

With your permission, Mr. Speaker, I enclose, herewith, an editorial supporting my objective which appeared in the June 10 edition of the Meriden Record, an outstanding Connecticut newspaper which currently is being honored in recognition of 100 years of publication. I also include an article on the same subject which appeared in the June 9 edition of the Danbury, Conn., News-Times:

[From the Meriden (Conn.) Record, June 10, 1967]

TWO MONTHS IS LONG ENOUGH

Presidential election campaigns in the United States cost too much and last too long. By the time the first Tuesday after the first Monday in November of a presidential year rolls around, everyone is exhausted—candidates, party workers, and the long-suffering public.

It shouldn't be this way. Electing a president is a vital part of the democratic process. It should be carried out with efficiency and dispatch in a manner contrived to allow the voters adequate opportunity to hear and judge a candidate without becoming worn out or bored to death in the process.

Rep. John S. Monagan, D, who represents the 5th Connecticut District, which includes Meriden, recently revived a proposal he has made to streamline campaigns in the interest of efficiency and economy. Congressman Monagan urges that Presidential campaigns be limited to 60 days before the election, this to include the nominating conventions. He says: "Sixty days is more than enough time to bring the issues to the public and debate them thoroughly; in fact, in almost every civilized country, 30 days is the limit. We can do the same as Israel, Britain, and India. Long, drawn-out campaigns tax the endurance of our citizens and undermine their confidence in democracy. Even more important, they tend to bore people, which is even more serious. No reform of our campaign procedures can be complete unless we come to grips with one of the most glaring deficiencies in our system: the inordinate amount of time that we devote to campaigning."

Congressman Monagan summed up his position in a statement before the Senate Committee on Finance thus: "Modern transportation renders long campaigns unnecessary, modern communications render long campaigns wasteful . . . in the political business, the area of diminishing returns on campaign exchanges is very rapidly attained."

Congressman Monagan's argument is sound; his contentions are incontestable; his proposed remedies are worthy of application. In the name of common sense and good government, and for the sake of democracy itself, presidential campaigns should be limited to a maximum of two months. Congressman Monagan has shown the way.

[From the Danbury (Conn.) News-Times, June 9, 1967]

CONGRESSMEN PUSH TO CUT PRESIDENTIAL CAMPAIGN TIME

WASHINGTON.—A bi-partisan drive has been mounted in the 90th Congress to shorten this country's traditional four to five-month presidential campaign.

One of those who has been pressing for a shortened campaign period is Cong. John S. Monagan, D-5th Dist.

BEST TIME

He testified this week before the U.S. Senate Finance Committee on political campaign financing methods. The Waterbury Democrat said this is the best time to enact a reform.

"The strength of opposition to long presidential campaigns dissipates rapidly after each election," he testified. He added a push for a shorter campaign should be adopted now.

"This committee and this Congress can discharge its obligation to the American people by proposing and enacting an Election Reform Act which will eliminate one of our most obvious political liabilities," he said.

Another supporter of shorter presidential campaigns is Sen. John J. Williams, R.-Del., who is a member of the Senate Finance Committee. The hearing is on the Presidential Election Campaign Fund Act.

Cong. Monagan has been pressing for shorter campaigns ever since he was first elected to Congress in 1958. He is a five-term representative.

Pressure is mounting before the committee to cut the campaign back to no more than five weeks. Purpose would be to start the campaign shortly after the conventions in early September.

THREE-DAY CONVENTIONS

A suggestion already has been made by another Congressional representative for Labor Day weekend political conventions. Other suggestions have been made to cut the conventions to no more than three days.

One basic reason the pressure is mounting for shorter presidential campaign periods is the fact that many congressional members feel that the presence of radio and television has made communication of ideas instantaneous.

The reasoning here is that nothing transpires that doesn't receive widespread publicity. Sen. Williams is known to feel that anything beyond five weeks tends to become repetitious.

MR. NIXON'S CLOUDY CRYSTAL BALL

Mr. VAN DEERLIN. 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 California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, political pundits have been touting Richard Nixon as the Republican Party's likeliest candidate for President. They point out that foreign policy will claim top attention in the 1968 campaign. Within his party Mr. Nixon has the longest experience in, and deepest understanding of, foreign affairs.

It was with some interest, therefore, that I read a New York Times interview with Mr. Nixon in Rabat, Morocco, just a week ago. The interview had been held on the second day of fighting in the Middle East. In the Times dispatch, carried in the San Diego Union of Wednesday, June 7, the former Vice President predicted a long war which "nobody is going to win without massive assistance from a foreign power."

Subsequent events suggest that Mr. Nixon, once again, peaked too soon.

The dispatch follows:

[From the San Diego Union, June 7, 1967]

NIXON SAYS NOBODY WILL WIN IN MIDEAST

RABAT, MOROCCO.—The Israel-Arab war is "terribly unfortunate because nobody is going to win," former Vice President Richard Nixon said here yesterday.

At a breakfast news conference, Nixon also said that "the destruction of Israel as a state is just not going to happen."

Here for two days at the beginning of a tour of 12 African states, Nixon said "I do not believe that any side has the capability, without massive assistance from a foreign power, of winning a quick victory."

"Neither Israel nor the Arab states have the logistical power to sustain a long war. Numbers of people in modern times is not an indication of the possibility of fighting a long war," he added.

Asked about the possibility of intervention by the Soviet Union on the side of the Arabs, Nixon said Moscow had an interest at stake in the conflict which, he said, was "the interest of detente between the Soviet Union and the West."

"I cannot believe that the Soviet Union is going to throw out of the window any hope for lessening tensions, any hope for more trade and other benefits that could come from lessening tensions, by blocking the road to peace in the Middle East," Nixon said.

"If the war is allowed to go on to its desolate conclusion the only winner will be the Soviet Union, whose interests in this area is the destruction of all independence there," he said.

THE AMERICAN LEGION AND THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

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

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the publication, Firing Line, which is issued monthly by the National Americanism Commission of the American Legion has for many years been deeply interested in the subject of subversion and propaganda activities against our form of constitutional government. Unlike some people and organizations which would abolish HCUA, but who have never even bothered to read even one of its publications or to view the committee's record objectively, the Firing Line is well acquainted with the past history and achievements of this much-abused committee. The remarks of this publication regarding HCUA are of greater value in appraising the worth of the committee than the opposition of uninformed sources.

I insert the views of the June 1967, issue of the Firing Line concerning HCUA in the RECORD at this point:

COMMANDING THOUGHTS—HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

Cicero said: "A nation can survive its fools, and even the ambitious. But it cannot survive treason from within. An enemy at the gates is less formidable, for he is known and he carries his banners openly. But the traitor moves among those within the gates freely, his sly whispers rustling through the alleys, heard in the very halls of government itself.

For the traitor appears no traitor; he speaks in the accents familiar to his victims, and he wears their face and their garments, and he appeals to the baseness that lies deep in the hearts of all men. He rots the soul of a nation; he works secretly and unknown in the night to undermine the pillars of a city; he infects the body politic so that it can no longer resist. A murderer is less to be feared."

The House Committee on Un-American Activities is one of our few bulwarks against treason from within and we are thankful that the House gave this Committee an overwhelming vote of confidence. The vote was 348–43, which is, unfortunately, an increase for the opposition; there were only 24 members last year who voted to cut off the committee funds.

The leader of the opposition, Representative Don Edwards (D.-Calif.) told the House that for 20 years the committee "has been violating constitutional rights" of citizens and "intends to continue to do so." Representative William Fitts Ryan (D.-N.Y.) accused the committee of having brought "discredit upon this House" and of having used committee funds to hire "friendly witnesses" under contract agreements.

The American Legion has consistently supported this fine Committee and has adopted numerous resolutions at its National Conventions, commending the House Committee on Un-American Activities for its excellent work. We are grateful to those members of the House of Representatives who voted for the funds for the continuation of ferreting out and publicizing the "traitors" through the diligent and untiring effort of this Committee.

LIBERALS BATTING ZERO ON ISRAEL VICTORY

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

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I have frequently pointed out instances where liberals have called forth from their bottle of genie-logic, arguments reeking of the double standard: the inconsistencies which they either cannot see or simply do not admit.

The crisis in the Middle East and the Israel victory has again forced liberal and "New Left" spokesmen into double standard arguments, but this time it has brought about a dilemma which sports two equally disagreeable horns. To be sure, some of the liberal double standard bearers have swapped sides, and thus been impaled by the other horn, but they seem to have suffered no apparent pain.

Specifically, the hot war forced a choice between the Israelis or the detente-minded position which encompasses snuggling up with the Soviet Union and Nasser. It is apparently taboo for the liberal to check the premises behind his dilemma.

Washington-based columnist Ralph de Toledano has summed up the situation in an article entitled "Liberals Batting Zero on Israel Victory," which I include with my remarks:

LIBERALS BATTING ZERO ON ISRAELI VICTORY

(By Ralph de Toledano)

There is no joy in that particular Mudville which the liberal movement inhabits. The Israeli victory has caught the self-appointed custodians of absolute truth off-base, and their batting performance is hardly one to give the conservatives any kind of worry. This applies to both the first team and the second team.

The New Left and its not so farout liberal allies had staked their political futures on a line of opposition to the Vietnamese War. The United States had no business to get itself involved. It was not our war. The American-South Vietnamese involvement was imperialistic. This, at least, is what the liberals kept telling us.

The Israeli-Arab confrontation presented a problem. Until the Israelis, realizing that God helps those who help themselves, retaliated to Arab acts of war, the liberals had gnashed their teeth politely and deplored Nasserism in the Middle East. But when the guns began to go off, the taking of sides became inevitable.

This is where the trouble began. Ideologically, the New Left-liberal coalition was faced by two alternatives—either give up their love affair with the "new" Soviet Union (up to its neck in the Arab conspiracy) or turn on the Jews. To deplore an Israeli victory would have alienated some of their best friends in this country. To support Israel meant betraying the mock-up Marxism-Leninism from which much of their thinking derives.

On this, the liberal movement and the New Left have split. In Washington's favorite watering places, there has been a glum silence. While the hated conservatives speak out for the Israelis and criticize the Johnson Administration's weak-kneed response to the issues raised by Egyptian violation of international law in the Gulf of Aqaba and her repeated threats to wipe out Israel, the liberals try to change the subject.

But the subject will not be changed. Many categorical pacifists—"all wars are bad"—changed overnight and were demanding aid to Israel and a reassertion of America's commitments to that nation. Others, like Arthur Schlesinger Jr. and John Kenneth Galbraith, rejected their Jewish and pro-Israeli friends by restating their conscientious objections.

(George Orwell, in the early 1940s, pointed out that to be a conscientious objector in Britain during World War II was the moral equivalent of being pro-Nazi. By withdrawing aid to your own country, he explained, you made the job for the Nazis that much easier.)

Conservatives are willing to welcome the now-hawklike doves into the ranks of reason. There is always the possibility that an understanding of why it was necessary to fight in Israel may rub off on their anti-Vietnam apologetics. And certainly, in the chatter at the Washington cocktail parties, there is a possibly malicious pleasure in watching the Schlesingers compromising their political futures by refusing to support a people with very long memories.

In all this, there is one ugly aspect. The Anti-Defamation League, a subsidiary of B'nai Brith, has gone whole hog by setting up monitors of radio and TV programs in order to prepare lists of those who argued that American boys should not be sacrificed in the defense of Israel. The ADL has been one of the loudest shouters against "snoopers" and self-appointed ideological vigilantes. But now it has openly announced a campaign to smear as anti-Semitic all those who, mistakenly in my opinion, seek to remove the American presence from the Middle East.

The ADL also feels that the words and statements of those like myself who point out the inconsistencies of the New Left-liberal coalition are, in effect, attacking the Jews. This is arrant and arrogant nonsense. The ADL was created to find ways to discourage anti-Semitism. By taking up the cudgels for the New Left, it gives ammunition to its enemies. For it is out to smite conservatives for what its liberal-New Left friends are allowed to say with impunity.

In the political baseball game, this is like a pitcher's balk.

VOICES FROM VIETNAM

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REINECKE] 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 Oregon?

There was no objection.

Mr. REINECKE. Mr. Speaker, my office has received a number of letters from U.S. servicemen who are on duty in Vietnam. These letters reveal the innermost thoughts of our men in uniform who have already been baptized in the blood of war. Although they face imminent personal danger in the unfamiliar jungles and swamps of a distant Asian battlefield, their concern is not for themselves, but for the flag under which they serve, and the people and the country they have left behind. These men who have been hardened by the cold realities of war, are not the least bit ashamed to express their patriotism, love of country, and their willingness to accept and discharge the responsibilities of citizenship. They are ashamed of the flag desecraters and the so-called sophisticates in this country who feel that patriotism is a form of sentimental extremism. The following letter was received from an Army specialist, who is serving with the 1st Infantry Division, in Vietnam:

CONGRESSMAN REINECKE: Ordinarily, when discussing the policies of our Federal Government, foreign or domestic, I am able to retain my rationale and my composure. This time, however, Lyndon & Co., have aggravated me to the point where it is no longer legitimate partisanship on my part, but rather an overwhelming urge to whack the next liberal who looks at me crosseyed, right between the ears.

Mr. Johnson says the tax increase in the President's Budget for the 1968 fiscal year will give our "fighting men in Vietnam the help they need". Please inform my eminent Commander-in-Chief that this kind of help, we can do without. The kind of help we do need, is already at his disposal.

First of all, we have an adequate supply of arms & ammo. over here already, supplemented by a force of highly competent, well-trained soldiers, airmen, etc. However, it isn't doing us a bit of good. In spite of what you're probably used to hearing, morale over here is not good. Primarily because we are not being allowed to try to win. President Johnson doesn't seem to care one way or the other. A radical mob burns the American Flag in N.Y.C., and our Commander-in-Chief says something like "Sorry 'bout that." Then, he has the audacity to suggest that his proposed tax increase is for one benefit. This is probably the most unscrupulous thing I've ever heard of, appealing to the patriotic instincts of the American citizenry in an attempt to justify his squandering of tax dollars. In page 413 of the Budget, you can see that non-military spending will increase over 1966 by $27.084 billion. Now, how is that going to help the war effort?

In closing, I can only say that I trust you will consider all aspects of this proposed pilferage and do what you think is best for our country and the constituents who have supported you in two successful campaigns.

Cordially & Respectfully Yours,

———.

I was deeply touched by the following letter which was received from a private, first class, who is serving with the 3d Marine Division somewhere in Vietnam:

DEAR SIR: Although I am currently serving in the Republic of Viet Nam with the 3rd Marine Division, my home town is Palmdale, California.

The purpose of this letter is to inquire if you would obtain a United States Flag for me to fly above my "hooch" in Viet Nam. I would also like any information dealing with flying our flag in Vietnam.

Since there is a growing popularity among Marines to fly State flags, I think that it is only appropriate that the United States Flag fly too.

Thank you for your time and trouble.

Sincerely,

———— ————.

This marine now has an American flag which was flown over the U.S. Capitol especially for him at my request. I hope he received it in time to celebrate Flag Day in traditional style.

The following letter from another Army specialist who is serving with the 4th Infantry Division in Vietnam, was forwarded to me by his sister who lives in Saugus, Calif. In her letter of transmittal, the sister said in part:

I have taken the liberty of sending you my brother's letter because I want you to know how upset the servicemen in Vietnam get when they hear of the various demonstrations here in the States. Everytime I receive a letter from him he talks about the demonstrations. Truthfully, I really don't know what to say to him about them.

Only personal references to self and family have been omitted for obvious reasons. Otherwise, the following is a verbatim account of this soldier's experience and reactions to antiwar demonstrations here in the States:

You can't pick up the paper these days without reading about us. We have been in so many fire fights it's pathetic. Remember when I was in Basic Training? Well, my old platoon is practically all dead or seriously wounded back in the States. When I came to Viet Nam our strength numbered up to 750 men. We now have 343 men left, and out of these only 219 are able to fight—or I should say hump the hills and get the enemy. However, we no longer look for the enemy—he looks for us. Here we no longer face the enemy that we did in Tuy Hoa. Here the enemy has equally good ground-arms. We often send Recon Patrols across the river to Cambodia—they report the enemy as strong and forceful. They say that we have close to 500,000 men over here. I'd sure like to know where they're hiding. Right now about the only guys fighting the Cong are us, along the border, the Marines fighting at Con Thieu, Dang Ho, Gio Linh and a few other spots. We don't know what they say in the papers about Vietnam or the places in which battle has occurred. Write and tell me if you have heard of any of these places.

You know it sure is depressing when we hear of all the demonstrations back there. I hate it here—but I came. I'm not yellow!! Yesterday, I helped with the wounded, and I carried a guy I knew since Basic. When we put him down he had no leg. I saw a lot of sick stuff that day and a lot of my friends were killed, and when I hear of a lot of punks who are chicken to come over here and fight, it makes me sick. But we are winning and the enemy knows he has no chance for victory. Every battle we have fought we have suffered, but they have suffered more. Don't worry about me. You'll see me in about 2,000 hours. I'm fine, strong, healthy and alert.

These, then, are the voices of our men in Vietnam who are enduring extreme personal hardship in order that others may live and enjoy the benefits of self-determination. Are we going to turn a deaf ear to them, or are we going to let them know that we too have the courage to defend the American flag, "the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all." I say it is time that we prove that we are neither too apathetic nor too sophisticated to demonstrate our love, loyalty, and devotion for the Stars and Stripes and for the men who serve under her so that others may have liberty and justice.

TO NAME THE VETERANS' ADMINISTRATION CEMETERY IN HOUSTON

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BUSH] 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 Oregon?

There was no objection.

Mr. BUSH. Mr. Speaker, today I have introduced a bill to designate permanently the Veterans' Administration cemetery at Houston, Tex., the "Albert Thomas Veterans' Memorial Cemetery."

The late Mr. Thomas served almost 30 years in this Congress and was the second ranking Democrat on the Appropriations Committee at the time of his death early in 1966. He served with distinction and his leadership will always be remembered by colleagues in both parties and by his beloved Houstonians to whom he devoted his life of service.

While I do not belong to the party of the Honorable Albert Thomas, I have great respect for both his ability and integrity and feel the cemetery in Houston should be known by no other name. Certainly, he was a champion of veterans' causes for he recognized the demanding contributions made by our Nation's heroes. I am hopeful that our great body will take swift action to name this cemetery after the Honorable Albert Thomas.

LITHUANIA—A CAPTIVE NATION

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] 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 Oregon?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, Thursday, June 15, marks 27 years since the Communists gained control over Lithuania and initiated their program for its forcible integration into the Soviet Union and thereby the eradication of this once proud nation. This Communist program has included imprisonment and deportation of approximately 40,000 Lithuanians. We can point to many similar exploitations.

History gives us all too many examples where such captivity has been condoned to the detriment of the world family of nations. To condone is to endorse.

Let the United States and this House not ignore the plight of the freedom-loving people of Lithuania. Their anguish this day prompts us to renew and state again our dedication to the dignity, freedom, and right of self-determination of the citizens of all nations and to the same rights of their nation among the family of nations of this earth.

"BREAKTHROUGH"—AN IMPORTANT ADVANCE IN METROPOLITAN COMMUNICATION

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] 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 Oregon?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, it has become almost a cliche to observe that the so-called problems of the cities are not a series of separate, unconnected woes which can be dealt with one by one. It is also becoming commonplace to note that central city problems, far from being confined within the city limits, have a great impact on the health and vitality of a metropolitan area as a whole.

In many of our great urban areas, perceptive civic leaders are now making intensive efforts to stimulate the informed regionwide communication which must precede intelligent, coordinated attacks on common problems. One such campaign to increase regional awareness and public understanding has been launched this month in the Baltimore area by Group W television station WJZ–TV.

Entitled "Breakthrough," the WJZ–TV series is based on the conviction that—

The metropolitan Baltimore region can, in concerted effort, solve—or at least alleviate—common problems. To do so will require a new effort, a new way of thinking, a reassessing of goals, a new look at the facts.

To promote this "breakthrough" in communications, the station has scheduled a concentrated series of public affairs programs focused on five problem areas: poverty, crime, education, race relations, and transportation. Each area will be explored in depth in a series of documentary reports, interviews and discussions, based on an honest evaluation of the current Baltimore situation and a thorough assessment of alternatives for the future.

In the pamphlet summarizing "Breakthrough," channel 13's officers stated:

WJZ–TV, a group W station, and a corporate citizen of Baltimore, is acutely aware of the need for an informed public opinion and enlightened leadership in the Baltimore community, and is likewise aware of the vast potential of a television station to influence public opinion and stimulate leadership.

For translating this awareness into action, I would like to commend Mr. Donald H. McGannon, president of Westing-

house Broadcasting Co., Inc.; Mr. Herbert B. Cahan, Baltimore area vice president, Group W; Mr. David E. Henderson, general manager, WJZ–TV; and their associates in this project. Congratulations should also go to channel 13's partners in "Breakthrough," the Higher Education Council on Urban Affairs, which is a federation of higher educational institutions in the Baltimore area and three related agencies, the Advisory Council on Higher Education, the State department of education, and the board of trustees of the State colleges.

Mr. Speaker, this important year-long series was initiated on June 2 with a luncheon sponsored by WJZ–TV at the Samuel Ready School, symbolically located on the Baltimore City-Baltimore County line. This luncheon featured a panel discussion by top officials of Baltimore City and the five metropolitan area counties, and a provocative address by Mr. Carl T. Rowan, internationally respected commentator and columnist.

I would like to place in the RECORD a summary of "Breakthrough," and a partial text of Mr. Rowan's challenging address.

BREAKTHROUGH

An airline traveler descending toward Baltimore at night will begin to notice the multiplying concentration of lights when he is as much as twenty miles away from the central city. The closer he comes to the heart of downtown the brighter is the carpet of activity beneath him. He notices not just more lights, but the forms of industrial areas, shopping districts and busy streets. He becomes aware that the glitter forms a clear radial pattern focusing on downtown Baltimore, from the occasional twinkles in the distance to the brilliant glow of the center.

If the traveler is only an occasional visitor he is probably unaware that this vast sea of lights is made up of separate political units—a city in the center, and five large counties. His business call may be in Baltimore City, or perhaps in Towson in Baltimore County, or Glen Burnie in Anne Arundel County, or Bel Air in Harford County, or Ellicott City in Howard County, or Hampstead in Carroll County. Wherever he made his call the chances are that the next day when he is back in St. Louis or Atlanta or Rochester, he will tell his friends that he was "in Baltimore".

In the lesson of the lights the air traveler sees clearly only that this great metropolitan area is an economic unit. He may be vaguely aware that the lives, fortunes and fate of some two million people depend on the extent to which they can work and live together. He does not see the political boundaries drawn by men, boundaries that may bring temporary wealth to one area and consign another area to permanent struggle against cancerous problems that soon spread and weaken the entire metropolis. The lesson of the lights does not reveal all the things that threaten, divide and defeat the people of the metropolis.

WJZ–TV, a Group W station, and a corporate citizen of Baltimore is acutely aware of the need for an informed public opinion and enlightened leadership in the Baltimore community, and is likewise aware of the vast potential of a television station to influence public opinion and stimulate leadership. It was in this spirit that Westinghouse Broadcasting Company last October conducted a naional Public Affairs Conference for Broadcasters in Philadelphia entitled "The Unfinished American Revolution".

At that Philadelphia Conference, Vice President Hubert H. Humphrey noted that "in ancient times people built walls around cities to protect themselves from the barbarians. Now we have psychological walls, economic and social barriers, which imprison people within the city slums and ghettos and areas of obsolescence."

This theme of the relation between the city and its suburbs recurred time and time again at the conference. Group W Commentator Carl Rowan declared. "The people who rule the cities don't live in the cities and they don't give a hoot what happens". H. Ralph Taylor of the U.S. Department of Housing and Urban Development noted that many suburban businessmen "drive back and forth from the suburbs to the center city without seeing or comprehending the problems on either side of them".

And yet the problems are there and many a Baltimore suburbanite cherishes the delusion that they are city problems, beyond his concern or at least his control. He is wrong on both counts. Poverty, crime, poor education, racial strife, or even inadequate transportation, affect him because they weaken the economic base, the industrial climate, the livability, and the image of the Baltimore area. Hence they are not beyond his concern. More important, they are not beyond his control; he can, in partnership with the people of city and the other counties, do something about his surroundings.

WJZ–TV believes that the metropolitan Baltimore region can, in concerted effort solve—or at least alleviate—common problems. To do so will require a new effort, a new way of thinking, a reassessing of goals, a new look at the facts; in short, a Breakthrough. That is our task for the next year.

In military terms a breakthrough occurs when the enemy's lines crumble at some point and the attacking forces are able to penetrate into new territory. The enemy, however, does not usually give way at one point unless he is being assaulted at many points. Thus to attempt a breakthrough requires a broad assault on the problems of the metropolitan region. To mount an offensive WJZ–TV will not present just isolated documentary reports. The attack on each topic will be continuous and repetitive on Channel 13; we will, through a series of six-to-eight week campaigns, assault each problem relentlessly. We will confront, cajole, even irritate our audience in an effort to create an awareness and a concern for metropolitan problems. The specific problem areas will be poverty, crime, education, race relations and transportation. There are, of course, many other problems we could have selected, and any and all problems are interrelated.

First it is necessary to state the problems in sensitive, human terms. This will be the function of the first program in the Breakthrough series, a combination of a documentary and one of the most unusual "open line" presentations ever seen or heard in Baltimore. This 90-minute program will be broadcast by WJZ–TV on Friday, June 2, 1967, from 7:30-9:00 P.M. The first half-hour will be a documentary entitled "Promises to Keep". This is a deeply moving story of the wonder, the horror and the vastness of life in a great metropolis as seen through the eyes of a small boy through thirty-six hours. "Promises to Keep" will be followed at 8:00 P.M. with an hour-long program that will offer an opportunity for citizens of the metropolitan area to speak with their own political leaders. The top executive or legislative spokesmen for the five counties and Baltimore City will assemble in the studios of WJZ–TV to answer the phone inquiries of their constituents. It will be a unique meeting between the people and their elected representatives, and an appropriate introduction to subsequent programs dealing with five major problem areas.

CRIME

is the most direct and immediate problem to many citizens. While its causes are obscure and complex, its effects are simple. People fear for their lives and the lives of their families. They fear for their property. A region where people are afraid to walk the streets is in trouble. A region where people are afraid to leave their homes for fear of burglary is in trouble. On this basis, there is little doubt that Baltimore is in trouble. There are forms of crime less violent that, while not frightening people so directly, are just as clearly signs of a society in trouble. This is the crime of the numbers racket, the protection payoff, the police bribe, the underworld political power. There are two basic approaches to crime. One is better police protection, but doubling the police force and stepping up police efficiency would still leave the problem far from solved. The only real solution to crime is to eliminate the underlying conditions that turn men into criminals. In this sense the war on crime is closely connected with the war on poverty, with education and with race relations. WJZ-TV will explore the problem of crime from both approaches.

EDUCATION

is now widely accepted as the universal necessity that the only real disagreement is on degrees and methods. Education is the main doorway to individual achievement, hence it is also the way out of poverty and apathy. And yet, despite its total acceptance as a public responsibility, education is facing staggering problems. Overcrowded schools, underpaid teachers, inadequate instruction, exploding methodology are the headaches of all school systems, urban, suburban and rural. Education is not only the road to personal achievement, but to the good life; the well-schooled person is far-better equipped to appreciate the wonder of life itself. There is now, however, a newly emphasized social and survival importance to schools. The community with well-educated people can provide the professions and skills to build a thriving economy. The under-educated community will not measure up in the competition with the educated community. Hence everyone has a far greater stake in education than he may realize. These are some of the aspects of education that WJZ–TV will bring to focus in examining one of the Baltimore region's most profound problems.

RACE RELATIONS

produce some of the most complex and emotional conflicts facing any metropolis. Racial prejudices, whether overt or latent, create a variety of other problems. The antipathy of white people to their Negro neighbors in some cases motivates the flight to the white suburbs, leaving the remaining Negroes with all the problems of the aging city, and the city with insufficient wealth to cope with their urgent needs. Prejudiced employers, or employers fearful of their white employees, hire Negroes last and fire them first. Then the fruits of miserable housing, poor schools, and poverty are themselves used as arguments by racially-conscious white people to claim that Negroes are capable of nothing more. And so the problem feeds on itself. Baltimore's attitudes in racial matters have evolved slowly from Southern traditions, but the improvements have—thus far—been generally steady, with fewer setbacks than many Northern cities. Can the white people and the Negroes of Baltimore reach a modus vivendi that will enable them to move forward together for their mutual advantage? This will be the task of WJZ–TV in its examination of this the most delicate and human of the problems facing the metropolitan area.

TRANSPORTATION

or getting people from here to there, has been a serious psychological hurdle in the Baltimore region. After more than a decade of planning, the East-West Expressway is not yet started, the grand design for a metro-

politan rapid transit system still is on the drawing board. The expressway plans meet resistance, the transit plan meets apathy. The problem of transportation seems the least human of the Breakthrough topics and yet it has significant human import. If a man living in an inner city neighborhood can find a means to travel quickly to a job in Glen Burnie or Towson, his prospects for self-improvement are broadened. The same holds true for students going to a community college, or a nurse's aide to a hospital. Transportation for people of all economic levels is the life-blood of a city and hence one of the keys to overall regional prosperity. What are Baltimore's transportation needs? How can these needs be fulfilled? What is the role of expressways and the role of mass transit? What will better transportation mean for the renewal of downtown Baltimore, for the strengthening of ties between the metropolitan counties and the city? These are some of the questions to be carefully examined in the programs on transportation, the final problem in the year long series.

BREAKTHROUGH

Thus WJZ–TV joins the people of the Baltimore region to seek a Breakthrough to the solution of our common problems. The situation is—as the Breakthrough symbol implies—as if each county and the city were parts of a jigsaw puzzle. By itself, each piece means nothing. Fit them together and the result is a complete and satisfying picture to be enjoyed by everyone.

The year long Breakthrough project is being produced in cooperation with The Higher Education Council on Urban Affairs. HECUA is a federation of higher educational institutions in the Baltimore Metropolitan area and three related agencies: the Advisory Council on Higher Education, the State Department of Education and the Board of Trustees of the State Colleges. They have joined together in the Council to relate themselves more fully to issues of urban affairs in their teaching and research programs and in the community at large.

PARTIAL TEXT OF SPEECH BY CARL T. ROWAN, WESTINGHOUSE BROADCASTING CO. COMMENTATOR AND INTERNATIONALLY SYNDICATED NEWSPAPER COLUMNIST, AT "BREAKTHROUGH" LUNCHEON SPONSORED BY WJZ–TV, BALTIMORE, MD., JUNE 2, 1967

Thank you, Mr. McGannon. You can't beat working yourself into a position where the president of your company says nice things about you—on the public record. But even without those generous phrases, I'd be proud to be associated with WJZ and Westinghouse. The things you are doing in the fields of public service and corporate good citizenship add up to television's finest hours.

This is a sort of homecoming for me. I literally began my journalism career here in 1948 when I did public opinion surveys for the Baltimore *Afro-American* during the presidential election. I also recall doing a bit of picketing here in protest against theater segregation, so my concern about the social, cultural and political problems of this metropolitan area did not begin only with the invitation to speak here.

But if my interest is old, so are the economic woes and social ailments to which "Breakthrough" addresses itself. They were common to every grouping of men who sought to combine their wisdom and resources in such a way as to promote the common welfare and protect individual possessions, whether material, spiritual or philosophical. Some 500 years before the birth of Christ, Confucius wrote in his *Analects:* "In a country well governed poverty is something to be ashamed of. In a country badly governed, wealth is something to be ashamed of."

How different are Confucius' words from those of contemporary Americans who believe that ours can never be a great society so long as 30 million Americans live in poverty? And has it not been true in the robber baron days of our own country, in the oligarchy-ridden societies of Latin America, and in parts of the Far East, that wealth *is* something to be ashamed of?

But Confucius' views may seem a bit ancient. Let us go modern—to, say, 125 years B.C. We find Polybius writing in *Histories:* "Monarchy degenerates into tyranny, aristocracy into oligarchy, and democracy into savage violence and anarchy." The savage violence that has afflicted our urban centers and the anarchy that threatens many campuses make Polybius look like a far-sighted man indeed.

But I am not here to recite history, or to pontificate on the merits of monarchy vis-a-vis democracy. I have come to talk about the challenges we face as we attempt to ensure that our democracy does not degenerate into savage violence and anarchy.

Mr. Cahan says that placement of this tent here, on this boundary line, is supposed to be symbolic. Symbolic of the jealously-guarded jurisdictional prerogatives that cut through the heart of every sane attempt at metropolitan planning. Symbolic of the petty provincialisms that make it impossible to apply anything other than horse-and-buggy-era potions and salves to metropolitan ailments that will respond only to the most modern, imaginative treatments that can be applied by people motivated by knowledge that they share a common destiny.

But I tell you, ladies and gentlemen, that the boundary line symbolism goes further than that. It reminds me that we are today astride the border line between war and peace, the line between a survival full of conflict and tensions, and nuclear holocaust. Today we straddle that line between racial sanity and social madness in the great cities of America. We are perched precariously and uncertainly on that wall separating a society of beauty, of justice, of human love and respect from one of ugliness, where the strong prey upon the weak and meanness and hostility dog the footsteps of all who walk our way.

I tell you that affluence has scarred the heart and soul of America. The spirit of acquisitiveness, the goal of material gain, permeates everything. It has driven the content of morality, the old religious ideals, out of our businesses, and even our homes. And it is reflected in the behaviour of our children. Most of all, it has produced a smallness, a selfishness, that is manifested in the actions of adults who can only *pretend* that we can educate the people of a vast metropolitan area, or provide adequate transportation, or combat crime, or eradicate the pollution of our air and our water, when tiny political subdivision X cares only about *its* tax structure, the quality of *its* schools, or the values of *its* properties.

Most citizens of Ruxton hardly give a damn about the quality of mass transportation in Baltimore city; nor do the citizens of Chevy Chase, Md., give a hoot about mass transportation in Washington, D. C. They own cars in Ruxton and Chevy Chase.

Or consider crime. We get a lot of sanctimonious cries that someone should do something about crime. The affluent members of our society are really thinking in terms of more policemen with bigger nightsticks and more powerful guns to curb the ruffians from the other side of the tracks who riot and rape and sack and steal.

But take a look at what the President's Crime Commission said recently: "Crime flourishes, and always has flourished, in city slums, those neighborhoods where overcrowding, economic deprivation, social disruption and racial discrimination are endemic. Crime flourishes in conditions of affluence, when there is much desire for material goods and many opportunities to acquire them illegally. Crime flourishes when there are many restless, relatively footloose young people in the population. Crime flourishes when standards of morality are changing rapidly."

The Commission went on to talk of "white collar offenders" and public crime and asserted that "inevitably crimes reflect the opportunities people have to commit them."

The Commission said that our society is endangered not just by the slum hoodlums that you and I deplore and fear, but by a "great reservoir" of actual and potential white collar crime. The Commission said that: "The 'white-collar' criminal is the broker who distributes fraudulent securities, the builder who deliberately uses defective material, the corporation executive who conspired to fix prices, the legislator who peddles his influence and vote for private gain, or the banker who misappropriates funds in his keeping."

In short, the poor folks are robbing delicatessens and looting whiskey stores; the affluent are embezzling banks and business places, or getting rich by illegally peddling influence, or engaging in gross conflicts of interest.

I hope you are now accustomed to the prospect of hearing some plain talk today. I feel a duty to "tell it like it is" because the real tragedy of our urban areas is that there is not enough meaningful communications across these artificial lines and barriers that we have set up out of our greed, our petulance, our fear, our ignorance, our shortsightedness. We tend to insulate and isolate ourselves in our own social and professional circles, thus every proposal to move against the problems that beset us bears the mark of intellectual incest.

For example, nothing bears more heavily on the woes, dangers and frustrations of our cities than race and the passions and fears surrounding it. Yet, for too many people, mum's the word where race is concerned. Maybe Boston could survive an era in which the Lowells talked to the Cabots and the Cabots talked only to God. But today's cities cannot survive the current lack of communications across ethnic lines, for in the absence of real communications frustrations fester, suspicions take on artificial substance and the simplest misunderstanding becomes a gigantic roadblock to progress.

I know. A mayor or two, and perhaps some other officials, already are thinking: Rowan doesn't know what he's talking about; I just created a mayor's council on human relations, and we've got a governor's commission on human rights, or whatever they call it, that has articulate representatives of all our racial and religious groups. What the devil does Rowan want?

I'll tell you not what Rowan wants, but what the times require: some communication that is natural, that is not stultified and stunted by the formal business of social and professional strangers sitting down periodically to run through the psuedo-intellectual ritual of talking about what the community ought to do to, for or with "the colored folks," or the poor folks.

I remember so well my first breaks as a journalist. When I was a young reporter, writing obituaries and the sort, an error in the work schedule left me with time to propose a return to my native South to write about what had changed in the lives of Negroes since World War II. What I wrote, in 1951, turned out to be a sensation—and largely because daily American newspapers had been too timid to deal with the subject. If you were a Negro, you almost had to rape or murder someone, generally white, to make the newspapers. As those articles appeared in the Minneapolis *Tribune,* the mail and the telephone calls poured in, many of them asking me to speak to this group or that.

As I journeyed to speaking platforms in rural Minnesota and the Dakotas, one thing

got to be as regular as breathing: someone would get up in the audience and say, "We don't have any race problem in our town; we don't have any Negroes."

Then I would try to explain that the problem doesn't exist in the presence or absence of Negroes, or any other "out" group; it exists in the mind. One only needs the presence of minority group members to make the problem manifestly obvious.

The people of thousands of suburban communities today think that they don't have problems of race, poverty, delinquency, sexual promiscuity and the sort. They have created their own naive world in which what is not seen is presumed not to exist.

What has all this got to do with my thesis that lack of communications is the danger to our cities? A lot. Because what I am saying to you is that you are not going to solve these problems unless you find a way to communicate at lunch, at cocktail time, at dinner, on the 19th hole after golf, with some people from groups with which you are not accustomed to socializing.

I expect the rudest, most embarrassing thing I could do now would be to ask for a show of hands from all you community leaders who regularly have social contact on an informal basis with Negroes you consider your intellectual, social and cultural equals.

The hard, ugly truth is that despite all our talk about progress in race relations since World War II, one fundamental factor has not changed: the white Anglo-Saxon Protestant still struggles to maintain some symbol of his alleged superiority. The country club and the other private clubs are the great symbols, the impregnable preserves of white supremacy, today.

My wife plays tennis regularly with one group of women, all of whom are Jewish. She was appalled recently to hear them say that when they go to a certain posh club for the inter-country club matches, they change shoes in their automobiles because every effort is made to keep them out of the locker room.

There is not a country club in this entire area, to my knowledge, that does not operate under an unwritten law that no Negro family is deemed suitable for admission.

I occasionally drive past one of the Washington area's dinkier so-called country clubs, where the fairways are browned out before July 4. Each glance at the club is a galling reminder that here is one where the laws are not subtle and unwritten. This club boasts of the fact that no group like the Junior Chamber of Commerce or the Grand Old Party or the Federal Reserve Board can have lunch there if it plans to bring along a Negro member or speaker.

What I am saying is that the Negro may be a cabinet member, a federal judge, a Nobel Prize-winner or a Metropolitan Opera star, but the American white man, however lowly and unaccomplished, has got to have his exclusive club from which to thumb his nose and try to convince himself: "I'm better than the best black man."

There are a lot of white Americans in these clubs who are enlightened beyond this point. But they think the quest for affluence requires them to be good club members—and not to rock the boat. In short, they lack guts.

And that brings me to a hard truth that some of you may find inflammatory. But I must say it because it is a vital truth. Until the day comes when the Maryland club or the Baltimore Country Club are well on their way to becoming as integrated as Hill 881 in Viet Nam, our urban areas are going to be in one hell of a mess. Until the Dulaney Valleys, the Ciceros and the Grosse Pointes are as desegregated as Quang Ngai and Piei Mei, there isn't going to be any real "breakthrough"—not in metropolitan Baltimore nor any other metropolitan area.

Don't you believe for a moment that the Negro slum-dwellers and the Stokely Carmichaels are the only angry black men around. You can count me and every other Negro with sensitivity and pride among the ranks of the frustrated and disgusted.

It just happens that some of us have not become so embittered that we are ready to burn down neighborhoods or boycott the responsibilities of citizenship. But as the insults and humiliations pile up, they take their toll, and as we have seen recently, more and more normally tranquil men fall upon the wagon of reason.

Wherever big city violence has occurred—in Los Angeles, Cleveland or you name it—you will find some white politicians crying that "Negro leaders refused to meet their responsibilities." They all think that when the crisis is upon them, "Negro leaders" can wave some magic wand and herd all those angry black devils back into their corrals.

The whole truth is that, in the eyes of the hopeless who nurse hatreds born of despair, there are no real "Negro leaders." There are those who know oh so well how to exploit the animosities and irritations of these embittered masses. But the rational, reasoning, selfless Negro is deprived of the respect essential to leadership by the narrow-minded racism to which I referred earlier.

To the upper class Negro's pacifying entreaties, the Negro slum dweller thinks—and today is likely to say—"Who the hell are you to be calming me down? As far as Whitey is concerned, you're really just another Negro. When they let you in the Merchant's Club, come back and talk to me."

I had not intended to deal so heavily with the racial aspects of our big city problems. But I cannot dodge reality here and ask you to deal with it in everyday life. And it *is* a reality that very few of our major urban problems is free of the complications of race—and racism.

But you will remember, I am sure, that my basic point of the need to communicate goes far beyond the bounds of race. I do not indulge in melodrama when I say that if we cannot talk to each other, we shall weep together.

Despite the current state of things, I cannot be a pessimist.

TOWARD A PERMANENT SETTLEMENT IN THE MIDDLE EAST

Mr. DELLENBACK. 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 Oregon?

There was no objection.

Mr. WIDNALL. Mr. Speaker, as one who originally supported the creation of the State of Israel, and who believes that it has severely suffered from nonrecognition as a nation, I have been extremely concerned with the crisis in the Middle East. This young nation has in a short span of years, achieved remarkable accomplishments and has been an example of what a cohesive democratic state can do. In a fight for survival, the people of Israel have proven fully by action, dedication, and determination their right to have their country's sovereignty recognized. Their rights as a nation must be the same as those accorded others throughout the world. A prior war was fought by Israel and no peace was achieved. Israel subsequently has led a very tenuous existence. Now, a very decisive military action has taken place and the same uncertainty should not be tolerated for the future.

It is my belief as an American, that we should firmly support maintenance of the present lines until a permanent settlement is achieved between Israel and the Arab nations.

First, Israel sovereignty must be recognized, or what has just taken place is but another exercise in futility that will lead us all closer to a world debacle.

Second, access to and through the Gulf of Aqaba must be assured to Israel and to all other nations, and this is certainly a matter of interest to every nation in the world. The rights of all nations would seriously be jeopardized throughout other waterways, if the whim of any one power can be used to close off international trade.

Finally, any settlement must take into consideration the problem of Arab refugees. There is little basis for doubt that the unsolved problem of the 1940's, the displaced Palestinian, has been a major cause for the continued unrest in that area of the world. Even now there is evidence of new movements of population into Jordan away from the Israel-captured territory. It would be a disservice to themselves should the Government of Israel fail to meet this challenging problem with some concessions of their own. There is every indication that Israel statesmen are aware of this and are willing to go halfway on their part.

Crucial to all of these decisions is the need for direct discussion and agreement between Israel and the Arab nations. No imposed solution from outside, however seemingly fair, will create a viable peace. It is up to the United States and the other great powers, through economic development offers and through consultation and suggestion, to create the climate necessary for this type of settlement. The reaction of the Soviet Union to this effort will be a telling sign of its willingness to seek a detente in other areas of major world controversy. The absence of Rumania, and the comparative silence of Poland and Yugoslavia on the Soviet-inspired resolution condemning Israel is an encouraging development. Hopefully, this will inspire the Soviet Union into a more conciliatory position of its own, its sorry performance at the United Nations notwithstanding.

INDEPENDENCE FOR THE BALTIC STATES

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] 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 Oregon?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, in mid-June each year for more than a quarter of a century, the thoughts of friends of freedom everywhere have turned sorrowfully yet with firm resolve to the tragic events in the Baltic States during the early years of World War II.

There the flourishing, proudly independent little countries of Estonia, Lat-

via, and Lithuania fell victim to the mutual fears and avarice of their mighty dictatorial neighbors. On June 15–17, 1940, the armed forces of the Communist Soviet Union dropped all pretense of respect for the sovereignty of Estonia, Latvia, and Lithuania and occupied these brave little states. Their cherished independence was ruthlessly ended, in defiant violation of Soviet mutual assistance pacts with each of them.

Scarcely a year after the Soviet Union had crushed the independence of the Baltic States, the Communist overlords carried out one of the most gruesome acts of deportation in all history. During the night of June 14, 1941, more than 60,000 citizens of these countries, including men, women, and children, were arrested. Families were torn apart as men were packed into cattle cars and sent to forced labor in distant regions of the Soviet Union. Women and children were sent elsewhere, those lucky enough to survive unlikely to see their husbands, fathers, and brothers again.

The devastating tides of war subjected the Baltic States to Nazi occupation and later to reoccupation by the Red army, with further deportations and further repression. Yet after all this suffering, the stalwart Baltic peoples have yet to regain their freedom.

I deem it a privilege, Mr. Speaker, to join with millions of fellow friends of liberty today in honoring the victims of those tragic June days. Let us never cease to keep alive the demand for justice for these brave Baltic peoples who have undergone so much. The day must come when the cause of national independence to which they are dedicated will find fulfillment.

Under leave to extend my remarks, I submit for inclusion in the RECORD a copy of House Concurrent Resolution 416, the Baltic States resolution, which was unanimously approved by both Houses of Congress in the 89th Congress.

The resolution calls on the President of the United States to bring up the Baltic States question in the United Nations or other appropriate international forums in the interest of restoring to the Baltic peoples their rights which are being so ruthlessly denied. I would urge that appropriate action be taken to carry out the resolution.

The text of House Concurrent Resolution 416 follows:

CONCURRENT RESOLUTION

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

PHYSICIAN, WHITHER GOEST THOU?

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] 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 Oregon?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, Dr. Irving S. Wright, my constituent, has been chosen as president of the American College of Physicians.

His presidential address given on April 10 in San Francisco, entitled "Physician, Whither Goest Thou?" contains some thought-provoking suggestions and conclusions on problems of health care for the future, and I am pleased to bring them to the attention of my colleagues.

PHYSICAN, WHITHER GOEST THOU?

(Presidential address by Irving S. Wright, M.D., American College of Physicians, San Francisco, Apr. 10, 1967)

It has been my pleasure and privilege to have served as a physician for the past 40 years. My distinguished teachers had spanned the previous 40 years. My own interest in medical history extends from the time of Imhotep and later Hippocrates. It is clear that there have been periods when with ebb and flow of history the status of the physician has risen or fallen on the tides of time.

From the perspective of those who are in this hall, we might agree that the first six decades of this century were marked with a rising, even flood, tide. Medical education was critically evaluated by Flexner and thereafter steadily improved in quality. Idealism in medicine was accepted as the order of the day. Research was more carefully planned and more critically viewed. The public recognized the value of basic as well as applied research and supported both. Voluntary health organizations, concerned with tuberculosis, polio, cancer and heart diseases were able to raise many millions of dollars and guide them into productive programs of research, education, and community service. The government, awakened to the challenge by these organizations, foundations, distinguished medical and lay leaders, and members of Congress, appropriated increasing funds for the development of the extra and intra mural programs of the National Institutes of Health. The leading medical organizations were strong—both those involved with economics of medicine and those interested primarily in the continuing education of the physician, such as the American College of Physicians. Polls which were taken to determine the most respected of occupations almost invariably showed the physician at the head of the list. It appeared that the remainder of the century would continue with an undisturbed and steady upward movement.

However, the past six years have clearly demonstrated that this is not to be the case. Instead we find ourselves in a period of ferment. The winds of social change have actually been blowing strongly since the depression of thirty-five years ago. It was inevitable that advocates of increasing welfare programs would ride these winds. The political trends in Europe, Great Britain, and more recently in Canada have been toward health insurance, both governmental and private. Despite the fact that the results have rarely equalled the promises, the opportunities and rewards inherent in this movement have been irresistible to political leaders. We now have Medicare and Medicaid and there is evidence that pressures will increase to expand the application of these and other plans leading to greater governmental control of medical care. It is not my purpose at this time to belabor the economic and political aspects of the changing picture, but one cannot ignore the fact that they play a role in the present concern and confusion of practicing physicians, medical educators, administrators, and the public alike. The clinical practitioners seem to be disturbed by the danger of loss of self in the mass social movements. Independence of operation has attracted a particular type of person to Medicine. The future appears less attractive for him.

The National Institutes of Health established a superb record of accomplishment excelled by no other branch of the Government. Committed to giving freedom to the investigator to seek new truths and to the training of young men in medical science, the extra mural programs exerted a great influence for good throughout the land. Funds were made available through the wisdom of some members of Congress. The advisory councils and study sections represented the best and most sincere guidance available in this country—and the inevitable forms and reports were kept within reason. The leadership of HEW and the NIH is at a very high level today. The programs stressing directed or applied research have been stressed and this is to the good. However, despite this, within the past six years, beginning with picayune investigations, and as a result of criticism and pressure from various other segments of the Government, the activities of the NIH have been gradually restricted and curtailed in many ways. This has particularly affected the more basic research programs. For example, the requirements placed on the extramural investigators for more detailed application forms, reports, etc., have increased until many of them are now spending four or more times as much of their energy in satisfying these demands as was the case ten years ago. This is a waste of time of any productive scientist. The ridiculous time-effort reports were instituted as if scientific minds worth their salt work on the 35 or 40 hour week schedule, or as if the work of technicians and secretaries can be consistently divided between three to ten grants and funds to the percentage point month after month. All of this adds to cost through the need for employment of more local managers and accountants. It is detrimental rather than helpful to the advancement of science. The training grant programs were cut to virtually eliminate foreign trainees.

This was a definite step backward in the development of world scientists and international good will. Many of the trainees of the past have later risen in their own countries to professorial or deanship rank and have remained the best kind of friends the

U.S.A. could have for the rest of their careers. While there have been some abuses of this program, the reasons for abolishing it are not justified and it should be re-established without delay. There is spreading disenchantment on the part of young investigators with studies evaluating new drugs in man. Unless this trend is reversed, how are the new drugs going to be adequately tested to meet the standards required? This is already slowing up the use for man of new drug discoveries and if the young investigators are not wooed back into this field the detrimental effects will be felt for years. Finally, the increases in grant funds for basic research have been curtailed until they are actually inadequate for the annual cost of operation increase which must include new and more expensive equipment as well as salaries and other overhead. We hear much of the need for studies which will lead to the application for man of knowledge already available from more basic research and in this we find ourselves in full agreement. Yet the factors mentioned above and others mitigate against this very step, while reducing the budget for basic research and training of research and clinical investigators both American and foreign will inevitably reduce the development of new findings for the next generation to apply. Thus, the rate of new exploration in basic research is being slowed down. This is all happening in the face of expressed presidential desire to move ahead ever more rapidly in these areas. A hard re-examination of this problem is required if the progress of recent years is to be steadily accelerated rather than inhibited.

The shortage of manpower is acute. Our national planning has not provided a sufficient number of physicians to meet the needs of clinical practice, and this is compounded by the requirements of the armed forces, the public health services and other administrative assignments. We are short of teachers to the point where raiding of existing medical schools for faculty members has almost become an accepted way of life. How are we going to staff the 20 or more new medical schools which are essential for the future? The present increasing hostility by some writers toward the Medical profession is reflected by public response. If this continues, it will become increasingly difficult to attract the best young students to careers in medicine. If the country wants to have good doctors, the people must continue to be appreciative of the burdens and responsibilities the physicians are required to assume for their patients.

The nursing situation is even more acute. There are large medical centers where, despite the demand for their constant use, operating rooms stand idle for lack of capable nurses—this means that patients are occupying beds for extra days until they can be operated upon, and other patients, both medical and surgical, cannot be admitted because of the delay. Yet in some quarters, there has been pressure for decreasing the number of nursing schools because some do not meet the new academic standards. This crisis is being met temporarily by the reactivation of nurses who have been housewives for years, and who are persuaded to return to their profession at least on a part-time basis. The weaker schools should be strengthened and the long-range requirements met by the development of new ones. It is also essential that many more schools for practical nurses be developed. This can most efficiently be done in affiliation with registered nursing schools. It would be most economical of faculty and facilities, and these practical nurses should be trained to assist and work closely with the registered nurses at all levels, thus providing six or eight hands instead of two, which is what the patient and the doctor require. A fresh and constructive approach is urgently needed to meet this crisis.

The same type of shortage also exists in the area of technicians. It is now being met in part by some junior colleges, but the difficulty lies in the present requirements for specialization. The former type of technical courses, consisting largely of hematological and chemical training meets only a small segment of the need. For example, it does not prepare for technical proficiency in roentgenology, isotope handling, physical sciences, animal experimentation, computer programming and electronic equipment use and care. Often, several additional years are required for training in these specific areas. The constant loss of technicians to the draft or to marriage keeps this supply at a premium. One possible source of candidates is in the large number of medical corpsmen being discharged from the armed forces. Many of these are superb candidates. Courses should be organized to complete their training, and efforts made to enlist them for futures as medical technicians as they come out of the service.

The information explosion presents us with one of the greatest of problems. We have supported great expansion of research, but now are being inundated with the resulting information. There are over 10,000 publications appearing weekly or monthly in the biomedical field alone. Buildings cannot be provided to store and make readily available all of these plus all single volumes for the future. Microfilming is a temporary approach, but this can also produce storage problems. For example, the Social Security Administration now has 80-million feet of microfilmed records in its Baltimore headquarters alone. With special optical microscopes, printed material can be reduced to one-million to one. This means that one-million volumes can theoretically be compressed to the size of one. A physicist has suggested that the reduction might be carried farther, to molecular dimensions—one-billion to one—but even now we have the problem of retrieval. We must be sure that the data we get back from such systems will be accurate enough for scientific purposes. Will we be confronted with more examples of the computerized translation from English to Russian and then back to English of the phrase, "the spirit is willing but the flesh is weak?" It came back, "the liquor is strong but the meat is raw." Frightening, isn't it? Such are the problems which must be solved in this field.

The computerization in the health plans of the future seems inevitable, yet computer use demands that the proper questions be formulated and asked. Programming is the key, but who will do it? I have recently participated in a simple compilation regarding one disease. Over 10,000 questionnaires covering about 20 questions were gathered and turned over to trained programmers, who were not, however, physicians. The results were useless and the study had to be re-programmed after physicians had rephrased the questions and methods of approach. This is an example of another problem. Where can we get enough programmers who are capable of this specialized work? For many items at present it requires medical training, and how many physicians are going to want careers in what some have called "feeding the computer monsters?" Yet, feed them we must if any orderly data systems are to finally appear. Thus far computers cannot analyze many of the subtle but nonetheless vital aspects of medical diagnosis of the total patient. By using a now experimental Clinical Decision Support System it appears possible that given a list of findings it can remind the physician of diagnostic possibilities he may have neglected to consider and thus contribute even to the intimate care of the patient. In the future, through a terminal, a physician will be able to communicate with a central computer to obtain pertinent medical information for his case or his lecture. This may seem somewhat confusing for the physician of today, but if the proper steps in education are taken now, the physician of tomorrow will accept it in his stride, and may as a result produce better research and teaching and provide better treatment. The physician must remain the keystone to medical care. We must become more active in this field in order to provide the best and to properly control our destiny. The alternative is to surrender it to the social scientists who are already striving to control the health care programs but who are not properly trained to assume this role.

The new programs of the National Library of Medicine, and SATCOM—the Committee on Scientific and Technological Communication of the National Academy of Sciences—and other groups are concerned with these and many facets of communication and information storage and retrieval. Examples in the prototype phase permit recording on punched cards readings from automated chemistry equipment. Several tests can be monitored and simultaneously made available to the physician, thus eliminating much of the clerical work of medical technologists. A computer program makes it possible to perform calculations of, let us say, complex wave patterns, which formerly took hours or days, in minutes. Thus by a mathematical technique called the Cooley-Tukey Algorithm, the program can provide a simplified method of analyzing electroencephalograms.

There is, therefore, an absolute necessity for internists of the future to become familiar with the full use of these and other new methods of information storage, retrieval, and computer use. Today only a handful of internists have undertaken serious study of these techniques. From this point on, no medical student should be graduated without training which will enable him to use available techniques of this nature. This is easier to achieve than the education of those who have already graduated, and especially that large and important group who are not affiliated with a major medical center where such techniques will soon be in daily use. The American College of Physicians should assume a position of leadership here. We should formulate all pertinent information, develop symposia and post-graduate courses and initiate a broad and continuing program of education in computerization, datamation, information storage and retrieval. It will, of course, be necessary to call upon the experience of companies and governmental agencies in this general field to help us translate available knowledge to the physicians. We must make our needs known to the technical experts already involved in these new fields. The significant questions must be formulated. This is not only a science, but an art worthy of the best talents. (I am pleased to call to your attention the fact that there will be a morning lecture on "The Role of the Computer in Internal Medicine" during this convention).

The field of genetics represents another area which will increasingly demand the attention of the internists. Old and new diseases are constantly being found to be caused or aggravated by genetic factors, and the recognition of these will be required of the internist. The College has had some programs dealing with this area in the past, but there should be increased emphasis on it. We will have a morning lecture on "The Role of Genetics in Internal Medicine" at this convention. This will deal with the present, but what of the future? During the remainder of the century great strides will be made even involving the matching of ova and sperm. Consider the ethical, moral, legal, religious and medical questions to be asked and answered. It seems probable that along with others, the family internist will be consulted on many aspects of the genetic problems. This, then, represents another new area for our continuing education program.

Recently there has been much discussion

of the role of the so-called family physician and who should fill that role. In the past 50 years the growth of new knowledge, techniques, and demands of medicine have clearly outgrown the capacity of any one man to fill the shoes once filled by the general practitioner. This challenge will be multiplied in the future. With great personal effort and the wise use of referrals and consultations, many general practitioners still offer superb care and advice to their families, and this should be encouraged. Other families are fortunate to have good and wise physicians who, regardless of specialty, act as advisers in cases where they are not equipped to handle the situations alone. The internist has come to stand for the best in diagnostic and therapeutic medicine and one to whom families may turn for advice, not only for medical problems, but for decisions regarding the indications for surgery or psychiatry as well.

Patients often express their appreciation of this type of service. Training and specialty Boards in Family Medicine have now been proposed. The programs that have been suggested are generally and fundamentally internal medicine, as they should be, with optional special training depending on the particular interests of the physician. A few Medical Schools, mostly state supported are considering special residency programs to try this concept. In some there is a plan to have a service parallel to the present service in internal medicine. This seems like a doubtful attempt to improve medical services. If undertaken, it will result in needless duplication of many services with additional cost both financially and in manpower. For pragmatic reasons, it appears unlikely to flourish in many schools. It would appear to be more sound to encourage young physicians to enter internal medicine for more training in depth. Those who wish could concentrate on clinical aspects with supplementary studies in psychiatry, public health, or other subspecialties to become a well-rounded family adviser—the practicing internist of the future. Group practice of one or another variety is doubtless the medicine of the future for most of America and in such a setting the internist should occupy the central role as the family adviser on major medical or surgical matters, working closely with the specialists required for the total care of the patient. Associated with each group or hospital, the general practitioner should function in a most important role as the first defense line of prevention and medical care. In some geographic areas this may be from quite a distance.

The American College of Physicians has a compelling interest in each of the challenges I have outlined.

I could give many more examples of what may seem overwhelming, even, to some, frightening changes. Those who meet them will be the leaders of the future. Man, en masse, has traditionally feared the new. However, some have always found it exciting. Long centuries ago the Iron Age revolution began its slow but irreversible course—many despaired. How was anyone to control the explosive potentialities of this new metal whose use was so much greater and wider than copper or bronze? Where was it all to end if every man would own his own spear and sword? Bronze-clad kings and chiefs had monopolized their rare equipment, but the monopoly of iron weapons, once the techniques of manufacture became widely known, was beyond their control. Like the nuclear powers of our time, they might desperately wish to keep the new knowledge to themselves. The task was beyond them. Little wonder that the great historian, Herodotus, should have written as a perfectly obvious fact that "the discovery of iron was a bad thing for mankind." Some physicians of today feel that the great changes with which we are confronted are overpowering and even bad. Whether we like them or not, new discoveries, new techniques, and some major trends cannot be stopped—but they may be analyzed, controlled and used intelligently for the good of mankind, and *THAT* is what the American College of Physicians is all about.

POSTAL FIELD SERVICE

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] 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 Oregon?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today a bill to reclassify certain positions in the Postal Field Service.

This legislation, which has already been sponsored by some 200 Members of this body, would establish a starting pay for letter carriers and clerks at $6,079 annually with a top step of $7,798 to be reached after 15 years of satisfactory service.

Further, the measure would give each Postal Field Service employee credit for all prior service and advance him to the appropriate step of his level prior to reclassification. The result of this action and of reclassification would be that employees in levels 1 through 4 advance in rate of pay to a rate one level and two steps higher. Employees in levels 5 and 6 advance in rate of pay two steps. In dollars, each employee would receive about $800 above existing pay scales.

Mr. Speaker, this bill would recognize some 400,000 out of the total of 700,000 employees of the Postal Field Service. These are the people who do some of the most significant and important work in the postal service—move, sort, and deliver the mail. If we are to attract and keep capable personnel to the postal service—which needs dedicated carriers and clerks in the service of the American people—this modest raise is necessary.

FEDERAL FINE ARTS AND ARCHITECTURE ACT

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] 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 Oregon?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today a bill known as the Federal Fine Arts and Architecture Act, to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings.

The bill has two major aspects. First, it would establish a Public Advisory Panel on Architectural Services in the General Services Administration. A similar panel now exists in the GSA under Executive order and the group created by this statute would provide for Federal public buildings and post offices in the 50 States the same sort of expert advice on design and decoration, and on selection of architects and artists, that the Fine Arts Commission gives for Federal structures in the Capital.

The Chairman of the National Endowment for the Arts would recommend the panel members to the Administrator of the General Services Administration who would make the actual appointments. He is directed to appoint to the panel for 3-year terms at least 12 architects from persons in private life, professionally engaged in architecture, landscape architecture, or city planning, and at least six representatives of allied fields, including painting—at least two, sculpture—at least two, the decorative arts and crafts, and interior design.

With respect to all Federal buildings and post offices outside the District of Columbia, the panel would, first, recommend to the General Services Administrator and to the Postmaster General criteria for selecting architects and artists for public buildings and post offices; second, review design standards and guides; third, advise the Administrator and the Postmaster General in the selection of architects and artists for buildings designated by the Administrator or the Postmaster General as nationally significant; and fourth, advise the Administrator or the Postmaster General with respect to the acceptability of architectural designs or works of art proposed for individual projects.

The second major feature of the bill is the authorization of a cumulative fund to acquire and maintain works of art for Federal buildings and post offices outside the District of Columbia. The fund would be equal to 1 percent of the amount appropriated during the preceding fiscal year for design and construction of public buildings outside the District. Under existing administrative order, one-half of 1 percent is now available and the new statutory provision authorized by this bill would significantly increase the moneys available for this worthwhile endeavor.

Mr. Speaker, Federal buildings and post offices should both blend well into the style of the community in which they are located as well as set high standards of architectural excellence to serve as models for the communities. All too often Federal buildings are pedestrian, monolithic, and clearly lacking in style or excellence. I am hopeful that this bill will serve to ameliorate this situation.

CARDINAL JOSEPH ELMER RITTER

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

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

There was no objection.

Mr. CURTIS. Mr. Speaker, as both a spiritual leader and a social reformer, Cardinal Ritter was known and re-

spected by the entire community. Within his own archdiocese, his able administration and innovation brought unprecedented development; within the ecumenical movement he was among those who advocated change and sought to modernize the church.

Twenty years ago the cardinal demonstrated his concern for racial justice and equality by ordering the integration of Catholic schools and threatening to excommunicate those who refused to comply. Later he led efforts to end discrimination in area hospitals. In August 1963 his Commission on Human Rights was established to design programs to overcome obstacles preventing "the use of 'God-given rights'." In 1965 the cardinal initiated "Operation Equality," under which the church purchases only from firms which have signed a pledge to hire minority groups and to open their personnel records to the archdiocese for inspection. To insure a more equitable distribution of church funds, the cardinal last year promulgated a "tithing for the poor" program, which ordered the wealthier parishes of St. Louis to contribute a certain percentage of their income to parishes in slum and rural areas. The cardinal's concern extended to religious as well as racial cooperation. In the 1950's he filed a personal law suit on behalf of the Temple of Israel, which was attempting to build a synagogue in Creve Coeur. Later, in the Vatican Council, the cardinal advocated absolving the Jews for the death of Jesus.

Since he completed the unfinished cathedral at Indianapolis, the cardinal was noted as a builder. After his arrival in St. Louis, he spearheaded a drive for the construction of the Cardinal Glennon Memorial Hospital for children, and was responsible for a development fund for parish schools and churches. To expedite financing of new schools and churches, he established a revolving archdiocesan expansion fund.

In the church, the cardinal recognized the need for development and reform. Recognizing the plight of Catholicism in Latin America, the cardinal, then an archbishop, initiated a foreign mission program in Bolivia. During the early sixties the cardinal became a progressive leader in the movement initiated by the second Vatican Council. As an advocate of religious liberty, he defended the right of every man to worship as he pleased. In the Ecumenical Council, he emphasized the need to reform the Mass. In the Vatican Council he received approval for the use of vernacular languages in services, and in his own archdiocese, he established commissions on liturgy and sacred music to make the Mass more meaningful.

Both the Vatican and his own parishioners respected the cardinal and recognized his achievements. Eden Theological Seminary awarded him an honorary degree; in 1965 the St. Louis Globe-Democrat presented him with the "Humanities Award," annually presented to a citizen of St. Louis whose "life has been guided by the fatherhood of God and the brotherhood of man." Yet the cardinal shunned public recognition of his work. During his absence in Rome in 1964, he declined the "Ecumenical Man of the Year" award of the Metropolitan Church Federation of Greater St. Louis. Although grateful for the honor, the cardinal explained that it was his practice to decline any personal award "associated with the performance of what I consider my simple duty."

Despite recognition and acclaim, the cardinal remained a man of simplicity and piety. At times the ceremony and pomp of his position seemed to make him uneasy. Once he was heard to comment that he preferred not to attend regular church services, because "it makes everybody uncomfortable."

His humility and gentle temperament were matched only by his strength of purpose. For both his spiritual leadership and social commitment, Cardinal Ritter will continue to be respected and loved by the community and the church.

INDIAN EMBASSY REPLIES TO STATEMENTS MADE IN "FAMINE 1975"

Mr. DELLENBACK. 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 Oregon?

There was no objection.

Mr. FINDLEY. Mr. Speaker, on several different occasions I have placed material in the RECORD regarding the book "Famine 1975" by William and Paul Paddock. The book in discussing the famine problem is critical of various efforts of the Indian Government to meet the pressing problems of food production and population control. Mr. K. S. Sundara Rajan, Minister for Economic Affairs at the Embassy of India in Washington, in a letter to the publishers of the book, took issue with various points and statements raised by the authors. As a courtesy to the Indian Government and in order to be as objective as possible regarding this book, which is an outstanding contribution to the problem of averting world famine by 1975, I ask unanimous consent that the text of the Minister's letter be inserted in the RECORD at this point in my remarks:

"FAMINE 1975!" BY WILLIAM & PAUL PADDOCK
(Comments by Mr. K. S. Sundara Rajan)

MAY 18, 1967.

DEAR MR. MCCALEB: Kindly refer to my letter of May 5, 1967 acknowledging your letter of April 21, 1967 and the advance copy of the book "Famine 1975!" by William and Paul Paddock. As suggested by you, I am giving my comments on the book.

2. I would first like to invite your attention to pages 33–34 of the book which contain a serious misquotation from my speech of December 9, 1965 at the organizational meeting of the Committee on the World Food Crisis. The relevant sentence in the book reads as follows:

"With great efforts we stepped up the production of our food grains . . . in 1950 and 1951. (That is, after the British were gone; these dates, in any case, are rather meaningless in the present crisis, fifteen years later.)"

The quotation is incorrect and misleading. I enclose the full text of my speech (Annexure 1) and you will find from para 2 thereof that what I had actually said was:

"With great efforts we stepped up the production of our food-grains from 51 million metric tons in 1950/51 to 89 million metric tons in 1964/65."

You will note that I did talk of the production figures 14 years later and how we had stepped up our production 75% in the last 14 years. By omitting the important and decisive words "from the 51 million metric tons in 1950/51 to 89 million metric tons in 1964/65" and garbling the years, the sentence has been robbed of all its significance and the sense of what I said has been completely distorted. I hope the omission of these crucial words has not been deliberate, but the other quotations in pages 33 and 34 and the reference in page 251 Serial Number 54 would suggest that the authors had access to the text of my address, copies of which were widely distributed through the Committee on the World Food Crisis.

3. The statement in the book to the effect that "With such statements still coming from high Indian officials, how can one expect population control to be taken seriously in Delhi and by the Indian public?" seems to suggest that the Indian Government was complacent in its efforts for increasing food production and has tended to neglect measures for the control of population. Such an impression is quite contrary to the facts, as the authors would have found if they had gone on to the concluding portion of my speech (para 13) where I had pointed out that increasing food production was only part of the problem and outlined the measures taken, and the success achieved so far, in India's family planning programme. I do not wish in this letter to go into all the details of what India—as the first country in the world to have a Government-sponsored family planning programme—has so far done about this most important aspect of the food-population equation, but suffice to say, that the Government of India had set up 15,000 family planning centres and 9,000 subcentres and earmarked $306 million for the family planning programme in the Fourth Plan. Large numbers of men and women doctors and para-medical personnel are being trained and extensive research is being carried out in bio-medical, operational and demographic and communication fields. As a result of all these efforts there were by end of 1966, 4.5 million contracepting couples and the number is increasing rapidly as the programme gathers momentum. Our objective is to bring the birth rate from the present 41 per thousand to 25 per thousand by 1975 and foreign experts, who have examined the programme and its operation, have found that this target is realistic and attainable on the basis of the present programme.

4. Coming to the main thesis of the book, it seems to me that the title itself summarises the basic delusion under which the authors appear to suffer. "Famine 1975!" is *not* "America's decision who will survive". It is, of course, America's decision on what countries it should aid with food supplies, to what extent and under what conditions. In this context, the efforts of the authors to focus attention on the critical importance of the U.S. role in the world food problem are perhaps well-intentioned. Unfortunately, however, the contribution of the authors to the discussion has been negative, because they have ignored the fact that survival, as distinct from food aid, is basically a function of what the developing countries themselves do in the matter of increasing food production and controlling population[1]. It is only secondarily a function of what the U.S. does to help these countries help themselves. The truth of this is fully recognized in the philosophy and the provisions of the Food for

[1] At page 246, the authors partly recognize this when they say that "The receiving nation must realize it will not be saved by American food alone, but by its own actions". But what precedes and what follows this statement is a series of one-sided and exaggerated assertions contrary to this basic fact.

Peace Legislation recently enacted by the U.S. Congress.

5. In India's case, for instance, the book totally ignores the efforts under way by Indian farmers as well as the Indian Government to increase agricultural output. India's problem is one of modernising traditional agriculture and her approach to it has been through a new agricultural strategy which has now been in operation for two years on the ground. This strategy consists in the application of a package of practices comprising sound water management, high-yielding varieties of seeds, pest control and sharply increased fertilizer dosages along with good cultural practices for areas of assured rainfall or irrigation facilities totalling 32.5 million acres by 1970/71. The essence of the programme is the introduction of high-yielding varieties of seeds for wheat, rice, corn and sorghum and the assurance of a sufficient quantity of fertilizers to the farmers along with an incentive price to the producer. The very speech of mine referred to by the authors describes in some detail what we have been doing in this field and the hope the new technology gives for the future. Already in the first year of this programme, six million acres have been planted with these high-yielding varieties and we have had very encouraging increases in output. Independent experts of the U.S. Department of Agriculture, the World Bank and the Food & Agriculture Organization, who have been in touch with this programme and its implementation are one with us in the expectation that these measures would succeed in India being self-sufficient in the production of foodgrains by 1971. The Indian Government itself has announced that after that date, it shall not seek concessional food imports from any source. It is surprising that the authors should not have made any reference to these developments even though they discuss India at some length under the heading "India is the Bell weather" from pages 56 to 61 and again from pages 217 to 219. Elsewhere also there are numerous references to various papers and authorities but nowhere is there a reference to the new agricultural policy of the Government of India, its wide acceptance by farmers in every State, the availability of new high-yielding varieties of seeds developed both in India and outside, the commitment of the Governments both at the State and the Central level for implementing the new policy as of the highest priority and the results that have been already achieved.

6. In a climate where there is thus a complete coincidence of interest between the food exporting countries and the major food recipient countries in the matter of using food aid as purely an interim device to buy time until the developing countries are able to be on their own feet, it is most unfortunate that the authors of this book have sought to discuss the problem in a grossly one-sided, unhelpful and misleading manner. I would only add, in conclusion, that this is a great pity since the subject itself is an important one affecting the lives of millions of people and deserves a much more informed, intelligent and objective treatment.

7. Finally, I would like to thank you for sending me an advance copy of the book and for inviting my comments.

Yours sincerely,

K. S. SUNDARA RAJAN,
Minister, Economic Affairs, Indian Embassy, Washington, D.C.

LIBRARY BUILDING AT MURRAY STATE COLLEGE NAMED FOR DR. C. S. LOWRY—DEDICATION ADDRESS DELIVERED BY DR. FORREST C. POGUE

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

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

There was no objection.

Mr. EVERETT. Mr. Speaker, 35 years ago I had the opportunity and privilege of attending Murray State College after graduation from high school. Murray State College is located at Murray, Ky., an outstanding town and the home of our distinguished colleague, FRANK ALBERT STUBBLEFIELD.

The college since has grown to an enormous capacity and now the Commonwealth of Kentucky has changed the name to Murray State University.

I was very fortunate in the fact that I had two great professors, Dr. Forrest C. Pogue, who now is writing the life history of Gen. George C. Marshall, and also Dr. C. S. Lowry, who has been head of the social science department at Murray for many years.

Recently the library building, to which a large addition has been made since I had the privilege of attending Murray, was named for Dr. C. S. Lowry. The principal speaker at the dedication was Dr. Forrest C. Pogue, also a former student of Dr. C. S. Lowry.

Dr. Lowry is an institution within himself. The dedicatory speech tells the true story of one of the great teachers of this Nation and is so outstanding that I felt it should be brought to the attention of the Congress. The address follows:

ACHIEVEMENT AND DEDICATION

(Address given by Forrest C. Pogue at the dedication of the C. S. Lowry Library, Murray State University, April 30, 1967)

I. INTRODUCTION

We are met here today to honor an institution and a man. In this instance, we cannot separate one from the other, for their lives are so meshed together that to honor one is to confer honor upon the other.

Two years after this university began as Murray State Normal School, a young man from Crittenden County (then two ferry crossings from here), newly decorated with an M.A. from the University of Kentucky, came to this campus.

It was *all* campus then—there were hardly any buildings—but Clifton Sigsbee Lowry, named for the commander of the battleship Maine, which was sunk shortly before his birth in 1898—fitted the fledgling college like a glove. As was the college, he was young, and raw, and eager, but, as it was, he was vigorous and hopeful and concerned with intelligence. Like the college he was lean and hungry to grow and to teach. Like the college he believed passionately as to whom should be taught—the hungry minds or the minds that could be stirred to hunger.

And so the college sought them and Lowry taught them, or such of them as came his way by taking his classes. And none was ever quite the same again—the college or Lowry or the students. They all grew.

More and more students came to the college. More buildings appeared. Lowry went away to Harvard to begin work on his doctorate. He was at Harvard when I first came to Murray as a student, but I soon heard much of him, for he was already a campus legend. Whether his straightforward language and powerful lungs evoked outrage, shock, chuckles, or fervent admiration, no student who ever sat in one of his classes regarded him with indifference. Some of the exaggerated stories I heard about him then are gleefully recounted year after year, as being his latest capers.

I could hardly wait for him to get back to the Murray campus so that I could take some of his classes. Meanwhile I reveled in the several thousand books in the college library in Wilson Hall, for I had come from a small country school that perhaps had a hundred books in its library.

When Lowry returned in the summer of 1929 with a touch of Harvard and, incidentally, a new wife, a former student from Benton whose intellectual curiosity matched his own, I signed up promptly for a couple of his classes. I continued to come back for more throughout the rest of my stay. Lowry had been at Harvard in a great era. He had classes under some of the older giants, such as Channing and McIlwain, and under some of the newer men, such as Holcombe, Friedrich, and Samuel Eliot Morison. They had all fired his imagination as had the great Widener Library and the world of scholarship and books. It was exciting for me, one year out of a two-teacher high school and that 100 book library, and for many like me to feel that through this man we could touch the traditions of Harvard and could be led to the books he had found at Cambridge.

II. LOWRY THE TEACHER

There are many good reasons for naming the Library after Doctor Lowry. One can list the fact that for more than a quarter century, he served as chairman of the Library Committee of the college. Over the years he has worked to build the collections not only of history, political science, sociology, economics, and geography, but also of philosophy and religion which often had no faculty member to look out for them. No one has used the facilities of the library more than he. No one here better represents what the Library stands for. But the chief reason, I think, for honoring him is that his name on the building will remind those who have graduated and those who will attend here in the future that a great teacher passed this way.

Three years ago, I was happy to be present when the Alumni Association gave its first Distinguished Professor Award and selected Doctor Lowry for that honor. All agreed that it was well bestowed because Lowry at his best is Murray at its best. Praise for the qualities of a great teacher is praise for what many others at Murray have tried to do.

As a member of the Faculty, Lowry has answered every call made by the Administration on his time and on his wise counsel. The Library Committee was only one of the many committees on which he served. His advice has been sought for years by the men who headed this institution and by none more than by Doctor Woods. He has labored long and hard to represent the college where he is called—and it is often—before civic clubs, church groups, alumni associations, school gatherings, and the like. No matter how often he has been called, he has taken each assignment seriously, working out carefully what he wants to say and polishing his paradoxes and verbal thrusts until he knows that he will provoke thought.

No one has aided the school by his candid criticisms of faults and shortcomings more than he, but none has been quicker to defend the institution against unjust attacks. He likes to hide the sentimental side of his nature, but he is never completely able to keep his deep love for this institution out of his voice when he speaks of Murray.

But Lowry will be remembered longest as a teacher in the classroom and in his office driving the competent and harrying the unprepared. When I think of the generations of students who have taken his courses, I am reminded of the practice once followed in India by many students who had worked for their college degrees and failed. So highly esteemed was an advanced education that even the students who failed to pass gained distinction by having printed on his calling card the words "Failed B.A." As I talk with

many former students, I find again and again those who say with pride "I managed to get a Lowry C."

I doubt if any teacher here has scolded more students than Lowry. But when the old grads come back, he is the first man they come to see. Marvin Wrather will tell you that when the Alumni ask for a speaker for their meetings in cities around the country, Lowry's name leads all the rest.

There are good reasons for this. I want to go into some of the qualities not only in tribute to the man who is being honored but because I think he represents certain qualities that Murray fosters and that it must continue to foster in the future.

Like many who have come here, I am deeply indebted to him for many things. As a boy from a farm—Lowry said recently that he did enough work on a farm to know that there was something else he wanted to do—he could sympathize with those of us who came from small schools but who had a thirst for knowledge. He made me realize that the background of a small school and a rural community was no basis for apology and no excuse for failing to go ahead. He has always taken an interest in those who had few opportunities but a fierce desire to learn.

He stressed the importance of analyzing a question and the necessity of organizing thought. I remember when I handed in my first paper, filled with fine language and a debater's verbiage. It came back with a C minus or D. When he had let the lesson sink in, he thundered, "Pogue, I will teach you to come to the point or you will never pass this course." I managed to get a B, but I had learned my lesson.

He had the fire that burns in one who is caught up in one's subject and the excitement that arises in a course taught by one who never stops learning and who constantly reworks his courses.

He is a master at gaining attention. Of course, it is sometimes rough. Kipling once said "If you hit a pony over the nose at the outset of your acquaintanceship, he may not love you, but he will take a great interest in your movements ever afterwards." Lowry gains your attention.

Once he has your attention, he tests and challenges. Woe to the student who shows some promise. He throws question after question, designed to provoke dissent, to raise an argument, or to strike fire. If the student has it, he will force him to respond.

I have heard him criticized for raising hell for its own sake. But I can testify that he is using a method as old as Socrates—of forcing the student back on his resources—of applying stimulus that is capable of bringing a thoughtful reaction.

I think I had Lowry in mind when I wrote of Harry Hopkins in my last book. I called him "a poser of hard questions" and "the gad-fly of the Anglo American alliance." The man who can ask tough questions, who can go to the root of the matter, who is a gadfly to the intellectually lazy is not always a comfortable man. He disturbs the peace of the slothful and the comfort of fat minds.

I can see him now, stepping in front of an unsuspecting student, suddenly baring his skinny arm. Plaintively, he says, "See how thin I am? That's because my wife won't feed me properly. Should the government allow that?" The alarmed student at first may have thought the man was delirious from lack of nourishment. But the teacher was launching a session on a basic issue in political science. To what extent should the state interfere with private life? Before he had finished, he talked of various forms of state regulation of our lives. The constitutional cases and the Supreme Court decisions that were cited have probably been forgotten. But the principle—neatly tied to his gesture—remains with me still nearly forty years later.

Never have I read as many unassigned books for any teacher. He had a way of tantalizing you with a quotation, of dropping the kernel of a chapter into a lecture, until he trapped you into asking where you could read more about it.

He has a knack of eliminating the hot air content of comments by his students. As one of several debaters in his classes, I did my share of worrying points for the sake of argument. He did not object to controversy, but if the content was purely talk, he could be devastating. I learned from him and from Doctor Drennon the danger of sophistry in discussion—of attempting to be clever instead of truthful.

It is not just in the classroom that he teaches. In his office, on the campus, in the Library, waiting for his mail at the Post-office, he invites questions or, more often, continues the painful process of licking the cubs into shape.

He berates you for your most recent errors, tests you for any evidence that you have improved, jests with you to make you feel a little easy, challenges you to do better, dares you to do your worse, and often drags out a book or two you should read.

I did not get here in time to see him perform in his classroom yesterday. If I had, I bet that there would have been little change over the years. I watched him for a few minutes when I was here last November and he still had the old fire—eyes ablaze, eyebrows bristling, hands gesturing with fervor, voice strong with vehement force, invoking the spirit of learning, and putting the fear of the Lord into the lazy and the unprepared. But—and this is the important part—kindling interest in learning and a zest for knowledge in those that he could set alight.

The great thing about Lowry is his capacity to grow.

1. He is always learning. Some of his courses are so much second nature that he need not look again at a book but he continues to enliven by the copious gleanings from many sources that catch his fancy.

2. In addition to his own fields, he has strayed into the paths of dramatics, performing some memorable roles over a period of years, and reading deeply in the literature of the theater. Most recently, he has turned to philosophy, studying the existentialists, carrying his reading to the works of Kierkegaard and Sartre. Along with that has gone a study of Greek, where he has found some of the pleasure that he shares with many teachers he has greatly admired.

3. Recently in reading the memoirs of President George N. Shuster of Hunter College, I was impressed by two observations that seemed to catch some of the spirit that animates Doctor Lowry and that I believe is found in the good teacher. Doctor Shuster declared:

"An educated man understands in the end that he must live bravely and genially with his ignorance because being ignorant is a very large part of being human.

"Yet, also, while remaining unable to answer questions which desperately need an answer, he realizes that peering into the mystery engirdling him is a heartening, cleansing, ennobling experience."

And to this statement on ignorance, which is really another name for thirst for knowledge that can never be completely quenched, is this statement that prompts many scholars and students to turn to books. Doctor Shuster tells of seeing a French soldier in World War I placidly reading from a Greek edition of Aeschylus. He concludes: "Fragments of beauty cannot lose their freshness of meaning because the world in which we happen to be busy is false or tawdry."

I have found none more dedicated to his profession and to this institution than this man. He has been offered other tempting jobs but his heart has always stayed here at Murray. The school has no more candid critic. And it has no fiercer defender. As a booster at alumni meetings, a pleader for funds for good causes (he raised more money for the Wells Memorial than any other one person), and as a purveyor of barbecue at Homecoming, he shows in every way the marks of one who is prepared to build a greater institution.

III. MURRAY AND THE SPIRIT OF INQUIRY

I think that Doctor Lowry has prospered here because Murray has permitted him freedom of inquiry. Closely akin to the English and French thinkers whose work influenced Jefferson, Lowry has claimed for himself, his students, and this institution the rights set forth by the great English philosopher, John Stuart Mill, when he became rector of St. Andrews:

"To question all things—never to turn away from any difficulty; to accept no doctrine either from ourselves or from other people without rigid scrutiny . . ., letting no fallacy, or incoherence, or confusion of thought, slip by unperceived; above all, to insist on having the meaning of the word clearly understood before using it, and the meaning of a proposition before assenting to do it,—these are the lessons we learn from the ancient teachers."

Lowry has always argued to his students against seeking cheap poularity. He would speak as quickly against the fear of unpopular beliefs. I like to think because he has been willing to speak out for unpopular causes that we have a freer spirit here and in those corners of Tennessee and Kentucky where his students have preached and taught.

He and the University have lived through periods of harsh debate and strong opposition to freedom to speak out and have held to the tradition of Jefferson. But that tradition works two ways. It is important in this period of disquiet when the violent protesters of the extreme right and of the extreme left seek to deny the right of their opponents to speak at all that we recall the true meaning of the doctrine of free speech. It is one that asks for the chance to state one's case, the right to a hearing, the right to say one's say with dignity. It does not infringe on another's right to speak. It assumes that strong arm methods to deny others the right to speak can end only by destroying all free discussion.

IV. THE LIBRARY

As we come here to dedicate this Library, I face the task of predicting the future of the building with some trepidation because of the writings of Marshall McLuhan whose dictum is "The Medium is the Message," (or as he states it in his latest book, "The Medium is the Message.") His prophecies are not always crystal clear, but they seem to indicate that books, systems of logic, and even alphabets are passé.

His writings, while immensely provocative and valuable for stressing the effects of electronic developments on future education, are hasty in predicting the rapid end of the printed word, the linear concepts produced by type, and the discipline of the book which reduces thinking to order and thought processes to logical sequences.

In his appeal for the Eastern approach—as shown by the quotation from Lao-tze which he includes—the mystic flow—he appears to look forward to a return to the tribe and a primitive approach to life. Mysticism is not new. It was found not only among the Buddhists, but in ancient Greece, in the monasteries of the Middle Ages, and in the speakers in unknown tongues of a later day. It requires no message by television to produce this flow. But mysticism flourishes best in a society where its practitioners can live simply, either growing their food by tilling the soil or picking grapes; in a walled community where the gifts of the faithful will sustain them; or by the begging bowl of the Buddhist monk.

In today's complicated society, it is a question whether an electronic world, based on sophisticated computers, complex transistors,

and nuclear-powered apparatus, can long survive a type of training that consists mainly of free happenings and abolition of books.

A return to the simple life—a theory preached through the centuries by the alienated—has much to recommend it. But it doesn't square with the complex world of the computer which works properly only with proper programming. Perhaps we need only a small trained elite to handle this task. But while most of us are "turning on" or "taking trips," we had better have enough people trained in sequential thinking to understand how much stress a bridge will stand, the workings of a transistor, or the necessary judgment to be entrusted to the guardian of a panic button.

An item in the New York Times of April 23 quotes an expert in geochemistry as saying that we may have 15 billion people by the year 2000—only a short lifetime away. He said there were 500 million more, "hungry combustible human beings" in the world than there were ten years ago and predicted that the number would increase by another 600 million in the next ten years. The number seems exaggerated but when one contrasts the role of growth with something over 2 billion when the college was founded and some three and a quarter billion now, he can see what demands on food and shelter that will still develop.

If the abolition of the book will help us solve the problems sooner, we should by all means pursue Mr. McLuhan's goal. Certainly, we must make full use of the various media which are being developed. The Library can not remain—nor does anyone argue that any more—merely a place to keep books. The new Library is already using some of the newest equipment to expand its resources and its services.

From the expensive photostat, we have moved to microfilm, and the microcard. Now, they are developing the microfiche. It will be possible to put sixty or more pages on a single card which can be simply blown up by a mechanical "reader" to regular size.

Now with the systems of information retrieval being developed we can soon tap the information in monographs, studies, articles that have piled up in libraries and offices around the world. Already plans are underway for central libraries from which one can obtain immediate answers to reference questions on a machine placed in the branch libraries. During the recent Fair in New York, I recall standing in front of one of these machines in the Pentagon. To your question relayed from the Pentagon, there came an immediate response. But there was a catch. The first ten questions I asked received no reply. No one had programmed an answer for those questions. Until someone does, the machine still will not provide the answer by itself.

So far as electronics will help carry learning to those who can not do as well by books, I am all for it. McLuhan speaks of electric signals that many permit the deaf to "read." Perhaps there will one day be electric stimuli that help the slow to learn. Certainly if some drug, such as LSD, could be injected to make me learn mathematics, I might be inclined to "take a trip." But during the period of the cultural lag between the world of the book and the world of the electronic medium, I am glad we have the Libraries with their reservoir of organized information.

The message is, I think, that for the university the Library is still a vital center. It should be prepared, I repeat, to go as far as electrical devices will take it to expand its contacts and its services.

It is in the desire to expand the spirit and services of the university that we dedicate this Library today. Dedication, we find has as one of its meanings, to "affirm." In opening this addition to the old Library, we affirm and re-affirm the university's devotion to learning, to the fostering of a spirit of free inquiry, the making of an intellectual climate in which we can say with Emerson, "We are of different opinions at different hours, but we may always be said to be at heart on the side of truth."

We affirm the importance of quiet study. However helped by electronic media we may be, we still believe in the sober efforts of the individual to reach truth by study of those who have walked that path before him and whose experiences and paths may show the way.

We affirm the need of thought over pure sensation. Montaigne, the great French essayist, set above the entrance to his personal library these words, "I do not understand; I pause; I examine." These are still marks of the thinking man: a recognition that one lacks knowledge, a period of reflection; and at last the examination of the facts.

It is an individual act, but one in which the individual may seek contact through the word with a host of thinkers and a body of experiences across the centuries.

V. CONCLUSION

Perhaps today as I look back to my own days here as a student, I am overly nostalgic and imagine more than I once knew. But I recall that there was an excitement here in being at school. And that excitement came I think from the fact that the Library and the laboratories and the professors—the things that together made Murray—offered us a way out and a way up.

In the more than forty years of its existence, Murray has gone from a tiny normal to the status of a university. Its achievements permit it to offer ever greater opportunities than before to those who seek admission. It must continue to provide : (1) a great faculty, (2) a fine library and laboratories, (3) tradition of learning, and (4) freedom to explore. Need I say that a student body that wants to learn is also essential to the picture?

In my look back at Murray and at Lowry, I find that Murray's story and his often merge. In both there is solid achievement and a dedication to learning. It seemed to me that particularly applicable to them both are two lines from Longfellow:

"Still achieving, still pursuing
Learn to labor and to wait."

After forty-two years here Lowry is still searching for more knowledge; after 45 the University is still pressing on. Both he and the administrators of this institution know that the harvest is not immediately gathered. Labor in the educational vineyard does not show its effect in the first decade or even the first half-century of the tending. One can not judge finally from the first few generations how well has been the training and cultivation of the vines. It takes true dedication to the task to carry men and institutions through the laboring years. But there are already signs that what has been planted here is flourishing and bearing good fruit.

In asking me to give this address today, Doctor Woods suggested as a possible theme the words, "Achievement and Dedication." Achievement, in a sense, is far too final for our purposes. It means to bring to a head or a final conclusion and we want something more continuous than that. Dedication is more evasive. It can mean "the devotion to the service of a divine being" or "to set apart for a definite use." But we know that dedication can also mean "to affirm." I should like to view dedication today in both senses: we must speak of a building set aside for study but also of the devotion of a teacher and a university that both affirm and devote themselves to the same pursuit of knowledge.

It is perhaps a measure of the achievements of the university to speak of a time nearly forty years ago when the older Library, to which this annex is being added, was opened.

Murray was then eight years old. Doctor Lowry had been here for five years. I was then a junior. I can recall clambering over the steel structure of the building as it went up, later watching the Italian builder (whose daughter and grandchildren later came here) finishing the columns in the building, marveling at the color of the vaulted ceiling and the great bronze doors. As publicity assistant to Professor L. J. Hortin, who will return here this fall, I am glad to say, I helped herald the fact that these doors cost $15,000. It led to criticism in other parts of the state. Elliot Mitchell of the Sun-Democrat settled the issue by writing in effect: Elsewhere, bronze doors are all right. But West Kentuckians need only tow sacks to keep out the breeze.

In 1930, Doctor Lowry was on the scene. In that year, he had a social science department consisting of Glen Ashcraft and A. B. Austin and himself. You will have an idea of Murray's growth when I say that the three then taught all the history, political science, economics, and sociology offered by the department.

As our society has changed and developed, Murray State has also grown. Steady increases in enrollment had been marked by new buildings, new courses, enlargement of faculty, expansion of services. During the past year it entered a new phase of development with the establishment of a university. I recall that when I first heard of this action, I wondered, "Are we large enough?" And then I realized that the University of Kentucky was scarcely half the size of Murray's present enrollment when I went there in 1931.

When the Murray *Alumnus* devoted an issue to the challenges of the new university, the editor asked a number of faculty members and former students for their comments. I was glad to see that Doctor Lowry and I agreed. We were pleased by this sign of progress and growth, but we stressed the need for better faculty, better students, courses aimed at graduate students, and a greatly expanded Library. I have seen signs that all these are being done. I was delighted to note that an addition to the Library and a considerable increase in the budget for books were included in the first proposals made by Doctor Woods. Today, you see a modern, well-equipped addition to the Library I saw opened nearly forty years ago—a building dedicated to the improvement of education and the pursuit of knowledge.

This new building is one more sign of Murray's achievements and one more indication of its dedication to education. As we note the passing of one more milestone in the history of this institution, I like to think that forty years from now, some student in this audience will be dedicating another Library or some other hall of learning. Although I imagine that by then there will be other large additions to the old Library and to this newly-opened annex, I hope that these buildings will still remain. And I hope that the speaker on that occasion will recall the man for whom this building is named and will say: "There were giants at Murray in those days and one was named Lowry."

THINKING OUT LOUD

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

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

There was no objection.

Mr. HALEY. Mr. Speaker, I have asked permission to place in the CONGRESSIONAL RECORD at this time an editorial column which appeared in the Polk County

Democrat on June 12, 1967. The author, S. L. Frisbie IV, is the fourth generation of this family to become a newspaperman. Not only does he follow in distinguished footsteps, but also his writing reflects the same sound judgment and preception his predecessors have demonstrated so well.

The column, "Thinking Out Loud," calls attention to the historic action of the House of Representatives last week in refusing to raise the national debt limit. As he so well states, we must stop spending more money than we have. No one denies that we must meet our obligations and that there will be an increase in the debt ceiling. But, let us hope that the action of the House in forcing a reappraisal of our fiscal practices, overspending and deficit financing, will be a step toward sound fiscal policy, not just a gesture toward it.

I commend this excellent editorial to the attention of my colleagues:

THINKING OUT LOUD

(By S. L. Frisbie IV)

Here's one to tell your grandchildren about.

On June 7, 1967 (last Wednesday) the House of Representatives of the United States Congress refused to raise the nation's debt limit.

In effect, the House told the President and the federal government in general to quit spending more money than they're taking in.

You and I, of course, do this all the time. If we didn't, we'd go bankrupt.

But the federal government almost never takes in as much money as it gives out; rather, it spends money that it doesn't have through the fiscal foolishness known in government circles as "deficit financing."

To make the books total up, Congress established in 1959 something called the permanent debt limit. I say "something called" because that figure—$285 billion—is not permanent and it is not a debt limit.

No sooner did Congress set the "permanent debt limit," than it turned around and set a "temporary limit." But this term, too, is misleading, since it is neither temporary nor a debt limit. Actually, in a way I guess you could say it is temporary, because the figure is raised each year.

Anyway, the theory behind all this—a theory which nobody believes—is that some day the national debt, like other debt, might be paid off. First we would pay off our "temporary debt," then we would pay off our "permanent debt."

But all this is just theory, and the way it really works is that the administration and Congress figure that we've gotten by with it this long and we can probably get by with it forever, or at least until after the next election.

And so what's a few more billion dollars added to the "temporary debt limit" this year? (A billion dollars is a dollar mark, followed by a one, followed by nine zeroes. That's a thousand million dollars.) (In case anybody cares, that is.)

But last Wednesday night the House—by a margin of 13 votes from its membership of 435—up and cried "Hold, enough!"

And in so doing, it told the Administration to quit spending billions more than it takes in, and to pay back the "temporary debt limit" of $336 billion to the "permanent debt limit" of $285 billion.

Certainly nobody believes that Congress will stick by this dictum. To do so would mean that the federal government could not even meet its payroll, let alone its billions of dollars in friendship-buying payments to the rest of the world, its billions of dollars paid to people too lazy to work but not too proud to accept handouts, and its billions of dollars frittered away on other useless but politically expedient projects.

If the government's debt were truly to be suddenly dropped to a paltry $285 billion, our government would go bankrupt. Not even we reactionaries want that.

No—before the next fiscal year starts next month, Congress will back down and authorize a new, record high "temporary debt limit," and the House's proud action on June 7, 1967, will be forgotten.

Forgotten, that is, by all except those of us who someday will tell our grandchildren about the grand day when their government made a gesture toward sound fiscal policy.

U.S. RESPONSIBILITY IN WINNING THE MIDEAST PEACE

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, the brave and valiant Israelis—men, women and children of all ages—have amazed the world with their determined might. They not only have thrown back their enemies, but have pushed them far into the Arab's own territories.

Israel prowess, her will and her determination have won the admiration of freedom-loving people everywhere. And there is no question but that Israel has even won the respect, begrudging as it may be, of her bitterest enemies.

Unlike the Arabs, whose repeatedly stated objective has been one of destruction, a vow reflected so vividly by the Nasser crisis which brought war to the Middle East, Israel seeks only to live in security and peace, and in cooperation with her neighbors. In this war, as in the hostilities of 1956, Israel sought only to defend her land, protect her people and their freedom.

The fundamental issues remain unchanged.

In obvious desperation, as a cover for the devastating Arab military defeats, Nasser and his stooges claim the United States secretly fought much of Israel's battle. We know only too well this is not so. We have proved it is not so. But Nasser keeps repeating it—typical of his Hitler-like big-lie technique, and typical of his wild and blatant irresponsibility.

Then the Egyptian dictator compounded his belligerence and vindictiveness by cutting off diplomatic relations with the United States.

All this is quite ironic, to say the least, because, to the dismay of many Americans and contrary to our long-standing legal and moral commitments, reiterated repeatedly by four of our Presidents—and no nation could have been more reassured by our pledges than Israel—our State Department had announced a policy of neutrality.

The Department's official position was that the United States would be "neutral in thought, word and deed." How ridiculous was this statement. Oh yes, it was later modified to say they meant "nonbelligerence."

Israel did not ask us to be belligerent, but we owed it to her to be steadfast in our allegiance, to be unequivocal in our support, to be true to our commitments.

When the showdown came, there was too much quibbling as to the exact language, the real meaning, of our commitments—as if there should be any question of its application. Then, to top this, came the startling State Department statement. Israel was left standing alone. All of us were left frustrated, bewildered.

But Israel stood up to its greatest challenge, met it bravely, and right prevailed. And now, we hear wild acclaim for Israel's armies—how great the victory was. How magnificent those Israelis are on the battlefield. You have got to hand it to those Jews. We even hear how the United States ought to retain Moishe Dayan to run our Defense Department.

All this is well and good. But where do we go from here? Is this admiration and newly won support just to be superficial, or is it to have real meaning?

Is our Government going to heed our voices, the voices of the vast majority of the American people?

Or are we going to crawl back into the State Department shells and let the striped-pants boys continue to guide U.S. policy?

We should have learned our lesson a long time ago. You cannot appease Nasser or his stooges, nor can you reason with stubborn resistance to reality by assuming a weak position and maintaining a policy lacking in firmness.

The time has come when our Government should forget about currying favor with the Arabs. Instead, we should take the leadership in the community of nations to insist on a settlement on terms that will not leave the way open for further threats to Israel and to world peace; that we must have a settlement that will not bring a new crisis, another war, and another cease-fire.

There must not be just another armistice. Two armistices, those of 1947 and 1956, have failed. A third, leaving the basic disputes unresolved, would stand no better chance. In any league, three strikes are out. The world cannot risk a third strike in the Middle East.

The mistakes and failures of 1946 and 1957 must not be repeated.

In 1957, after the Sinai campaign, Israel's withdrawal of forces was based on her acceptance of four major assumptions, reinforced by recognized principles of international law.

First, the Suez would remain open to Israel's shipping.

Second, the Strait of Tiran and the Gulf of Aqaba would be international waters, guaranteeing to all nations the rights of free passage.

Third, the Gaza strip would not be under the United Arab Republic, but would be protected by United Nations Emergency Forces.

Fourth, efforts would be made to move toward a relaxing of tensions and peace.

We all know only too well the synthetic meaning of those agreements Israel accepted in good faith in 1957.

The simple fact now remains that Israel cannot be expected to go back to the status quo—where there has been no peace and the declared design of her neighbors has continually been to destroy her.

Now the Israelis doubtless are not

going to evacuate the Arab areas they hold without firmer assurances than they had before, underwritten by international guarantees to protect Israel's sovereignty as a nation, to secure normalized and realistic borders and free passage through the Gulf of Aqaba and the Suez Canal.

Israel must also have more satisfaction and cooperation in dealing with other issues, such as the refugee problem, water rights and meaningful restoration of international peacekeeping forces.

No withdrawal can be expected of Israel without these completely new conditions of peace and stability.

The United States is committed to resist aggression and defend freedom. How often have we heard that. I will not even bring up the question of whether Saigon is more sacred than Jerusalem. But I do maintain we can still give meaning to these words. We can yet redeem our pledges to Israel. What we did, or failed to do, is behind us. We now have the opportunity to fulfill our commitment to Israel by standing up for Israel's rights in the peace settlement to come.

Despite her glorious victories, despite her peaceful goals, despite the enthusiastic support of people throughout the world, the fact remains Israel can still lose on the diplomatic front.

She desperately needs the unqualified support of the United States and most of the other big powers to help win a settlement that will bring a lasting peace.

She must have strong allies. She must have the United States at her side in the struggle for diplomatic achievement of her goals for survival and for the future economic and social development of her neighbors.

Israel has the right to expect from the community of nations a new era. But this new era can only be consummated by statesmanship leading to the general peace settlement. That is when the expert skill and power of U.S. diplomacy is needed so badly and must be forthcoming.

We can take immediate leadership in the world community by moving our embassy from Tel Aviv to Jerusalem. This simple change can be a symbol of our support for a future with no false boundaries, no divided cities, no built-in points of crisis and tension.

And there must be a satisfactory resolution of the confused questions of boundaries. The solution should include realistic territorial adjustments in keeping with historic and strategic requirements.

All of Jerusalem must remain within Israel's borders.

There must be inclusion within Israel's boundaries of the Syrian and Jordanian hills overlooking Israel's previous shaky borders.

There must be transit rights for Israel ships and the ships of all nations through the Suez Canal and the Gulf of Aqaba.

There must be guarantees for these territorial and shipping rights through meaningful international authority.

There must be direct talks between the nations involved, and especially there should be direct attempts to find agreeable solutions to the refugee problem. And, in this regard, the United Nations could cooperate toward the peaceful resettlement of the Arab refugees in lands where they can find opportunities. I would like to see a concept of a confederation of Arabs and Israelis to work toward finding solutions of their timeworn problems and toward mutual regional goals.

There must be serious, high-level talks between the United States and the Soviets. Surely, the Soviets must now recognize that their $3 billion worth of arms to the Arabs has hardly been a good investment and its repetition would not offer the most likely means to stabilize Soviet influence in the Middle East. There must be recognition of the fact that renewal of the Mideast arms race would be inconsistent with the efforts the United States and the Soviets are making toward a nonproliferation agreement.

And of paramount importance to the peace settlement, there must be Arab recognition of Israel's sovereignty. No settlement with the Arabs could be effective unless it embodies acceptance of Israel's statehood and rejects the fiction of its nonexistence.

An important challenge for our country is its promotion of stability through assistance to the Middle East as a region, through encouragement of cooperation among all the nations of that area.

We are thankful for Israel's military might in repelling cruel forces of hatred and aggression. But Israel can achieve its true destiny only through reconciliation with the Arabs and achievement of their mutual destinies in the Middle East. A future in which Israel's development techniques, in making the deserts bloom, in medicine and education are shared with its neighbors.

The Arabs must overcome neurotic resentments. Perhaps the shock treatment of defeat will bring them to accept the performance of Israel and to develop jointly a new relationship for mutual welfare and progress.

Any other course will lead to new bitterness, new tensions and more war—perhaps a less controllable, more destructive war, one involving the entire world.

American diplomacy must arrive at a working arrangement with Russia to prevent a new confrontation. The Soviet Union must be made to understand the consequences of seeking domination of the Middle East by using Israelis as the scapegoats and the Arabs as tools.

And the United States on the other hand must help to bring reform and progress to the Arab world by encouraging democratic elements, rather than working through bigoted, despotic, and feudalistic rulers.

I strongly believe that our Government should announce a broad emergency economic assistance program for Israel to help rebuild the devastation the war has caused within its borders. And, if the Arabs show a willingness to work toward regional cooperation, then in the name of humanity we should consider assisting their countries in the reconstruction that lies ahead.

Mr. Speaker, it is not surprising that the Arab antagonists have pursued a course at the diplomatic level designed to overcome their losses at the military level. They must not succeed, for the sake of Israel, or the sake of the United States, for the sake of freedom, for the sake of humanity. The United States must stand by Israel steadfastly, to win the realistic diplomatic victory that is so vital for a lasting peace. Our Government must be unequivocal toward this objective.

WHEN THE MOMENT OF TRUTH ARRIVED, WE HAD TOO MANY IRONIES IN THE FIRE

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

Mr. GOODELL. Mr. Speaker, it has been observed that in a democracy, policy is rooted in the attitudes and moral feelings of the Nation. Applying that notion as a yardstick to recent American foreign policy, I seriously question whether the administration has accurately incorporated the attitudes of the people of this country with regard to the Middle East and the Israel-Arab confrontation.

Had they been fully informed of all the facts during the past 6 years, would the people of the Nation have approved, among other things, of:

First. More than $900 million in food-for-peace aid to the United Arab Republic?

Second. More than $25 million in commercial guarantees or loans for the United Arab Republic?

Third. The acceptance—by the Commodity Credit Corporation of the U.S. Department of Agriculture—of more than $68 million in United Arab Republic letters of credit for commodity shipments between June 1966 and January 1967?

Fourth. Additional millions of dollars worth of military and commodity aid to the Arab nations of the Middle East?

Given the continuing nature of the Israel-Arab confrontation, I am convinced that the people of the United States do not feel that such forms of aid to the United Arab Republic are representative of the attitudes and moral feelings of the Nation. In that context, two successive Democrat administrations have been indifferent to the American people and to the Congress. I refer specifically to the foreign aid programs and policies cited above, and a more recent development of significant proportions.

My colleagues will remember that in considering the Foreign Assistance Act of 1966, the House added a Republican-strengthened amendment which required the President to report to the Congress within 30 days of his finding that aid to the United Arab Republic was in the best interest of the United States, and that such aid would neither directly nor indirectly assist in aggressive acts by the United Arab Republic. The amendment was accepted on July 14; the President signed the bill into law on September 19. Since that time, over $1 million in technical assistance foreign aid has been extended to the United Arab Republic—but no public

report or announcement has been sent by the President to either Chamber. It would seem to me that this condition amounts to a violation of congressional intent; it is an attitude of contempt on the part of the administration toward this Chamber and the Congress as a whole. It is a highly offensive act of indifference—and all Members suffer equally.

I pause to inject a note of personal concern at this point. The conference report and the bill itself contain several references to Presidential reporting responsibility in the matter of aid to the United Arab Republic. I am convinced that the intent of the two Chambers, outside of that spelled out in the Foreign Assistance Act, was that the President should make public at least the existence of such a determination. I have discovered only today that the President did indeed make just such a determination—on January 9 of this year—that aid to the United Arab Republic was in the best interest of the United States. That report—a classified document—was transmitted to the chairmen of the Senate Foreign Relations and Appropriations Committees, and through the Speaker of the House to the chairmen of the House Foreign Affairs and Appropriations Committees. No public statement was ever made by the President to the effect that such a document was even in existence—even if the contents were to remain confidential, this Congress should have been notified of the being of such a document. The President here complied with the letter but not the spirit of the law.

One might note, in retrospect, that the President would have had a great deal of difficulty in publicly justifying such aid to the United Arab Republic; in ignoring the notification intent, the President chose to keep his reasons outside the pale of public knowledge.

Republicans in this Chamber have long sought to limit severely or qualify aid to President Nasser and the United Arab Republic. Failing that, Republicans have consistently attempted to attach humanitarian conditions to aid programs so that the suffering masses would benefit, with the result that President Nasser could not indiscriminately use our foreign aid for various military adventures in the Middle East. Obviously, Republicans are concerned about the United Arab Republic's starving, illiterate masses—who have not seen their lot improved in several years of Nasserite rule—inflammatory propaganda messages are a notoriously thin diet for an impoverished people—but we have insisted on certain conditions as necessary in the consideration of aid for the United Arab Republic.

My colleagues may remember that in 1960, as part of President Eisenhower's mutual security and Public Law 480 programs, this Chamber—at Republican insistence—included the provision that the acts be administered to "give effect" to the principle of freedom of navigation in international waterways, and that the purposes of the acts were "negated and the peace of the world endangered" when countries receiving assistance waged economic warfare against other nations receiving assistance. In 1960, you may recall, President Nasser was carrying on a "warm" confrontation against Israel and denying Israel ship and cargo passage through the Suez Canal.

Republicans responded in concert to that real and implied threat by providing President Eisenhower with the rationale to carry on an appropriate program of assistance to Israel. Specific applications of the above-mentioned principle were left to the discretion of the President, who was then to report to the Congress on all such measures. President Eisenhower—as far as he was able while still in office—complied with this requirement. In the past 6 years, however, several forms of aid have been extended to the United Arab Republic, and no reports have been forthcoming from the administration.

During passage of the Food for Peace Act in 1963, the President's power of discretion was reinforced in relation to the extension of Public Law 480 aid. In yet another Republican-inspired provision, aid was to be denied to any nation which the President determined was engaged in or preparing aggression against the United States or any U.S. aid recipient. The restrictive nature of that facet of the program was plainly aimed at the United Arab Republic. The current administration, in continuing to extend aid to the United Arab Republic, has apparently not made that determination, raising serious questions about its willingness to recognize potential or real aggression, and despite the open warfare Nasser has conducted in Yemen—another U.S. aid recipient.

The most significant year of Republican initiative against President Nasser was 1965. After a series of terrorist attacks on U.S. citizens and installations, President Johnson was finally forced into a statement indicating that U.S. aid would be halted if such acts were not stopped. Nasser responded with his "go drink the sea" invective, extending to the United States one of the crudest expressions in the Arab vernacular.

An amendment to the Department of Agriculture appropriations bill, offered by my good friend and colleague, Representative MICHEL, prohibited use of funds so appropriated to finance export of surplus agricultural commodities to the United Arab Republic under title I of Public Law 480. The motion to recommit to add the restrictive language was adopted by a 204-to-177 rollcall vote. Republicans voted 128 to 0 in support of the recommittal motion. The bill was then immediately reported back to the House and passed by a voice vote.

Lobbyists for the administration went to work after their January 26 defeat. Before the bill went to conference, the restrictive language was subjected to a vote on February 8 instructing the House conferees not to allow its deletion in conference. The motion to instruct was defeated on a 165-to-241 rollcall vote; Republicans stood solidly in opposition to President Nasser by voting 128 to 1 for instruction.

Conferees later reported back to the House a bill containing Presidential discretion in the extension of aid to any nation. The conference report indicated that the administration felt it needed latitude to deal with nations on an individual basis; that its foreign policy would be impeded if it had to operate within guidelines established by the House; that the President would use his aid extension power only with the greatest discretion, and would not aid or abet the preparation of aggression by any state. The argument was made that the Government or the policy of the Government of the United Arab Republic might change and the President should be free to respond favorably to such a change.

The House agreed by voice vote to the conference provision on February 10, 1965, and the Republican attempt to deny aid to Nasser was defeated. The President since that time has applied his discretionary power in the amount of $83.5 million of commodity aid to the United Arab Republic.

Again on May 25, 1965, Representative Bow attempted to have the United Arab Republic aid denial provision reinstituted in the USDA fiscal year 1966 appropriations bill, to prohibit the extension of Public Law 480 export credit to the United Arab Republic. The motion to recommit to add the restrictive language was defeated on a rollcall vote of 187 to 208; Republicans voted against supporting President Nasser by a count of 124 to 2.

In 1966, as I noted earlier, Representative HALPERN extended and strengthened the provisions of an earlier amendment to require that the President report within 30 days of his finding that aid to the United Arab Republic was in the best interest of the United States, and that such aid would not directly or indirectly assist in aggressive actions of the United Arab Republic.

It is important to note here that aid which has been extended to the United Arab Republic since the President signed the bill into law has included a nine-university program to upgrade the teaching of engineering at a United Arab Republic university—a program to design, equip and train personnel for a commercial telecommunications system headquartered in Cario—and a technical consultant and specialist program for advising on improvements of industrial and manufacturing systems within the United Arab Republic. While all of these projects have obvious peaceful uses, they can easily be translated into devices or programs for preparing aggression against another state.

Where is the President's report that such aid is in the best interest of the United States, and that such aid did not directly or indirectly assist in the preparation of aggression by the United Arab Republic against Israel? The President's discretion is paramount in all aid matters and obviously he has ignored the attitudes of the Nation in this regard, in addition to ignoring the reporting requirement.

It must be obvious to any observer that all of our aid has directly or indirectly assisted the United Arab Republic and all other Arab aid recipients in the preparation of aggression against Israel. I

find that sort of continuing assistance to military despots to be incredible. I find the President's disregard for the provisions required by this Chamber to be an affront to the Congress.

The mistakes of the administration and its cavalier attitude toward the feelings of this Chamber and the American people as a whole—in the extension of aid to the United Arab Republic—came to fruition last week. When the moment of truth arrived, we had too many irons in the fire. Arab nations using U.S. military materiel were fighting Israel, using U.S. military materiel; Arab nations receiving U.S. commodity support were fighting Israel, receiving U.S. commodity assistance. To close this incongruous sequence, the administration then announced our "neutrality" in the conflict.

Three main themes deserve special attention here. First, Republicans have long sought to deny aid to the present aggressive and insulting government of the United Arab Republic. President Nasser has not relented for one minute in his tirades against this country or Israel. Our aid has supported demogogic and inflamed appeals—the long-suffering Arab masses are offered a rhetorical and emotional pallative in the absence of real national development progress. Our aid has supported months of continuing terrorist attacks, not only on Israel but also on U.S. installations and citizens. Our aid directly contributed to the outbreak of hostilities last week, by providing military and commodity wherewithal for the regimes and their military apparatus. Our aid has been extended with considerable indifference toward the attitudes of the people of our Nation.

Second, how can anyone justify nearly $1 billion of aid to the United Arab Republic, and demonstrate that such aid did not offer acquiescent support for the aggressive Nasser government. Nearly $1 billion over this 6-year period was a major prop which sustained President Nasser in power, which sustained his dirty war in Yemen, which sustained his appeal for Arab unity in a "holy war" against Israel, and which sustained a government which constantly subordinated desperately needed social reforms to military considerations.

Republicans have warned against these excesses and have tried to limit such activities. Our efforts to deny the United Arab Republic the nearly $1 billion which it converted into last week's tragedy were in vain. Incredibly, the United Arab Republic has continued to receive aid, in spite of its obvious alliance with the Soviet Union, its continuing military adventures, and its refusal to recognize the sovereignty and integrity of Israel.

Last, the Congress has gone on record three times with regard to the restrictions on aid to the United Arab Republic, and three times the administration has chosen to ignore the wisdom contained in those actions. Members have good cause for concern. The President, in exercising his absolute discretion with regard to the extension of aid, has placed himself beyond the influence of the Members. That indifference contributed significantly to the tragedy of last week; it also contributes significantly to the lessening stature of the legislative branch.

My colleagues on both sides of the aisle: Stand with me in demanding to know why the administration has supported a bellicose government with military and commodity assistance, why the administration has provided direct and indirect aid in the preparation of aggression against a nation with which we have the closest of bonds, and why that same administration has deeply offended the Congress—and especially this Chamber—by not complying with our directives.

NOT BACKWARD TO BELLIGERENCY BUT FORWARD TO PEACE

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

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

There was no objection.

Mr. MULTER. Mr. Speaker, now that the fighting in the Middle East has ended and the search for a realistic peace lies ahead, it is interesting to look at Mr. Abba Eban's address to the Security Council on June 6, 1967. Israel's Foreign Minister reviewed the prewar tensions, the actual fighting, and reflected upon the task which lies ahead for Israel and her Arab neighbors.

Especially significant in the address, are two statements quoted by Mr. Eban, which were made during the crisis. I believe that these two statements accurately portray the intentions of each nation.

On May 28, President Nasser addressed his nation saying:

> We intend to open a general assault against Israel. This will be total war. Our basic aim is the destruction of Israel.

In contrast to this statement, Prime Minister Eshkol, of Israel, published and conveyed the following message to her neighboring states, even after the fighting had begun. He proclaimed:

> We shall not attack any country unless it opens war on us. Even now, when the mortars speak, we have not given up our quest for peace. We strive to repel all menace of terrorism and any danger of aggression to ensure our security and our legitimate rights.

Mr. Speaker, I commend to the attention of our colleagues the full text of the address by Israel's Foreign Minister, Mr. Abba Eban, in the Security Council on June 6, 1967, as follows:

NOT BACKWARD TO BELLIGERENCY BUT FORWARD TO PEACE

(Full text of the address by Israel's Foreign Minister, Mr. Abba Eban, in the United Nations Security Council on 6 June 1967)

Mr. President: I have just come from Jerusalem to tell the Security Council that Israel, by its independent effort and sacrifice, has passed from serious danger to successful resistance.

Two days ago Israel's condition caused much concern across the humane and friendly world. Israel had reached a sombre hour. Let me try to evoke the point at which our fortunes stood.

An army, greater than any force ever assembled in Sinai, had massed against Israel's southern frontier. Egypt had dismissed the United Nations forces which symbolized the international interest in the maintenance of peace in our region. Nasser had provocatively brought five infantry divisions and two armoured divisions up to our very gates; 80,000 men and 900 tanks were poised to move.

PLAN TO ENCIRCLE ISRAEL

A special striking force, comprising an armoured division with at least 200 tanks, was concentrated against Elath at the Negev's southern tip. Here was a clear design to cut the southern Negev off from the main body of our State. For Egypt had openly proclaimed that Elath did not form part of Israel and had predicted that Israel itself would soon expire. The proclamation was empty; the prediction now lies in ruin. While the main brunt of the hostile threat was focused on the southern front, an alarming plan of encirclement was under way. With Egypt's initiative and guidance, Israel was already being strangled in its maritime approaches to the whole eastern half of the world. For sixteen years, Israel had been illicitly denied passage in the Suez Canal, despite the Security Council's decision of 1 September 1951. And now the creative enterprise of ten patient years which had opened an international route across the Straits of Tiran and the Gulf of Aqaba had been suddenly and arbitrarily choked. Israel was and is breathing with only a single lung.

Jordan had been intimidated, against its better interest, into joining a defence pact. It is not a defence pact at all: It is an aggressive pact, of which I saw the consequences with my own eyes yesterday in the shells falling upon institutions of health and culture in the City of Jerusalem. Every house and street in Jerusalem came into the range of fire as a result of Jordan's adherence to this pact; so also did the crowded, and pathetically narrow coastal strip in which so much of Israel's life and population is concentrated.

Iraqi troops reinforced Jordanian units in areas immediately facing vital and vulnerable Israel communication centers. Expeditionary forces from Algeria and Kuwait had reached Egyptian territory. Nearly all the Egyptian forces which had been attempting the conquest of the Yemen had been transferred to the coming assault upon Israel. Syrian units, including artillery, overlooked the Israeli villages in the Jordan Valley. Terrorist troops came regularly into our territory to kill, plunder and set off explosions; the most recent occasion was five days ago.

PERIL CONFRONTED ISRAEL ALL AROUND

In short, there was peril for Israel wherever it looked. Its manpower had been hastily mobilized. Its economy and commerce were beating with feeble pulse. Its streets were dark and empty. There was an apocalyptic air of approaching peril. And Israel faced this danger alone.

But not entirely alone we were buoyed up by an unforgettable surge of public sympathy across the world. Friendly governments expressed the rather ominous hope that Israel would manage "to live." But the dominant theme of our condition was danger and solitude.

Now there could be no doubt about what was intended for us. With my very ears I heard President Nasser's speech on 28 May. He said:

"We intend to open a general assault against Israel. This will be total war. Our basic aim is the destruction of Israel."

On 2 June, the Egyptian Commander in Sinai, General Murtagi, published his order of the day, calling on his troops to wage a war of destruction against Israel. Here, then, was a systematic, overt, proclaimed design at politicide, the murder of a State.

The policy, the arms, the men had all been brought together. And the State thus threatened with collective assassination was itself the last sanctuary of people which had seen six million of its sons exterminated by a more powerful dictator two decades before.

BLOCKADE COULD NOT BE PASSIVELY SUFFERED

The question then widely asked in Israel and across the world was whether we had not already gone beyond the utmost point of danger. Was there any precedent in world history, for example, for a nation passively to suffer the blockade of its only southern port, involving nearly all its vital fuel, when such acts of war, legally and internationally, have always invited resistance? This was a most unusual patience. It existed because we had acceded to the suggestion of some of the maritime States that we give them scope to concert their efforts in order to find an international solution which would ensure the maintenance of free passage in the Gulf of Aqaba for ships of all nations and of all flags.

As we pursued this avenue of international solution, we wished the world to have no doubt about our readiness to exhaust every prospect, however fragile, of a diplomatic solution. And some of the prospects that were suggested were very fragile indeed.

ISRAEL'S MARGIN OF SECURITY DIMINISHED

But as time went on, there was no doubt that our margin of general security was becoming smaller and smaller. Thus, on the morning of 5 June, when Egyptian forces engaged us by air and land, bombarding the villages of Kissufim, Nahal-Oz and Ein Hashelosha, we knew that our limit of safety had been reached, and perhaps passed. In accordance with its inherent right of self-defence as formulated in Article 51 of the United Nations Charter, Israel responded defensively in full strength. Never in the history of nations has armed force been used in a more righteous or compelling cause.

Even when engaged with Egyptian forces, we still hoped to contain the conflict. Egypt was overtly bent on our destruction, but we still hoped that others would not join the aggression. Prime Minister Eshkol, who for weeks had carried the heavy burden of calculation and decision, published and conveyed a message to other neighbouring States proclaiming:

"We shall not attack any country unless it opens war on us. Even now, when the mortars speak, we have not given up our quest for peace. We strive to repel all menace of terrorism and any danger of aggression to ensure our security and our legitimate rights."

ISRAEL HAD NO DESIRE TO EXPAND CONFLICT

In accordance with this policy of attempting to contain the conflict, I yesterday invited General Bull, the Chairman of the Truce Supervision Organization, to inform the heads of the Jordanian State that Israel had no desire to expand the conflict beyond the unfortunate dimensions that it had already assumed and that if Israel were not attacked by Jordan, it would not attack and would act only in self-defence. It reached my ears that this message had been duly and faithfully conveyed and received. Nevertheless, Jordan decided to join the Egyptian posture against Israel and opened artillery attacks across the whole frontier, including Jerusalem. Those attacks are still in progress.

To the appeal of Prime Minister Eshkol to avoid any further extension of the conflict, Syria answered at 12.25 yesterday morning by bombing Megiddo from the air and bombing Deganya at 12.40 with artillery fire and Kibbutz Ein Hamifrats and Koordani with long-range guns. But Jordan embarked on a much more total assault by artillery and aircraft along the entire front, with special emphasis on Jerusalem, to whose dangerous and noble ordeal yesterday I can bear personal witness.

HEAVY BOMBARDMENT OF ISRAEL'S CAPITAL, JERUSALEM

There has been bombing of houses; there has been a hit on the great new National Museum of Art, there has been a hit on the University and on Shaare Tsedek, the first hospital ever to have been established outside the ancient walls. Is this not an act of vandalism that deserves the condemnation of all mankind? And in the Knesset Building, whose construction had been movingly celebrated by the entire democratic world ten months ago, the Israeli Cabinet and Parliament met under heavy gunfire, whose echoes mingled at the end of our meeting with Hatikvah, the anthem of hope.

Thus, throughout the day and night of 5 June, Jordan, which we had expressly invited to abstain from needless slaughter, became, to our surprise, and still remains, the most intense of all the belligerents; death and injury, as so often in history, stalk Jerusalem's streets.

When the approaching Egyptian aircraft appeared on our radar screens, soon to be followed by artillery attacks on our villages near the Gaza Strip, I instructed Ambassador Rafael to inform the Security Council, in accordance with the provisions of Article 51 of the Charter. I know that that involved arousing you, Mr. President, at a most uncongenial hour of the night, but we felt that the Security Council should be most urgently seized.

ISRAEL DISCONCERTED BY U.N. ROLE

I should, however, be less than frank if I were to conceal the fact that the Government and people of Israel have been disconcerted by some aspects of the United Nations' role in this conflict. The sudden withdrawal of the United Nations Emergency Force was not accompanied, as it should have been, by due international consultations on the consequences of that withdrawal. Moreover, Israeli interests were affected. They were not adequately explored. No attempt was made, little time given, to help Israel surmount grave prejudice to its vital interests consequent on that withdrawal. After all, a new confrontation of forces suddenly arose. It suddenly had to be met. And at Sharm el-Sheikh at the entrance to the Straits of Tiran, legality walked out and blockade walked in. The peace of the world trembled. The United Nations had somehow been put into a position of leaving Sinai safe for belligerency.

It is not a question of sovereignty that is here involved. The United Nations has a right to ask that when it assumes a function, the termination of that function shall not take place in conditions that would lead to anti-Charter situations. I do not raise this point in order to linger upon that which is past; but because of Israel's general attitude to the peace-keeping functions of this Organization. I confess that my own attitude and those of my colleagues and of my fellow-citizens to the peace-keeping functions of the United Nations have been traumatically affected by this experience.

The United Nations Emergency Force rendered distinguished service. Nothing became it less than the manner of its departure. All gratitude and appreciation is owed to the individuals who sustained its action. If in the course of the recent combats United Nations personnel have fallen dead or wounded, then I join my voice in an expression of the most sincere regret.

FUTURE U.N. ROLE PROBLEMATIC

The problem of the future role of a United Nations presence in conflicts such as these is much debated. We must ask ourselves a question that has arisen as a result of this experience. People in our country and in many countries ask: What is the use of a United Nations presence if it is, in effect, an umbrella which is taken away as soon as it begins to rain?

Surely, then, future arrangements for peace-keeping must depend more on the agreement and implementation by the parties themselves than on machinery which is totally at the mercy of the host country, so totally at its mercy as to be the instrument of its policies, whatever those policies may be.

We have lived through three dramatic weeks. Those weeks have brought into clear view the main elements of tension, and also the chief promise of relaxed tension in the future. The first link in the chain was the series of sabotage acts emanating from Syria. In October last year, the Security Council was already seized of this problem. A majority of its member States found it possible and necessary to draw attention to the Syrian Government's responsibility for altering that situation. Scarcely a day passed without a mine, a bomb, a hand-grenade or a mortar exploding on Israel's soil, sometimes with lethal or crippling effects; always with an unsettling psychological influence. In general, fourteen or fifteen such incidents would accumulate before a response was considered necessary. And this ceaseless accumulation of terrorist incidents in the name of what was called "popular war", together with responses which in the long run sometimes became inevitable, were for a long period the main focus of tension in the Middle East.

But then there came a graver source of tension in mid-May when abnormal troop concentrations were observed in the Sinai Peninsula. For the ten years of relative stability beginning with March 1957 and ending with May 1967, the Sinai Desert had been free of Egyptian troops. In other words, a natural geographic barrier, a largely uninhabited space, separated the main forces of the two sides. It is true that in terms of sovereignty and law, any State has a right to put its armies in any part of its territory that it chooses. This, however, is not a legal question: It is a political and a security question. Experience in many parts of the world, not least in our own, demonstrates that massive armies in close proximity to each other, against a background of a doctrine of belligerency and accompanying threats by one army to annihilate the other, create an inflammatory situation.

We were puzzled in Israel by the relative lack of preoccupation on the part of friendly Governments and international agencies with this intense concentration which found its reflection in precautionary concentrations on our side. My Government proposed, at least two weeks ago, the concept of a parallel and reciprocal reduction of forces on both sides of the frontier. We elicited no response, and certainly no action.

INTERNATIONAL WATERWAY CLOSED

To these grave sources of tension—the sabotage and terrorist movement, emanating mostly from Syria, and the heavy troop concentrations accompanied by dire, apocalyptic threats in Sinai—there was added in the third week of May the most electric shock of all. This was the closure of the international waterway consisting of the Strait of Tiran and the Gulf of Aqaba. It is not difficult to understand why this incident had a more drastic impact than others. In 1957 the maritime nations, within the framework of the United Nations General Assembly, correctly enunciated the doctrine of free and innocent passage through the Strait. Now, when that doctrine was proclaimed—and incidentally, not challenged by the Egyptian representative at that time—it was little more than an abstract principle for the maritime world. For Israel it was a great but still unfulfilled prospect. It was not yet a reality. But during the ten years in which we and the other States of the maritime

community have relied upon that doctrine and upon established usage, the principle has become a reality, consecrated by hundreds of sailings under dozens of flags and the establishment of a whole complex of commerce and industry and communication. A new dimension has been added to the map of the world's communications. On that dimension we have constructed Israel's bridge toward the friendly States of Asia and Africa, a network of relationships which is the chief pride of Israel in the second decade of its independence.

All this, then, had grown up as an effective usage under the United Nations flag. Does Mr. Nasser really think that he can come upon the scene in ten minutes and cancel the established legal usage and interests of ten years?

There was in this wanton act a quality of malice. For surely the closing of the Strait of Tiran gave no benefit whatever to Egypt except the perverse joy of inflicting injury on others. It was an anarchic act, because it showed a total disregard for the law of nations, the application of which in this specific case had not been challenged for ten years. And it was an act of arrogance, because there are other nations in Asia and East Africa that trade with the Port of Elath, as they have every right to do, through the Strait of Tiran and across the Gulf of Aqaba. Other sovereign States from Japan to Ethiopia, from Thailand to Uganda, from Cambodia to Madagascar, have a sovereign right to decide for themselves whether they wish or do not wish to trade with Israel. These countries are not colonies of Cairo. They can trade with Israel or not trade with Israel as they wish, and President Nasser is not the policeman of other African and Asian States.

Here then was a wanton intervention in the sovereign rights of other States in the eastern half of the world to decide for themselves whether or not they wish to establish trade relations with either or both of the two ports at the head of the Gulf of Aqaba.

A BLOCKADE IS AN ACT OF WAR

When we examine the implications of this act, we have no cause to wonder that the international shock was great. There was another reason too for that shock. Blockades have traditionally been regarded, in the pre-Charter parlance, as acts of war. To blockade, after all, is to attempt strangulation—and sovereign States are entitled not to have their trade strangled. To understand how the State of Israel felt, one has merely to look around this table and imagine, for example, a foreign Power forcibly closing New York or Montreal, Boston or Marseilles, Toulon or Copenhagen, Rio or Tokyo or Bombay harbour. How would your Governments react? What would you do? How long would you wait?

But Israel waited because of its confidence that the other maritime Powers and countries interested in this new trading pattern would concert their influence in order to re-establish a legal situation and to liquidate this blockade. We concerted action with them not because Israel's national interest was here abdicated. There will not be—there cannot be—an Israel without Elath. We cannot be expected to return to a dwarfed stature, with our face to the Mediterranean alone. In law and in history, peace and blockades have never coexisted. How could it be expected that the blockade of Elath and a relaxation of tension in the Middle East could ever be brought into harmony?

THREE MAIN ELEMENTS OF TENSION

These then were the three main elements in the tension: the sabotage movement; the blockade of the port; and, perhaps more imminent than anything else, this vast and purposeful encirclement movement, against the background of an authorized presidential statement announcing that the objective of the encirclement was to bring about the destruction and the annihilation of a Sovereign State.

These acts taken together—the blockade, the dismissal of the United Nations force, and the heavy concentration in Sinai—effectively disrupted the *status quo* which had ensured a relative stability on the Egyptian-Israeli frontier for ten years. I do not use the words "relative stability" lightly, for while those elements of the Egyptian-Israel relationship existed there was not one single incident of violence between Egypt and Israel for ten years. But suddenly this pattern of mutually accepted stability was smashed to smithereens. It is now the task of the Governments concerned to elaborate the new conditions of their coexistence. I think that much of this work should be done directly be these Governments themselves. Surely, after what has happened we must have better assurance than before, for Israel and the Middle East of peaceful coexistence. The question is whether there is any reason to believe that such a new era may yet come to pass. If I am sanguine on this point, it is because of a conviction that men and nations do behave wisely once they have exhausted all other alternatives. Surely the other alternatives of war and belligerency have now been exhausted. And what has anybody gained from them? But in order that the new system of interstate relationships may flourish in the Middle East, it is important that certain principles be applied above and beyond the cease-fire to which the Security Council has given its unanimous support.

ISRAEL WELCOMES APPEAL FOR CEASE-FIRE

Let me then say here that Israel welcomes the appeal for the cease-fire as formulated in this resolution. But I must point out that the implementation depends on the absolute and sincere acceptance and co-operation of the other parties, which, in our view, are responsible for the present situation. And in conveying this resolution to my colleagues, I must at this moment point out that these other Governments have not used the opportunity yet to clarify their intention.

I have said that the situation to be constructed after the cease-fire must depend on certain principles. The first of these principles surely must be the acceptance of Israel's Statehood and the total elimination of the fiction of its non-existence. It would seem to me that after 3,000 years the time has arrived to accept Israel's nationhood as a fact. Here is the only State in the international community which has the same territory, speaks the same language and upholds the same faith as it did 3,000 years ago.

And if, as everybody knows to be the fact, the universal conscience was in the last week or two most violently shaken at the prospect of danger to Israel, it was not only because there seemed to be a danger to a State. It was also, because the State was Israel, with all that this ancient name evokes, teaches, symbolizes and inspires. How grotesque would be an international community which found room for 127 sovereign units and which did not acknowledge the sovereignty of that people which had given nationhood its deepest significance and its most enduring grace.

ISRAEL'S SUCCESSFUL RESISTANCE EVOKES RELIEF

No wonder, then, that when danger threatened we could hear a roar of indignation sweep across the world. No wonder that men in progressive movements and members of the scientific and humanistic cultures joined together in sounding an alarm bell about an issue that vitally affected the human conscience. And no wonder that a deep and universal sense of satisfaction and relief has accompanied the news of Israel's gallant and successful resistance.

But the central point remains the need to secure an authentic recognition by our neighbours of Israel's deep roots in the Middle Eastern reality. There is an intellectual tragedy in the failure of Arab leaders to come to grips, however reluctantly, with the depth and authenticity of Israel's roots in the life, the history, the spiritual experience and the culture of the Middle East.

This, then, is the first axiom. A much more conscious and uninhibited acceptance of Israel's Statehood is an axiom requiring no demonstration. There will never be a Middle East without an independent and sovereign State of Israel in its midst.

The second principle must be that of the peaceful settlement of disputes. The resolution now adopted falls within the concept of the peaceful settlement of disputes. I have already said that much could be done if the Governments of the area would embark much more on direct contacts. They must find their way to each other. After all, when there is conflict between them they come together face to face. Why should they not come together face to face to solve the conflict? On some occasions it would not be a bad idea to have the solution before, and therefore instead of, the conflict.

NOT BACKWARD TO BELLIGERENCY—BUT FORWARD TO PEACE

When the Council discusses what is to happen after the cease-fire, we hear many formulae: back to 1956, back to 1948—I understand our neighbours would wish to turn the clock back to 1947. The fact is, however, that most clocks move forward and not backward, This should be the case with the clock of Middle Eastern peace. Not backward to belligerency, but forward to peace.

The point was well made this evening by the represenative of Argentina, who said: "The cease-fire must be followed immediately by the most energetic efforts to find a just and true peace in the Middle East." In a similar sense, the representative of Canada warned us against merely reproducing the old positions of conflict, without attempting to settle the underlying issues of Arab-Israeli coexistence. After all, many things in recent days have been mixed up with each other. Few things are what they were. And in order to create harmonious combinations of relationships, it is inevitable that the States should come together in negotiation.

Another factor in the harmony that we would like to see in the Middle East relates to external Powers. From these, and especially from the greatest amongst them, the small States of the Middle East—and most of them are small—ask for a rigorous support, not for individual States, but for specific principles; not to be for one State against other States, but to be for peace against war, for free commerce against belligerency, for the pacific settlement of disputes against violent irredentist threats; in other words, to exercise an even-handed support for the integrity and inedependence of States and for the rights of States under the Charter of the United Nations and other sources of international law.

There are no two categories of States. The United Arab Republic, Iraq, Syria, Jordan, Lebanon—not one of these has a single ounce or milligram of Statehood which does not adhere in equal measures to Israel itself.

BALANCED ATTITUDE REQUIRED FROM OTHER STATES

It is important that States outside our region apply a balanced attitude. They should not exploit temporary tensions and divergencies in the issues of global conflict. They should not seek to win gains by inflaming fleeting passions and they should strive to make a balanced distribution of their friendship amongst the States of the Middle East.

Now whether all the speeches of all the Great Powers this evening meet this criterion, everybody, of course, can judge for himself. I do not propose to answer in detail all the

observations of the representative of the Soviet Union. I had the advantage of hearing the same things in identical language a few days ago from his colleague, the Soviet Ambassador in Israel. I must confess that I was no more convinced this evening than I was the day before yesterday about the validity of this most vehement and one-sided denunciation. But surely world opinion, before whose tribunal this debate unrolls, can solve this question by posing certain problems to itself. Who was it that attempted to destroy a neighbouring State in 1948, Israel or its neighbours? Who now closes an international waterway to the port of a neighbouring State, Israel or the United Arab Republic? Does Israel refuse to negotiate a peace settlement with the Arab States, or do they refuse to do so with it? Who disrupted the 1957 pattern of stability, Israel or Egypt? Did troops of Egypt, Syria, Jordan, Iraq, Lebanon, Kuwait and Algeria surround Israel in this menacing confrontation, or has any distinguished representative seen some vast Israeli colossus surrounding the area between Morocco and Kuwait?

I raise these points of elementary logic. Of course, a great Power can take refuge in its power from the exigencies of logic. All of us in our youth presumably recounted La-Fontaine's fable, *La raison du plus fort est toujours la meilleure*. But here, after all, there is nobody who is more or less strong than others; we sit here around the table on the concept of sovereign equality. But I think we have an equal duty to bring substantive proof for any denunciation that we make, each of the other.

These are grave times. And yet they may have fortunate issue. This could be the case if those who decided three weeks ago, to disrupt the status quo would ask themselves what the benefits have been. As he looks around him at the arena of battle, at the wreckage of planes and tanks, at the collapse of intoxicated hopes, might not an Egyptian ruler ponder whether anything was achieved by that disruption? What has it brought but strife, conflict with other powerful interests, and the stern criticism of progressive men throughout the world?

Israel in recent days has proved its steadfastness and vigour. It is now willing to demonstrate its instinct for peace. Let us build a new system of relationships from the wreckage of the old. Let us discern across the darkness the vision of a better and a brighter dawn.

PRESIDENT MADE WISE CHOICE IN NOMINATION OF THURGOOD MARSHALL TO SUPREME COURT

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

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

There was no objection.

Mr. OTTINGER. Mr. Speaker, I believe the President deserves highest commendation for nominating Solicitor General Thurgood Marshall to the U.S. Supreme Court. The fact that Judge Marshall is the first Negro to be nominated to the Nation's highest Court is historic, but Judge Marshall's race should not be permitted to overshadow his abundant qualifications for appointment.

Judge Marshall has devoted more than 30 years to the legal profession. He is no stranger to history, having served as counsel to the National Association for the Advancement of Colored People and having played a leading role in the events which culminated in the Supreme Court's historic school desegregation decision in 1954.

He has served with distinction as Solicitor General, a post to which he was appointed by President Johnson 2 years ago, and before that as a judge of the U.S. Court of Appeals, to which he was nominated by President Kennedy.

While Judge Marshall has made his mark largely in the field of civil rights, he has broad experience with the Supreme Court and the laws of our Nation. I know he will more than justify the confidence President Johnson has placed in him. I present for inclusion in the RECORD a Christian Science Monitor news story dealing with the nomination:

MARSHALL—A "RIGHTS" CHAMPION

(By Robert Cahn)

WASHINGTON.—The nomination of United States Solicitor General Thurgood Marshall to the Supreme Court gives President Johnson and the civil-rights cause a decided uplift just at a time it is most needed.

If approved by the Senate—and this is considered almost a certainty—Mr. Marshall will become the first Negro to sit on the bench. And although some of his views in other areas are not well established, Mr. Marshall has been a champion of civil-rights causes all his adult life.

He had argued 32 civil-rights cases before the Supreme Court of the United States as chief counsel for the National Association for the Advancement of Colored People (NAACP). He won 29 of the cases.

The President's nomination came a day after Associate Justice Tom C. Clark formally retired from the bench at the end of the 1966–67 court terms.

On that final day, the court delivered its second blow of the term to the civil-rights cause. By a 5-to-4 vote it sustained the conviction of Dr. Martin Luther King and other civil-rights demonstrators for a 1963 Easter march in Birmingham, Ala., in defiance of a court injunction.

Earlier in the term, the court, also in 5-to-4 decision, had decided against Negro students from Florida A and M University who had demonstrated at the Tallahassee jail. In both cases, Mr. Justice Clark had voted with the 5-to-4 majority.

Thus the appointment of Mr. Marshall to the bench would appear to shift the balance in close civil-rights cases over to the present minority of Chief Justice Earl Warren and Associate Justices William O. Douglas, William J. Brennan, and Abe Fortas.

The nomination of Mr. Marshall also is considered timely with Negro rioting breaking out this week in two cities.

Civil rights was only one factor in the decision that has confronted the President since Mr. Justice Clark last February announced his decision to resign. The Justice stepped down because his son, Ramsey, had become Attorney General.

The President, it is known, felt that Mr. Marshall had earned the Supreme Court position by his work as Solicitor General for the last two years. Although close observers of the court had reservations about some of Mr. Marshall's work in arguing cases before the Supreme Court, his record was good.

This year he represented the government, or appeared as a "friend" of the court in eight cases, winning seven of them. The appearance in the California open-housing case was especially brilliant.

During his first year as Solicitor General, Mr. Marshall won eight of 11 cases he argued before the Supreme Court. Three of the victories were in civil-rights cases, including abolishing the Virginia poll tax.

HIGHLY COMMENDED

Mr. Marshall, like the other Johnson appointment of Abe Fortas, is considered a liberal in most areas. With his experience in the Department of Justice, he probably will add to the court's backing of the government in antitrust cases. His position on criminal cases is not so well established.

The Solicitor General is known as an individual thinker, however, and is expected to be his own man after donning the judicial robes.

Mr. Marshall was strongly recommended for the vacancy by Attorney General Clark. And his work as Solicitor General and as a "distinguished justice of the Court of Appeals" was lauded by the President last June at a White House civil-rights conference.

The newly appointed justice was named by President Kennedy in 1961 to the Court of Appeals for the Second Circuit. The appointment was delayed for 11 months in the Senate.

Mr. Marshall was graduated at the top of his class at Howard University and practiced law in Baltimore before joining the legal staff of the NAACP. His greatest victory, and the one that made him a hero among many of his race, was the Supreme Court case he argued in 1954 which held racial segregation in public schools unconstitutional.

THE GUNS OF MAY?

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

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

There was no objection.

Mr. OTTINGER. Mr. Speaker, the failures of modern history speak for themselves: France and Belgium, 1914; China, 1932; Ethiopia, 1935; the Sudetenland, 1938. These were the crucial moments when the nations of the world, paralyzed by petty conflicts of interest and complacency, subverted principle for expediency and clothed inaction in hypocritical words of peace. The eventual cost of each of these exercises in international handwashing, whether measured in lives and suffering or in economic loss, was dreadful.

In 1956, faced once again with such a choice in the Middle East, the nations of the West tried once again to buy time and economic stability with paper promises and guarantees intended to be more honored in the breach than the observance. Today, we know that we won neither the oil nor the peace nor the time that were the goals of this policy.

Now, in 1967, the armies of Israel have won for us an unexpected and unmerited second chance in the Middle East.

There are few who know more about the tragic consequences of abrogation of principle than the distinguished historian, Barbara Tuchman, the chronicler of the disastrous follies that led to the First World War. In a letter to the Washington Post, the author of "The Proud Tower" and "The Guns of August" has clearly and accurately defined the choice and the responsibility in the Middle East. I commend this essay to my colleagues in the House and most especially to the policymakers of this administration:

[From the Washington (D.C.) Post, May 29, 1967]

In the crisis in the Middle East we have come to a moment of truth for this country and for the community of Western democracies. Aqaba is the crux. If the President of the United States can state as a principle that the Gulf of Aqaba is an international waterway and that a blockade of Israeli shipping is illegal, and thereafter not only do nothing to implement the principle but stand by while it is violated, then we have indeed reached the ultimate paralysis of power.

This is not a process new in history. It happened to the dinosaur, it happened to the Dreadnaught and it can happen to us.

With regard to the Arab-Israeli conflict it has been a creeping paralysis for the past 10 years. After Israel's withdrawal from the Sinai peninsula, under American pressure and on the promise that her maritime outlet through the Gulf was assured, President Eisenhower engaged to use American influence and best efforts for the reopening of the Suez Canal to Israel's ships. No such efforts were ever made or even attempted by his or by succeeding administrations. We can take no comfort in being a major power if we cannot exercise the will and the strength that goes with the status.

This is—or should be—an American, not a Jewish issue. It is the American reputation that is at stake. If the United States in this crisis fails to support its stated position, because of involvement in Vietnam, then the uneasy rationale—called "resistance to aggression"—of our battle over there collapses hollowly and publicly. While we claim to fight for it in the Far East, it is nullified in the Near East, closer to home.

Israel represents the land and the nation which were the source of the Judaeo-Christian tradition to which we and the other Western nations belong and which, presumably, we uphold. As such it seems to me obvious that its integrity and security, not to say its survival, is a closer concern of ours than that of South Vietnam. To sacrifice the land of our spiritual birth, the land as an Englishman said "to which we all turn our faces in the grave," while we fight for that great democrat, Premier Ky, is an extreme of absurdity.

Yet the crisis could be our opportunity—if we met it with the nerve and firmness of intent that served us in the Cuban missile crisis. It could be used to restore the prestige we have lost, not by futile fiddling in the U.N. but by straightforward independent action, the only kind that can be effective.

To wait for multilateral action by the so-called family of nations is useless; as far as concerns ability to act jointly and effectively for the maintenance of security, the family of nations is an illusion with which we comfort ourselves like a teething-ring. The meetings of the Security Council, as anyone knows who has attended or listened to them, have become a cynical farce.

Independent action in support of our stated policy is not intervention, nor is it something to be afraid of. Taken with courage and conviction it is what the world is waiting for—from us. It could win back the world's respect and, what is more important, self-respect.

Aqaba is the test from which the Arab nations, and behind them all the nations of Asia and Africa who are watching the performance, will take their cue. If we fail to act to confirm the principle of freedom of navigation, every person in every one of these countries will take note.

The sacrifice of Israel will not buy us time—and certainly not honor, though that is perhaps beside the point. Rather it will hasten the time that is closing in. If the Arabs, with Russia at their back, are successful in this challenge which U Thant's precipitous collapse so unexpectedly widened for them, then the period remaining to us, that is to the Western democracies, is shorter than I had supposed.

Meanwhile let us at least stop pretending; let us stop using the words Peace and Freedom as nice white verbal bandages to cover the gangrene underneath. I for one have had enough of hearing these words mouthed by administration spokesmen as an incantation to bewitch us into supposing that carnage in Vietnam is "freedom" and scuttle in the Middle East is "peace."

BARBARA W. TUCHMAN.

COS COB, CONN.

THE MIDDLE EAST

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] 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 Arkansas?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I have obtained transcripts of various North Vietnamese radio broadcasts and articles regarding the recent events in the Middle East. These are a chronicle of misinformation, presenting a picture of the United States employing a reactionary Israel of 2½ million people to attack 90 million united Arabs, with the Arabs emerging victorious.

These transcripts of North Vietnamese propaganda indicate the willingness, even eagerness, of the Communist world to oppose any democratic government which stands up to the Communists or to those whom the Communists would woo. The North Vietnamese Government consistently characterized Israel in the most vituperative terms: "reactionary," "a reactionary instrument of the U.S. imperialists," "lackeys," "stooges against the Arab countries," and a "den of pirates."

Right from the beginning of the crisis during the last week in May, Hanoi was quick to pledge support to the Arab States and "welcomed the decision taken by the United Arab Republic" to blockade the Gulf of Aqaba.

Perhaps even more revealing than the alacrity with which Hanoi allied itself with the Arab countries was its stubborn refusal to abandon its prediction of an inevitable Arab "glorious victory." On Tuesday, June 6, when the rest of the world was aware that Israel was putting the Arab troops to flight, the Government of North Vietnam conveyed to the United Arab Republic's President Nasser "congratulations on victory" and condemned the bombing of Cairo—an event that did not occur.

On June 7, while Jordan was anxiously arranging to comply with the U.N.'s cease-fire call and Israel was consolidating its control over the Sinai Peninsula and the Strait of Tiran, an editorial in "Nhan Dan," a Hanoi newspaper, hailed the "brilliant victory" of the United Arab Republic, Syria, and other Arab countries:

> From all sides, in the air as well as on the ground [Israel has] been bitterly defeated.

Interspaced with these pronouncements of Arab victories, which the rest of the world already knew were false, were equally extravagant claims of military victories by North Vietnam against U.S. forces.

There has been considerable speculation that one of the reasons for Hanoi's resistance to U.S. overtures for negotiations is its belief that it is achieving military successes on the battlefield in the south. If Hanoi believes what it says, then this may indeed be a real problem. Hopefully, the faith of the North Vietnamese people in the statements of its own Government may have been shaken by the outcome of the events in the Middle East.

I insert for the RECORD the following extracts from these broadcasts:

[Hanoi VNA International Service in English 1613 GMT 25 May 1967—B]

FOREIGN AFFAIRS VICE MINISTER SEES UAR ENVOY

HANOI, May 25.—Hoang Van Loi, vice minister of foreign affairs, today received (?Ahmad Fuad Abd as-Sabi), charge d'affaires of the UAR. The charge d'affaires informed Vice Minister Hoang of the tense situation in the Middle East and the determination of the governments and peoples of the UAR and the other Arab countries to oppose the Israeli reactionaries and imperialism headed by U.S. imperialism with a view to defending their sovereignty, independence, and territorial integrity and safeguarding peace in the Middle East and in the world.

On behalf of the DRV Government and the Vietnamese people, Vice Minister Hoang hailed the Arab peoples' spirit of unity in the struggle against Israeli reactionaries, imperialism, colonialism, and neocolonialism headed by U.S. imperialism. He expressed full support for the struggle waged by the governments and peoples of the Arab countries and the Palestinian people to liberate Palestine.

Vice Minister Hoang energetically condemned the aggressive, warlike nature of the U.S. imperialists and their acts of an international gendarme in the Middle East as well as in Vietnam and other parts of the world, condemned Israel as a reactionary instrument of the U.S. imperialists in the Middle East, and expressed confidence in the surely victorious struggle of the Arab peoples.

[Hanoi VNA International Service in English 1715 GMT 26 May 1967—B]

NHAN DAN SUPPORTS ARAB PEOPLE'S STRUGGLE

HANOI, May 26.—In its editorial today, Nhan Dan voiced firm support for the courageous struggle of the Arab peoples against the U.S. imperialists and the Israeli lackey clique.

The paper welcomed the decision taken by the UAR against the navigation of Israeli ships and all other ships transporting weapons and strategic materials to Israel through the Aqaba Gulf.

President Nasser's decision to blockade the Aqaba Gulf, it said, constitutes a bruising blow dealt at the U.S. imperialists who arrogantly regard all seas and oceans in the world as their own territorial waters. The decision entirely conforms to the sovereignty of the UAR and international law. We fully support this legitimate and necessary act taken by President Nasir.

* * * * *

The paper concluded: Together with the other fraternal socialist countries, the Asian, African, and Latin American peoples and the justice- and peace-loving people throughout the world, the Vietnamese people deeply sympathize with and resolutely support the Arab people's valiant struggle for independence and freedom. This just struggle is bound to win victory.

[Hanoi VNA International Service in English 1546 GMT 29 May 1967–B]

DRV Fully Supports Arab People's Struggle

Hanoi, May 29.—Recently the Israeli reactionaries, abetted and instigated by U.S.-led imperialism, have made repeated armed provocations against the Syrian Arab Republic and the United Arab Republic, posing a serious threat to their territories and security and rendering the situation in the Middle and Near East extremely tense.

The governments and peoples of the Syrian Arab Republic and the UAR, supported by other Arab countries, have taken firm measures with the aim of defending their sovereignty and territories and contributing to the safeguarding of peace in the Middle and Near East and throughout the world.

Standing at the frontline against U.S. imperialism in Asia, the Vietnamese people deeply sympathize with and fully support the just struggle of the Arab people against U.S. imperialism and the Israeli reactionaries.

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[Hanoi VNA International Service in English 0218 GMT 31 May 1967–B]

Pham Van Dong Message to UAR Premier

Hanoi, May 31.—Premier Pham Van Dong sent a message 29 May to Sidqi Sulayman, premier of the UAR, voicing the Vietnamese people's full support for the Arab peoples' just struggle against U.S.-led imperialism and the Israeli reactionaries. The message reads:

The Vietnamese people and the DRV Government are deeply indignant at the brazen acts of war of the Israeli reactionaries, instigated and helped by the U.S. imperialists, against the UAR and the Arab Republic of Syria.

These actions directly menace the territory and security of the UAR and the Arab Republic of Syria and render the situation in the Middle East extremely tense. This is a gross violation of international law.

The DRV Government strongly condemns the aggressive schemes and acts of the U.S. imperialists and the Israeli reactionaries against your country, fully approves and supports the just struggle waged by the governments and peoples of the UAR and other Arab countries and the Palestinian people against U.S.-led imperialists and the Israeli reactionaries to liberate Palestine, safeguard their territorial integrity, and contribute to the defense of peace in the Midle East and in the world.

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[Hanoi VNA International Service in English 1450 GMT 31 May 1967—B]

Mass Rally Held To Back Arab People's Struggle

Hanoi, May 31.—A mass rally was held here last night to voice the Vietnamese people's full support for the Arab people's struggle against U.S. imperialism and the Israeli reactionaries. The rally was sponsored by the Vietnam Afro-Asian Solidarity Committee.

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A resolution adopted at the meeting expressed warm support for the energetic measures taken by the governments of the UAR and Syria and the firm statement of the council of the League of Arab States on 20 May. The resolution demands that the U.S. imperialists and the Israeli reactionaries stop at once all acts of aggression and war provocation against the Arab countries and respect the independence and sovereignty of the Arab peoples.

[Hanoi VNA International Service in English 1555 GMT 6 June 1967–B]

DRV Expresses Solidarity With Arab Struggle—Ho Message to Nasir

Hanoi, June 6.—The DRV Government declares full solidarity with the government and people of the UAR fighting against Israel's aggression, said President Ho Chi Minh in a message sent today to President Nasir. The message reads in full:

His Excellency President Jamal Abd-an Nasir, UAR, Cairo:

The Vietnamese people and the Government of the DRV are highly indignant at the action of the Israeli reactionaries, agents of the U.S. and British imperialists, in bombing Cairo and other cities and attacking many places of the UAR with ground forces.

This constitutes an impudent act of aggression against the UAR, seriously jeopardizes peace in the Middle and Near East, and most grossly tramples upon international law.

The Government of the DRV strongly condemns this act of aggression of the Israeli reactionaries, instigated and helped by the imperialists, and firmly demands that they stop it forthwith.

The fight of the UAR for its independence and sovereignty, the legitimate rights of the Arab people and peace in the Middle and Near East, is a cause radiating justice. It is sure to enjoy deep sympathy and strong support from the Asian and African peoples and all peace- and justice-loving countries in the world.

The Government of the DRV declares full solidarity with the government and people of the UAR fighting against Israeli aggression. In the face of the united struggle of the Arab people, all aggressive schemes and acts of the U.S. and British imperialists and their agents are doomed to ignominous defeat.

On this occasion, I wish to convey to Your Excellency my congratulations on victory, and through you I warmly hail the army and people of the UAR, who have put up a valiant fight and duly punished the Israeli aggressors.

Please accept, Excellency, the assurances of my highest consideration.

[Hanoi VNA International Service in English 1620 GMT 6 June 1967—B]

Ho Message to al-Atasi

Hanoi, June 6.—Following is the text of the message sent today by President Ho Chi Minh to (Syrian—ed.) President Nur ad-Din al-Atasi:

His Excellency President Nur ad-Din al-Atasi, Syrian Arab Republic, Damascus:

The Vietnamese people and the Government of the DRV are highly indignant at the military attack launched by the Israeli reactionaries, agents of the U.S. and British imperialists, against the territory of the Syrian Arab Republic.

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On this occasion, I wish to convey to Your Excellency my congratulations on victory, and through you I warmly hail the army and people of the Syrian Arab Republic who have put up a valiant fight and duly punished the Israeli aggressors.

Please accept, Excellency, the assurances of my highest consideration.

[Hanoi VNA International Service in English 0559 GMT 6 June 1967–B]

Nhan Dan Editorial

Hanoi, June 6.—The Vietnamese people fully support the just struggle of the UAR, Syria, and other Arab peoples against the Israeli aggressors, henchmen of U.S. and British imperialism, Nhan Dan said in an editorial today. The paper voiced the Vietnamese people's support for the legitimate measures taken by the UAR, Syria, and other Arab countries in defense of their independence and sovereignty.

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The paper recalled the message sent by Premier Pham Van Dong to the prime ministers of the UAR and Syria which pointed out that the Vietnamese people pledge to stand always at the side of the Arab peoples in their just and certainly victorious struggle for national independence, freedom, and peace.

The paper said in conclusion: The U.S. imperialists are receiving telling blows at the hand of the Vietnamese Army and people and are neck-deep in the bog in Vietnam. By recklessly waging a war of aggression against the Arab countries, the U.S. imperialists and their Israel lackeys will surely meet with ignominious defeat. Finally victory will certainly belong to the Arab countries.

[Hanoi VNA International Service in English 1547 GMT 7 June 1967—B]

Further Solidarity Expressed With Arabs

Hanoi, June 7.—In its editorial today, NHAN DAN warmly welcomed the brilliant victory won by the Arab peoples in fighting back the Israeli armed aggression supported by U.S. and British imperialism.

The paper said: Recklessly launching a war of aggression against the United Arab Republic and the Syrian Arab Republic, the Israeli ruling circles, henchmen of the United States, are being duly punished. From all sides, in the air as well as on the ground, the aggressors have been bitterly defeated. The attacks on the territories of the UAR and Syria have been repulsed from the first (?step.) The aggressors have received stunning blows from the armed forces of the UAR, Syria, Iraq, Jordan, and Lebanon. They are running into the huge strength of all of the 90 million Arab people who are resolutely supporting the UAR and Syria morally and materially to smash the aggression.

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It pointed out: U.S. imperialism, the most dangerous enemy of mankind, is guilty of towering crimes against the Arab peoples. The Arab peoples have used the Arab solidarity bloc as an effective and sharp weapon to deal with U.S. imperialism and its lackeys. They are teaching the U.S. imperialists and their stooges how to respect the independence and sovereignty of the Arab countries. The 90 million Arab people united under the anti-imperialist banner are a great force and an important factor for success in their fight to smash the aggression launched by imperialism and its stooges.

* * * * *

We strongly condemn the U.S. and British imperialists who have connived at the aggressive war launched against the UAR, Syria, and other Arab countries by the Israeli reactionaries. We fully support the just struggle of the people of the UAR, Syria, and other Arab countries. We firmly believe in the success of the Arab peoples.

In the winter-spring of 1966–1967, the armed forces and people in South Vietnam won glorious victories, the U.S. aggressors met with the heaviest and most ignominious failure.

In North Vietnam, 2,000 U.S. aircraft have been shot down. Our armed forces and people, resolved to develop further their great successes, will fight still harder to win yet greater victories, and consider them as their most effective support for the Arab people's struggle against the United States and its lackeys.

[Hanoi VNA International Service in English 1540 GMT 7 June 1967—B]

Mass Organizations' Support

Hanoi, June 7.—More and more mass organizations in the DRV have issued statements condemning the U.S. and British imperialists and the Israeli reactionaries for their open act of aggression on 5 June 1967 against the United Arab Republic and other Arab countries and voicing the Vietnamese people's warm support for the Arab people's just struggle.

The joint statement issued on 6 June 1967 by the Vietnam Asian-African Solidarity Committee and the Vietnam Peace Committee demanded that the U.S. and British imperialists and the Israeli reactionaries stop

without delay all their acts of war against the UAR and other Arab countries.

After hailing the glorious victories recorded recently by the Arab peoples, the statement went on: The Vietnamese people fully support the energetic acts taken by the governments and peoples of the UAR, the Syrian Arab Republic, and other Arab countries in fighting back the aggressive acts of the Israeli reactionary ruling circles and the U.S. and British imperialists.

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The above-said statements expressed the belief that justice will certainly triumph and that the Vietnamese people and the Arab peoples will certainly be victorious. The U.S. and British imperialists and their henchmen will meet with ignominious defeat and receive counterblows for their towering crimes.

[Hanoi VNA International Service in English 0554 GMT 8 June 1967—B]

FURTHER SUPPORT

HANOI, June 8.—The Vietnam Federation of Trade Unions and the Vietnam Women's Union have sent messages to their counterparts in Arab countries sharply condemning the aggressive acts taken against these countries by the Israeli reactionaries at the instigation of U.S. and British imperialism.

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[Hanoi VNA International Service in English 0533 GMT 8 June 1957—B]

HANOI, June 8.—A resolution was unanimously adopted at a meeting jointly held here last night by the central and Hanoi committee of the Vietnam Fatherland Front to hail the great victories won by the armed forces and people in both South and North Vietnam.

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The resolution declared full support for the just struggle of the peoples of the UAR, the Syrian Arab Republic, and other Arab countries against the Israeli reactionaries who have launched an aggressive war in the Middle and Near East at the instigation of U.S. and British imperialism.

[Hanio VNA International Service in English 0608 GMT June 11, 1967—B]

NHAN DAN EDITORIAL ON MIDDLE EAST SITUATION

HANOI, June 11.—The struggle of the Arab peoples is meeting with temporary difficulties. However, it has very favorable conditions. Though truculent, imperialism is weakening and disintegrating. The U.S. imperialists are up to their neck in the Vietnam quagmire and surely will be defeated completely. So said Nhan Dan in an editorial today.

The paper said: The world's people have just witnessed an extremely brazen aggression committed by the Israeli reactionaries instigated and backed by the U.S. and British imperialists against the Arab countries in the Middle East. The Middle East is an explosive region because it contains many contradictions. The main and most acute contradiction is that between the constantly developing struggle of the Arab peoples to win back and consolidate their national independence on one side, and the imperialists—headed by the U.S. imperialists—who want to maintain their sordid exploitation, especially with regard to (words indistinct) and expand their position in this most important strategic region in an attempt to carry out their evil design for aggression against the socialist countries and for world domination on the other.

The paper pointed out: The hand of the U.S. and British imperialists in the Israeli reactionaries' aggression against the Arab countries is too obvious. It is because the Arab peoples had seen through the very cruel and perfidious nature of the U.S. and British imperialists that while the armies of the Arab countries were fighting valiantly against the Israel aggressive troops, a high anti-U.S. wave surged powerfully in all the Arab countries and in many other countries.

The people in the Arab countries demonstrated, ransacked U.S. embassies, tore U.S. flags, and shouted: Down with U.S. imperialism! Hang Johnson! United States, Quit Arab Countries! The Arab countries severed diplomatic relations with the United States. Together with the mounting movement of protest against the U.S. aggression in Vietnam, the recent anti-U.S. wave in the Arab countries came as a hard political blow at aggressive and war-seeking U.S. imperialism. That situation proves that the deceitful moves of the United States have gone bankrupt and that the people throughout the world deeply hate U.S. imperialism and resolutely oppose it.

Nhan Dan went on: The recent fight of the Arab countries against the Israeli aggressors have, besides long-term favorable conditions, met with certain immediate unfavorable conditions. The Israeli aggressors, assisted by the U.S. imperialists and after careful preparations, threw their full armed force by surprise against the Arab countries. For their part, the latter were not yet fully prepared and therefore had to accept the cease-fire. The Israeli reactionaries, taking advantage of their position, are putting forth insolent demands to the Arab countries. The Johnson administration has also set up a so-called special committee composed of such notorious aggressors as Dean Rusk and McNamara to keep an eye on and settle problems in the Middle East, or in plain words, to seek to develop the influence of U.S. imperialism in this region.

The paper stressed: The struggle of the Arab countries is meeting with temporary difficulties and setbacks. The recent struggle is but one step on the long path of struggle of the Arab peoples to completely abolish neocolonialism in the Middle East. This path of struggle, like that of other peoples, is a tortuous and hard one, in view of the temporary superiority and the truculence of the enemy. But in spite of ups and downs the struggle of the Arab peoples as well as other peoples will continue along its upward trend. The U.S. imperialists and their henchmen—the Israeli reactionaries—are having some temporary advantages in the Middle East. But this can in no way obliterate the main contradictions in this region. The struggle of the Arab countries is a just struggle and conforms to the law of evolution of history. The main antagonism and other contradictions have not dwindled at all, but instead have further sharpened. Through the recent struggle, two important factors have emerged in the national liberation movement of the Arab peoples; the Arab peoples have taken in their hands the anti-imperialist revolution, and the spirit of solidarity among the Arab peoples against imperialism has been further enhanced.

These factors will develop with every passing day and will bring about a great strength of the Arab peoples. By drawing flesh-and-blood experiences from decades of struggle, always mainly relying on themselves and heightening their vigilance against imperialism, the Arab peoples will certainly overcome the present difficulties and win victory in their next steps.

The socialist countries have the obligation to support the struggle of the Arab peoples. The latter are also enjoying the sympathy and broad support of the people throughout the world.

NHAN DAN said in conclusion: The Vietnamese people have always followed with warm sympathy the just struggle of the Arab peoples. We indignantly condemn the U.S. and British imperialists for having backed the Israeli reactionaries in unleashing a war of aggression against the Arab countries. We resolutely demand that the Israeli aggressive troops be brought home and that the United States, Britain, and Israel respect the independence, sovereignty, and territorial integrity of the Arab countries.

The Vietnamese people are firmly convinced that the great strength of solidarity of nearly 100 million Arab people, who are determined to maintain and step up their struggle, will finally defeat the U.S. imperialists and their flunkeys. The prospect for the anti-imperialist revolution of the Arab peoples is very bright. The just cause of the Arab peoples will certainly be victorious.

[Hanoi VNA International Service in English 1548 GMT 9 June 1967—B]

CUBAN INVESTIGATION DELEGATION DEPARTS

HANOI, June 9.—The delegation of the committee of Cuban scientists for the investigation of the American imperialist war crimes in Vietnam headed by Dr. Ruben Rodriguez Gavalda, professor of the Havana Medical College and member of the Cuban Committee of Solidarity with Vietnam, has left for home after a visit to Vietnam. It was seen off by Dr. Pham Ngoc Thach, chairman of the DRV Commission for the Investigation of U.S. Imperialist War Crimes in Vietnam; Hoang Tung, president of the Vietnam-Cuba Friendship Association; and a representative of the DRV National Scientific and Technical Commission. The representative of the Cuban Embassy in Vietnam was also present.

BILL TO END SOCIAL SECURITY SYSTEM'S DISCRIMINATION AGAINST WORKING WIVES AND WIDOWS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. LONG] 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 Arkansas?

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, I am pleased today to join my distinguished colleague, the Congresswoman from Michigan [Mrs. GRIFFITHS], in introducing legislation that would end the social security system's discrimination against working wives and widows.

The nearly 28 million working women in America make up over one-third of our labor force. More than half of these women are married. Prejudice against them should be written out of our laws, not only on grounds of fairness, but because of the importance of women's contribution to this Nation's economy.

The major change in the makeup of the labor force, and a leading reason for its growth, has been the steadily rising participation of married women. The number of married women in the labor force more than doubled from 1900 to 1940, and doubled again from 1940 to 1960. The social security system, which began in the 1930's, must be adjusted to reflect this change.

Although the motives of married women seeking employment are as varied as the factors enabling them to do so—such as increased job availability, higher education, more labor- and time-saving home appliances, earlier marriage and completion of child rearing responsibilities—one incentive stands out—the need or desire for an additional source of in-

come to upgrade the family's standard of living. The wife's salary often provides the discretionary income that will help send children to college, finance family vacations, or purchase home furnishings and appliances. To deny working wives their full social security benefits robs their retirement of the rewards of their employment, and causes their retirement income to drop even more than it would normally.

This legislation would correct many of social security's inequities against working wives and widows. It would permit working couples to pool their social security credits and draw higher benefits on the basis of these combined credits, if they choose to do so. The bill would enable widows with minor children to earn income without reducing their benefits, and it would also give dependents of working women—husbands, widowers, and children—the same benefits which dependents of working men now receive.

Mr. Speaker, I urge favorable consideration of this legislation during the present session of Congress.

MANPOWER STUDY—ANNOUNCEMENT OF HEARINGS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] 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 Arkansas?

There was no objection.

Mr. HOLLAND. Mr. Speaker, last year when the 1966 Amendments to the Manpower Development and Training Act were being considered by the House, a pledge was made that this year the Select Subcommittee on Labor, of which I have the honor to be chairman, would undertake an in-depth study of the manpower training programs of the United States, with a view to discovering the degree to which they are coordinated, examining whether or not there is a coordination problem, and considering varying means of coping with whatever problem we find exists.

That pledge is about to be fulfilled. The subcommittee will begin its initial set of hearings on this problem next Monday, June 19, and will continue to hear witnesses through Thursday, June 22. Although there is legislation before the subcommittee to amend MDTA, and testimony will be taken on that legislation, the primary purpose of the forthcoming hearings will be to exercise our function of legislative oversight—to study an ongoing and very popular program, with a view to improving its administration and, if necessary, the basic legislation on which it stands.

During this first week, our witnesses will be primarily practitioners, rather than public officials. We will be discussing, not basic policy considerations, but the details of how the various manpower programs function and how well or poorly they are meshed. We are going at this study step by step and I cannot promise the House that we will have a report at a given time. I most certainly cannot promise the House what that report will recommend, or what our findings will be. But I can promise the House, and the Nation, that my subcommittee will continue to examine the manpower development scene with an open mind and with a sense of commitment to the continued use and continued flexibility of this very important tool of economic growth.

The witnesses to be heard during this first week are as follows:

WITNESS LIST

Hearings will be held in room 2257, Rayburn House Office Building, at 10 a.m.

MONDAY, JUNE 19, 1967

Dr. Eli Ginzberg, Director, Conservation of Human Resources, Columbia University, New York, New York.

Dr. E. Wight Bakke, Economics Department, Yale University, New Haven, Connecticut.

Dr. Rashi Fein, Brookings Institute, 1775 Massachusetts Avenue, Washington, D.C.

Dr. Harold Taylor, Director, Upjohn Institute for Employment Research, 300 South Westnedge Avenue, Kalamazoo, Michigan.

TUESDAY, JUNE 20, 1967

Mr. Bill Gary, International Union of Electrical, Radio and Machine Workers, 1126 16th Street, N.W., Washington, D.C.

Mr. David Sullivan, Building Service Employees, International Union, 900 17th Street, N.W., Washington, D.C.

Mr. Bruce Cole, Assistant General Secretary, YMCA of Metropolitan Chicago, 19 South LaSalle Street, Chicago, Illinois.

WEDNESDAY, JUNE 21, 1967

Mr. Sam Ganz, Commissioner for Manpower and Career Development, Human Resources Administration, 100 Church Street, New York, New York.

Mr. Paul Ylvisaker, Commissioner, Department of Community Affairs, 363 West State Street, Trenton, New Jersey.

Mr. David Hill, Executive Director, Mayor's Committee on Human Resources, 535 5th Avenue, Pittsburgh, Pennsylvania.

Mr. Ambrose I. Lane, Community Action Organization, Erie County, 825 Genesee Building, Buffalo, New York.

Herbert W. Watkins, Director, Industrial Relations, Graflex Inc., 3750 Monroe Avenue, Rochester, New York.

Mr. Stanley Sadofsky, Co-Director, Center for the Study of Unemployed Youth, 853 Broadway, New York, New York.

Mr. Reese Hammond, International Union of Operating Engineers, 1125 17th Street, N.W., Washington, D.C.

Mr. Richard A. Fulton, Executive Director & General Counsel, United Business Schools Association, 1101 17th Street, N.W., Washington, D.C.

THURSDAY, JUNE 22, 1967

Mr. Roger P. Sonnabend, President, Hotel Corporation of America, 464 Commonwealth Avenue, Boston, Massachusetts.

Mr. Fred C. Fischer, Senior Vice President, Personnel, Macy's, Herald Square, New York, New York.

PANAMA CANAL AND GIBRALTAR

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] 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 Arkansas?

There was no objection.

Mr. FLOOD. Mr. Speaker, in previous addresses and statements by me before this body, I have stressed the effect of crises at the Panama Canal on other strategic spots, one of which is Gibraltar. For this reason it is vital that our isthmian policy decisions must not be made in cavalier manner but should be arrived at from a wisely reasoned line of thought.

For some time, the status of Gibraltar has been a matter of contention between Great Britain and Spain, both of which are friendly with the United States. A recent summary of the status of Gibraltar by Brig. Gen. James D. Hittle not only gives essential historical background but also indicates the impact our ill-advised display of the Panamanian flag in the Canal Zone equal with the flag of the United States is having at Gibraltar.

The indicated news story follows:

[From the San Diego (Calif.) Union, Mar. 26, 1967]

GIBRALTAR CALLED THREAT TO EUROPEAN UNITY

(By Brig. Gen. James D. Hittle, USMC, retired)

Gibraltar, long a keystone in the defense of Western Europe, rapidly is becoming the rock on which European unity could founder.

England, an island, and Spain, a peninsula, are peculiarly sensitive to the importance of the seas. Strategically, as well as culturally, they are Atlantic-minded.

It is this westward and seaward orientation of England and Spain that makes the defense of the United States and the Americas inseparable from the Atlantic. The defense of the Atlantic is inseparable from England and Spain.

Gibraltar, in turn, is vital to the defense of Europe, the Mediterranean world and the Atlantic area. This rugged rock literally and figuratively is the sentry at the world's most strategic straits.

The unfortunate but inescapable fact is that the argument over Gibraltar is reaching potentially catastrophic proportions.

According to knowledgeable European sources, here are the basic points of the issue between Spain and England:

England took Gibraltar under the terms of the Treaty of Utrecht in 1713. Through the centuries Gibraltar has become a symbol of British power where the Mediterranean and Atlantic meet.

Spain, however, claims ultimate sovereignty over the rock rests with Spain, not England. To back up this position, Spanish international lawyers point to the provision of the Utrecht treaty providing that if England leaves Gibraltar, it would revert to Spanish rule if Spain so desired.

With England maintaining only a token naval presence in the Mediterranean, and pulling out of such key bastions as Aden and Malta along the old "lifeline of Empire," Spain is worried about the long-range dangers of a British withdrawal from Gibraltar.

The Franco government obviously does not want Spain to be faced in Gibraltar with the kind of turmoil that has taken place in Aden and Malta. Considering what has happened there as a result of Britain's policy of strategic contraction, Spanish concern is understandable.

European elements who would like to break up U.S. defensive cooperation with Britain and Spain are exploiting the Gibraltar issue to our detriment.

Sources close to the Spanish government say Spain is not trying to oust England from the Rock. They say what Spain wants is recognition of her sovereignty. Spanish participation in administration of the area, and assurance of return of Gibraltar to Spain's control if the British pull out. These sources also stress that Spain is prepared to agree to continuation of British military use of the base.

An arrangement similar to our relationship

with the Panamanian government has been suggested. This would provide for flying the Spanish flag beside the Union Jack on Gibraltar.

Such an arrangement would go far, say the Spanish, in "decolonizing" Gibraltar. That Rock is the last colony in continental Europe and is a thorn in the side of a resurgent Spain.

England, on the other hand, with her vast investment and the prestige involved, shows no inclination to dilute her control of the Rock.

Trying to resolve an argument between one's friends is an unenviable task. However, unless the United States takes the diplomatic initiative in seeking a settlement of the Gibraltar issue, it could easily undermine and destroy the cooperation that must exist between us and our allies.

CANAL ZONE SOVEREIGNTY: VIEWS OF CHAIRMAN, HOUSE SUBCOMMITTEE ON PANAMA CANAL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] 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 Arkansas?

There was no objection.

Mr. FLOOD. Mr. Speaker, various Members of Congress knowledgeable on interoceanic canal problems have made addresses in the Congress and issued public statements on isthmian problems but I have yet to read the first newsstory of them in the press of our Capital City of Washington.

Following a recent visitation in the Canal Zone, the distinguished chairman of the Panama Canal Subcommittee of the House of Representatives, the gentlewoman from Missouri [Mrs. SULLIVAN], one of the best informed Members of this body on canal questions, made a public interview in which she commented on the present treaty negotiations with Panama in which she expressed some very pointed views on what is taking place. She emphasized that Panamanian officials are pressuring the President of the United States with threats of more bloody riots if Panama does not get a treaty to its liking.

Though this type of political blackmail is certainly newsworthy, the press of Washington steadily ignores such reports from the isthmus and the Congress has to rely on newspapers outside the Nation's Capital for reliable and timely information on what is transpiring as regards the Panama Canal.

It was, therefore, most gratifying to read in a recent issue of a Middle Western newspaper an illuminating news story summarizing the highlights of the recent congressional visitation in the Canal Zone.

The indicated news story follows and is commended for reading by all Members of the Congress:

[From the St. Louis (Mo.) Globe-Democrat May 6, 7, 1967]

MRS. SULLIVAN WANTS UNITED STATES TO KEEP CANAL

(By Edward W. O'Brien)

WASHINGTON.—Rep. Leonor K. Sullivan (Dem.), Missouri, says her recent inspection trip to the Panama Canal reinforced her belief that the United States should not surrender sovereignty over the canal to the Republic of Panama.

She did not see enough evidence of assured government stability in Panama or of economic and social reform for the benefit of the masses, Mrs. Sullivan said in a recent interview.

If the Johnson Administration persists in its plan to relinquish the present exclusive control over the Canal Zone and share operation of the canal with Panama, the result will be "deterioriation" in the canal and no permanent benefit for the people of Panama, she said.

Mrs. Sullivan is chairman of the Panama Canal subcommittee of the House Merchant Marine committee.

NEW TREATY

In that position, she has scrutinized the negotiations begun in 1965 between the United States and Panama for a new treaty covering the canal, which has been United States territory since 1903.

Mrs. Sullivan said President Johnson is being pressured by Panama officials with a prediction of "more bloodshed" if a treaty to their liking is not signed and ratified.

These riots "can be produced" whenever local agitators decide to turn them on, she said, and are not enough reason to give up United States sovereignty in the Canal Zone.

She said she sympathizes with Panamanians in not enjoying the sight of United States-controlled land in the middle of their own nation.

But the truth is, she said, that the United States over the years has done a great deal of good for the people of Panama while their own "ruling oligarchy" couldn't care less about the masses' welfare.

On a trip to Panama a year ago, Mrs. Sullivan said, a national leader told her candidly, "I'm a member of the oligarchy, and I don't believe in land reform."

Some progress is being made now, she said, but the country "has a long way to go."

TECHNICAL JOBS

Since the 1965 riots, she said, many Canal Zone technical jobs have been opened to Panamanians but cannot be filled because trained people are not available.

There are no technical training programs in Panama outside of the Canal Zone, "and there is practically no school system for the masses," she said.

Even if all American workers left the Canal Zone and their jobs could be performed by Panamanians, only 3500 would be employed, she said.

In a country of 1,500,000 people, she said, "this wouldn't make a dent."

Panama is demanding $80,000,000 a year in rent for the canal, Mrs. Sullivan said.

She called the amount "ridiculous" and said that if tolls were charged to collect that much money, the effect would be to drive shipping traffic to other routes.

THE COMMUNIST ASSOCIATIONS OF THURGOOD MARSHALL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] 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 Arkansas?

There was no objection.

Mr. RARICK. Mr. Speaker, possibly the appointment of Thurgood Marshall to the Supreme Court of the United States was in keeping with the recent trends and policies of stacking the Court with the most controversial figures in America to further destroy the Court's effectiveness and respect.

It can hardly be considered by anyone with an open mind that the selection was based solely on merit, dedication and pro-American achievement, or even color-blindness without consideration of race.

And yet, it must be noted that the appointment went not to a Negro but to the former chief counsel of the NAACP and former executive of the National Lawyers Guild who just happens to be a Negro.

Already subjected to racial riots, civil disorders, and an ever-increasing national crime wave, the American people are now forced to tolerate more salt in their despairing wounds by suffering one of the originators and activists of the problem that now plagues America—the attorney who had to "get by those boys down there" to upset 180 years of law and order in the nonlegal decision known as Brown against the Board of Education, by the use of intentionally misrepresented facts and suppressed truth—all to the knowledge and approval of Thurgood Marshall.

Dr. Alfred Kelly, a staff NAACP member and professor of history at Wayne University, exposed the truth in his December 28, 1961, speech before the American Historical Society in saying, among other things:

> On the surface, at least, (16) black and white dolls won the case, not the historians . . . It is not that we were engaged in formulating lies; there was nothing as crude and naive as that. But we were using facts, emphasizing facts, bearing down on facts, sliding off facts, quietly ignoring facts and above all interpreting facts in a way to do what (Thurgood) Marshall said we had to do—"get by those boys down there."

The record of achievement of a man now awaiting Senate ratification to the U.S. Supreme Court—a past history, not of lies but not of the full truth, adhering to a basic philosophy of any means justifies the end.

Nor can he even be upheld as a champion of the right-to-vote philosophy mouthed by his friends—for was he not the U.S. Solicitor General who filed a brief opposing the vote product of 4½ million Californians involving the proposition 14 case, known as the Rumford Act? He was again using or misusing words to deny a guaranteed right to vote where the vote disagreed with his desired solution.

Can this man be expected now to be truthful with his powers as a Justice, to help maintain law and order, or is his destiny to deliver votes?

This appointment must come as a belittling jolt to the faithful Texans who had come to believe they possessed one seat on the High Court. In fact, it might just be taken as an insult by those honorable men of the Lone Star State—and indeed to the rest of the Southwest citizens who now are without representation—that is, unless they claim Thurgood.

And to the poor persecuted, occupied Southland, the heel of judicial compulsion and force to destroy their school systems this fall is now to be further

compounded by the additional insult of having the agent who was used to foment the trouble now publicly lauded for his race-mixing work and because of it, not in spite of it, appointed to the Supreme Court.

The irony of it is that it is the sponsors of the appointee who will have to suffer with Marshall. They want records to credit against their names a "first" so they will not be forgotten in the transitory sands of history. And I feel comfortably certain they will never be forgotten.

But some day even the Negro will rebel at being used for white advantage against other whites to further divide and destroy our great Nation. They will tire of being exploited as guinea pigs.

To the white southerner, who 100 years after the cessation of the Civil War is still despised by many and looked upon with toleration as an orphan child—a less than 100 percent American, except for income taxes—there need be no sweat.

Thurgood Marshall's contempt, open ridicule, and hatred of white southerners should immediately disqualify him from sitting on any suit or controversy involving white southerners. Marshall, himself, if honest will have to admit that in such cases he could not render fair and impartial, unbiased justice and would or should be excused.

The appointment thus may serve a proper purpose. It confirms the public's image of suspicion and distrust for the Court and the utter unconcern of the administration and its leadership in their responsibility to the American people, who are understandably concerned with what is taking place in their country.

"Target Date for Subjugation 1968"—see my remarks in the daily CONGRESSIONAL RECORD on March 20, 1967, page A1386—moves closer to deadline.

Mr. Speaker, so that our colleagues can have their memory refreshed with the background of Thurgood Marshall I ask that the speech of one of our colleagues, Congressman JOE WAGGONNER from the CONGRESSIONAL RECORD, volume 111, part 12, page 17079 be here inserted following my remarks, accompanied by news releases regarding the appointment from the Washington Evening Star for June 14, editorials from the Washington News and Evening Star for June 14, and the Scripps Howard feature on the family.

[From the CONGRESSIONAL RECORD, July 15, 1965]

THE COMMUNIST ASSOCIATIONS OF THURGOOD MARSHALL

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from Louisiana [Mr. WAGGONNER] is recognized for 15 minutes.

Mr. WAGGONNER. Mr. Speaker, inasmuch as the President has nominated Thurgood Marshall to be Solicitor General of the United States and since this nomination does not come before the House for our approval or disapproval, I take this means as the only one available to me to put into the RECORD for permanent reference, the information available to me of the Communist front associations of this man.

This may not be the entire record and, indeed, it probably is not, but at least it is a beginning.

The information I am about to present comes from the public records, files and publications of the House Committee on Un-American Activities.

This material reveals that Thurgood Marshall was a member of the national committee of the International Juridicial Association. The special Committee on Un-American Activities cited the International Juridicial Association as "a Communist front and an offshoot of the International Labor Defense" in Report No. 1311, dated March 29, 1944. Also, in a report on the National Lawyers Guild, prepared and published September 17, 1950, by the Committee on Un-American Activities, the International Juridicial Association was cited as an organization which "actively defended Communists and consistently followed the Communist Party line."

A list of officers of the National Lawyers Guild, as of December 1949 which is printed in the committee's report on the National Lawyers Guild on page 18, contains the name of Thurgood Marshall, New York City, among the members of the executive board. He was shown to be an associate editor of the Lawyer's Guild Review in the issue of May–June 1948 on page 422.

In the Washington Star, on page A–22 of the February 8, 1948, issue and on page A–82 of the February 12, 1948, issue of that same paper, a story shows that Marshall criticized the loyalty program in a public forum held under the auspices of the National Lawyers Guild here in Washington.

As you know, the National Lawyers Guild was cited by the special Committee on Un-American Activities as a Communist front in Report No. 1311 of March 29, 1944, on page 149. In the committee's report on the organization, released in 1950, the guild was cited as a Communist front which "is the foremost legal bulwark of the Communist Party, its front organizations and controlled unions" and which "since its inception has never failed to rally to the legal defense of the Communist Party and individual members thereof, including known espionage agents."

The Communist Daily Worker of November 24, 1947, on page 4, reported that Thurgood Marshall was among a group of attorneys who sent a telegram to New York Congressmen asking them to oppose the contempt citations in the case of the so-called Hollywood 10.

As I say, this is at least a portion of the Communist front activity of the man the President has nominated to be Solicitor General of the United States. It is probable that a search of the files of the FBI, the Attorney General's office, the Senate Internal Security Subcommittee and an exhaustive search of the records of our own Committee on Un-American Activities would reveal more facts of this same nature. Such a search should be undertaken and the results made known to the people before this nomination is voted upon in the Senate.

This man is cited by the President as "a lawyer and judge of very high ability, a patriot of deep convictions, and a gentleman of undisputed integrity."

With his Communist front associations of the past, here only partially revealed, it seems to me that both his integrity and patriotism are open to serious question, a question that must be answered and his Communist front activity explained, if it can be explained, before he is installed in this high post of responsibility.

MARSHALL: RIGHTS CHAMPION

Thurgood Marshall, chosen by President Johnson yesterday for the Supreme Court, has made a career out of causes, but has seldom been a controversial man personally.

For a generation, the righting of civil and social wrongs has been Marshall's work, as private citizen, judge and the official legal pleader.

But his public years have drawn more respect generally than criticism or even negative reaction from critics.

Although he has the undisputed reputation of being the man who led the Negro rights revolution to its first and often its biggest victories, the tall Baltimore native has seldom been the object of Southern political controversy.

His service since 1965 as U.S. solicitor general has been somewhat muted, compared with his past as a private courtroom advocate for the National Association for the Advancement of Colored People and its Legal Defense and Educational Fund.

But even from his official post, Marshall has continued to work for Negro equality in constitutional, federal and state law.

Just this year, Marshall led the federal government in a successful Supreme Court challenge to a California state constitutional clause permitting private homeowners to refuse to sell or rent to Negroes.

He also led the government, this time unsuccessfully, in attempting to enlarge the right of demonstrators to make racial protests even in defiance of court orders against them.

Outside the courtroom, Marshall has continued to exhort Negro and white lawyers alike to give more of their time freely to defending the rights of the Negro in the ghetto against exploitation by what he has called "the loan shark, the finance man, and the investigator."

At the same time, however, Marshall has shown no sympathy, indeed he has publicly opposed, any move to establish so-called "Black Power" as an independent social or political movement.

Marshall's service on the court comes, somewhat paradoxically, at a time when the justices seem to be faced much less often with civil rights cases of major dimension. Much of this change has apparently resulted because, after years of pressing for it, Negroes were able to get major legislation on equal rights, making it less necessary to file the kind of test cases for which Marshall became the most famous advocate.

While Marshall has had more than three years of experience as a federal appeals court judge, he served in a court where the issues are more dominantly economic and business-oriented rather than devoted to individual rights.

However, in his fairly brief judicial service, he did establish himself as somewhat sympathetic to the rights of the criminal suspect. One opinion that has come to stand as a precedent among federal courts involved the rights of persons facing state criminal charges to be tried only once for the same offense.

This year, the solicitor general made a plea to the Supreme Court to enlarge police power to search for evidence of crime. But he supported the proposal with an argument that a relaxation of limitations on police in that area would permit the court to continue to insist on police fairness in handling confessions given by suspects.

On the whole, Marshall's public record on issues with which he will deal as a justice could be considered moderate-to-liberal.

Thus, his presence on the high tribunal may not provide a new center of leadership for dramatic advances in constitutional law. His philosophy appears to be close to that followed by Chief Justice Earl Warren and Justice William J. Brennan Jr., both of whom vote mainly on the "liberal" side of issues but who frequently abandon that side, too.

At age 58, Marshall will be the fourth youngest justice. Justices Potter Stewart, Byron R. White and Abe Fortas are younger.

Born July 2, 1908, Marshall graduated from Lincoln University in 1930 and received a law degree from Howard University in 1933, graduating first in his class.

He began private law practice in Baltimore that same year, and continued as a private

lawyer until 1938 when he became fully active in the legal work of the NAACP. He became counsel of the association's legal defense fund in 1940, and kept that job until President Kennedy named him to the Court of Appeals in 1961.

Among the Supreme Court civil rights cases which Marshall argued for the fund were a 1944 challenge to the Texas white primary, a 1948 challenge to white-only sales clauses on real estate, challenges to racial segregation in Southern universities in 1950 and challenges to public school segregation in 1952 and 1953.

President Johnson chose him to be solicitor general July 14, 1965.

As the government's top lawyer appearing in the Supreme Court, Marshall always wore formal morning dress. But he is by no means formal in his appearance before the high bench, and is well known at the court as a maker and user of homely phrases.

For example, in the California open housing case this year, Marshall said that the state, by creating the right to discriminate, had put its "thumb on the scales."

But he is also capable of a sharp retort on principle, as when he challenged Justice Hugo Black with the remark: "I do not agree that a movement to perpetuate racial discrimination in this day is progress."

When he takes his seat on the high court when the term opens Oct. 2, Marshall will be at the far right side. Seated next to him will be White, who, like Marshall, came to the Supreme Court from the Justice Department.

Justice Marshall & Co.

President Johnson must have made up his mind long ago on his choice of a successor to Supreme Court Justice Tom C. Clark. The day after Justice Clark officially retired the President appointed his Solicitor General, Thurgood Marshall, even tho the court will not be in session again until fall.

The Justice-to-be, assuming Senate approval, has been the Administration's chief argument lawyer since 1965 and before that spent three years on the U.S. Circuit Court of Appeals. He is a lawyer of higher professional attainments, varied background and respected reputation.

For much of his career he was chief counsel for the National Association for the Advancement of Colored People, becoming an outstanding advocate of its causes.

As a Justice of the Supreme Court he will, or should, drop that role. Nothing in his record on the Court of Appeals suggests he won't.

Whatever he does is likely to have a profound influence on the course of law in this country.

It often has been said the law is "what the Supreme Court says it is." With the present Court the assertion has been more than a quip. These Justices have written into the Constitution and into the law meanings previous Justices had said were not there. They have broadened the Constitution to say things precise reading does not disclose. They have written a whole new book of law.

They have denied to Congress powers it long was assured it possessed, and which had seemed clear in the Constitution. They have upset state laws, state courts and even state constitutions.

The present Court has broken all the apparent restraints in the Constitution, reaching out boldly with revolutionary doctrine. Some of these decisions, as the Court's own dissenters have been the first to mark, have seemed downright whimsical.

Just lately, by a 5-to-4 vote, the Court erased a 1958 decision and knocked out a 1940 law in which Congress had set out the offenses by which an American might lose his citizenship. The present Court denied Congress any power at all to deprive a man of citizenship, no matter what his offense.

In a whole series of decisions, "justice" has been held clearly to favor the accused, regardless of the crime, regardless of evidence of guilt.

The Court laid down strict rules about confessions, but turned around and decided its own rules didn't apply to previous cases.

This had the practical effect of averting a general jail delivery, but consistency would have required the court to release hundreds of convicts.

In applying its "one-man-one-vote" decree, the court virtually ousted legislatures in many states, even overrode constitutions recently approved by state voters. Yet in the litigation over Georgia's governorship, the Court held there was nothing in the Federal Constitution "which dictates the method a state must use to select its governor."

Many of the states patterned their legislatures after Congress, where each state is entitled to two Senators and at least one House member regardless of population. But in batting down the state systems the Court simply said Congress was different.

This Court has been not merely interpreting and clarifying law—it has been writing it.

The first to say so have been the dissenting opinions of the divided Court. Just this week Justice Black, dissenting from the ruling wiping out New York's wiretap law, accused the majority of usurping the policy-making power of Congress, and writing into the Constitution "words the Court believes the framers should have used but did not." Last week Justice Harlan flatly accused the majority of "amending the Constitution."

"Nothing in the letter or spirit of the Constitution," he said in an earlier dissent, "squares with the heavy-handed, one-sided action" taken by the majority.

"The composition of the court," the late Justice Felix Frankfurter once said, "decisively affects its decisions in the application of Constitutional provisions."

The so-called "Warren Court" has made those works gospel.

Now Justice Clark, frequently a "swing man" in close decisions, has departed. Thurgood Marshall will not be tested for months. But the altered "composition of the Court" again will be decisive—in what direction no man now could say. Only history will tell whether the new man is a lawmaker or a jurist.

Dr. King's Conviction

The Supreme Court's majority opinion affirming the conviction of Dr. Martin Luther King Jr. and seven other ministers for contempt of court after they had deliberately violated an injunction issued by a Birmingham judge in 1963 rests upon what strikes us as a sound legal doctrine.

Speaking for the court Justice Stewart said: "The rule of law that Alabama followed in this case reflects a belief that in the fair administration of justice no man can be judge in his own case, however exalted his station, however righteous his motives and irrespective of his race, color, politics or religion. This court cannot hold that (Dr. King and the others) were constitutionally free to ignore all the procedures of the law and carry their battle to the streets. . . . Respect for judicial process is a small price to pay for the civilizing hand of law which alone can give abiding meaning to constitutional freedom."

Justice Stewart was joined in this by Justices Black, Harlan, White and Clark, who has now stepped down from the bench. The dissenters were Chief Justice Warren and Justices Brennan, Douglas and Fortas.

In three opinions they bitterly attacked the majority holding. The details cannot be spelled out in this space. But the essence of the dissents was that the majority by affirming the convictions for violating the injunction, had in effect closed the door to a challenge of a "patently" unconstitutional Birmingham ordinance regulating parades and street demonstrations. The majority, of course, thought otherwise. They said the defendants should have challenged the legality of the injunction before willfully defying it.

We would like to think that the principle announced by the majority would be controlling in the future. But this would be a very dubious assumption in view of the President's nomination of Thurgood Marshall to replace Justice Clark. When a suitable case comes along after the Solicitor General takes his seat on the court, there is a high probability that the holding in the case of Dr. King will be overruled by a new 5 to 4 decision.

It's Just Wonderful and Exciting—We're Not Over the Hill Yet

(By Wauhillau La Hay)

"We're in a state of confusion here at home," said Cecelia "Cissy" Marshall, wife of Solicitor General Thurgood Marshall, after his nomination to the U.S. Supreme Court was announced at the White House yesterday.

The Hawaiian-born wife of the first Negro to be appointed to the highest Bench was speaking from the Marshall home.

"We're not over the hill yet, you know," she cautioned in her soft voice that still has a trace of island accent. "His appointment hasn't been confirmed."

One of the first persons "Cissy" Marshall called was Mrs. Alice Stovall in New York. Mrs. Stovall was the Marshall's secretary during his years as chief counsel of the National Association for the Advancement of Colored People. Mrs. Marshall gave her a list of close friends to call with the big news.

"They—and I mean the President—picked a tremendous person in Mr. Marshall," Mrs. Stovall said. "And Mr. Marshall picked a tremendous person when he married Cissy," she added.

Met in New York

They met at NAACP headquarters in New York City. Mr. Marshall's first wife, Vivien "Buster" Burey, whom he married in 1929, died in 1955.

Months after his wife's death, Mr. Marshall started noticing the pretty little secretary of a co-worker at NAACP headquarters.

"That's Cecelia Suyat," he was told. She was born in Hawaii of Philippine parents. After attending business school in Hawaii she had come to New York to seek her fortune. An agency sent her to the NAACP and there she made a name for herself as a serious worker and what Mrs. Stovall called "a really excellent secretary."

They were married almost a year after the first Mrs. Marshall's death. Mr. Marshall laid down the law. His wife was to quit work and concentrate on just being married. She gave up her job gladly, but on a few occasions has done some secretarial work for her husband.

They lived in New York after their marriage. In 1961, Mr. Marshall was named by President John F. Kennedy to the Court of Appeals for the second circuit (headquartering in New York), the first Negro to join the U.S. Appeals Bench.

Then, in 1965, President Johnson named him Solicitor General of the U.S. When their sons, Thurgood Jr., who will soon be 11, and John, 9, were out of school, "Cissy" brought them here. The family now lives in a comfortable townhouse not far from Capitol Hill.

Too Busy

Mr. Marshall has been too busy for much socializing, but occasionally he escorts his wife to a party. She's quite short, with dark brown hair and bright, snapping black eyes. Her taste in clothes is rather conservative, but smart.

The wife of one of Marshall's associates said, "We don't see them too often at parties, but I must say I've always been very much

impressed with Cecelia. She's so pretty and such a warm, outgoing person. And she's as smart as a whip."

Mrs. Marshall devotes most of her time to her home and her family. Both the Marshalls like to cook and concoct fancy dishes.

Their sons share their parents' passion for bowling. "Cissy" is a crack bowler and beats them all, but the boys are edging up on her.

Yesterday, however, "Cissy" Marshall had her work cut out for her—answering all the congratulatory wires and telephone calls and visits from friends.

"I've hardly been off the telephone since Thurgood called me from the White House," she said. "It's so exciting. It's just wonderful!"

CRISIS IN WORLD STRATEGY: INTIMIDATION OF PRESIDENT JOHNSON EXPOSED

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] 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 Arkansas?

There was no objection.

Mr. RARICK. Mr. Speaker, in a brief discussion of the current crisis in world strategy in the RECORD of June 14, 1967, at page 15863, I quoted the immortal 1951 address of Gen. Douglas MacArthur before a joint meeting of the Congress. Its main points are just as applicable today in Vietnam as they were as regards Korea. Thus, I have read with interest and astonishment an article by a columnist of the Washington Post, Marquis Childs, in the May 29, 1967, issue of that newspaper on "The Viet Nam War: Will China Enter?"

In this article I find, in slightly modified form, the Wake Island Conference calumnious falsehood that General MacArthur misled President Truman as to the possible intervention by Red China in Korea, which author Childs cleverly stresses by quoting a relatively unknown writer's description of MacArthur's advance to the Yalu as "one of the most egregiously wrong strategic intelligence estimates in history."

Because of the seriousness of this criticism, I have looked into the matter and my search has been rewarding. The essentials are set forth in Gen. MacArthur's Reminiscences—McGraw-Hill, 1964—a "Communication" from Maj. Gen. C. A. Willoughby in the Washington Post of May 9, 1964, and an article by John Chamberlain in that paper on April 7, 1967. In view of the completeness of the record it is difficult to understand why the Post permitted the publication of the Childs' article without corrective editorial comment.

The facts about the Wake Island episode are—

First, that near the end of that conference the possibility of Chinese intervention came up in a casual manner.

Second, that the consensus of those present was that Red China had no intention of intervening.

Third, that President Truman asked General MacArthur for his views.

Fourth, that the general replied that the answer could only be "speculative," that neither the State Department nor the Central Intelligence Agency had reported any evidence of intent by Peiping to intervene with major forces, but his own intelligence had reported heavy concentrations of Red Chinese in Manchuria near the Yalu, and that his "own military estimate was that with our largely unopposed air forces, with their potential capable of destroying, at will, bases of attack and lines of supply north as well as south of the Yalu, no Chinese commander would hazard the commitment of large forces upon the devastated Korean Peninsula."—MacArthur, "Reminiscences," page 362.

Fifth, that there was no disagreement from anyone present as to what MacArthur had stated.

The picture drawn in the Childs' article that the President had to go to Wake Island to obtain strategic information on Red China's moves and potential is false. That information was available in Washington in minute detail in daily intelligence summaries and required no confirmation at Wake Island or any other place. Conversely, General MacArthur did not need to make declarations that have since become the basis for articles such as that by Marquis Childs. MacArthur's own intelligence traced the progressive moving and massing of Chinese armies from the interior to the Korean border. His staff in Tokyo located 33 divisions on the Yalu at the time of the Wake Island casual conversations. President Truman went to Wake Island surely not for information that was already available to him in Washington but for political effect and MacArthur's advance to the Yalu was on direct orders of the United Nations.—See statement by General Willoughby quoted later.

Many years later, when writing about this angle of the Wake Island conference, General MacArthur stated that it was "completely misrepresented to the public through an alleged but spurious report in an effort to pervert the position taken by him," and that it was done by "an ingeniously fostered implication that he had flatly and unequivocally predicted that under no circumstances would the Chinese Communists enter the Korean war." He described this as "prevarication."

Despite the glaring distortions of history in the Childs article, its author does perform one useful purpose: the identification of some of those responsible for opposing MacArthur's plan to end the Korean war. They were Assistant Secretary of State for Far Eastern Affairs Dean Rusk, Special Adviser W. Averell Harriman, William P. Bundy of the Central Intelligence Agency, and Secretary of State Dean Acheson. These same individuals are influential in foreign policy making today and some of them are obviously trying to frighten President Johnson and thus to prevent him from allowing our forces to end the Vietnam war in the shortest time with the least cost in lives and treasure by applying every available means for victory. What these "strategists" are actually doing is playing into the hands of the international Communist forces under conditions favorable to them.

Although General MacArthur did sense that a "curious and sinister change" was taking place in Washington aimed at "temporizing rather than winning" the war, he did not then know that our forces would be prevented by elements in our own Government from bombing Red Chinese sanctuaries in Manchuria, from using the forces of free China on Formosa, from intensifying the economic blockade of Red China, and from establishing a naval blockade of the China coast.

Fortunately, as previously indicated, others have written on this particular episode: Major General Willoughby, who was MacArthur's Chief of Intelligence, was in daily touch from Korea with both MacArthur and Washington; and John Chamberlain, who is an objective and forthright writer and coauthor with General Willoughby of "MacArthur 1941–1951"—McGraw-Hill, 1954. The facts in their articles previously cited refute with devastating completeness the allegations in the Marquis Childs article under discussion and expose the utterly false and malicious accusation that MacArthur had misled President Truman.

Because the use of this particular accusation has become a habit among certain publicists and because it is still being used as a propaganda lever against the best interests of our country, utterly ignoring the refutations involved, I quote the three cited writings as parts of my remarks and commend them for study by all who seek the truth.

The indicated articles follow:

[From the Washington Post, Apr. 7, 1967]

THEY CONTINUE TO MISUSE MACARTHUR

(By John Chamberlain)

If a canard is repeated often enough, it becomes history. And then it is used to prevent clear thinking about history that is still to come.

This is exactly what is happening in the case of the lie that Gen. Douglas MacArthur led President Harry Truman astray at their Wake Island conference by assuring him that "he could march to the Yalu and not a single Chinese soldier would enter Korea."

The Wake Island canard is still being trotted out to scare Lyndon Johnson into treading lightly in Vietnam. The worst thing about using MacArthur's alleged "mistake" about Korea to prejudice our contemporary Vietnam planning is that it encourages Ho Chi Minh to keep the war going while thousands continue to die.

I've been over this many times with MacArthur's Chief of Intelligence, Maj. Gen. Charles A. Willoughby, whose papers include some quick staff notes covering what happened at Wake Island. MacArthur was indeed asked about the chance of Red China's intervention if we were to move north to the Yalu. What he gave Mr. Truman was a "speculative" answer. He said his own local intelligence reported heavy Chinese concentrations near the Yalu border in Manchuria, but that a Chinese military commander would not dare risk committing large forces on the Korean peninsula when we had the "atomic potential capable of destroying at will bases of attack and lines of supply north as well as south of the Yalu." (The quotation is Willoughby's paraphrase of MacArthur.)

Of course, the Red Chinese did attack, but only after they had satisfied themselves

that MacArthur would not be permitted to bomb the Yalu bridges or otherwise touch the "privileged sanctuary" in Manchuria. Since MacArthur's assurance that no sane Red Chinese commander would risk his troops on the Korean peninsula was based on the sound military proposition that the American forces would be permitted to destroy the enemy's communications over the Yalu, it is certainly stretching things to say that Harry Truman was "misled" by what was said at Wake Island. Mr. Truman knew that military men think in applicable military terms.

The Korean "parallel" has no relevance to the Vietnam situation unless we plan to assure Mao Tse-tung that even if the Red Chinese soldiers march south we will not touch his atomic plants or permit Chiang Kai-shek's 600,000 troops to land on the Asian mainland.

Fortunately there is one present-day commentator who doesn't fall for the continuing widespread misuse of Wake Island history. In his fascinating autobiographical memoir, "It's All News to Me," which is a smooth blend of light and serious stuff, Bob Considine has a lot to say about his encounters with MacArthur.

He mentions the use that 200,000 Chinese "volunteers" made of "a slender rail line, marshalling yards and depots, airfields and maintenance sites which MacArthur had been forbidden to bomb." The implication that MacArthur had had his hands tied is clear.

MacArthur is supposed to have warned against committing U.S. troops to continental Asia, but Considine shows that the General had no compunctions about using picked U.S. forces in special mainland situations.

In a birthday interview MacArthur told Considine that "of all the campaigns of my life—20 major ones to be exact—the one I felt most sure of was the one I was deprived of waging."

The General then outlined an operation that would "have won the war in Korea in a maximum of ten days. The enemy's air would first have been taken out. I would have dropped between 30 and 50 tactical atomic bombs on his air bases and other depots in . . . Manchuria . . . Dropped under cover of darkness, they would have destroyed the enemy's air force on the ground . . . I would then have called upon 500,000 of Chiang Kai-shek's troops, sweetened by two U.S. Marine divisions. These would have been formed into two amphibious forces."

Landing north of the Red Chinese, the amphibians would have squeezed the enemy between themselves and the U.S. Eighth Army. "The enemy," so MacArthur told Considine, "would have been starved out within ten days."

Would Russia have intervened? Not, said MacArthur, over "an endless one-track railroad."

If the Red Chinese had had any intimations that MacArthur would be allowed to exercise his own judgment, would they have marched into Korea? This question, and not the "mistake" made at Wake Island, is what should be pondered in relation to Vietnam.

[From the Washington Post, May 29, 1967]

THE VIETNAM WAR: WILL CHINA ENTER?

(By Marquis Childs)

The tune is somewhat different but the words are the same. China, it is being said by men of authority, cannot or will not enter the war in Vietnam. These comfortable words are strikingly like the repeated assurances of 17 years ago when the United States was deeply committed in Korea and preparing to advance to the Yalu River, the boundary between North Korea and China. Moreover, certain of the same men then in authority have responsibility today for Asian policy.

Secretary of State Dean Rusk was at that time Assistant Secretary for Far Eastern Affairs directly concerned with Korea and China. William P. Bundy, currently Assistant Secretary for the Far East, was with the Central Intelligence Agency beginning in 1951. Dean Acheson, considered a strong supporter of Johnson Administration policy and from time to time a friendly counselor, was Secretary of State. Roving Ambassador W. Averell Harriman, who is the latest to utter reassuring words about China and North Vietnam, was a special assistant to the President.

The conviction widely held then was that the Chinese Communists, having only a short time before driven Chiang Kai-shek and the Nationalists off the mainland, were in no position to send a large force into Korea. They were too busy consolidating their position in a country laid waste by nearly 20 years of war.

The record shows that what the Chinese were saying in 1950 closely parallels what they say today. That record has been put together most impressively by Brig. Gen. Samuel B. Griffith, USMC (Ret.), in his new book, *"The Chinese Peoples Liberation Army,"* one of a series sponsored by the Council on Foreign Relations. Translating Mao Tse-tung's basic work, *"On Guerrilla Warfare,"* Griffith has made himself an authority on China since his retirement. He served in Peking before World War II.

He relates a conversation in August of 1950 between the then Indian Ambassador to Peking, K. M. Pannikar, and Gen. Nieh Jungchen, acting chief of staff of the Peoples Army. Pannikar told Nieh that America had the power to destroy China's industry and set the country back at least half a century. Nieh replied:

"We have calculated all that . . . They may even drop atom bombs on us. What then? They may kill a few million people. Without sacrifice a nation's independence cannot be upheld . . . After all, China lives on the farms. What can atom bombs do there?"

New Delhi passed the warning on to Washington where it was largely discounted. Gen. Douglas MacArthur, in command in Korea, based the continuing advance of his forces to the Yalu on what the author calls "one of the most egregiously wrong strategic intelligence estimates in history."

Premier Chou En-lai had said publicly that if American-United Nations forces crossed Korea's 38th parallel China would come in. This was put down to propaganda and bluff. Today Chou and Mao say that an American invasion of North Vietnam will bring China into the war. Pressure for that invasion persists both here and in Saigon despite assertions by the highest military and civilian authority that it will not occur. And when it comes to the consequences of nuclear attack, Mao has raised the stakes many times over, saying that China could take not several million but several hundred million casualties and still recover.

General Griffith also translated an ancient Chinese classic by Sun Tzu, *"The Art of War,"* that is said to have greatly influenced Mao. Had American leaders been familiar with the classic works which have governed the Chinese conduct of war they might not have falled into such a fog of self-deception as in Korea when the massive Chinese invasion sent American armies reeling with heavy losses. He quotes Sun Tzu as follows: "All warfare is based on deception. Therefore, when capable, feign incapacity; when active, inactivity. When near, make it appear that you are far away; when far away, that you are near."

The circumstances are quite different in North Vietnam than they were in North Korea, both strategically and psychologically, as they are in the China of 1967 as against the China of 1950. Yet as a recent British visitor to Washington with a long background in China put it after a brief stay in Canton this spring: "They are so utterly divided and disorganized that they are capable of an act of incredible folly." It would seem the smallest part of wisdom to try to avoid inviting that folly.

[From the Washington Post, May 9, 1964]

A COMMUNICATION

(By C. A. Willoughby, Major General, USA (Ret.))

Recent isolated editorials and fragments of daily columns unwittingly perpetuate a "malicious hoax" which is damaging to General MacArthur and the Eighth U.S. Army and represent a complete historical falsehood.

Like a Wagnerian "Leitmotif" certain myths are apparently kept alive, over the years, in endless repetitions, viz.:

On Intelligence: ". . . The War in Korea demonstrated anew his (MacArthur's) great talent as field commander. He was ill served by his own intelligence forces and compelled to conduct a hazardous retreat back to the 38th Parallel when Chinese volunteers poured in upon the U.N. Forces. . . ."

Faulty intelligence, as alleged, did not force the Eighth Army to retreat. The enormous build-up of Chinese forces was known to both Washington and Tokyo, from 33 Red divisions (1950) to 73 Red divisions (1951).

MacArthur prudently retreated, in the face of overwhelming numbers, to stronger positions, with 8 American divisions, to gain space to bomb and delay the Chinese hordes which he was prohibited to do beyond the Yalu.

A discrepancy between 8 American divisions, the hard core of the U.N. assembly, and 33–73 Red divisions is a ratio of roughly 1 to 4 and/or 1 to 9. Eisenhower (in France) or Clark (in Italy) would not dream of risking such a discrepancy in any of their campaigns, and such adverse ratios are unheard of in modern war. The American G.I. is very good indeed—but he is no superman.

ON MAC ARTHUR

On MacArthur: ". . . The J.C.S. flashed back a warning to MacArthur by Telecon Message TT 3848 Oct. 4/50: The potential exists for Chinese Communist forces to openly intervene in the Korean War if U.N. forces cross the 38th Parallel." General MacArthur (allegedly) "ignored the warning and pushed on to the Yalu . . ."

The impression created by this "juicy item" is a cynical perversion of facts. It reads as if MacArthur had crossed the 38th Parallel en route to the Yalu, as a willful, personal act when in fact he advanced on U.N. and Defense Department orders.

On Oct. 6th, the United Nations General Assembly voted explicit approval for the crossing of the 38th Parallel, to exploit MacArthur's smashing defeat of the North Korean Communist army. The U.N. decision was then spelled out in detailed orders by the Pentagon: ". . . The destruction of the North Korean armed forces . . . To conduct military operations North of the 38th Parallel . . . U.N. Forces not to cross the Manchurian or U.S.S.R. borders . . . No non-Korean ground forces will be used (in these areas) . . ."

And then the cloven hoof: ". . . Support of your operations will not include air or naval action against Manchuria (we were at war with China!) or against U.S.S.R. territory (a red-herring, since we were not at war with Russia!) . . ."

"ALLEGED WARNINGS"

As regards "alleged warnings" etc., both Washington and Tokyo were in daily touch for the exchange of current information. Both sides knew precisely what to expect. Tokyo issued a "Daily Intelligence Summary," a sort of military newspaper that was

distributed daily to all commanders and staffs. That means thirty separate reports per month. In a limited space, I only list a few condensed highlights and leave it to the average reader to draw his own conclusions, viz.:

June 6: Red China can deploy considerable strength to assist the Red North Koreans. Manchurian estimates: 115,000 regulars and 374,000 militia.

July 8: Chinese troops have arrived in the Antung-Yalu area.

Aug. 15: The build-up of Chinese Communist forces in Manchuria is continuing. China has agreed to furnish military assistance to North Korea.

Aug. 27: High level meeting in Peking. Chinese ordered to assist North Korea. Lin Piao (Fourth Field Army) to command Chinese forces. Indo-China to be invaded. Liu Po-Cheng (Second Field Army) to command (in that area). Soviet officer designated to command combined forces.

Aug. 31: Troop movements from Central China to Manchuria (considered preliminary to enter the Korean theater. Manchuria estimates: 246,000 regulars (an increase) and 374,000 militia.

Sept. 8: If success of the North Korean Red army doubtful, the Fourth Chinese Field Army, (under General Lin Piao) will probably be committed.

Oct. 5: All intelligence agencies focus on the Yalu and the movements of Lin Piao. The massing at Antung and other Yalu crossings appear conclusive. This mass comprises 9/18 divisions organized in 3/9 corps.

Oct. 14: The fine line of demarcation between "enemy intentions" (Peking) and "enemy capabilities" (along the Yalu), to be ascertained in diplomatic channels, the State Dept. and/or C.I.A., and beyond the purview of local, combat intelligence. (As regards enemy capabilities) the numerical troop potential in Manchuria is a fait accompli: A total of 24 Red divisions are disposed along the Yalu, at crossing points.

Oct. 28: Regular Chinese forces in Manchuria now number 316,000 (an increase) organized into 34 divisions and 12 corps (Map A–3 att.). The bulk of these forces are in position along the Yalu River. They assembled in complete safety since MacArthur's air force are forbidden to cross the border.

"LEAKING" IS NOTED

Indicative of the implacable hostility of certain segments of the Pentagon, certain private channels are "leaking" J.C.S. messages etc. that are obviously fragmentary and out of context. The result is a calculated distortion of history viz:

Against the background of the Oct. 14th item (enemy intentions) MacArthur is quoted (out of context) as "advising the J.C.S. against hasty conclusions 'that the Chinese' would employ their full potential military forces" (Nov. 4).

Washington had been fully "advised" of the Red potential (and for many weeks). The point here is that the J.C.S. did nothing about it. They did much worse: They created a "sanctuary" along the Yalu, permitting 33 Red divisions to leisurely pitch their tents along the river, from August to November.

On Nov. 5th, within 24 hours, MacArthur ordered the bombing of the Yalu bridges (under technical restrictions), but true to form, the J.C.S. are reported "as not understanding this action" etc. They thus maneuvered MacArthur into a strategic "impasse"; His eight (8) battered divisions were to take on 3- to 9-times the number of Red divisions, evidently hoping for a tactical miracle. They did not place any such burden on Eisenhower in France, Germany or Italy.

General Collins was dispatched to Tokyo—to investigate—as if Washington had not been aware, for months, the Chinese in Manchuria.

COMMENT BY COLLINS

Collins is reported as commenting "on MacArthur's emotional state." He could have done something infinitely more constructive: He could have drawn certain inescapable strategic conclusions and passed them on to his coconspirators in Washington, viz.:

1. That Red China was at war with the United States.

2. The discrepancy in divisional totals (1–3 and soon 1–9) placed an intolerable and risky burden on the American forces.

3. No such discrepancies were permitted in the European Theater.

4. The employment of Chiang Kai-shek's forces.

5. All-out aerial bombing against Manchurian bases.

6. This would have certainly slowed down the Chinese hordes.

7. All-out U.S. carrier strikes against the flanks of the Chinese, from Antung to Shanghai.

8. Once a full-scale war starts, there is no substitute for victory.

THE CREDIT UNION ASSOCIATION PRAISES CHAIRMAN PATMAN

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] 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 Arkansas?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, it has long been known that the gentleman from Texas [Mr. PATMAN] is "Mr. Credit Union" on Capitol Hill. Through the years, he has sponsored every major piece of Federal credit union legislation and has constantly promoted the use of credit unions throughout the world.

No one has been more fully aware of the job performed by Chairman PATMAN, not only in the credit union field but in all monetary matters, than CUNA International, the worldwide credit union association.

This month the 277-member board of directors of CUNA International unanimously approved a resolution praising Chairman PATMAN for his work on behalf of his State and Nation in the U.S. House of Representatives for more than 38 years. I am honored to include a copy of the resolution in my remarks, as a small tribute to a great American:

REPRESENTATIVE WRIGHT PATMAN RESOLUTON

Whereas, Representative Wright Patman of Texas has faithfully and diligently served his state and nation in the United States House of Representatives for over 38 years, and

Whereas, Representative Patman throughout his congressional career has consistently fought against high interest rates and restrictive credit policies in the interest of the general public, and

Whereas, Representative Patman has displayed a keen personal interest in the financial welfare of Armed Forces personnel of the United States and their dependents, by exposing fraudulent credit practices of unscrupulous operators, and by initiating action to make available to Department of Defense personnel the services of credit unions on a worldwide basis, and

Whereas, Representative Patman fathered the Federal Credit Union Act by originally introducing such legislation in the House of Representatives in 1934, and

Whereas, Representative Patman has continuously tendered his energies and interests to the credit union movement in the United States, and

Whereas, Representative Patman has won the admiration and respect of credit union leaders and members throughout the United States and the world by his support of and devotion to credit union philosophy and programs, and

Whereas, Representative Patman journeyed to the 33rd Annual Meeting of CUNA International in Dallas, Texas, once again to inspire and inform the leaders of the credit union movement,

Now therefore be it resolved, that the Board of Directors of CUNA International do hereby place on record their highest commendation and appreciation for his unfailing devotion, sincere dedication, and invaluable service to the credit union movement, and

Be it further resolved, that copies of this Resolution be sent to Representative Wright Patman and to the Texas Credit Union League.

WALL STREET JOURNAL SUPPORTS BANK LOTTERY BAN

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] 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 Arkansas?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the June 13 edition of the Wall Street Journal includes an editorial denouncing the use of New York banks as ticket sales agencies for the New York State lottery.

The editorial in effect supports H.R. 10595, introduced by the distinguished Chairman of the House Banking Committee, the Honorable WRIGHT PATMAN, which would prohibit federally insured financial institutions from engaging in gambling activities, such as selling lottery tickets.

This legislation has been favorably reported from the Banking and Currency Committee and before long should reach the House floor for debate. H.R. 10595 does not question the right of New York State to hold a lottery, nor does it even go into the question of the morality of such a lottery, but what it does do is make it clear that the selling of lottery tickets is not in the traditional or legal sense in the business of banking.

The Wall Street Journal editorial presents a clear picture as to why banks should not engage in lottery selling activities. I commend the editorial to my colleagues:

[From the Wall Street Journal, June 13, 1967]

MR. PATMAN IS RIGHT

Rep. Wright Patman has persuaded his Banking and Currency Committee to pass a bill prohibiting banks from selling lottery tickets, which many of those in New York State have recently started to do. It seems to us he has a point.

The fault of the matter, we grant, does not lie fundamentally with the banks. Since New York needed an outlet for its new lottery scheme, it pretty much painted selling the tickets as the banks' patriotic duty. The sales involve a commission for expenses and will create a certain amount of promotional traffic, so few banks have resisted.

Yet despite its espousal by the state, gambling remains a tainted affair. Historically it has never been far from scandal, a situation which state management may or may not change in the long run. Even without fraud and cheating, moreover, it remains suspect. Those who do not question its morality still must recognize it has a considerable aura of fiscal irresponsibility.

A few banks, notably Franklin National Bank on Long Island, have refused to sell the tickets. They seem to reason that if banks cannot offer integrity, they have little else to sell. So they soundly seek to avoid any activity which carries even a sniff of taint.

If the rest of New York's banks cannot figure this out for themselves, we suppose it's up to Wright Patman to tell them.

HATCH ACT REVIEW

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] 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 Arkansas?

There was no objection.

Mr. OLSEN. Mr. Speaker, as we all know, the 89th Congress created a bipartisan commission to study what has been commonly known as the Hatch Act, the Federal law which limits political activity by most Federal workers and those State employees working on federally financed projects.

The AFL–CIO takes the position that the broad bans of the Hatch Act that may have been necessary decades ago are today outmoded, misunderstood, and misinterpreted. According to Thomas E. Harris, associate general counsel of the AFL–CIO, the law needs to be clarified and made less restrictive, so that more Federal and State employees may be able to take part in responsible citizenship.

Mr. Harris was interviewed on this subject on the AFL–CIO public service program, Labor News Conference, heard on the Mutual Broadcasting System. So that we may all be familiar with the points made by Mr. Harris, I insert, Mr. Speaker, the text of the program in the RECORD, as follows:

FLANNERY. Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL–CIO. Labor News Conference brings together leading AFL–CIO representatives and ranking members of the press. Today's guest is Thomas E. Harris, Associate General Counsel of the AFL–CIO.

Last year, Congress created a bipartisan commission to study the federal laws limiting partisan political activity by most federal workers and many state employees working on federally financed projects. Last week, Mr. Harris appeared before that commission on behalf of the AFL–CIO. Here to question him about his testimony and the views of organized labor regarding political activity of government personnel are John Cramer, federal employee news columnist for the Washington Daily News and other newspapers, and Mike Causey, government employment reporter for the Washington Post. Your moderater, Harry W. Flannery.

And now, Mr. Cramer, I believe you have the first question?

CRAMER. Mr. Harris, to give our listeners the background, I wonder if you first would explain just precisely what the Hatch Act is, and what it attempts to accomplish?

HARRIS. The Hatch Act is a federal statute enacted in 1939 and extended in 1940. It was enacted, primarily, as a result of certain scandals in connection with the former WPA—the Works Progress Administration.

There were revelations in those days that some of the WPA supervisors had pressured beneficiaries of the program to make political contributions. There were some criminal prosecutions. As a result, Congress enacted a broad statue meant to stop any such abuses in the future.

The statute has two rather different types of provisions. In the first place, it provides that a government employee may not use his official authority or influence for the purpose of trying to affect the results of an election. Nobody, I think, questions the desirability of that provision.

In the second place, it provides that a government employee may not take an active part in political management or political campaigns. It is the second half of this provision which is under reconsideration today.

In general, the statute applies to all employees of the executive branch of the federal government, except the very top-level employees—Cabinet and sub-Cabinet level—those who are appointed by the President and confirmed by the Senate, and the White House staff.

Now, as to state and local employees, it applies to all employees whose principal employment is connected with an activity financed in whole or in part by federal loans or grants.

FLANNERY. How many people are covered by the Hatch Act—precluded from political activities?

HARRIS. There are about 2½ million federal employees, according to estimates. There is no exact way of knowing what number of state and local employees are covered, though it is obvious that the number is growing rapidly—both because state and local employment has been increasing very fast, and because of the proliferation of federal loans and grants to states and municipalities.

CAUSEY. Mr. Harris, who wants to change the Hatch Act—and why?

HARRIS. I would say that the federal employees and their unions, and also state and local employees represented by the State, County and Municipal Employees, AFL–CIO, are interested in getting some liberalization.

Now, as to how the employees themselves feel, their unions, Mr. Causey, have conducted surveys over the years and are convinced that the bulk of the employees want some liberalization. Congressman Joel Broyhill, (R–Va.), testifying the other day before the Commission—you know, he's the Congressman from the 10th District of Virginia, which has the largest number of federal employees of any Congressional District in the country—stated that he has polled his constituents numerous times on this matter and found that there is a very general desire for change in the Act—though not equally general agreement on what the changes should be.

But in general, federal employees seem to want two things: first, they want to retain the provisions which protect them against being pressured by their superiors in the service to engage in any particular political activity or to make political contributions.

On the other hand, they would like a greater freedom, I think, to engage in political activity of their own choice and of their own volition.

FLANNERY. This doesn't include those who work in the offices of Congressmen and Senators—the staff people?

HARRIS. It does not.

FLANNERY. In other words, they are able to work politically for those who employ them?

HARRIS. They are indeed. And the same thing is true of the White House staff, the very top level Cabinet officers, sub-Cabinet officers, Assistant Secretaries and so on. They are, however, subject to various criminal prohibitions, as to using their official position to pressure people to make contributions or to be politically active. That protective part of the statute does apply to them.

FLANNERY. Mr. Cramer.

CRAMER. Mr. Harris, what is the particular interest to the AFL–CIO in having the Hatch Act changed?

HARRIS. The unions which are affiliated with the AFL–CIO have perhaps a million to a million and a half members who are covered by the Act. So that gives us a very direct interest on their behalf, in looking for some liberalization.

You see, the effect of the Act is to bar from political activity—in the language of the statute—a fairly substantial and ever-growing part of the population of the United States—nearly all federal employees, and an ever-increasing number of state and local employees.

One of the major criticisms which is made of political life in this country is the failure of participation of large numbers of citizens. I think the number who vote—who are politically active—is probably smaller in the United States than in any other democracy. That being so, we think that it doesn't make much sense to bar from political activity so large a portion of the population—a part of the population which you must think would more naturally be politically active—unless and except there is some overwhelming need to do it.

Now, the Hatch Act was passed some 27 years ago, at a time when the conception—the constitutional conception—very generally prevailed that government employment was a privilege—that government employees had no constitutional rights—no rights under the First Amendment—no rights to engage in political activity.

Even then it was upheld by the Supreme Court by a vote of only 4 to 3. Two of the Justices who were on the Court then and voted to strike it down as unconstitutional, are still there. There is every likelihood, in view of the changing attitudes of the Supreme Court, that the law as it stands now is unconstitutional.

FLANNERY. You mentioned union members who are also federal employees, Mr. Harris. Isn't it true that often they are restricted in some activities, even within their unions?

HARRIS. That is true. The application of the Hatch Act to activities inside unions presents some puzzling questions on which there are no clear answers at the present time. But, while that is of some special interest to us, it is not one of the broader concerns under the Act.

Let me give you one illustration. The Hatch Act, at the present time, for instance, bars, say, employees of the Alaska Railroad, which is a government-owned railroad, from running for federal office. Now, why in the world shouldn't a brakeman on the Alaska Railroad run for Congress or the Senate, if he can? Is anyone going to think that the performance of his duties is biased and prejudiced—that he has a political angle on how he stops the trains—because he runs for office?

We were shocked at the proposals the Civil Service Commission made to the Commission considering revision of the Hatch Act. It seems to be—as government agencies tend to do—reaching for ever greater authority. It seems to have given no consideration whatever to the interests of federal employees in freedom of speech and their right to state their ideas on political subjects—and their rights to be politically active.

Now in a lot of other countries, such as Canada, when they first established civil service systems, they had very broad bans on

political activity of civil servants. But as the years have passed—as the civil service has come to be generally accepted—in most other western countries there has been a realization that it is no longer necessary to emasculate government employees politically in order to protect the civil service.

In Great Britain, for example, a new law was passed in 1953. Now, under this law, all blue collar employees and all of the lower grades of the white collar civil service are exempt from any restraints on political activity. They can even run for the House of Commons. Of course, while running, they have to take a leave of absence—but the government is required to give it to them. If they are elected, they have to resign. If they are defeated, they can go back to work as a postal clerk, or whatever work they do.

Now, what earthly reason is there why postal clerks, or, say, forest rangers, should be barred from political activity? We can see some reason for barring some of the higher grades of the civil service from activity on the federal scene. The people who are in a position to affect and implement policy. For example, if you have, say, the administrator of the federal Fair Labor Standards Act run for office on a party ticket, people subject to the Act might thereafter think he was biased or prejudiced one way or the other. That could lead to demands for his replacement, in the event of a change in administration.

To protect these employees who are concerned with administering policy, we would retain some of the Hatch Act restrictions on their political activity. However, we see no earthly justification for preserving it for the great bulk of federal employees, whose job performance doesn't involve any sort of political discretion whatever.

Now, the Civil Service Commission doesn't see it that way. The other day, John W. Macy, Jr., Chairman of the Civil Service Commission, proposed extending the Act. At the present time, there is an exemption for employees of educational institutions—those in the District of Columbia—the school systems aided by the federal government. Those who would otherwise be covered, enjoy a specific exemption under the Act.

Mr. Macy proposed that this exemption be preserved for school teachers and administrators, but that other school system employees—such as janitors and custodial employees—be brought within the ban of the Hatch Act.

That strikes us as absurd and backward-looking. Why in the world should a school janitor be forbidden to run for political office? If there is any rational ground for distinction, it seems to us that it would be the other way—that a teacher may prejudice his position in the community if he runs for office. At least there is a fair chance that he will irritate some parents. I, myself, would certainly let the teachers run for office. I can't see any conceivable basis for the Civil Service Commission saying that the Act ought to be extended to cover school janitors, except the normal urge of bureaucracy to extend its power ever further.

FLANNERY. Mr. Causey.

CAUSEY. Mr. Harris, with these greater freedoms the AFL–CIO has proposed for federal workers wouldn't employees' protections be endangered?

HARRIS. We don't think they should, and I don't believe they would. This might have been the case back around the 1880's, when the Civil Service Commission was first established. But, surely the country is more politically mature than that now.

For instance, a forest ranger. Suppose he runs for Congress and is defeated. Do you really think that there would then be a demand for his replacement as a forest ranger? I don't think so. Or a secretarial clerk in the government. We don't believe that it is necessary, in order to keep their civil service status, to impose these absolute bans on political activity any more.

And, no other western country thinks so—not Sweden, not Canada, not Great Britain, not Germany. Nobody but the United States had these kinds of broad and, we think, antiquated, restrictions.

CRAMER. Mr. Harris, as I read the testimony you gave the other day to the Hatch Act Commission, I was impressed with the extreme simplicity and, I think, the extreme workability of the particular proposals you made on behalf of the AFL–CIO. Would you, sir, spell out those proposals in detail for us?

HARRIS. Well, with respect to running for federal office, we think that each department should draw up a category of the positions in that department which it thinks are in a position to influence policy, and that these top jobs in the civil service, whose incumbents do influence policy, should be continued under restrictions—at least with respect to running for federal political jobs.

All the other employees, we think, should be completely free to be politically active—to be active in parties—even to run for federal office.

Now, with respect to employees of states and localities whose employment is partly subsidized by the federal government, we tend to think that any restrictions placed on them probably ought to be turned back to the states and the municipalities.

It is becoming ever more difficult to identify this group of employees. If proposals such as the amendment suggested by Congressman Albert H. Quie (R-Minn.), which proposes simply to give the states a block grant to use for education, should be adopted—which we hope will not be—apparently everyone in the educational systems would then be covered by the federal Hatch Act.

If the Heller proposal, for which we are likewise unenthusiastic, were adopted—it would simply give the states block grants from federal tax revenues—presumably, all states and local employees would be covered by the Hatch Act. We think that this is asking the U.S. Civil Service Commission to take on a good deal.

We see no reason why the federal government should step into this picture when the states and localities, presumably, could be trusted to regulate the political activities of their own employees.

FLANNERY. Mr. Harris, as I recall your testimony, one of the instances you gave in connection with the restrictions on union activities was that a federal employee, who happens to be a member of a union, could not get up on the floor and say anything in behalf of any particular candidate or any particular issue?

HARRIS. You mean, get up on the floor at a union meeting?

FLANNERY. Yes—at a union meeting.

HARRIS. Well, that is not at all clear. The regulations of the Civil Service Commission don't really specify what a federal employee can do within a union, or what he can't do. We certainly think that even employees subject to whatever restrictions are retained should be free to express their political views at union meetings—free to urge that a union endorse a political candidate or that it not endorse anyone, even though he might continue to be restricted with respect to political activity aimed at the general public.

CAUSEY. If you put federal employees in the political swim, give them more freedom, aren't you opening them up to arm-twisting and pressure from parties and officials to donate?

HARRIS. There are criminal statutes on the books now which are meant to protect them from that. And we certainly have no intention of altering or in any way weakening those statutes.

FLANNERY. Isn't it true, Mrs. Harris, that many of those who are federal employees really don't know how the Hatch Act applies to them?

HARRIS. Well, any statute like this has an intimidating effect beyond its literal language. Many federal employees simply feel that the safest thing to do is stay out of the political arena entirely. In addition, the Civil Service Commission has, in our view, given the Act a very broad and, indeed, unconstitutional interpretation.

For instance, several years ago a federal employee wrote a letter to a newspaper in Houston—one of these letters to the editor—which the paper ran. In that letter he urged the people to vote against a particular candidate for governor—Governor Allen Shivers, as it happened. Well, the Civil Service Commission held that this was a violation of the Hatch Act. The employee took it to court. The court said that the Act did not extend that far. The Civil Service Commission didn't appeal the decision of the District Court.

However, the circular which the Civil Service Commission puts out to federal employees continues to state that it is a violation of the Act to write letters to the editor on political subjects. We think that the Commission should have the courage of its convictions—that if it is going to continue to convict employees of violating the Hatch Act, then it should litigate these issues in court.

At the present time, it simply intimidates employees who are afraid to challenge it or to litigate. When employees do litigate, quite often the decisions of the Commission are reversed.

FLANNERY. Isn't it true, Mr. Harris, that sometimes the Hatch Act is really violated in a peculiar way—that the wife of a particular federal employee may be active?

HARRIS. Well, the little pamphlets of the Commission say that the wife is free to be active, if she is really active for herself—but that she had better watch herself, if she is really acting for her husband. How anyone is going to determine that I don't know. But that illustrates the real nature of many of the restrictions the Commission attempts.

FLANNERY. One of the important things is to try to make it clear as to just what the Act means. Is that true?

HARRIS. That is true.

FLANNERY. Thank you, gentlemen. Today's Labor News Conference guest was Thomas E. Harris, Associate General Counsel of the AFL–CIO. Representing the press were Mike Causey, government employment reporter for the Washington Post, and John Cramer, federal employees news columnist for the Washington Daily News and other newspapers. This is your moderator, Harry W. Flannery, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL–CIO, produced in cooperation with the Mutual Radio Network.

FEDERAL PROFESSIONALS' NEED FOR PAY COMPARABILITY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] 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 Arkansas?

There was no objection.

Mr. OLSEN. Mr. Speaker, the importance of professional employees in carrying out the present missions of Federal agencies is increasingly self-evident. Almost daily we hear or read about new kinds of work and developments that are being pursued by American scientists, engineers, medical researchers, technol-

ogists, and specialists in all disciplines. Their achievements have a continuing impact on the worldwide spread of scientific and technological developments. In turn, these developments continue to change the social and economic aspects of every nation's total economy. Thus, governments everywhere have a vital concern about the capability of their people for outstanding work in science and technology generally.

Federal scientists, engineers, medical researchers, and many other kinds of professional workers share in the great achievements of American science, engineering, and technology. But there are problems about how Federal agencies can equitably share the resources of American talent with industry, commerce, and educational institutions.

For some years I have been concerned about the growing difficulties that Federal agencies have in securing and retaining their fair share of high competence in all disciplines, as well as in the managerial areas of our great Federal agencies. Because of the leadership role of the United States in world affairs, each Federal agency is confronted with means for assuring a first-class performance of its functions. Among these are those which are successful in retaining high competence at all professional and managerial levels. More than ever before, the need for better educated and trained people is of growing significance to all employers. With the trends in worldwide political, economic, and social developments, this is a critical matter for the United States.

The Federal Professional Association, now nearly 5 years old, sees the need for pay comparability in its true perspective. To demonstrate this further, this association is currently supplementing the justification for this pay principle with signed petitions to the Congress. It has already gathered several thousand signatures of Federal employees. More are being received daily.

I think it is timely to have the recent testimony of Mr. Vincent E. Jay, president of the Federal Professional Association, also that of Robert Ramspeck, the distinguished former Member of the House, and that of Dr. Roland R. Renne, president-elect of the Federal Professional Association, before the House Subcommittee on Compensation, brought to the attention of the entire House.

Mr. Speaker, I place this testimony in the RECORD. The testimony follows:

STATEMENT OF MR. VINCENT E. JAY, PRESIDENT, THE FEDERAL PROFESSIONAL ASSOCIATION

Mr. UDALL. The Subcommittee will now hear from the Federal Professional Association, Mr. Vincent E. Jay, the President of that organization.

Mr. JAY. Mr. Chairman, it is a pleasure, indeed, to be with you again this morning. We greatly appreciate the opportunity to present our views and problems to you and the members on this important subject.

Honorable Chairman and committee members, my name is Vincent E. Jay, national president of The Federal Professional Association. This Association represents career professional and managerial personnel serving the Federal Government throughout the nation and the world. I am accompanied by the Honorable Robert Ramspeck, Consultant to the Association, and Dr. Roland R. Renne, president-elect of the Association.

Congressman Ramspeck is well known as a former Chairman of the House Civil Service Committee, former Democratic Whip, and former Chairman of the U.S. Civil Service Commission. He has served as Member of various presidential commissions and committees, the most recent being the Commission on Political Activity of Government Personnel.

Dr. Renne is well known as former president of Montana State University, Assistant Secretary for International Affairs, Department of Agriculture, and currently as Director, Office of Water Resources Research, Department of the Interior.

Mr. UDALL. The Chair would particularly like to welcome these fine gentlemen. I think you have done well in choosing Dr. Renne as President-elect of this organization. He certainly has had an outstanding career. I followed the organization and the efforts of the Association and I want to say that I personally welcome him, congratulate him, and thank him for being willing to undertake the presidency of this organization.

We are particularly pleased to have him appear.

I want to say, too, that Bob Ramspeck in my judgment has performed as much public service as perhaps anyone that I have known. He has done so much to foster improvements in the Federal Civil Service and he has given freely of his time.

I addressed a partisan political gathering in his home town of Atlanta on Friday and had kind words to say about him publicly.

I certainly want to say that I am delighted to have both of you gentlemen present and I am impressed with the caliber of consultants and backup people you have with you at the table this morning.

Mr. JAY. Thank you, Mr. Chairman.

Dr. RENNE. Thank you, Mr. Chairman.

Mr. RAMSPECK. Thank you, Mr. Chairman.

Mr. JAY. (Continuing.)

My Civil Service career started at Fort Monmouth, New Jersey, in 1942. My experience includes private enterprise, management consultant to government and nongovernment organizations, career employee in various government agencies, an officer of various charity, civic and health organizations, and an officer and employee of a major Federal employee union. I am on annual leave this morning from the Federal Water Pollution Control Administration, where I am currently employed as a management analyst.

The Federal Professional Association is a nonpartisan, nonprofit, individual-membership organization engaged in consultation, education, and research. It is honored to have as an affiliate the National Association of Naval Technical Supervisors, which we also represent here today. The membership of both organizations includes Federal employees from most managerial and professional disciplines represented in the Federal service. Many of these members hold top-level career positions as well as staff and line positions, both in the Washington, D.C., area and throughout the field service. We try to present the views of the entire professional segment of the Federal career service, ranging from accountants to zoologists.

This marks the fifth year that we have appeared before your Committee. To date our efforts on behalf of professionals in the Federal service have had little practical effect. We are still pleading for your help in adjusting the Federal salary structure so as to attract and retain high quality managers and professionals in the Federal service.

The situation has become critical. The nation's press reports almost daily of alleged instances of carelessness, sloppy workmanship, work slowdowns, and strikes on work under Government contracts. In addition, there are complaints of self-inspections rather than Federal employee inspections, and complaints of quality control relaxations. It just does not make sense to spend billions on Government contracts and to save the few dollars it would cost to have competent professionals and managers in the Federal career service in sufficient numbers to review, inspect, and evaluate the products that are being purchased with the taxpayers' money. This holds true for grants and all other expenditures of Federal funds besides contracts.

Furthermore, there are increasing indications that we have gone too far in contracting out much of our Government work, especially that which is performed by highly skilled and trained professionals whose salaries and emoluments the taxpayers are paying indirectly and without adequate controls. We must employ many more managers and professionals in the Federal service to devise reliable contract specifications, conduct economic contract negotiations, make realistic appraisals of work progress, evaluations of work completed, and financial audits of overall costs. These functions are essential to good management. For them to be adequately and properly performed, the Federal career employees who should perform them should receive salaries at least comparable with those paid by private enterprise to those who produce all or a part of the end product.

Because the Federal Professional Association and its affiliates are newly organized, we are still small in numbers and limited in financial resources. We are not yet prepared to undertake the kind of research necessary to document properly the serious decline in quality and the increasing difficulty in recruiting professionals in the Federal service. However, I can present facts and figures supplied by two FPA chapters to indicate the ever-increasing recruiting difficulty. From nearby White Oak, Maryland, we have the following report:

"Top third B.S. Engineers are being offered $8300 to $8500 compared with our offer of $7729.

"1. Table of recruiting results

	Feb. 23	Mar. 17	Apr. 6
Cumulative totals for 1967:			
Total offers	149	218	251
Acceptances	10	17	29
Percent acceptances	7.4	7.8	11.5
Cumulative totals for 1966:			
Total offers	99	144	155
Acceptances	10	22	26
Percent acceptances	10.1	15.3	16.7

"Conclusions: By making 96 more offers this year, we have increased acceptances by 3. That is about a 3% acceptance rate on the extra offers. The total percent of acceptances remains well behind last year. (Report No. 1, 27 January 1967, showed that the percent of acceptances for 1966 was behind that of 1965.)"

From the Veterans Administration Hospital in the Bronx, N.Y., we received word that "The most urgent problem areas have been: (1) Social Workers; (2) Therapists, i.e., Physical Therapists, Corrective Therapists, and Manual Arts Therapists; (3) Medical Technologists; (4) Librarians; (5) Chemists." This report adds "Needless to say, the most critical shortage concerns professional nurses; . . ."

The Civil Service Commission recently raised the salaries of certain classifications of nurses by several steps by placing them in a "shortage category," thus recognizing retaining nurses in the Federal service. Simi the increasing difficulty in attracting and lar actions have been taken with other "shortage categories."

The efforts of the Civil Service Commission to juggle salaries of "shortage category" personnel in response to recruitment and retention problems compounds rather than allevi-

ates the overall Federal salary problems. Such action creates inequities within professional groups and throws the salary alignment of supervisors out of any reasonable relationship. This problem exists with regard to engineers, nurses, scientists, and all other "shortage category" groups to which the tactic is applied. And it may not be impertinent to suggest that the Federal service *does not now* enjoy a surplus of high-quality employees in *any* professional or managerial discipline.

We have had some reports from our members that they have been offered the next step, Grade 14 or Grade 15, in order to accept supervisory positions, but after having moved into the supervisory position and having received merely a $200 to $300 a year increase, they have asked to be put back into the grade they were in and relieved of the supervisory responsibilities because it was not worth it. It was not worth the headaches of accepting these additional duties and responsibilities.

An overall adjustment to close the pay comparability gap is the only feasible and equitable solution. It is essential to good government, and long overdue in order to reverse the dangerous decline of morale and quality among professionals and managers in the Federal service. Such quality as the Government still retains is due to severe personal sacrifice by dedicated employees which should long have been unnecessary.

Mr. Chairman, Members of the Congress have publicly and repeatedly expressed their concern about *not* hearing from professional and managerial employees in the Federal service, and have publicly assumed that we must be satisfied with the status quo. We want you and these Members to know that The Federal Professional Association represents and speaks for its dues-paying members.

We are honored, also, to speak for the 1,000 members of the FPA's first affiliate, the National Association of Naval Technical Supervisors. In addition, we must assume that we speak for many managers and other professionals who have not yet become FPA dues-paying members or affiliates, mainly because we do not have the resources to bring them knowledge of FPA's mission—or even of its existence. We are doing all that we can to bring the FPA to the attention of prospective members, and to educate them as to the importance of uniting and communicating regularly with their Congressional representatives. We believe we are making progress in this effort. However, it is an uphill, difficult task. The problems inherent in the situation are monumental. But they do not mean that our members and potential members are indifferent to their employment environment and emoluments. We may be unsophisticated in the area of political bargaining, but we are daily profiting from the example of our more aggressive, better organized colleagues in the unionized occupations.

One modest FPA project that was started just a few weeks ago was an attempt, for the first time, to obtain the views of Federal managers and professionals on the issue of Federal pay comparability with private enterprise. This was done through the distribution of a petition form to FPA members and friends. I am happy, at this time, through your Committee, to present to the Congress the signed petitions of over 6,000 Federal employees and other taxpayers and registered voters who urge this Session of the Congress to enact Federal pay legislation that will assure a graduated-percentage pay increase designed to close the pay comparability gap between Federal and private enterprise salaries.

These petitions are being held and will be presented to the Congress at an appropriate date.

We had intended to present them to your Committee this morning but they are still coming in in considerable numbers and we still have time, we feel, before the Senate and House act on pay, and we would like to continue to accumulate these signatures.

Mr. UDALL. The Committee will be happy to receive them when they are available, Mr. Jay.

Mr. JAY. Thank you.

Mr. Chairman and Committee Members, we have reviewed various pay bills which are now before you. We favor the immediate enactment of HR 4134 or HR 4321, identical bills introduced by Representatives Olsen of Montana and Cunningham of Nebraska, respectively. These bills recognize the need for, and would provide, a graduated-percentage pay increase. We strongly oppose another across-the-board pay increase, for it is this kind of pay action in the past that has repeatedly and inevitably caused the compounding of salary inequities and anomalies and have consistently led to the difficulty in which we find ourselves today.

In a recent letter addressed to President Johnson, I stated FPA's great disappointment in the Administration's Federal pay proposal. Because it is an across-the-board pay proposal, it does further violence to the Federal pay structure and it further compounds existing pay comparability mis-alignments and the pay inequities created by the Civil Service Commission's attempts to adjust salaries for "shortage category" professionals.

Mr. Chairman, the FPA prays and hopes that you and your colleagues on this vital Committee will reject another across-the-board Federal pay increase. We urge and solicit your support for a desperately needed graduated-percentage pay increase to be made effective as soon as possible. Further, we urge that you make definite provisions in whatever pay legislation you enact for specific dates and percentage figures to achieve full pay comparability for all Federal employees with private enterprise by no later than 1969.

This can be done by providing an immediate graduated-percentage pay increase ranging from about 2 to 8 percent, and including provisions for two more graduated-percentage pay increases, one in 1968 and one in 1969. These latter provisions should be written into current pay legislation to assure the attainment of full pay comparability promised in the Pay Reform Act of 1962, when the Administration then in office planned to achieve full pay comparability over a three-year period in order to "lessen the budgetary impact of the move." If the plan had been carried out as promised, full pay comparability would have been achieved two years ago, whereas we are still hearing about the budgetary impact of fair pay for the public's most patient employees.

I received word from the Chairman of the Civil Service Commission that it would be difficult to include in any legislation provisions of the sort that I have just stated.

For the record I would like to refer to a contract which was recently enacted with the New York Daily News employees. This was reported in the Wall Street Journal of Monday, May 1.

This is a three-year contract which guaranteed the employees of this newspaper a 21 percent pay increase, guaranteeing them a 7 percent pay increase each year over a three-year period.

In addition it provided a cost of living adjustment clause, shorter working hours, and improved fringe benefits.

I am suggesting that this session of the Congress could enact in pay legislation figures and dates so that a definite figure could be included which would be subject to any adjustment or fluctuation which may be reported by the Bureau of Labor Statistics at the end of the year.

I feel strongly, and the FPA urges strongly, that these kinds of figures be put into legislation so that there is a guarantee for the attainment of full comparability at least by 1969.

Finally, a word about fringe benefits. A number of bills designed to increase certain fringe benefits have been introduced for your consideration. We all know that these fringe benefits cost money and we know also that there is only so much money to go around. Mr. Chairman, we urge you and your colleagues on the Committee to use all available resources first to establish a sound Federal pay structure, comparable to those in private enterprise. Although certain fringe benefits do need overhaul, we feel strongly that the most critical need right now is pay comparability that will allow vital Government programs to attract and retain competent professionals and managers. Once a sound salary structure is established and provisions are made for its maintenance, then and only then should limited resources be used to improve Federal employee fringe benefits.

To sum up, Mr. Chairman, the members of the FPA and the National Association of Naval Technical Supervisors, and thousands of other professionals, managers, and friends of the Federal service, petition you and your colleagues in the Congress to enact an immediate graduated-percentage pay increase that will at least indicate a first step toward full pay comparability with private enterprise, along with provisions for specific dates and percentage figures for the attainment of full pay comparability by 1969. This is vital to the progress and success of essential Government programs that the Congress has authorized and established. We are grateful for your frequent acknowledgment and appreciation of the contributions being made by professionals and managers in the Federal service and really seek a very small practical reinforcement of your kind words.

We greatly appreciate the opportunity to present the views of Federal professionals and managers to you and we will be happy to answer any questions.

First of all, Mr. Chairman, I would like to ask your indulgence that we might have Dr. Renne comment on various aspects of the statement, and then Mr. Ramspeck to say a few words if it is satisfactory with you.

Mr. UDALL. Yes. We have two organizations scheduled but we are running about on time. We shall be happy to hear briefly from Dr. Renne and Mr. Ramspeck.

STATEMENT OF DR. ROLAND R. RENNE, PRESIDENT-ELECT, THE FEDERAL PROFESSIONAL ASSOCIATION

Dr. RENNE. Thank you, Mr. Chairman. I will take just a moment.

I just want to say that I agree fully with the statement that has just been read by our President, Mr. Jay. After many years as a university president, and in my current work in the Federal Government in which we deal with about 100 universities all over the Nation, I am very much aware of the substantial increases in salaries that have been made in the universities, both public and private, and the substantial salary adjustments that have been made in private enterprise in the last three or four years. I am aware of this, particularly, in undertaking to increase their effectiveness as research and training agencies, in the research field particularly since it is a multidiscipline approach covering many departments and divisions of universities. The competition is extremely keen because private enterprise, as you know, is also doing work in these fields. We find, in our work in the Federal Government, an extremely difficult situation in meeting competition for top-flight scientists, engineers, and top professional people. We feel it is vital to the Federal Government to maintain a high level of performance, and we think we can do this only if we have full pay comparability, par-

ticularly for the scientists, professionals, and engineers who have very important cooperative positions in working with the universities and the private enterprise agencies, foundations, and other groups that are concerned with research and scientific training.

Thank you very much.

Mr. UDALL. Thank you, Dr. Renne.

Mr. RAMSPECK, we will be glad to hear from you.

STATEMENT OF HON. ROBERT RAMSPECK, CONSULTANT, THE FEDERAL PROFESSIONAL ASSOCIATION

Mr. RAMSPECK. Mr. Chairman, I have now joined the ranks of what we call, for lack of a better designation, Senior Citizens, having been retired from business several years ago.

My experience in government, Mr. Chairman and members of the committee, goes back 60 years. Last Saturday was the 60th anniversary of my leaving high school and going to work in the office of the clerk of the Superior Court in my home county. That officer at that time not only kept the records of the court proceedings and dockets filed, but he was somewhat of what was called the Register of Deeds, mortgages and that sort of thing.

After about four years, a new Congressman coming to Washington asked if I would like to have a job here, so in April of 1911 I became Chief Clerk in the House Post Office, right in this building in the office which faces the lobby as you come in the building. I stayed there about a year and a half and decided I had better go back home and prepare myself better for life. During that time I was Deputy United States Marshal for the northern district of Georgia for a couple years and then Chief Deputy United States Marshal, and I was part owner of a business engaged in real estate, insurance, building supplies and so forth. I was elected to the Georgia Legislature in 1928 after having served as prosecuting attorney for four years in my home county and as city attorney of the City of Decatur. In July 1929, while serving in the Georgia Legislature, the Congressman representing that district passed away and we had a special election in October at which I was elected. I served in the House here until the end of 1945 when I resigned because I could not save any money on that job. You gentlemen, I am sure, still are having that problem. The salary at the time I resigned was $12,500 a year. I kept an accurate account in the last year of my service and I spent $8,000 of that salary for things which any private employer would reimburse you for. Having received an offer of a job paying twice as much as I was making, and with an expense account, I retired from Congress and became Executive Vice President of the Air Transport Association. In 1951, after five years with the Trade Association, Mr. Truman, then President of the United States, asked me to become Chairman of the Civil Service Commission, which I did for about two years. I then became Vice President for Washington Affairs of Eastern Air Lines and retired from that position on January 1, 1962.

I mention these things for the record because I have had government service at the city, county, State and Federal levels and I have had business experience, and I think all of those are valuable in forming an opinion about the problem which faces you here today.

One of my good friends in Atlanta who established a nationwide business that was very successful wrote me in 1943, while I was Chairman of the House Civil Service Committee and was investigating civilian personnel during the war period, that the refuge of a poor administrator was to hire more people, and I have found that was true not only in the government but in private business. I think the great weakness in our Federal Government personnel system is in the supervision, lack of leadership, and lack of the extra ability we need in our supervisory people. And it is partly due to the fact that in recent years pay increases have gone to the lower grades primarily, or there have been across-the-board dollar increases that left the upper grades at a disadvantage.

The business and trade associations are constantly siphoning off the better people in our government, not only in the Executive Branch, but also up here on the Hill. They find a good, aggressive, capable man who is working up here and they offer him more money and he goes out of the government service.

I have also served, since I left the Congress, first on the Advisory Panel for Senator Carlson, who was then Chairman of the Senate Committee on Post Office and Civil Service in 1953; and in 1962 I was on the late President Kennedy's Committee on Salary Studies, and on that committee I was able to persuade them to recommend to the Congress a salary of $35,000 for Members of Congress. In fact, I was put on that committee to represent the point of view of the Congress. A member of the Supreme Court was put on the committee to represent the judicial problem. The recommendation of that committee was that you gentlemen pay yourselves $35,000 in salary and $5,000 expense account which would be charged off against income taxes if spent. I still think you made a mistake not going that high. How anybody could get along, with all the traveling and so forth, on what you gentlemen are paid, I cannot understand. I could not make money as a Member of Congress and I do not see how anybody could.

I also served on the Hoover Commission Task Force on personnel and on civil service. That was valuable experience.

So that nobody will think I am anti-union or anti-labor, I would like to call attention to the fact that during my service in Congress I was on the House Committee on Labor for 16 years. During that time the Wagner labor bill was passed and the Bacon-Davis Act. I supported the Walsh-Healey Act and the Social Security Act, and helped to write and pass the Fair Labor Standards Act which is generally known as the Wage and Hour Act. It took us a year to get it out of the Rules Committee and we had to get it out then by petition. My labor record is as good as that of any man who served in the House during the 16 years I was here, so I am not anti-union, but I realize you gentlemen are under terrific pressure from the unions in the Federal Government and most of them, such as the postal unions, are not primarily interested, in the supervisory and higher grades in the Federal service. I do not say that in criticism of them. They are representing their members and doing the best they can for them and they have done a splendid job, although I sometimes recoil at some of the tactics used. I just read there will be 2,000 postal employees here this week to greet you with 2,000 whistles. To my mind, that is a tactic that should not be engaged in.

About 6 percent of the postal employees are in level 4, and I prophesied to my associates a year ago that they were going to drop the comparability fight and move to upgrade level 4 people, which they are doing and doing very effectively. They are putting on quite a campaign. But I think the trouble with the postal pay scale is that it lumps too many in level 4 without any regard to the difference in duties. I recently had a talk with a clerk in the Kensington, Maryland, post office where I get my mail at the present time. He has charge of the stamp stock and C.O.D. problems and other duties which I think exceed the responsibility of other level 4 clerks, but he has been unable to get his level raised to 5. It seems to me that perhaps what Congress should do is to look at that problem and see which of these people have responsibilities that warrant a higher grade, instead of increasing everything from level 1 through 6 in one step, as they advocate.

The last year I served in Congress, I sponsored (and the bill was passed in the House) providing increases in pay for the employees under the Classification Act. The next day Senator Mead, then Chairman of the Senate Committee on the Post Office, which at that time was separate from the Civil Service Committee, got up a bill for the postal employees. One of the Members of the House who had made a speech against the bill for the classified employees got up the next day and made a speech for a raise for the postal employees. I went to him and asked why he did not vote for an increase in pay for the classified employees but favored an increase in pay for the postal employees. He said, "I know, but I like the postal employees and I do not like the people you represent." There is some of that feeling, gentlemen. There was that feeling in Congress at that time, which is unfortunate, but it is true. The postal employees have many contacts with the public, they are well organized and well led, and they do bring a considerable amount of pressure to bear on the Congress.

But I would like to cite two illustrations, Mr. Chairman, on the point that the unions cannot control politics in this country. In 1950 the late Senator Taft was reelected by over 400,000 votes after he sponsored the Taft-Hartley Labor Act, and every labor union was working against him. He had been elected in 1944, six years previously, by only 16,000 votes. And just last year, a very distinguished member of this committee, the Honorable James Morrison, was defeated in the primary in Louisiana, notwithstanding his support of the employees of the Federal Government. And I had a personal experience in 1942, the last contested election I had when seeking election to the Congress. Some of the postal clerks and carriers, although a minority of them, opposed me in that primary because I had refused their request that I make the Postmaster in Atlanta fire the Superintendent of Mails. I told them that was not my job, that it was up to the Postmaster General.

I mention these things to point out that, notwithstanding all the hullabaloo by the postal unions—and I do not criticize them, they do their job—they do not control politics and they cannot elect or defeat a Member of Congress.

I urge you, gentlemen, to consider the plight of the Federal Government as it relates to the people in the professional and scientific ranks and supervisory ranks of our Federal system. No Federal Government employment situation and no civilian employment situation is effective and efficient unless it has good leadership, and I think something that has cost billions of dollars to the taxpayers is that we have neglected to a certain extent keeping up a level of pay for people in these supervisory, managerial, professional, and scientific positions so they would stay in government. I think Congress would do a great thing for this country if they would pass a bill which takes care of that situation, rather than concentrate all these funds on the rank and file.

Now, I do not say that maybe the people in the rank and file do not need some increases in pay. I find the cost of living goes up every day and I am not making much money to pay that increase these days, so I have some appreciation of it. But I am thinking, gentlemen, of the welfare of the country and the efficiency and effectiveness of this great government of ours which has gotten to be so complex and which affects so many aspects of life, not only here but all around the world, and in my opinion we cannot afford to continue the policy of concentrating the funds available on the rank and file

and neglecting the managerial, scientific, and professional jobs that are so important in the complex world we live in today.

Thank you for listening to me.

Mr. UDALL. Thank you, Mr. Ramspeck. I think the point you and your associates have made this morning is well taken. It has always seemed apparent to me that, when we deny comparability to the managerial people, that we are not simply doing an injustice to them, but to the people of the country who are denied the leadership and the management which this great government needs. The kind of people we want to keep will not be hurt if we deny them comparability, because they will be siphoned off to private enterprise, local governments, foundations and everything else.

I was also interested in Mr. Ramspeck's observation about the recommendation of the committee on which he served on salaries of Members of Congress. I introduced a bill providing the $35,000 salary his committee recommended. The other comment Mr. Ramspeck made that hit hard with me was that this Congress has never provided for its members so many of the basic things private enterprise takes for granted. One newspaper on a dull day exposed the benefits Congressmen get, such as typewriters and a secretary and a telephone, things anyone in private enterprise would take for granted, but to have them supplied to Members of Congress, the newspaper would make it appear were some lush things just discovered.

The gentleman from California.

Mr. WALDIE. I suppose I have always known it, but you brought it out clearer than I realized before: Do I gather your view is that in a limited budget situation the government people would be best served by having more equity in the higher grade employees than by bringing the lower level employees up to equity?

Mr. RAMSPECK. Is that question directed to me, Mr. Congressman?

Mr. WALDIE. Yes.

Mr. RAMSPECK. Yes, my answer to that is not necessarily government people would be better served, but the country would be better served.

Mr. WALDIE. I am talking about the country.

Mr. RAMSPECK. Yes, sir.

Mr. WALDIE. Do I gather from that conclusion two things: First, you think the higher level employees are in a more inequitable situation relative to the ability of the government to retain them than are the lower level employees?

Mr. RAMSPECK. I think that is unquestionably true.

Mr. WALDIE. And that our ability to perform the governmental function would not be materially interfered with, despite the lower morale, if we increased the salaries of the higher level employees rather than the salaries of those working for them?

Mr. RAMSPECK. I think that is true. With better management we would need fewer employees to begin with. That has been demonstrated time after time in private enterprise. Where you have a good man at the top he can make a success of a business where a less qualified man would lose money.

Mr. WALDIE. I do not think I am ready to venture an opinion on that myself, although at this time I am not willing to agree to what you have said.

Mr. UDALL. The previous witness testified, I believe before you came in, that 90 percent of the salary bill is in the first six levels. In the postal service, if you take $25 million and use it to bring up the salaries of the upper grades, you could bring all the 13, 14 and upper grades to full comparability. They are 20 or 22 percent behind. If, on the other hand, you take that $25 million and give it all to level 4, that would be about 60 cents a week to the average clerk or carrier, and it would not make a great deal of difference to him, but it may be the difference between keeping or losing to private industry the kind of people we want to make this department work.

Mr. WALDIE. On the other hand, if I were a carrier and saw my superior get comparability and I did not even get the 60 cents, I would be disturbed by that.

Mr. UDALL. This is the traditional problem.

Mr. WALDIE. The other question I wanted to ask: Mr. Jay, you believe comparability cannot as a practical matter be attained in this session of Congress, is that correct?

Mr. JAY. From the reports coming in from the Civil Service Commission and the White House insisting that the pay increase be kept to an average of 4.5 percent or thereabouts, I guess I have been conditioned to the point where I fear that full comparability cannot be achieved in this session.

Mr. WALDIE. Do I gather that your recommendation that it be achieved in 1969 is not based on your belief that it should not properly be achieved in this session of Congress, but is based on your belief that as a practical matter it cannot be achieved in this session of Congress?

Mr. JAY. This is suggested as an alternative, if it is not possible to achieve it in this session without imposing an unreasonable demand on the budgetary situation.

Mr. WALDIE. I have not been able, again, to clarify in my mind in the brief time I have been exposed to this problem, why comparability, if it was promised in 1962, must be continually delayed on the basis it might have an adverse effect on the economic situation of the Nation. I asked the Budget Director where in the Act of comparability there was a criterion set forth that comparability could only be attained if it did not have an adverse effect on the economy of the Nation, and he said it was not in the Act but was a consideration in any government expenditure. I would wonder, if your proposal were to be adopted, whether you would have the comfort of believing that comparability would be attained in 1969 if it was promised in 1967, in view of the fact you were promised comparability in 1962 and it was not attained?

Mr. JAY. In no instance in the past has there been incorporated in any pay legislation specific dates for the attainment of full comparability.

Mr. WALDIE. Perhaps I should address this question to the Chairman or to counsel: Could this committee pass any legislation that would bind the 91st Congress?

Mr. UDALL. Not only could it, but in my opinion it should. In 1965 a bill which I authored and which was passed provided for a definite graduated pay raise next year without further enactment. We could have as many steps as we want and provide in 1975 the pay shall be so much, and if the President signs it, it becomes effective.

Mr. WALDIE. Except that the 91st Congress might pass a law repealing it.

Mr. UDALL. Of course, I would not be optimistic about passing a pay bill that would be repealed.

Mr. JAY. I do want to make it clear that we favor full comparability now. As I testified in my statement, the two bills I referred to provide for full comparability now in a graduated percentage increase. However, if this is not possible then we suggest the alternative of phasing it over the two years, 1968 and 1969.

Mr. WALDIE. Thank you.

Mr. UDALL. The gentleman from Michigan.

Mr. RUPPE. I would like to thank you for your statement, Mr. Ramspeck. I think you make a very fine observation in that it is the duty of the committee and the Congress to give comparability to the entire service and not just to the ones who have the loudest whistle, so to speak.

Mr. WALDIE. Excuse me. I did not understand that was the import of his testimony. I gathered the import of his testimony was, if we could not give full comparability to everybody, we should give it to the group you represent first?

Mr. RAMSPECK. My argument was we should give a proportionate amount to the upper grades and not simply an across-the-board increase; that we should try to get the upper grades nearer comparability, which has not been done recently. They are lagging much further behind comparability than the postal employees who are making the noise. I realize the squeaking wheel usually gets the grease, but it is a dangerous situation we are getting into where the good people we need in government do not stay there, and I think this is an area where the Congress has a responsibility to the country. The last Hoover Commission Task Force on Personnel had figures showing, for instance, that the Assistant Secretary in government departments had an average length of service of only 18 months. I submit to you, gentlemen, no man, I do not care how capable he is, can learn very much about a great department or agency of government in 18 months.

Mr. WALDIE. I thank the gentleman for yielding.

Mr. RUPPE. Dr. Renne, you commented on the fringe benefits—sick and annual leave, health benefits, retirement benefits and so on—on college campuses as compared to government service. Do you know in general how the Federal Government compares in fringe benefits with the academic groups and civilian business groups and local government groups?

Dr. RENNE. I do not think I mentioned anything about that specifically. I was thinking of the total remuneration. In general the universities now are very comparable in their retirement plans in most of the States. There are some States that are not, but in most of the States the retirement and related fringe benefits, plus the salaries that are paid for the ten-month contract, make the university position for the scientist or engineer or professional person in general more enticing than a similar position level in the Federal Government.

Mr. RUPPE. If you combine the pay and the fringe benefits?

Dr. RENNE. It is a combination of things, yes. Part of it is the environment, but most of it is the combination of the salary and other benefits, such as the leave time and the help which is available for publishing, and the encouragement for publishing, and what we call the sabbatical year, where every eighth year you do not teach, but you travel or go to school to improve yourself. This type of fringe benefit which the professional finds particularly attractive these days, I think, are where the universities have made faster gains in the last five years.

Mr. RUPPE. Would you feel the unfavorable comparison from the Federal Government point of view would also hold true in comparison with private industry?

Dr. RENNE. I think the universities are more competitive for scientists with the Federal Government than they are with private enterprise, but I think the managerial positions in private enterprise are much more apt to appeal to the executive than the university, thus you get a combination of competition which the Federal Government faces with private enterprise and with the universities—a three-way competition that is very difficult to meet at the present time.

Mr. JAY. In addition, you have the situation where the Federal Government itself encourages the establishment of nonprofit corporations where there is no limit on salaries and then these corporations compete with Federal departments and agencies for personnel. They may strip an agency of its best managers and professionals.

Mr. RUPPE. Is the most unfavorable comparison in the area of salary or in the area of

fringe benefits? Is it mostly higher pay that takes them out of the Federal service?

Mr. JAY. I would say it is. Those that tend to stay in Federal Government service are those who have been in government 20 or 25 years and see no point in starting, even at a considerable increase in salary, in another career.

Mr. RUPPE. They are hooked in by the fringe benefits.

You indicate you would like a graduated percentage increase in pay from 2 to 8 percent. How would you decide how the percentage increase would be applied from 2 to 8 percent?

Mr. JAY. I would rely on the schedule developed by the Civil Service Commission and the Bureau of the Budget from statistics of the Bureau of Labor Statistics on comparable salaries in private enterprise.

Mr. RUPPE. You would have to go from 2 to 8 percent depending on the statistics of the Bureau of Labor Statistics covering private enterpise?

Mr. JAY. That is right.

Mr. RUPPE. Thank you very much.

Mr. UDALL. Thank you, gentlemen.

Mr. JAY. Thank you, Mr. Chairman.

PROBLEMS OF QUANTITATIVE MEASUREMENT OF RADIATION ENVIRONMENT IN URANIUM MINES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] 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 Arkansas?

There was no objection.

Mr. OLSEN. Mr. Speaker, it is one of the ironies of our industrial progress that the pioneers in a new area of activity often face dangers that are not recognized until many have died. This is the case in the mining of uranium where nearly 100 men have already died from lung cancer and another 1,000 are expected to die of this disease by 1985.

It is a shame that it has taken us so long to recognize the dangers in the mining of uranium and to realize that these dangers can be minimized if not entirely eliminated.

But it is important to note that once recognized the Federal Government has taken direct measures to put an end to this needless waste of human life.

There can be no doubt that the standards issued by the Secretary of Labor for uranium mining are needed. It is also right and just that the Secretary made these standards effective at the earliest possible date.

Many will argue that the standards are too restrictive and others will say that they do not go far enough but none, I am sure, will debate the need for standards of this nature. That is why the Secretary has taken advantage of the provisions in the law permitting him to establish standards before having full public participation in this development.

The benefit of public participation in the formulation of the rules will not be lost since the rules and standards can be changed if they are found to need revision, by the procedure the Secretary has chosen to follow, but neither will needless delays be caused in providing needed protection for uranium miners.

The Secretary's action in this most serious matter is most wise and I can only do what any thinking, civilized man would do in supporting him to the fullest.

PRESIDENT JOHNSON CHOOSES THE RIGHT MAN FOR THE SUPREME COURT

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] 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 Arkansas?

There was no objection.

Mr. OLSEN. Mr. Speaker. The appointment by President Johnson of Thurgood Marshall to the Supreme Court is receiving widespread approval throughout the country.

It is fitting that President Johnson should have selected Mr. Marshall.

Mr. Marshall is qualified as an advocate and a jurist.

Even in the midst of emotional cases, he has shown a balanced and even temper joined with a deep love of the law.

He is not only a fine lawyer and dedicated public servant—he is a living testament to American opportunity.

Thurgood Marshall came up the hard way, and set his sights on a responsible public career. He arrived at his present position through hard, diligent work, and he has gained the respect of both friend and foe.

President Johnson's selection of him to move to the highest court of the Nation is a reflection on both Marshall and his country.

I insert into the RECORD an editorial from the Baltimore News American which strongly supports the President's choice:

DISTINGUISHED CHOICE

President Johnson's nomination of Thurgood Marshall to be the first Negro Justice of the Supreme Court is an altogether commendable act of justice in itself. It is a well-earned reward to one of the nation's most distinguished legal talents. And it is coincidentally a fitting recognition of the important role played in our society by the more than 10 percent of citizens who are Negroes.

Thurgood Marshall, whatever his race, is more than eminently qualified to serve as a member of America's highest tribunal. His long record of outstanding public service as a member of the bar, culminating in his 1965 appointment as U.S. Solicitor General, is virtually unparalleled for its wealth of experience. The new honor which has come to the Baltimore native crowns a brilliant, progressively responsible career which began when he graduated at the top of his class at Howard Law School in 1933.

It thus becomes a fortuitous circumstance that Mr. Marshall happens to be a Negro—fortuitous that he happens to be the great-grandson of a slave, and fortuitous that much of his legal fame was won while battling civil rights causes in the courts. To others of his race he now becomes a shining proof that the heights to which any talented American may aspire are without limit. And to all the citizens of the land he henceforth will symbolize the determination of our government legally to guarantee the rights to which one and all are entitled.

President Johnson has made a fine selection.

BILL TO CUT IN HALF RELICENSING BURDENS OF RADIO AND TELEVISION

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] 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 Arkansas?

There was no objection.

Mr. OLSEN. Mr. Speaker, I am today introducing a bill which would cut in half the relicensing burdens of the broadcasting industry both in radio and in television.

At the present time, broadcasters must seek a license extension every 3 years. My bill would change that requirement to a 6-year period.

I have a strong feeling that the relicensing procedure is so much formalistic nonsense. After all the broadcasting industry is well established and there is nothing to prevent the Federal Communications Commission from investigating complaints or checking broadcasting operations at any time. The relicensing period idea is really used as a "tickler file system" to remind the FCC that they have work to do. What is really a burden is the fact that most applications are delayed because of paperwork problems and criticisms by the agency of the way applications are filled out.

The broadcasting industry in many of our communities is "small business." In our State of Montana, this is certainly true. So on behalf of an industry that is now mature and no longer needs to be babied I have introduced a bill which will cut in half the Government paperwork that they must fill out. What is more the membership of the Federal Communications Commission itself is divided five to four as whether to extend the licensing period from 3 to 5 years.

Thank you.

REGULATING IMPORTS OF MILK AND DAIRY PRODUCTS

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

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

There was no objection.

Mr. TUNNEY. Mr. Speaker, I am introducing legislation today to regulate imports of milk and dairy products.

Dairy product imports have increased sevenfold since 1953 and have increased 433 percent in 1966 alone. Such rapid increases cannot be tolerated if our dairy industry is to survive. Quotas established to curb dairy products imports have been effectively evaded. The U.S. Department of Agriculture has said that 1967 imports of milk will be about 3.5 billion

pounds or 12 times the total authorized by import quotas.

The passage of the dairy import legislation is necessary to eliminate the loopholes under the present import controls and to establish a predictable import base upon which our farmers may rely for sound market planning.

EDITORIALS ON THE FOOD STAMP PROGRAM AND THE USE OF THE BANKING SYSTEM IN THE DISTRIBUTION OF LOTTERY TICKETS ON THURSDAY, JUNE 15, 1967

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] 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 Arkansas?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, there are two editorials which appeared in the June 12 edition of the Providence Journal pertaining to the food stamp program and the use of our banking system for the distribution of lottery tickets that I would like to bring to the attention of my colleagues.

Therefore, at this time I would like to insert these articles into the RECORD:

WORTHWHILE PROGRAM

Senate action on the federal food stamp program, providing an annual increase in funds over a three-year period, is welcome recognition for a plan that has worked well to help to alleviate the plight of low-income families.

Unfortunately, the House version leaves much to be desired. It would extend the program only one year and authorize five million dollars less in fiscal 1968 than the Senate bill.

A key to the future of this program, which enables qualified families to purchase stamps worth more than their price, is the House defeat of a federal-state cost-sharing proposal. By February of this year, nine states still were not participating. Presumably, the administrative costs, which for the most part the states must assume, is the reason they have not applied. If an additional burden had been imposed, the prospects of bringing more low-income Americans under the program would have dimmed and the chances of regression would have increased significantly.

Beyond the question of funding, efforts should be directed toward removing the indignities to which food stamp users often are subjected when exchanging stamps at approved retail food outlets. This problem has discouraged some qualified families from purchasing the stamps to which they are entitled.

The thought that hunger afflicts any citizen of the richest nation on earth should be sufficient recommendation for expanding this program. Hunger does exist, as a Senate subcommittee learned recently on a tour of the Southern states. The aim must be to extend the program to all the states, not just a majority of them. The House bill would not achieve this end. The Senate bill at least would offer hope.

BANKS SELLING CHANCES

In the light of a congressional proposal, a significant question arises over government policy barring federal agency participation in the distribution or sale of state lottery tickets even though the lottery be legal as in New Hampshire and New York.

A proposal before the House Banking and Currency Committee provides that any private bank whose operations are under federal regulations shall be prohibited from selling lottery tickets. Plainly, the proposal is aimed at New York's lottery which has had voter approval and which relies on bank ticket sales for about 50 percent of the lottery income destined for public school aid.

State lottery champions have invoked the states' rights issue, contending that the House committee proposal, backed strongly by Chairman Wright Patman of Texas, is an "unwarranted intrusion by the federal government into the rights of states." The banks' lottery role is defended further by lottery proponents claiming that participation by banks lends an atmosphere of integrity to the lottery operation.

In our view, the enlisting of the banking system of any state in the sale of lottery tickets cannot be justified under principles of sound government or sound banking. If the House committee proposal is enacted, as it should be, and if the New York state lottery should flop, this shabby device for supporting public education will have received deserved treatment.

EXTENSION OF TEMPORARY INTEREST RATE CONTROLS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] 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 Arkansas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Treasury Department has requested a 2-year extension of Public Law 89–597. This legislation, approved September 21, 1966, provides, for a 1-year period, additional regulation of interest rates and required reserves with respect to deposits in federally insured banks and savings institutions. The main thrust of the law is to stop excessive interest rate competition for deposits among financial institutions.

It also authorizes the Federal Reserve to purchase obligations guaranteed by any agency of the United States. The purpose of this latter provision is to permit Federal Reserve open-market purchase of obligations of Federal Home Loan Banks and the Federal National Mortgage Association in order to avoid having the housing industry and the mortgage market bear the brunt of the Federal Reserve's tight money policies.

The statute also directs the Treasury Department, the Federal Reserve Board, the Federal Home Loan Bank Board, and the Federal Deposit Insurance Corporation to take all possible steps to reduce interest rates.

While I am not prepared to argue that last year's rate control bill is a complete failure, our hopes of preventing devastation in homebuilding and runaway interest rates were obviously not realized. I respectfully disagree with the contention in Secretary Fowler's letter of transmittal that this law has "substantially improved the mortgage market," and homebuilding faces another disastrous year. The Federal Reserve's tight money policies are still with us, interest rates are still near their record highs, and commercial banks are still aggressively promoting consumer certificates of deposit often by misleading newspaper ads. Clearly the Federal Reserve Board's refusal to cooperate with the Congress has frustrated the success of Public Law 89–597 and there is little to be achieved by extending this law without that cooperation.

However, Mr. Speaker, I am today introducing a bill which would extend the law for 2 additional years as recommended by the Treasury Department. I assure my colleagues that this measure will receive full and careful consideration by your Committee on Banking and Currency. I am sure I speak for the vast majority of our Members that we are determined not to permit extension of this law to be a mere exercise in futility.

I am including a copy of the Secretary of the Treasury's transmitted letter on this legislation with these remarks, as follows:

THE SECRETARY OF THE TREASURY,
Washington, June 12, 1967.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: There is transmitted herewith a draft of a proposed bill "To extend for two years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues."

The Act of September 21, 1966 (80 Stat. 823) gave the financial regulatory agencies flexible authority to set interest rate ceilings on savings accounts, authorized higher reserve requirements for member banks, and permitted open market operations in direct or fully guaranteed obligations of any agency of the United States. However, the legislation is temporary and will expire on September 21 of this year. The Department believes that the authority should be extended temporarily and the enclosed draft bill would provide a two-year extension.

The flexible interest rate authority provided by the above Act enabled the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board, to take action last September that has contributed significantly to a moderation in the excessive competition for consumer savings, has facilitated an increased flow of funds into thrift institutions, and has substantially improved the mortgage market. It is difficult to forecast the conditions that will prevail in financial markets this September, or subsequently, or predict whether the expiration of the interest rate authority would permit a recurrence of the forces that pushed up interest rates and diverted funds from the mortgage market last year. This possibility certainly cannot be dismissed and, given the uncertainty about the future, it seems clearly desirable to extend the authority of the financial supervisory agencies to regulate time and savings deposit interest rates in a coordinated manner.

The extension of the interest rate authority would permit the banking agencies over the two-year period to act in a timely fashion to avert potentially dangerous developments in the financial market. It would not stifle a reasonable degree of healthy competition in the market for savings, nor would it require interest rate ceilings to be in force at all times. Rather, the banking agencies would be provided with flexible authority to prescribe interest rate ceilings at times when such action is deemed to be in the public interest. Our experience last year strongly testifies to

the desirability of an extension of the interest rate authority.

In regard to reserve requirements, the Act of September 21, 1966 authorized an increase in the maximum reserve requirement on time and savings deposits from 6 to 10 percent, while keeping the minimum at 3 percent. This provision broadened the Federal Reserve Board's potential control over time and savings deposits of member banks should that become necessary. While this broadened authority has not yet been used, it is of significant potential value and should be extended.

With respect to Federal Reserve open market purchases, the Act of September 21, 1966 clarified the authority to make such purchases to include specifically any direct obligation of, or any obligation guaranteed as to principal and interest by, any agency of the United States. The hearings before the Banking and Currency Committees last year pointed up the need for legislative clarification in this area. The Federal Reserve has already made some use of this clarified authority and it should be extended to help achieve continued improvement in the market for securities of Federal agencies.

It would be appreciated if you would lay the proposed bill before the House of Representatives. A similar bill has been transmitted to the President of the Senate.

The Department has been advised by the Bureau of the Budget that there would be no objection to the presentation of this legislation to the Congress and that its enactment would be consistent with the Administration's objectives.

Sincerely yours,

HENRY H. FOWLER.

REMOVAL OF INEQUITIES OF PAY FOR SELECTIVE SERVICE SYSTEM BOARD CLERKS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] 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 Arkansas?

There was no objection.

Mr. HENDERSON. Mr. Speaker, on June 8, 1967, I introduced a bill, H.R. 10718, which would bring the more than 7,500 positions and employees of the local boards and appeal boards of the Selective Service System under the Classification Act of 1949, as amended.

Now that the House has voted to continue the basic organizational entity of the Selective Service System; namely, the local boards, I consider it most timely and necessary to recognize now and to remove the inequities of the pay of the clerks of these boards.

As of October 1966, there were apparently 7,800 local board employees working under 56 different State systems. The salaries of local and appeal board personnel are fixed administratively by the 56 State directors. In some instances local commercial prevailing rates were used as a basis for fixing salaries, in others comparison was made with local government rates and in a few instances general schedule rates contributed a reference point. About a third of the State directors reported no use of local prevailing rates in fixing local board clerk salaries. However, with respect to other aspects of their employment, such as: retirement, annual and sick leave, and competitive status, local and appeal board clerks are treated in the same manner as other Federal employees.

In response to my request, a joint survey was made last December by the Civil Service Commission and the Selective Service System. It was revealed in the survey that these State directors were given broad areas of discretion in setting the annual rates of pay of the local board employees. Here are some typical examples, based on statewide averages for 1966: the average pay for Selective Service System local board clerks for New York was $4,184, yet in neighboring Vermont it was $5,001. In the District of Columbia the average clerk pay was $6,162 and in nearby Virginia, $4,739. The average annual clerk's compensation in Indiana last year was $4,296, but in Illinois it was $4,786. Out on the west coast the average salary of a Selective Service System clerk in Arizona was $5,764, but in California it was $4,902.

This joint survey by the two Federal agencies pointed up the fact that the job of a local board clerk in the Selective Service was at the GS–4 level—$4,776 to $6,216. However, in eight States the pay of a Selective Service clerk averaged near or below the beginning rate of a GS–2 level—$3,925.

In another comparison, the report shows that postal clerks are at the PFS–4 level and in several States exceed the pay of comparable Selective Service clerks by as much as $1,541 a year.

H.R. 10718 will remove these inequities by bringing all employees of the Selective Service System under the Classification Act. Selective Service personnel in the National and State offices are now enjoying these benefits. I believe the local and appeal board clerical personnel should likewise receive the same treatment.

THE SENSE OF CONGRESS WITH RESPECT TO PERMANENT PEACE IN THE MIDDLE EAST

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BYRNE] 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 Arkansas?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, I submit a copy of a resolution for printing in the RECORD:

H. RES. —

Resolution expressing the sense of Congress with respect to the establishment of permanent peace in the Middle East

Whereas an internal Middle East conflict inherently endangers the peace and well-being of the world community of nations; and

Whereas an open door in the Middle East is vital to the flow of world commerce; and

Whereas by United Nations declaration Israel legally deserves the status and rights of a sovereign nation and the territorial integrity which such status entails; and

Whereas many thousands lost their lives in the recent Middle East conflict: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that permanent peace in the Middle East can be achieved only if:

1. The existence and sovereignty of Israel is acknowledged by the Arab nations;

2. Freedom of passage in the Suez Canal and the Gulf of Aqaba is guaranteed not only to Israel but to all nations;

3. Final settlement of the boundaries of the State of Israel is made and such boundaries are acknowledged by the Arab nations;

4. Effective restrictions are imposed upon the flow of arms into the Middle East from other members of the world community;

5. All nations address themselves to a final and equitable solution of the refugee problem in the Middle East; and be it further

Resolved, That the House of Representatives, in order that lasting peace may be established in the Middle East, urges the President of the United States:

1. To use all diplomatic resources at his command, including our membership in the United Nations, to work for the accomplishment of the five aforementioned objectives, and

2. To avoid repeating the mistake of 1956 which led to resumption of hostilities eleven years later, by opposing, as a precondition to the discussion and negotiation of the aforementioned five objectives, the relinquishment by Israel of territories possessed at the time the cease-fire was effectuated.

DR. L. P. (JACK) BATJER

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. FOLEY] 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 Arkansas?

There was no objection.

Mr. FOLEY. Mr. Speaker, not long ago the Department of Agriculture held special ceremonies here in Washington to present awards to outstanding Department employees from around the Nation—men who have made noteworthy contributions to our Nation. A highest award, the Superior Service Award, was to be presented to Dr. L. P. (Jack) Batjer, of Wenatchee, Wash., a man known and respected around the world for his contributions to agricultural science.

But Dr. Batjer was not present for the ceremonies. He had been stricken by a heart ailment a short time before and, to the very deep sorrow of many, many friends and admirers, Dr. Batjer succumbed to the attack on May 28.

I feel inadequate to pay proper tribute to Dr. Batjer, because his achievements and accomplishments over a distinguished 31-year career with the U.S. Department of Agriculture are too many to enumerate.

Dr. Batjer made contributions of knowledge which literally brought multimillion-dollar benefits to the horticulture industry of our Nation and to farmers around the world.

Dr. Batjer pioneered in developing materials which allow fruit growers to apply sprays to trees and thus accomplish a chemical thinning of the fruit. The practice, by eliminating costly, imperfect hand thinning of the fruit, has had a dramatic impact on the apple industry and in other tree fruits. But that was but one example of his contributions.

Other work he performed has had dramatic effect on improving the quality and

keepability of apples and other fruits, to the benefit of farmers and to millions of consumers.

Dr. Batjer was the author of scores of research articles which have become honored documents among scientists. Moreover, he was known and beloved by hundreds of farmers who knew him personally and who deeply feel his loss.

Mr. Speaker, the esteem in which Dr. *Jack Batjer* was held is illustrated in the following paragraphs of a news story which appeared in the Wenatchee, Wash., Daily World:

Dr. Robert Lindner, head of the Tree Fruit Research Center and a long-time friend and colleague of Batjer, said the Department of Agriculture research leader's work was known world-wide.

His death is a loss to the entire industry and especially to that of North Central Washington, Lindner said.

Frank Hough, Skookum sales manager said: "He was a man of wonderful character. He was devoted to the industry. I can't think of anyone who would be missed more."

Agreeing was Leo Lowe, manager of the Washington Growers Clearing House Association. He said: "I feel sincerely that he is irreplaceable. His death was a loss not only to our community but to the entire nation's fruit industry for which he did so much."

Phillip L. Isaminger, manager of Wenoka Sales, added: "The contributions which Dr. Jack Batjer made to the fruit industry are many and great. History will set him apart as one of the truly outstanding leaders in horticultural research and fruit production."

"Jack's contributions to the fruit industry go far beyond his scientific accomplishments. His practical approach to complex matters and his ability to communicate with the best researchers and scientists of the world, or with an inexperienced grower on a five-acre ranch set him apart from the average man. His ready humor made him sought as an after dinner speaker."

Batjer was a plant physiologist at the USDA research station at Beltsville, Maryland, from 1936 to 1945, when he came to Washington State and to the USDA and Washington State University tree fruit research here.

Batjer was a member of the American Society for Horticultural Science, was president of its western branch in 1949, and belonged to the Northwest Association of Horticulture, Entomology and Plant Pathology.

THE SPIRIT OF LITHUANIA PERSISTS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GREEN] 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 Arkansas?

There was no objection.

Mr. GREEN of Pennsylvania. Mr. Speaker, we of the United States are dedicated to the right of all men to live in freedom, under a government of their own choosing and by principles for which they maintain a firm belief. In history, time and time again, outrageous events have occurred which are to us so deplorable as to shake our very faith in the decency of the human character. One such event happened 26 years ago this month, and we must recall it now as a lasting and irreparable scar on the history of civilization.

On the night of June 14, 1941, 30,455 innocent Lithuanian citizens were seized by the Soviet army occupying their nation and deported to slave camps in Siberia. Among them were many of the Lithuanian intelligentsia national leaders and hard-core defenders of nationalism for their country. The "crime" that these people had committed was their persistent belief that mankind should be free. The "treason" for which they were punished was their love of nation and their devotion to the idea that they and their countrymen possessed the right to be Lithuanians.

Throughout the long history of Lithuania, the Russians have maintained a singular purpose, that of annexing their small neighbor and annihilating its existence as an independent country. Having failed to convince the Lithuanian people of the "merits" of submerging their identity, prostituting their beliefs and abdicating their birthright in favor of joining the Soviet state, the leaders of the U.S.S.R. decided that the next best move was to exterminate them, and with them, the spirit of a free Lithuania. Exterminate, they did, by the thousands, through mass deportations, coldblooded murders, and mass executions. In the space of a few short weeks, prior to the Nazi takeover of Lithuania, the Russians had succeeded in eliminating over 45,000 Lithuanian citizens. Those who were deported and enslaved in Siberia were subjected to horribly inhuman conditions, brutality, starvation, unbearable cold, and exhaustion.

Following the Nazi occupation during World War II, the U.S.S.R. again moved on the Lithuanian nation and renewed their program of "Russification" before the citizens of the war-torn land had a chance to reassert their identity as an independent government. Thousands fled and thousands were rounded up and sent to Siberia.

Today, Lithuanians continue to struggle under Communist oppression. But, Mr. Speaker, Lithuanian history does not end here, for the Soviets have made a fatal misjudgment of the character and heart of this great people. They have failed to realize that a valiant spirit cannot be murdered even though many men who guard that spirit have been viciously put to death. The Soviets deported the leaders of Lithuania and thousands of strong-minded citizens who bore the dream of Lithuanian freedom, but they did not, they could not kill the spirit of the people. Throughout all these years of Soviet subjugation, brainwashing, and strong-armed persuasion, the Lithuanians today remain a people. They do not call themselves Russian, nor will they ever. They have not forgotten the enslavement of their patriots 26 years ago, and this very deed, calculated to eradicate the existence of a nation, will one day aid in its rebirth. Inspired by the spirit of freedom, that same spirit which dwelt in the many thousands of their countrymen who suffered in Siberia, the Lithuanian people will throw off their Russian captors, reestablish their sovereign nation, and regain their inherent rights as citizens of an independent land.

Today, Mr. Speaker, we share Lithuania's sorrow for her lost compatriots and it is our intense hope that in the very near future, the spirit for which they died will triumph.

A BILL TO SAVE INTEREST COSTS BY REQUIRING ALL FEDERAL BORROWING TO GO THROUGH THE TREASURY

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

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

There was no objection.

Mr. REUSS. Mr. Speaker, I introduce today H.R. 10909, a bill to save interest costs by requiring all Federal borrowing to go through the Treasury.

Mythmaking, I have become convinced, is an almost inevitable byproduct of our Federal bureaucracy. No agency or department—and no administration, Democratic or Republican—seems able to escape this highly contagious malady.

Fortunately mythmaking—while frustrating to the world outside of Washington—is for the most part a harmless and costless diversion.

The classic example of Potomac mysticism is wrapped around all of the operations normally associated with Federal budgetmaking, debt management, and monetary affairs. Here, we have built up a set of rituals and myths that would put a carnival mystic to shame.

At the moment, the Congress is going through its annual ritual on the debt ceiling. In fact, so enamored has the Congress become of this particular ritual that we sometimes perform it several times a year.

Last year we built up quite a bit of excitement concerning something that became known as participation sales. This was just one more extension of the myths around budgets, deficits, and debt management that must leave the average voter in thorough confusion about our fiscal operations.

Of course, the 10-pound budget—with all of its special analyses and explanatory material is a mythmaker all its own. In all fairness to the Budget Bureau and the Treasury Department, let me say that most of these myths have been forced on them by those who, through the years, have concluded that a Federal budget deficit was the original sin. Therefore, to tidy the package, we go through all types of fiscal gymnastics.

This hocus-pocus is not peculiar to any political party or to any administration. The Republicans and the Democrats always find it necessary to engage in a certain amount of it whenever they are in power.

But myths can go too far. They go too far when they obscure poor management and when they add unnecessary costs to the management of the Federal Government's finances.

Mr. Speaker, we have reached the point where the Congress and the administration must face up to their re-

sponsibility and replace some of this mystical operation with some cold hard realistic practices.

We need to replace monetary mysticism with commonsense.

Our debt management policies and practices need to be brought up to date—in keeping with the needs of the world's richest country dealing with the facts of life in the last third of the 20th century. We need to throw away the old cliches about debt management. Our present system is costly, wasteful, and unnecessarily cumbersome. Debt management is scattered throughout the Government and at least half a dozen major departments and agencies have grabbed part of the function.

Today, the Department of Agriculture, the Department of Health, Education, and Welfare, the Department of Housing and Urban Development, the Veterans' Administration, the Export-Import Bank, and the Small Business Administration all have authority to go directly into the money markets. They have this authority, notwithstanding the Treasury Department's role as the basic repository for debt management.

Mr. Speaker, such a scheme makes a mockery of the phrase "debt management."

No corporation would engage in such a disjointed scheme. Surely, the Dallas branch of the Ford Motor Co. would not be allowed to go into the money markets for funds independent of the parent company in Detroit. The Ford Motor Co. puts its full companywide credit on the line in seeking loan funds. It would be unthinkable for each of its branches to go into the market willy-nilly without consideration for the total needs of the company. This is so basic that it scarcely merits discussion.

Yet, our Federal Government persists in its hodgepodge approach to debt management. Debt management—if it is to earn that title—must have a single manager. And that manager should be, without question, the U.S. Treasury Department, representing the full weight and force of our Federal Government.

It is basic economic textbook knowledge that tells us what the phrase "the full faith and credit of the U.S. Government" means. This phrase is recognized worldwide. Whatever instrument bears this phrase carries with it the full strength of this great Nation.

Translated in terms of the domestic money market, this means that the U.S. Government can command the lowest interest rates. No instrument, no mortgage paper, no obligation carries a better credit rating than a note or bond marked "full faith and credit of the U.S. Government."

During our consideration of the participation sales bill in May 1966, in the Banking and Currency Committee, I asked Under Secretary of the Treasury Joseph Barr about the meaning of direct Treasury borrowing. Here is the way the exchange went:

Mr. Reuss: "Secretary Barr, outside of myths about national debt, why do we not get the money for the Federal Government's needs in the cheapest possible way, one that will yield the lowest possible cost to the taxpayers? We now have seasoned Treasury securities ranging from 30-day bills to 20-year bonds. If we can borrow money more cheaply through those, why do we not do it? If this has the result in a further education of Congress and the public on the national debt, we can save millions of dollars by such education. Why not do it?"

Secretary Barr: "Mr. Reuss, no question your route is the cheapest route for the taxpayer and the Government. It is not even debatable."

As Secretary Barr says, the advantages of borrowing through the Treasury—with the full faith and credit of the Nation—are not even debatable.

While I do not agree that the Participation Sales Act was an "evil" as my Republican colleagues believe, this particular device is an unfortunate extension of some of our debt management myths. It is one which the Eisenhower administration toyed with throughout the 1950's, but this fact makes it no more palatable in a Democratic administration. It sacrifices the advantages of direct Treasury borrowing on the altar of the budget deficit.

There is much debate about just how much participation sales will cost the Federal Government in excess interest charges. However, from the testimony of Charles Schultze, the Budget Bureau Director, it appears that the additional costs—above and beyond the cost of direct Treasury borrowing—will be about $55 million on participation sales in the next fiscal year.

Whatever the final figure may be, it is obvious that the Treasury could have obtained the money more cheaply by direct borrowing. Commonsense and good debt management dictates that all the funds that we need to operate the Federal Government should be obtained in the cheapest manner possible.

The actions of the Appropriations and the Ways and Means Committees in this Congress may well make the argument about participation sales moot. But I hope we have benefited in an educational sense. And I hope that this experience can lead us toward a more sensible and coordinated management of all of our debt.

The proliferation of Government loan programs has heightened the problems of our debt managers in recent years. This undoubtedly was one of the reasons why the participation sales route was tried. I have supported consistently the great majority of these loan programs and I think that they have done wonders for our country. I want to see them strengthened and not weakened. Better debt management will provide a firmer footing for all of these programs.

I am most concerned about areas in which individual credit programs are able to go directly into the money market without regard to other debt management activities of our Federal Government. There is a degree of coordination with the Treasury, but for the most part it is loose and carries only the vaguest statutory guidelines.

It is possible for the Farmers Home Administration or the Export-Import Bank to go into the market on any morning without regard to what the Treasury might be planning. It is possible for one of these agencies to be in the market within hours of a major sale of U.S. Treasury securities.

Such a situation represents poor management. But this poor management can turn into chaos if a series of uncoordinated borrowings are made at a time when the money markets are either unprepared or unable to properly handle the offerings. The consideration of when the Treasury should borrow in the money markets should be a full-time job of the debt managers within the Treasury Department. They should handle all borrowings for the U.S. Government.

The agencies needing funds should be required to go directly to the Treasury and not to the money markets. This can be accomplished without affecting any of these Federal credit programs. The loan-making ability of these agencies would not be touched in any manner. They would still be governed by whatever authorizations and appropriations were given them by the Congress.

The difference would be that the individual agencies would obtain their funds from only one source—the U.S. Treasury.

In this manner, the U.S. Treasury could fully coordinate and properly manage the borrowings of the U.S. Government. The Treasury could then move into the market when conditions were right and when they could obtain money at the lowest rate. They could also borrow with the full faith and credit of the U.S. Government behind each transaction. There would be no concern over the shadings of legal opinions about paper issued by individual agencies. All borrowings would then be made at the cheapest possible rate of interest.

Mr. Speaker, under my proposal, an agency needing funds—funds that had been authorized and appropriated—would notify the Treasury. Within 60 days, the Treasury would be required to furnish the funds. The Treasury would be authorized to raise the funds in any manner which its debt managers felt were the most advantageous at any given moment. At times—when the money markets are tight—this might come from existing surpluses on hand at the Treasury. At other times, the Treasury would find it best to go into the market and borrow the funds requested by Fannie Mae or some other agency.

My bill would authorize the Treasury to pay whatever interest rate was necessary to meet the requests of the agency. This authority would extend only to the sums properly authorized for the Federal credit agencies by the U.S. Congress.

Coordination would be an obvious plus in this plan. But my proposal would also mean a substantial savings in dollars and cents. Last year, paper issued by the Farm Credit Administration was going for as high as 6 percent, while at the same time, the Treasury was borrowing—at least on 91-day bills—for more than a percentage point less. Yesterday FNMA participations were announced at 5.25–5.5 percent, at a time when Treasury bills are being sold at less than 4 percent.

So it is obvious that the U.S. Treasury can borrow directly at a substantially

lower interest rate than can be attracted by any single agency of the Government. It is not unusual for this saving to represent a full percentage point. At times, it is possible that the spread would be even greater.

In the current budget—for fiscal 1968—the administration is asking for $5,275,000,000 in authorizations for direct sales and participation sales of loans by major Federal credit programs. As the country grows, the needs of these and new Federal credit programs will undoubtedly multiply. This five billion dollars in the 1968 budget is a substantial sum. It should be raised in the cheapest and the most coordinated manner possible. And once again, Mr. Speaker, I submit that this can be done only through direct Treasury borrowing.

Under the proposal that I am introducing today, the control of the Congress over these credit programs would not be changed in any manner. The Congress right to determine the objective, form, content, and the total funds for all programs would remain.

What would be changed—what would prevail—under my bill would be a rational approach to financing the various programs of the Federal Government which now in whole or in part rely on the private market for funds.

Under my legislation, the Congress could see these programs placed in the budget in one place and quickly ascertain their impact on the rest of the budget. One could easily determine what appropriate debt and monetary policy should be provided in light of the impact of these programs on the rest of the budget and the borrowing at large.

In conclusion, Mr. Speaker, my bill would provide the following:

First. Administration costs would be reduced.

Second. Interest costs will be reduced.

Third. Debt management and monetary policy would be facilitated, leading to lower costs and greater efficiency.

Fourth. The ability to measure the impact of Federal lending, insured and guaranteed loan programs on the Federal budget and the economy would be greatly improved.

Fifth. The Congress would finally be able to determine the real needs of the credit section of our Federal budget, both as regards the individual components and in the aggregate the relationship to the other parts of the budget.

The text of H.R. 10909 follows:

H.R. 10909

A bill to amend the Federal National Mortgage Association Charter Act to provide that the Secretary of the Treasury shall have responsibility and authority for Federal debt management

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Debt Management Act of 1967".

SEC. 2. Section 302 of the Federal National Mortgage Association Charter Act is amended by adding at the end thereof:

"(d)(1) Notwithstanding the provisions of subsections (a), (b), and (c) of this section, after the date of enactment of this subsection, no department or agency of the United States may issue any obligation which yields interest or other return to the holder, unless such obligation is issued to or by the Secretary of the Treasury.

"(2) Any such department or agency which, prior to the enactment of this subsection, was authorized to issue any such obligation (otherwise than to the Secretary of the Treasury) is authorized, subject to paragraph (3) of this subsection and to all other requirements imposed or authorized by law, to issue the same to the Secretary of the Treasury, and the Secretary of the Treasury shall, as expeditiously as may be consistent with sound debt management but in no event more than 60 days after written request by the issuer, buy any such obligation from the issuer.

"(3) The investment yield of any obligations issued pursuant to paragraph (2) shall be fixed by the Secretary of the Treasury at a level which he estimates would be sufficient to recover the interest and administrative costs to the Treasury of raising a like amount of funds by issuing obligations of comparable maturity under paragraph (4) of this subsection.

"(4) The Secretary of the Treasury, with the approval of the President, is authorized to borrow on the credit of the United States such sums as may in his judgment be needed to buy obligations under paragraph (2) of this subsection, and for this purpose he may issue and deal in bonds, notes, bills, and similar obligations in such form and on such terms as he may determine, but the total amount of his borrowings under this paragraph outstanding at any time shall not exceed the total amount of obligations bought under paragraph (2) and held by him at such time.

"(5) Nothing in this subsection shall abrogate any authority of the Secretary of the Treasury otherwise conferred by law."

INLAND WATERWAY SYSTEM AN ECONOMIC BOON TO THE NATION

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] 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 Arkansas?

There was no objection.

Mr. FULTON of Tennessee, Mr. Speaker, the development of our inland waterway system has been an economic boon to this Nation.

The continued development of our inland waterway system, therefore, is a practical economic must for this Nation.

Such projects are undertaken only after painstaking study and evaluation to insure their economic feasibility and justification.

Nonetheless, a concerted and continuing effort is maintained to hinder, halt, and harass the program.

An example of this campaign is the recent article which appeared in a national publication which not only attacked a specific program, but the personal integrity of one of the staunchest promoters of waterway development in the Congress.

The article was cleverly contrived but fortunately its fabric and intent were very transparent to those who know the facts.

Of those who do know the facts no one is more eminently qualified to speak than Col. Gilbert M. Dorland, a retired officer of the U.S. Army Corps of Engineers, who is now president of the Nashville Bridge Co. of Nashville, Tenn.

Colonel Dorland is an expert in the waterway development and as such has analyzed the attack on this particular article, bringing into perspective its full intent.

This study appeared in the Sunday June 11, 1967, edition of the Nashville Tennessean under the title of "Tennessee Tom Is Under Fire."

Mr. Speaker, under unanimous consent I include the article in the RECORD at this point and commend it to my colleagues for their consideration:

TENNESSEE TOM IS UNDER FIRE!

(By Col. Gilbert M. Dorland)

Billions of dollars in new plant investment since World War II have transformed from a hopeful slogan to a formula for economic development the words of the late Sen. Robert Kerr: "Where waterways go, there industries grow."

Tennesseans well understand the full meaning of the phrase coined by the late senator 30 years ago when he began his campaign for the Arkansas River waterways system.

A BATTLE FOR JOBS

The problem is that people in other areas, less exposed to navigable waterway development, and less aware of what it does for a region, often are persuaded by one-sided arguments of the opposition, which on their face may be convincing.

Few realize that the continuing motivation for most of these arguments is a desire to freeze concentrations of industrial jobs in their present geographical locations.

In a generation when mobility of highly skilled work forces is great and the universal desire of those who produce is to escape the mounting headaches of existing urban society, the temptation upon even the heaviest investment industry is to migrate. Every technological break-through, every transportation or other cost shaving adds to the temptation.

Such a rational examination of motives helps us to understand the attack on the proposed Lake Erie-Ohio River Waterway carried in the June issue of Readers Digest Magazine.

It is cunningly written; and, as so often happens, attacks the project through its sponsor. Much of what is said is reminiscent of similar earlier articles in the same magazine, or of statements that have appeared on water resource development in other parts of the country.

I can recall similar indictments of the Arkansas River development; the Tennessee River development, the Cross Florida Barge Canal—even to a certain degree, the construction of the Barkley project on the Cumberland River.

I was the Nashville district engineer of the U.S. Army Corps of Engineers when the attack on Barkley was near the peak of its intensity. A little book attacking Barkley and literally filled with clever distortions of economic facts was prepared and printed. Foes of river transportation bought from the publisher in lots of 1,000 copies and distributed the book free across the country.

SMEAR JOB

The volume bristled with statements like these from Readers Digest's official press release on its June article:

"Don't ever tell Mike Kirwan that money can't buy happiness. He knows better.

"America's taxpayers—that's you and me, fella—are about to spend just over a billion dollars to purchase a rather large chunk of happiness from 80-year-old Mike, who besides being a charming guy is also one of

the most powerful men in the United States Congress.

". . . Mike is about to shove down our throats a 120-mile ditch that almost nobody wants—nobody except Mike and a few vested-interest types. . . ."

In his reply to the article, Representative Kirwan, a great friend of the Tennessee-Tombigbee, Waterway—by the way—made clear that he visualizes no immediate construction of the proposed Great Lakes-Ohio River connecting link. He simply is asking Congress for a continuation of survey funds so that the Corps of Engineers can continue refining its economic data.

If the Readers Digest piece proves to be the opening gun for a grand assault on river transportation, designed to side-track a particular waterway, what region and what project is likely to get it in the neck?

My guess is that the intended victim is Tennessee-Tom.

The states of Tennessee, Kentucky, Mississippi, and Alabama that are sponsoring the drive for Tennessee-Tom have planned to seek initial construction funds next year. Appeals to the Budget Bureau, the President, and the Congress for funds to start this project now are undergoing the thorough documentation of costs and benefits that is necessary before final funding ever is a possibility. The fancy will be squeezed out of the financial facts. The presentation will be a bare bones one.

Most of us who are familiar with the deceptive tactics of the powerful anti-waterways lobby long have suspected that eventually our own waterway would be elevated to top target position. No other region's plans call for starting construction of a great regional waterway in 1968.

Thus it is much more likely that our 235-mile water route from Pickwick Lake to Demopolis, Ala., the present head of navigation on the Tombigbee River, is the true target of this newest broadside.

The people of this region, due to some precedent shattering development of the Tennessee, the Cumberland, the Green, the Ohio, and Tombigbee-Warrior, don't need to have re-emphasized for their benefit the improvements Tennessee Tom will bring for their economies.

NEW INDUSTRIES

An additional commerce of 12.5 to 15 million tons of freight carried at an annual savings of $13 to $15 million over existing transport alternatives is a base large enough to serve as foundation for dozens of new major industries.

Let us take some of our time, if we please, to defend Mr. Kirwan from the calumnies of this particular assault.

Fortunately, however, his reputation and his stature is sufficient that most informed Americans who are interested in such issues already know him. They appreciate his great services to the development of the natural resources of this country. Readers Digest, to the contrary notwithstanding, Mr. Kirwan is well and favorably known far beyond the confines of his Youngstown, Ohio, district.

Even those foes of river development who supplied the magazine with the set of distortions masking as fact, know Mr. Kirwan. They have learned to fear as well as respect him, as honest and able men usually are feared and respected by some.

BETTER SPENT

The time we might spend defending Mr. Kirwan, for these reasons, might be better spent educating ourselves on the full merits of Tennessee Tom, sharpening our presentations, and broadening our support.

It could very well be that the Readers Digest article has made us aware of these facts:

That it won't be an easy job to get our big waterway under construction next year.

That sharpies are out to gut our requests for appropriations. If the magazine has made us aware—and alert—to these dangers, we might even say "thank you" to its editors.

VIOLENCE IN OUR CITIES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] 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 Arkansas?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, the need for effective legislation to curb the organized wave of terror that has erupted into violence in cities across our Nation becomes more critical each day.

Riots have reduced entire sections of our cities into what in effect are war zones. Burning and looting has resulted in the destruction of millions of dollars of property. Lives have been lost. Small businessmen in these riot areas have suffered tremendous losses, and insurance companies will no longer write policies.

I am convinced that these riots have been deliberately planned.

They have followed a distinct pattern. Almost invariably an individual well known for his call to violence, or one of his followers, has arrived on the scene and shortly afterwards, another community has been torn by rioting mobs.

My own city of Nashville, Tenn., has been the victim of such an invasion by mob leaders and has experienced the nightmare of burning and looting.

In Nashville's case, the catlyst was the hate-venom espoused by Stokely Carmichael.

In recent correspondence with the Department of Justice, I have been advised that the legal definitions of "treason" and "sedition" are so narrow and restrictive that it would be virtually impossible to convict these professional rabblerousers on such charges.

The Justice Department stated that incitement to riot is generally a violation of State, county, or municipal law, regulation or ordinance, and is customarily handled by the appropriate local authorities.

If this is the case, then the duty and responsibility of the Congress is clear. There is an urgent need that the Congress enact Federal legislation that will provide effective protection to our cities against individuals and groups who are now moving from State to State in a planned and organized pattern of violence.

I have therefore, joined with a number of my colleagues in the House of Representatives and am introducing legislation that would amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance.

Such Federal legislation will be a major step in putting an end to these roving bands of agitators who are making a mockery of our constitutional guarantees of freedom of speech and movement.

There can and should be no difficulty in distinguishing these acts from peaceful demonstrations or marches of protest for redress of legitimate grievance. This is a basic valid expression of protest in this Nation and is protected by our Constitution. I favor such action as a legitimate vehicle of free expression.

IMPROVED RETIREMENT FINANCING

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] 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 Arkansas?

There was no objection.

Mr. DANIELS. Mr. Speaker, during my years as a Member of this body, and particularly during my tenure on the Committee on Post Office and Civil Service, whereby I am privileged to serve as chairman of the Subcommittee on Retirement, Insurance, and Health Benefits, I have become increasingly concerned with the financial condition of the civil service retirement and disability fund.

My serious concern is shared by any number of my colleagues in both Houses of Congress, by the members of the Appropriations Committee, by the Civil Service Commission, its Board of Actuaries, the Bureau of the Budget, and by the General Accounting Office.

It is now estimated that, under existing funding practices, the unfunded liability of the civil service retirement system approaches the astounding sum of $50 billion; that the deficiency will continue to grow by more than $1½ billion yearly; the outgo will exceed income within the next 7 years; and that the fund's $17 billion balance will be entirely exhausted within 20 years.

Now, Mr. Speaker, I believe we are all aware that this problem has not developed overnight. It is, most certainly, the result of 47 years of inadequate financing. Federal employees have been required by law to contribute their full share. However, while the Government has appropriated considerable sums to the fund, it has not been required by law to regularly and systematically contribute amounts necessary to meet that part of accruing costs not covered by its employees' contributions.

The obligation of the Government is quite clear. Recognizing the problem is, indeed, easy. Finding solutions that will be in the best interests of the Government, the employees, and the public will, however, not be so easy. It is imperative, nevertheless, that we face this obligation, promptly and realistically.

Mr. Speaker, I have introduced, upon the request of the Chairman of the U.S. Civil Service Commission, a bill incorporating a financing proposal recommended to the President by his Cabinet Committee on Federal Staff Retirement Systems, and endorsed by him last year.

Any answers the Committee on Post Office and Civil Service may find to resolve this serious problem will surely have a substantial impact upon the administrative budget, but we have solemn

commitments that we are deeply obliged to honor. I am confident every Member of the House will support a common effort toward initiating a definite program to improve the financing of a system wherein the rights and welfare of millions of Federal employees and their families are involved.

CONGRESSMAN CLAUDE PEPPER INTRODUCES H.R. 10644, A BILL TO REVISE THE QUOTA-CONTROL SYSTEM ON THE IMPORTATION OF CERTAIN MEAT AND MEAT PRODUCTS

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

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

There was no objection.

Mr. PEPPER. Mr. Speaker, U.S. imports of meat in 1966 totaled 1,267 million pound—product weight—compared with 1,006 million pounds in 1965, an increase of about 26 percent.

Meat subject to import quotas under Public Law 88–482, enacted in August 1964, limits the volume of imports of certain meats, primarily beef and veal. The limits are related to domestic production of these meats. In 1966, imports of these meat products totaled 823.4 million pounds—product weight—compared with 614.2 million pounds in 1965, an increase of 34 percent. Current estimates indicate that imports of these meats will exceed 900 million pounds during 1967.

The current quota law provides that if yearly imports of these meats are estimated by the Secretary of Agriculture to equal or exceed 110 percent of the adjusted base quota for the year, the President must proclaim a quota on imports. The adjusted quota for 1967 is 904.6 million pounds. Under our present law, therefore, these imports will have to reach 995 million pounds before the quota can become effective.

The proposed legislation, H.R. 10644, introduced June 7, 1967, provides for changing the current meat import quota law in at least three major respects:

First. It wipes out the extra 10 percent of imports now permitted before quotas are legally applicable.

Second. It changes the period on which the total quota is based. The base quota in the present law, for total imports of fresh, chilled, and frozen beef, veal, and mutton, is set at 725,400,000 pounds which was approximately the average importation of those products during the 5-year period 1959–63. In H.R. 10644 the base is set at 585,500,000 pounds, the average annual volume of imports during the period 1958–62, a much more representative period. However, this may be increased or decreased for any year by the same percentage that estimated annual domestic commercial production of these products increases or decreases in comparison with the base period 1958–62.

Third. It would give authority to the executive branch to impose quotas on importation of other meat products, including processed meats, if necessary to prevent an excessive flood of those products into the United States.

It is important that effective import quotas are provided with respect to meat imports to protect our domestic producers from the constantly increasing imports of cheaper meats produced in low-wage and low-cost areas.

Early enactment of H.R. 10644 will be an important step in protecting the income of our domestic livestock producers.

THE WORKMEN'S BENEFIT FUND CELEBRATES 26TH ANNIVERSARY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ADDABBO] 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 Arkansas?

There was no objection.

Mr. ADDABBO. Mr. Speaker, this month, the Workmen's Benefit Fund of the United States of America celebrated its 26th quadrennial convention in New York City.

Since its founding in 1884, the Workmen's Benefit Fund has demonstrated the kind of humanitarian ideals and progressive thinking that are attributed to great individuals or organizations which history records as ahead of their time. When a few German immigrants banded together in those early years to provide each other with security in times of illness or death, the concepts of health insurance and death benefits for the workingman and his family had not taken root in American society. Today it is unthinkable that these benefits—and many more, endowed both by Government and business—should not exist.

What this organization has accomplished in the last 83 years is nothing less than revolutionary. By marshaling together the funds of workingmen to aid in times of family crisis, they helped destroy a laissez faire atmosphere in this country which was always more of an escape-hatch through which Government and business avoided its responsibilities to the worker than it was the moral prerogative of an age. I am sure that pension funds and numerous other employee benefits are in no small way the result of the Workmen's Benefit Fund and a few other organizations like it.

VIETNAM CASUALTIES: LOYALTY AND SACRIFICE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include tables.

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

There was no objection.

Mr. BROWN of California. Mr. Speaker, much has been said in this great Chamber about loyalty. Loyalty of our troops, loyalty of our people, loyalty of our allies, and so forth. But what about sacrifice? Who sacrifices to carry on the open-ended, bloody war in Southeast Asia? I realize it is not easy, of course, to pinpoint sacrifice or, if you prefer, contribution to the war effort. And, in a real sense, we all—like it or not—make a contribution. In any event, I have with me a few statistics and comments on this subject which I wish to share with the Members of this House.

The casualties among our young men in Vietnam continue to mount. Hardly a week passes with less than a hundred American deaths. The casualties these past few weeks have been the highest of the war. And, the sad thing is that most knowledgeable observers expect the war to go on and on for years. The extent of our involvement in Vietnam, as well as the weekly sacrifices which we are making there, are reflected in this recent clipping from the Washington Post:

GI DEATHS TOP 10,000; NEW FIGHTING IN DMZ: 337 IN WEEK SETS RECORD

(By George C. Wilson)

A record high of 337 U.S. troops were killed in Vietnam last week, pushing the total for the war over the 10,000 mark. This is about a third of U.S. fatalities in the Korean War.

The latest figures were released by the U.S. Military Command in Saigon at a time when the Johnson Administration in Washington was pondering where to go next in the war.

Although the unusually heavy fighting last week resulted in the high casualties, the 1967 total of battle deaths threatens to approach 10,000—or double the 1966 figure.

The exact figure of the total U.S. servicemen killed from the beginning of the Vietnam War through May 20 is 10,253. This compares to 33,629 American troops killed during the Korean War.

The United States now has 453,000 troops in Vietnam.

The Marines' heavy casualties in attacking Hill 881 plus such other intensive actions as the sweep through the Demilitarized Zone are obviously taking their toll of lives.

Heavy casualties have even set off a debate at lower levels of the Pentagon on whether the leadership at the top is following the best strategy on the ground in South Vietnam.

Some elements of this debate figure in current discussions on future troop levels in Vietnam. The planned ceiling is 470,000, with some military leaders arguing that the war could be won faster with less casualties if they had more troops.

The Marine Corps leadership contends it needs more men to continue its pacification program on the one hand and keep the enemy off balance on the other. But there are some Johnson Administration officials who argue that the Marines have overcommitted themselves; tried to do too much with too little in the I Corps at the northern end of South Vietnam.

The growing casualty lists are more likely to strengthen the hand of those in the Government trying to hold the line against further escalation.

Besides the 10,253 battle deaths, thus far, another 2058 men died in Vietnam from accidents and other non-combat causes. This brings the U.S. death toll of the war to 12,311.

The figures for the South Vietnamese and enemy troops are even bloodier.

Pentagon figures show that from 1960 through May 20, 1967, South Vietnamese battle deaths totalled 48,700 troops.

In that same period, the Pentagon estimates show a total of 203,200 enemy soldiers killed.

Adding the American, South Vietnamese

and enemy battle deaths together gives a total of 262,153. This death toll approaches the 291,557 U.S. servicemen killed in World War II.

Wounded statistics also tell a grim story. The latest Pentagon figures show 61,425 U.S. servicemen wounded so far in the war.

The total of U.S. wounded was 30,093 for all of 1966 compared to 23,687 for the first five months of 1967. If the wounded rate continues at its present level, the U.S. total for 1967 alone could approach 50,000.

Last week the wounded toll was 2282 Americans, according to the military command in Saigon. Another 31 U.S. servicemen were missing.

Adding last week's death toll of 337 to the 2282 wounded gives an overall casualty total of 2619. The previous record for Americans killed in a single week was 274 for the periods ending March 25 and May 6. The previous record loss in killed and wounded was the week of May 6 when 1748 were wounded for a total of 2022 casualties.

The U.S. military command in Saigon said last week's fighting also exacted a heavy toll on the enemy, with 2464 North Vietnamese and Vietcong claimed as killed. The record claim of enemy killed was 2774 for the week ending March 25.

There have been congressional challenges that the Pentagon is overstating enemy casualty figures, Rep. Joseph McDade (R.-Pa.) said on Wednesday that his own tally of Pentagon figures show that there were 200,000 more enemy casualties claimed than there were troops reported doing the fighting. He challenged Defense Secretary Robert S. McNamara to explain what the Congressman saw as a discrepancy.

Enemy casualties are at best an estimate, since both the North Vietnamese and Vietcong usually try to drag their wounded and dead off the battlefield.

The reports on U.S. casualties have not been seriously challenged, however.

Back in January, Henry Cabot Lodge, then U.S. Ambassador to South Vietnam, predicted U.S. war casualties would decline in 1967 because of the "sensational" military gains. But if last week is any indication, the total of U.S. killed and wounded could well top 100,000 for 1967.

WAR TOLL SINCE 1960

The Defense Department figures below compare the U.S., South Vietnamese and enemy forces killed in action in the Vietnam war since 1960 (the 1967 figures are estimates reached by projecting losses to date for the full year):

	United States	South Vietnam	Enemy
1960	0	2,200	5,700
1961	11	4,000	12,000
1962	31	4,400	21,000
1963	78	5,700	21,000
1964	147	7,500	17,000
1965	1,369	11,000	35,500
1966	5,008	9,500	55,500
1967	8,600	11,000	87,000

Equally as elucidating is this excerpt from a speech given last week in the Senate by the able Senator from Virginia, the Honorable HARRY BYRD, JR. The Senator cited the tragic losses of 1966 and projected the possible further tragedy for 1967:

Yet Ambassador Goldberg has consistently refused to demand economic sanctions against North Vietnam, a country which is at war with the United States; a country at whose hands the United States suffered 35,000 casualties in 1966; a country at whose hands the casualty rate, if it continues as it has for the first 4 months—let us pray to God that it will not—will mean 65,000 casualties for the year 1967.

Mr. GORE. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield to the Senator from Tennessee.

I also direct the attention of my colleagues, Mr. Speaker, to the following statistics which were released last month by the Department of Defense. The Defense Department's statistics now enumerate the home States, ranks, and ages of the 7,826 servicement killed by the enemy up to March 1, 1967:

For the first time in more than six years of U.S. involvement in Viet Nam, the Defense Department last week issued a detailed tabulation of American war dead. The breakdown enumerated the home states, ranks and ages of the 7,826 servicemen killed by the enemy up to March 1, 1967. Items:

California, the nation's most populous state, took the heaviest losses: 683 dead. New York, second most populous, had the second highest toll; 530. Next were Pennsylvania, 484; Texas, 442; Ohio, 388 and Illinois, 378.

Southern states—a point not made by the Pentagon—suffered proportionately higher losses than other regions: *e.g.*, Alabama, 196; Georgia, 200 and North Carolina, 228.

Among the total combat dead were 6,878 enlisted men, 868 officers and 80 warrant officers, which corresponds closely to overall numbers by rank in the armed services.

Of all age groups, the greatest number of servicemen who died were 20 years old (1,340), followed by 19-year-olds (1,178), and 21-year-olds (1,076).

Though the proportion of Negroes to whites in Viet Nam is higher than the domestic civilian ratio (23% *v.* 11%), the Pentagon issued no comparative figures on their casualties. Because a great number of Negroes volunteer for the riskier assignments, their losses presumably are relatively higher.

Following last month's insult by Time magazine on the Spanish-speaking community of Los Angeles, I chastised that publication for allowing such a gross distortion of the true character and meaningful contribution of these citizens to our Nation. Contrary to the base article entitled "Pocho's Progress" in the April 28 issue of the nationally circulated magazine, the contributions of the Mexican-American community are many. There is one special contribution which I feel that our entire public should be more aware of, the sacrifice which has been made in the past, and that which is presently being made 6,000 miles away in Southeast Asia by Americans of Mexican descent.

I have with me, a few statistics compiled with the assistance of the office of the adjutant general from the State of California, which will strengthen and clarify the points I will make in my remarks today. These figures show that during 1966 there were 125 casualties as a result of the hostilities in Vietnam from the county of Los Angeles, Calif. Twenty-two of them were of Mexican descent. The U.S. census of population shows that Spanish-surnamed persons comprise roughly 9½ percent of the population of Los Angeles County. This means, then, that a group comprising 9½ percent of the Los Angeles County population is suffering 17.6 percent of the deaths in Vietnam, based on this analysis of those who listed an address in Los Angeles as their place of residence. In all fairness, I should point out to you that I was cautioned that a small number of those both Mexican-American and non-Mexican-American who listed their place of residence as Los Angeles County, may, for all practical purposes, be citizens of another State.

What do these statistics mean? What can we deduce from them? Obviously, many things. In the first instance, one is tempted to wonder about the inequities of the Selective Service System or, perhaps, the socioeconomic conditions in this country which very much determine who will be inducted into the military service and who will not. And, more positively, there is the question of patriotism on the part of those who volunteer.

It is common knowledge that Negroes, Mexican-Americans, and those persons generally in the less affluent sector of our society, bear a heavier burden than most, simply because they do not qualify for or cannot afford the methods of obtaining deferment status—primarily attendance at an institution of higher learning. This point is hardly debatable.

Another inequity is immediately evident upon viewing the makeup of local draft boards across the country. The President has, in fact, instructed the Director of the Selective Service to insure that local boards are more representative of the communities they service and to submit periodic reports of the progress of this effort. This move is particularly significant for the Mexican-American community, since its participation in local boards is quite limited. The chart shown below, which was taken from a recent report of the National Advisory Commission on Selective Service, reflects such an inequity. Although the category which includes Spanish-speaking Americans, also includes Orientals and Indians, the figures are quite meaningful and tragic, since in all of the five States listed one discovers that Spanish-speaking Americans comprise the vast majority of this category:

State	Percent of Spanish-Americans, Indians, orientals on local draft boards	Percent of Spanish-Americans, Indians, orientals in the population	Percent of Spanish-Americans (1960 census)
Arizona	4.8	21.8	14.9
California	4.4	11.5	9.1
Colorado	2.0	9.7	9.0
New Mexico	31.4	34.4	28.3
Texas	5.3	15.0	14.8

Last year, I reported to you that in one of the areas in Los Angeles County where there is a heavy concentration of Mexican-American citizens, there are three selective service boards in operation. I also indicated at that time that only one member from these boards was of Mexican-American descent. That, in all of Los Angeles County, with more than 600,000 Mexican-American citizens, there seemed to be only three draft board members from this ethnic background.

A concerted and cooperative effort carried out by local citizens, the State of California Director of Selective Service, and my offices, has rectified this imbalance somewhat. A few appointments

have been made, and I believe there is a sincere desire by Selective Service to place more Americans of Mexican descent on local draft boards in California. But, I hasten to add, there are still less than a dozen sitting on the local draft boards of Los Angeles County, and we have a long way to go before we arrive at an equal and just representation.

We know that the whole concept of *selective service* itself has been the target of much criticism lately. However, that is an entirely different subject, which I expect to discuss at a later date. Rather, let us take a close and hard look at the statistics I presented earlier.

I submit to you that from any angle that we analyze these statistics—and let us not forget that each one of these figures stands for a human being—the one fact that stands out clearly is that deaths of Spanish-surnamed persons from Los Angeles County account for twice their ratio of the total county population. The truth is, that a large number of Americans of Mexican descent are drafted into military service, and a large number of *those killed* last year were draftees. But my statistics also reflect that a larger number of these young men were volunteers, men who voluntarily chose to serve their country.

These men sought no special recognition for serving their country, they sought only to do their share. But notwithstanding this selfless demeanor, this Government has recognized them for their outstanding contribution to our war efforts. They have proven themselves to be among the most gallant and courageous Americans. The proof is plain and incontestible. Eighteen Americans of Mexican descent have been awarded the Congressional Medal of Honor, the highest medal for valor that this Nation can bestow upon one of its fighting men. I seriously doubt that any ethnic group *in this country* can boast of such a magnificent achievement.

A great wealth of information on this *subject* is contained in an excellent book entitled "Among the Valiant," written, I am proud to say, by one of my former constituents, the late Mr. Raul Morin, a highly respected and admired American of Mexican descent from Los Angeles County.

At this point, Mr. Speaker, as an example of the gallantry I am citing, I offer for insertion in the CONGRESSIONAL RECORD, the Medal of Honor commendation awarded posthumously to Sp4c. Daniel Fernandez at a recent White House ceremony which I had the great privilege of attending:

The President of the United States of America, authorized by Act of Congress, March 3, 1863, has awarded in the name of The Congress the Medal of Honor, posthumously, to Specialist Four Daniel Fernandez, United States Army, for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:

Specialist Four Daniel Fernandez distinguished himself by gallantry and intrepidity at the risk of his life above and beyond the call of duty on February 18, 1966 while serving as a member of an eighteen-man patrol engaged in a vicious battle with the Viet Cong in the vicinity of Cu Chi, Hau Nhgia Province, Republic of Vietnam. Specialist Fernandez demonstrated indomitable courage when the small patrol was ambushed by a Viet Cong rifle company and driven back by the intense enemy automatic weapons fire before it could evacuate an American soldier who was struck down in the initial attack. Special Fernandez and three comrades immediately fought their way through devastating gun fire and exploding grenades to reach the fallen soldier. After the volunteers reached their fallen comrade and attempted to return to their defensive positions, a United States Army sergeant was struck in the knee by .50 caliber machine gun fire. Specialist Fernandez rallied the left flank of his patrol, went to assist in the recovery of the wounded sergeant and, while first aid was being administered to the wounded man, an enemy rifle grenade landed in the midst of their group. Realizing there was no time for the wounded sergeant or the other men to gain protection from the grenade blast, Specialist Fernandez threw himself on the grenade as it exploded, saving the lives of the four men at the sacrfice of his own. Specialist Fernandez' profound concern for his fellow soldiers, his conspicuous gallantry, and his intrepidity at the risk of his life above and beyond the call of duty are in the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

That a disproportionate number of these young men are in combat units in Vietnam should not come as a surprise to anyone. They have in large part volunteered for such duty, and I believe we can expect that they will continue to volunteer for this hazardous action as the war drags on.

I want to point out, Mr. Speaker, that my study is not unique. One can find the same results in a survey conducted by my esteemed colleague, the gentleman from Texas, Congressman HENRY B. GONZALEZ. For 1966, Congressman GONZALEZ had the Vietnam casualty figures analyzed for San Antonio—a city in which 41 percent of the population is of Spanish surname—and discovered that Mexican-Americans comprised 15 of the 24 deaths from that city or 62.5 percent of the total. It was found that most of those men had been drafted.

I sincerely believe that an analysis on this subject in any area where there is a concentration of Spanish-speaking people, would bear out the same message—that Americans of Mexican descent are doing more than their share in our military efforts. We should recognize this fact, and not forget it.

Mr. Speaker, I come now to a topic which I had initially decided to leave out of this speech, but I prefer that it be said. It will not come easy, and I realize it will cause some uneasiness for a few persons, both within and outside this great Chamber. But, in a real and fundamental sense, it is a topic of the greatest significance to our young men who are on the firing line in Vietnam, and I feel compelled to speak out in their interest.

I hope that those who continue to extoll the virtues, loyalty, and patriotism of our first-class fighting men in Vietnam, accept them, if and when they return, as first-class citizens. There are those who will fail to do this. And it is a sad prospect indeed. This hushed hypocrisy has disturbed me for some time. Everyone accepts a first-class fighting man who puts his life on the line for his country and may mourn as the casualties pour in, but who can truthfully say that those men who will return to their neighborhoods across this land, will be welcomed home and accorded the treatment of first-class citizenship? The overwhelming percentage undoubtedly will, others will not.

However, those facts notwithstanding, I believe there is one thing of which we can be certain. As a consequence of this bloody war in Southeast Asia—which is supposedly to guarantee the freedom and independence of the Vietnamese people—our servicemen returning from implementing these noble goals in Southeast Asia, will not be in a mood to accept a lesser goal in America. Can we blame them? I think not.

Equally as important, Mr. Speaker, is our commitment to freedom and progress in our own Nation. As we ponder and vacillate before we act in carrying on our own domestic war on poverty, we ought to remember all of our fighting men around the world who rightfully expect that we continue our efforts to make this a better country for them and their families.

We must also do our share.

FISCAL NAIVETE OF MAYOR LINDSAY OF NEW YORK CITY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] 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 Arkansas?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, yesterday we saw another example of the fiscal naivete of Mayor Lindsay, of New York City. The mayor was given a record budget of over $5 billion to spend for the next fiscal year. The budget, however, was $5.9 million short of what he had requested, so he vetoed the entire package.

Surely the mayor of New York City has more to worry about than a cut representing less than one-half of 1 percent of the total budget. Considering the deteriorating fiscal situation in New York City, I would say that he has a great deal more to worry about. According to Moody's, the city "recently has dramatized its plight by resorting to the avails of eight of the monthly State-run lotteries."

At the same time the city began playing the lotteries, the bond rating of New York City dropped one-fourth of 1 percent, and it was no coincidence. According to Moody's, bond investors "prefer a situation founded on stability, progressive fiscal conservatism." The lottery can hardly be considered stable or conservative. Although the drop seems small, according to Roy M. Goodman, city finance administrator, it represents almost $50,000,000 which the taxpayer will have to pay. Lotteries can be an expensive proposition.

In a recent article in the May 22 issue of Moody's bond survey concerning New York City's sad financial plight, it was pointed out, and I quote:

While complex, New York City's problems are not as black as the lottery device sug-

gests, for the city does have unexploited revenue sources which could be utilized to effect near-term appreciation in bond quality.

I would suggest to Mr. Lindsay that he read the rest of Moody's article on his next trip to the lottery.

WIDESPREAD PRAISE FOR PRESIDENT JOHNSON'S APPOINTMENT OF THURGOOD MARSHALL TO THE SUPREME COURT

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] 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 Arkansas?

There was no objection.

Mr. NIX. Mr. Speaker, President Johnson has made a great and historic decision in appointing Thurgood Marshall to the Supreme Court.

Mr. Marshall is a dedicated, brilliant, and wise jurist, with a record of outstanding performance on the bench and as Solicitor General.

Hs is worthy of the honor of being the first of his race to occupy a seat on the highest court in the land. And to President Johnson falls the unique honor of being the first President to appoint a Negro to the Court.

I am delighted to report that this appointment enjoys widespread public approval, reflected in scores of commendable editorials from most of our major newspapers.

President Johnson has earned the congratulations and gratitude of the Nation for this excellent appointment. Mr. Marshall, by dint of his brilliant accomplishments, has earned the appointment on merit alone.

I am inserting into the RECORD a sampling of editorial opinion concerning the President's appointment of Mr. Marshall.

[From the New York Times, June 14, 1967]

MARSHALL TO THE COURT . . .

The appointment of Thurgood Marshall to the Supreme Court is rich in symbolism. Since he will be the first Negro to serve on the nation's highest tribunal this twentieth-century Mr. Justice Marshall will be an historic figure before he ever casts a vote or drafts an opinion. It is regrettable that his appointment is historic in that special sense; but it cannot be otherwise until the United States achieves its ultimate ideal as a fully civilized, multiracial society in which race no longer matters.

There are judges in the state and Federal courts whose judicial work has been far more outstanding than Mr. Marshall's record during his brief service on the Second Circuit. Nor as Solicitor General did he demonstrate the intellectual mastery of Archibald Cox, his predecessor. But, apart from the symbolism, Mr. Marshall brings to the court a wealth of practical experience as a brilliant, forceful advocate.

In a professional lifetime of service to the battle for human equality Mr. Marshall has developed steady judgment and deep compassion. In a well-balanced court these qualities are necessary.

[From the Philadelphia (Pa.) Evening Bulletin, June 14, 1967]

A WORTHY NOMINEE

President Johnson, in nominating Solicitor General Thurgood Marshall as a justice of the United States Supreme Court, made two observations.

With a seeming reference to that fact that Mr. Marshall will be the high court's first Negro member the President described the appointment as "the right thing to do," then said that "it is the right time."

To those familiar with Mr. Marshall's legal career and his dedication to the law and especially to the federal constitution, however, there was far greater impact in President Johnson's added statement that "he is the right man in the right place."

Mr. Marshall is indeed a worthy nominee to the Supreme Court. It is difficult, in fact, to suggest anyone who as a practicing attorney, judge of a U.S. Court of Appeals or as Solicitor General, has so made of himself a selfless servant to the word and spirit of the law.

The fact that Mr. Johnson has been desirous of naming a Negro to the Supreme Court was well known. It has been expected, too, that Mr. Marshall would be his choice. Neither circumstance, however, takes away any of the gratification that those who know and respect Mr. Marshall—and know and respect the court—feel at the President's action.

It is to be hoped that all members of the U.S. Senate, when considering Mr. Marshall's nomination, will base their judgments solely on merit and not permit regional mores to interfere.

COMMENCEMENT CEREMONIES AT THOMAS JEFFERSON HIGH SCHOOL, ANNANDALE, VA.

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

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

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, it is my pleasure to bring to the attention of my colleagues a recent event which was a very proud occasion for one of our colleagues, the distinguished gentleman from California and my very good friend, CHARLES WILSON.

The occasion to which I refer, Mr. Speaker, was the recent commencement ceremonies at Thomas Jefferson High School in Annandale, Va. Among the members of the graduating class of 1967 is a son of Congressman WILSON, of California, Donald H. Wilson.

It was a particularly proud moment for our colleague because Donald Wilson was one of two members of his class chosen to be graduation speakers. His selection was based on his excellent record of academic achievement.

Quite naturally, Donald, the second oldest of the four Wilson boys, takes after his father. A popular and personable young man, Donald was active in a variety of student affairs including the student government of Thomas Jefferson High. It seems apparent that he expects to follow in his father's footsteps. He will attend Georgetown University this fall as a government major.

Seated in the audience on June 7, and sharing our colleague's pride, were Donald's mother, three brothers, and grandmother. Having read Donald's remarks, I can fully understand that this was a very memorable occasion for his family because he delivered a convincing appeal to his generation to exert constructive and responsible efforts to remedy the faults or shortcomings of our society.

I respectfully request that his remarks be incorporated in the RECORD.

SPEECH OF DONALD H. WILSON, GRADUATION CEREMONIES AT THOMAS JEFFERSON HIGH SCHOOL, JUNE 7, 1967, ANNANDALE, VA.

Mr. Jordan, Faculty, Parents, Friends, and Graduates: Nearly everything that comes from the mouths of young people today is negative. Whether we like it or not, *our* generation has been marked as one which is *never* satisfied and continuously finds something to complain about. We suffer from an attitude of cynical fatalism and we wish to change everything around us. We have altered the proverb so it now reads "within every silver lining, there is a dark cloud." Many young people are under the impression that they have been subjected to problems which are *unique* in history. Although their objections are sometimes vociferous, it is evident that more often than not, they talk without sufficient knowledge of the subject. Three examples of youth's criticism will illustrate my point.

There is no more controversial issue among young people today than the Vietnam conflict. Typical complaints go as follows: "It's a dirty war." "It's morally wrong." "Those fools in Washington must be out of their minds!" It is *not* my purpose this evening to give a sales talk on the position of the Johnson Administration but I have two points one should think about before making such statements. First, what war has not been dirty, and what war has ever been considered morally right? Within the last few days, a new war has exploded in the Middle East, thousands of miles from Vietnam. Whether a jungle or a desert is at stake, we must realize that war is not a clean game. It is a struggle which can only end in destruction and misery for both sides. My second point is that, regardless of our individual opinion of Vietnam, we must recognize the fact that American men are engaged in combat and that they need, and deserve, our moral support at home. A youthful skeptic might say to that, "But how can I give my support when I get such a lousy deal with the draft? Why, it's getting hard for a guy to even get a deferment these days. The whole system is unjust. I'm being taken advantage of." What this young man fails, or refuses, to realize is that his father put up with the same system during World War II and Korea, and it never seemed to brother him, or anyone else. Then he goes on, "Look, there have been over 10,000 men killed in Vietnam and over 60,000 wounded." Do you suppose he ever bothered to read that in World War I we lost over 115,000 men, in World War II we lost over 300,000 men, and in Korea 25,000 American soldiers were killed?

Another area in which young voices are often heard concerns the question of morals and ethical values. Adults supposedly force their moral codes on youth, then fail to live up to them themselves. Our junior critic would say, "Adults don't understand younger people, so how can their morals be of any use to us?" He then singles out Congressman Adam Clayton Powell, Senator Dodd, and Bobby Baker as examples of how even the United States government is run by corrupt individuals who preach the right way to act, then perform in exactly the opposite way. What he fails to see is that the Powells and Dodds are in the small minority who, unfortunately, receive all the press coverage. He never thinks of the thousands of other men and women who are working to improve our country and give it the best government ever known to man.

A third point which is used as a springboard for criticism is religion. For many young people the church has little value because it offers no material gains. They possess agnostic beliefs and refuse to let them go. Possibly one of the reasons for this atti-

tude is the natural tendency to require physical proof before accepting something—the "I'll believe it when I see it" point of view. I admit that having faith in something you can't see is extremely difficult. But preaching without an example is sometimes pointless. Speaking now from personal experience, at the beginning of this school year, I was an agnostic. I could not for the life of me understand why so many people could get so excited about this thing called God. So I decided to do some investigating to find out what exactly it was all about. I read and listened for some time and slowly began to feel that, although I could find no visible proof of a God, the world, and the universe, would be immensely empty and void of purpose without a god. With this start, the world of religion blossomed before me, and every day it grows more beautiful. I suggest that any who feel as I did at the start of the year should at least take a look and see what is behind the facade of the church. Chances are that you'll have one less point to complain about.

George Washington said in his Farewell Address, "The basis of our political system is the right of the people to make and to alter their constitutions of government." This statement can also be applied to society. Young people are occasionally disenchanted with the structure and mores of their environment, but instead of trying to take constructive action, they denounce and condemn what exists, and as a result, often accomplish the exact opposite of what they intended. This problem could be alleviated if we as a group would act positively, with a sense of responsibility toward ourselves and our country. Without such behavior, there is little hope of conditions improving.

I may have used extremes as examples. Perhaps I have painted too rosy a picture of life. As Father Scannell said at our Baccalaureate exercises, young people tend to view the world as hypocritical and lacking in honesty. We have good reason to. But the one point I want to make, the message I wish to convey to my fellow graduates, is this: Before speaking out, study both sides of the situation. Then if criticism is necessary, be prepared to offer an alternative. Having acquired a proud heritage, we have also been given education, freedom of religion, and a strong, stable government which insures our freedoms. We know more about chemistry than did Lavoisier, more about literature than did Shakespeare, and more about government than did Thomas Jefferson. This knowledge has given us an advantage which few people have ever enjoyed—our generation possesses more potential than any in the history of man. Lets use this potential to make a better world, not merely to maintain the present one.

Thank you.

THE PROPOSED DICKEY-LINCOLN SCHOOL FEDERAL POWER PROJECT IN MAINE

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

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

There was no objection.

Mr. CLARK. Mr. Speaker, in the last session of the Congress there was a persistent demand for a close examination of the proposed Dickey-Lincoln School Federal power project in Maine. The insistence on the part of the House for this examination grew out of the debate on the House floor in 1965.

As the Members will remember, in that year the House rejected the request for an appropriation for this project and later, through a curious process of legislation, the funds were restored to the bill. Along with other Members last year, I agreed to a provisional planning appropriation with the stipulation that a thorough study be done on the feasibility of the project.

That study has now been completed and is part of the record of our Appropriations Committee hearings. According to a recent report of the Associated Press, it demonstrates that the project is not feasible. The Interior Department has said that the AP story does not accurately reflect the report. From my reading of the report, however, it does accurately reflect the entire content of the report.

So in this project, with which the Members of the House have been so long troubled, we must once again launch a search for the facts. As in the 2 previous years, it is my intention to get those wherever and whenever I can and present them to the House.

To begin this search for the facts I insert the most recent statements of the Electric Coordinating Council of New England, and I invite any of my colleagues to join this search, for there will be many things said before this money is ever voted by the House:

STATEMENT BY THE ELECTRIC COORDINATING COUNCIL OF NEW ENGLAND, JUNE 15, 1967

(Re Corps of Engineers requested additional appropriation of $1,676,000 for the Dickey-Lincoln school project in Maine.)

ECONOMICALLY ABSURD

Dickey-Lincoln means higher rates and higher taxes (careful study of the "no recommendation" House Appropriations staff committee report points the way to both of these results).

HERE'S WHY

I. Taxpayers can't get their money back on this deal. Interior Department says:

Annual income expected from sale of power (at rates higher than Northeast utilities will produce comparable power)	$13,823,100
Annual income needed to repay cost in 50 years	13,822,250
Net margin (for safety?) (1/6000th of 1% return)	850
Interior Department cannot sell the power at this price because the Northeast utilities will deliver the equivalent power at market at annual savings of	2,200,000
And in addition will pay taxes of	5,200,000
Total annual savings to rate payers and taxpayers if Dickey-Lincoln is not built	7,400,000

II. Staff committee does not question Northeast utilities figures for cost of alternative power—but just "adjusts" them for arbitrary and unsound reasons, viz:

Adjustment No. 1—Penalty for building pumped storage development where multiple use of existing lower storage reservoir can be made

Adjustments to cost of alternate power:	
Dollars per kilowatt-year	$2.93
Mills per kilowatt-hour	------

Adjustment No. 2—Penalty for building power plants closer to loads and transmission grid

Adjustments to cost of alternate power:	
Dollars per kilowatt-year	$2.98
Mills per kilowatt-hour	------
Total "adjustment" to peaking power alternative costs:	
Dollars per kilowatt-year	$5.91
Mills per kilowatt-hour	6.8
Northeast utilities estimated market costs (before "adjustments"):	
Dollars per kilowatt-year	$13.53
Mills per kilowatt-hour	15.4
Northeast costs after "adjustments":	
Dollars per kilowatt-year	$19.44
Mills per kilowatt-hour	22.2
Interior Department market prices:	
Dollars per kilowatt-year	$17.63
Mills per kilowatt-hour	20.1
(So, you see how it's done.) But let's make a "taxes forgone adjustment" to Interior's market price reflecting total taxes forgone of $5,200,000 annually:	
Dollars per kilowatt-year	$7.25
Mills per kilowatt-hour	5.6
The result (after adjusting Interior):	
Dollars per kilowatt-year	$24.88
Mills per kilowatt-hour	25.7
The result (after adjusting Northeast utilities):	
Dollars per kilowatt-year	$19.44
Mills per kilowatt-hour	22.2
Actual Northeast utilities market costs:	
Dollars per kilowatt-year	$13.53
Mills per kilowatt-hour	15.4

STATEMENT BY THE ELECTRIC COORDINATING COUNCIL OF NEW ENGLAND, MAY 17, 1967

Facts you should know before voting on the Dickey-Lincoln school project (based on excerpts from the statement of Albert A. Cree, Chairman of the Electric Coordinating Council of New England before the Public Works Subcommittees of the House and Senate Appropriations Committees in May, 1967).

Fact one: The proposed Federal hydroelectric project in Maine will cost at least $284,000,000, without the transmission facilities and interest during construction, rather than the $218,700,000 estimate of the Corps of Engineers.

Fact two: If you add the cost escalation of labor and materials at the annual, modest rate of 4% it would add another $55,000,000 to the total cost over a six-and-a-half year period of construction—or a total of $339,000,000. (Subsequent to his Senate testimony, Mr. Cree pointed out publicly that if you add in the $80,000,000 for transmission line work, plus the 4% escalation of this construction, plus interest during construction the total will probably reach nearly a half billion dollars.

Fact three: Irrespective of the final total cost, *even if the entire output of Dickey-Lincoln were given to New England customers for nothing, it would have no significant effect on the cost of electricity in the region.*

Fact four: Dickey-Lincoln remains a power plant located far distant (more than 400 miles) from the areas where power is needed. The major portion of the plant will operate only ten hours a week.

Fact five: There is *still* no adequate marketing plan for the output of the project. The leading New England power companies will not purchase Dickey power in 1975, when it would first become available, because it will be too expensive in comparison with power from modern generating facilities already under construction in New England.

Fact six: The municipal electric departments, most of them some 400 miles away from the project have said they will buy the output. But how do they get it to Boston? Who will build the transmission line which is not included in the Corps of Engineers' estimate? Who will pay the $80,000,000 plus

for this line? And if that line is built, how will they get the power from Boston to a number of widely-scattered communities having municipal electric departments?

Fact seven: The investor-owned electric companies of New England are now well along with the development of the "Big Eleven Powerloop"—the largest construction program ever undertaken in the region, involving the investment of more than a billion-and-a-half dollars of private capital to produce low-cost electric power. These eleven major plants dwarf Dickey-Lincoln in size and in sources of economical electric power. The first two plants will go on the line this year.

Fact eight: The total annual savings to the electric consumers of New England and the taxpayers, if their electrical supply is provided by the investor-owned, tax-paying utilities of New England, instead of by this far-away, tax-eating Federal power project would amount to almost $7,500,000.

Fact nine: In plain and simple terms Dickey-Lincoln would cost too much and do too little. It would be a waste of the taxpayers' money and no further taxpayers' money should be appropriated to advance it.

BUILDING AMERICA UNDER PRESIDENT JOHNSON

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. NESNICK] 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 Arkansas?

There was no objection.

Mr. RESNICK. Mr. Speaker, President Johnson this week spoke to the members of the Building and Construction Trades Department, AFL–CIO, about the building of America.

He was, of course, speaking about the physical reconstruction of our cities and towns, our schools and public places, our highways and hospitals.

And he gave proper thanks to the men of labor whose "brain and brawn," as Gompers said, have been responsible for literally remaking the face of the Nation.

But the President was also talking about the building of a new human being in America.

He asserted we must build a new educational system, not just new school buildings.

We must build new jobs for people.

We must build now opportunity for the elderly, and the young, and the deprived.

And we must build all these things in a world free of war, terror, hunger, and fear.

After every war there has always been the task of renewal and rebuilding. The war in Vietnam will end. We will then have the challenge of constructing a new Vietnam, with a new set of peaceful relationships to its neighbors and to the rest of the world.

The President's call for building a free and peaceful America and world has a lesson for all of us in the Congress.

Let us support the great series of opportunity programs which the President has sent to us.

Let us join him in renewing our cities; creating opportunity for the poor and deprived; expanding the dimensions of education; strengthening the hand of international cooperation and peace and friendship.

I insert in the RECORD the remarks of the President made to the AFL–CIO Building and Construction Trades Department on June 12, in the Nation's Capital:

REMARKS OF THE PRESIDENT TO THE NATIONAL LEGISLATIVE CONFERENCE OF THE BUILDING AND CONSTRUCTION TRADES, WASHINGTON HILTON HOTEL

Mr. Haggerty, Presidents of the Internationals, Delegates to the Building and Construction Trades Legislative Conference, my friends in the labor movement, as President of the United States, this is the third time I have had the chance to come and speak to you. Because I so deeply appreciate your invitation, I will not take much of your time this morning—because I am very mindful of the old saying:

"Blessed are the brief, for they shall be invited again."

As most of you know, the Vice President, Hubert Humphrey had planned to speak to you today, but he went into the hospital for some minor surgery Friday night. I spoke to him on the telephone just before I left the White House this morning and he is feeling as fine and as chipper as ever, and expects to be back on the job the day after tomorrow. He asked me to extend to each of you his warmest, best wishes and his regrets that he could not be with you today.

He does plan to see you later—in the days ahead.

I don't think I have to tell this audience that Hubert has had a life-long dedication to the cause of organized labor. I think you might be interested, though, in some of the reports that have come out of Bethesda since he went there for this operation.

The first thing the Vice President wanted to know was if the surgeon had a union card.

Then he inquired if the operating room was an open shop or a closed shop.

He constantly referred to the head nurse as the job steward.

He, finally, checked carefully to see that his hospital room number was not 14–B.

The Vice President is such a firm believer in organized labor that about a month ago I asked him to lend me a hand in trying to organize the Congress. Unfortunately, as of this morning, I must report that so far we have not recruited even one member for the International Brotherhood of Congressmen.

It is good to be back here before the Conference of the Building and Construction Trades Department. I have always felt much in common with this group and with this membership. You are engaged in doing the thing that I think speaks best for America—you are builders. You are building up America.

Recently, I realized that we even had more in common than that. As I have looked out my White House window onto Pennsylvania Avenue these last few months, and as I have traveled about America—and I have seen an occasional demonstrator here and there—I realized that I could assure you this afternoon, with very deep personal feeling, that you are not the only ones concerned with on-site picketing.

Seriously, now, I said a moment ago that you were the builders of America. I don't think that I exaggerate that. Each year more than 80 percent of all the building in America is built through the labor of your 18 international unions. What is perhaps even more significant is that in the 22 years since World War II, America has been built once over again. The value of our post-war structures in America exceeds that of all the construction accrued through to 1945.

In other words, we have built more since the war ended than we had in 1945. So you not only do most of the building of a nation, but you do it in a nation that is one of the buildingest nations in the history of all mankind.

I am not here to just pat you on the back, for the future is even more exciting than the past. If it took two decades to build America over again once, it will take much less time—probably closer to one decade—to do that much more building again.

So your job, my job, and the job of all Americans interested in the future of their country is really, literally, just beginning.

America will be built over again in the years to come—and again, and again. And if she is to retain her vitality and her life, we are going to have to watch this building and do it constructively.

Each time this nation rebuilds itself, it must be better. It must improve itself; it must correct the errors and the omissions of the previous generations.

On the federal level, we have already begun:

We are encouraging the building of highways. We are doing almost twice as much as we were in 1961.

We are encouraging the building of hospitals. We are constantly expanding that program.

This year, in the field of health, our program will be about three times as large as it was three years ago. This year we will allocate, on the federal level, to health expenditures, about $12 billion. It was $4 billion three years ago when I became President.

We are encouraging the building of schools. This year, we will spend about $12 billion in the field of education in the United States. Three years ago, we were spending about $4 billion. So in three years, we are spending three times as much to educate your child and to bring health to your body than we were three years ago.

We are encouraging the building and the rebuilding of our central city areas; first, through urban renewal and now through the model cities program.

We have tried rent supplements. We have tried to expand our housing efforts every way in the world that we can.

What it adds up to is a group of men here, working with their government, are the builders of America. That is why I wanted to come and be with you.

You know the old story—you don't have to be organized; you don't have to have any leadership; you don't have to be constructive to kick a barn down—any donkey can do that. But it takes a mighty skilled carpenter to build one.

When you see the building that is taking place in America, you will find the complainers will find it too hot or too cold, too wet or too dry, too big or too little, too small or too large, and there will be mistakes.

Show me a man who never made a mistake and I will show you a man who never did anything.

It is pretty difficult for a man—even at home—to get to his front gate without somebody barking at him.

But you builders will have monuments that stand to your memory long after the complainers have been laid away. We may have to call on you from time to time to help us deal with these complainers.

I think you know as well as I do that a nation is not rebuilt better and stronger only with bricks and mortar or wire and pipe. A new school building with old books, and under-paid teachers and over-crowded classes and old ideas—is an old school in a new shell.

A new housing development in a ghetto does little good—for anyone—if the people in it are unemployed.

So we must rebuild America—not just the government—in human ways as well as physical ways.

Our schools and our education must not only be newer, but must be better.

Our people must be trained for the jobs of the future, not the jobs of the past.

Our elderly must have the wherewithal, not only for subsistence, but for dignity.

Americans of all racial and ethnic backgrounds must receive the equality that other Americans have taken for granted for centuries. I know that within your unions, there has been great progress—great progress—over recent years, but I know, as you know, that more—more remains to be done.

And even all that will not be enough. A rebuilt America—fairer, stronger, more prosperous, better educated, with better health—will only be a hollow echo of itself if it exists in a world of chaos and tyranny and cruelty. So we strive for a better world all over the world.

When we met two years ago, we faced a grim and difficult situation in the Dominican Republic and in Vietnam. At that time, this great organization sent a message of support to me—it was the very first organizational message that supported our commitment in Vietnam, and it was followed by many others from all over America. I have never forgotten that.

Today, thanks to your support and the support of most of our fellow Americans, the Dominican Republic flourishes under a free and democratically chosen government—where there has been self-determination and the people, themselves, could select their leaders from the inside instead of having them selected for them from the outside.

In Vietnam, again thanks to your support and the support of most of our fellow Americans, the military situation has been reversed—has turned around totally since that time when you met two years ago.

So as I speak here today, we persevere militarily in Vietnam, always hoping and working for a negotiated settlement that will bring peace to that troubled country.

Last week, at another time of deep world crisis, we saw again that the peace of the entire world can hang precariously upon events occurring in very small and very far away nations.

Today, in the Middle East—as in Vietnam and in America—we are faced with a task of rebuilding—of putting together a human equation, where men can live together in peace and harmony—where men can live as the Prophet Micah said, "Every man under his vine and fig tree, and none shall make them afraid."

That is America's goal in the world at large, as well as our goal at home: We covet no territory. We seek no dominion. We want not an acre of any one else's land.

But we do want to give men the opportunity to stand straight—to stand free, to grow to the outer limits of their own ability and to be able to do this growing without fear.

If we are real builders—as you are—as all of us should be—that is what we will build for our sons and for our grandsons.

As I said to your International Presidents, we have not achieved everything we wanted to domestically. We have been engaged in some fights; we have had our reverses from time to time.

But we have moved ahead. We are making progress. There is not a nation in the world that wouldn't like to emulate our growth, our prosperity, our strength, and our advantages.

During the four years that I have attempted to lead this country, we have had an unparalleled record of constructive statesmanlike cooperation between the leaders of the labor movement in this country and the leaders of the business movement in this country and the leaders of the Government in this country.

Whether you are tall or short, whether you are fat or lean, whether you are a Republican or Democrat, whether your are a southerner or a northerner, easterner or westerner, I can truthfully say to each of you this afternoon that in my associations with you—under the leadership of that grand American, George Meany, you have always put your country first. You have been a source of strength and comfort to your President.

I came here to tell you that—and to say to you that I am not only grateful, but I think free men everywhere ought to be thankful for the job of building that you have done for America and other free nations.

I—on behalf of all the American people—want you to know that we do appreciate what you have done. Thank you.

RIGHT TO WORK LAWS

The SPEAKER. Under a previous order of the House, the gentleman from Michigan [Mr. DIGGS] is recognized for 30 minutes.

Mr. DIGGS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

RIGHT-TO-WORK LAWS—A TRAP FOR AMERICA'S MINORITIES

(By Bayard Rustin)

(NOTE.—Bayard Rustin is Executive Director of the A. Philip Randolph Institute. The subject of this pamphlet was originally delivered as a speech on the so-called Right to Work Laws on February 18, 1967. It was made in rebuttal to Reed Larson, Executive Vice-President of the National Right to Work Committee, in a debate at the annual meeting of the California Negro Leadership Conference in San Francisco.)

INTRODUCTION

We in the civil rights movement have been traditionally opposed to right-to-work laws. *We believe that Section 14(b) of the Taft Hartley Act should be repealed.* We have stood against these laws on the grounds not only that they destroy the unity and impair the effectiveness of labor unions, but also that they constitute an obstacle to the progress of colored Americans and are inimical to the interest of all of America's underprivileged. We recommend this pamphlet as one that sets forth clearly and, we hope, persuasively arguments against right-to-work laws.

DOROTHY HEIGHT,
President, National Council of Negro Women.
MARTIN LUTHER KING, Jr.,
President, Southern Christian Leadership Conference.
CLARENCE MITCHELL,
Director, Washington Bureau, NAACP.
A. PHILIP RANDOLPH,
President Emeritus, Negro American Labor Council.
ROY WILKINS,
Executive Director, National Association for the Advancement of Colored People.

THE RIGHT-TO-WORK LAWS

America is a country born in libertarianism. Its basic philosophical and constitutional documents guarantee and affirm democratic values. Yet so many millions of our people have been forced to spend their entire lives in the struggle to obtain social, political and economic justice. The Declaration of Independence, the Constitution itself, the Bill of Rights, a whole series of Federal Statutes—they articulate a course for the democratic conduct of our affairs, yet so many of us have been doomed to fight as though we are creating a democracy, instead of, in fact, inheriting a historic birthright.

Though this paradox touches in one way or another upon the lives of millions of Americans, black and white, it has been most dramatically evidenced in the lives of Negroes, Puerto Ricans, Mexican Americans and other minority groups, and in the life of the American labor movement. Nobody knows so much about American freedom as Negroes who have never really had it, whose entire journey across the stage of American history has been a long, bitter, heartbreaking journey in search of an elusive birthright. And no other social movement in America has been forced to walk as doggedly as the labor movement has, the bloody road to labor dignity and industrial democracy. Labor and minority groups have been where the real action is—the bullets, the dogs, the lynch-ropes, the billy clubs, blood dripping down through the leaves of the trees, and blood running out of the open shop. This makes us brothers not only under the skin, but also brothers in blood, in sweat, and in tears, all shed in the service of making America safe for democracy. It is to the credit of the American labor movement, and a challenge to its treatment of the Negro in the future, that I cannot make that statement about any other institution in America.

When the racists, bigots, and monopolists were not shedding our blood, they were blocking our way with all kinds of stratagems. We have heard them all—"Property Rights," "States Rights," "Right to Work." All of these slogans, as you will have noticed, and as you will still notice, have been uttered in ringing tones of idealism and individual freedom. But that is the special genius of those who would deny the right of others and hoard the fruits of democracy for themselves: They evade the problems and complex challenges of equal justice by reducing them to primitive oversimplifications that plead for nothing else but the perpetuation of their own special, exploitative interests.

The present battle being fought by some of the most powerful interests in this country to retain the so-called right-to-work laws falls squarely within the tradition of these primitive self-serving strategies. This slogan—Right to Work—developed out of the license granted by Section 14(b) of the Taft Hartley Act, is deceptive and insidious. On the face of it, what working man would not be interested in his inalienable right to work? It is only when we look more closely that we see it does not mean that at all.

It does not mean that every worker has the right to a job and to receive work at fair wages, reasonable hours, and under decent labor standards.

It does not mean that every worker has a right to secure employment with proper provisions for paid vacations and insurance safeguards against sickness and old age.

It does not mean that every worker is protected against arbitrary discharge.

It does not mean to strengthen the individual worker's bargaining position through a union of his choice.

What it means is the opposite of all these things. And what it does mean is weakening the workers' bargaining power by keeping unions out of the factory or office.

It does mean creating the open shop.

It does mean destroying the institution of collective bargaining, and thus keeping Negroes and other minority members at the bottom of the economic ladder.

It does mean wrecking the whole structure of labor union democracy and effective labor-management relations. In short, "Right to Work" is the same as Open Shop and industrial Jim Crow, and no matter how you dress it up it is the same weapon that was used to kill trade union organization in the early part of the twentieth century, the same weapon used to deny minorities their economic rights.

Therefore, Right to Work—as it becomes incumbent on Negroes and other minorities to see—beyond being aimed at wrecking the traditional labor-management apparatus,

constitutes just another instrument to perpetuate the informal system of racism in the United States. That being so, I am opposed to it as a Negro; I am opposed to it as someone who sees that from this point on the problems of minorities are intimately connected with the problems of the labor movement; I am opposed to it as someone who has spent the greater part of his life in the struggle for human rights; and I am opposed to it as an American who understands that the cause of equality for all of our people and justice for all of our people cannot triumph without a strong, unified effective movement of all the workers in our society regardless of color, race and creed.

But what, in more detail, is the nature of our case against Section 14(b)? I will bring at least five charges.

1. "Right to Work" laws are a violation of the letter and spirit of the Constitution.

Anyone who examines the history and development of the Constitution will find that federal jurisdiction over national labor-management relations is vested in the "commerce clause," which argues, in effect, for a uniform regulation of commerce. The Constitutional Convention of 1787 voted unanimously to delegate to the federal government the power to regulate commerce. This is further buttressed by the provision that federal law is supreme to state law in areas delegated to the federal government. As recently as 1935, the Congress in the Wagner Act preempted for the federal government jurisdiction over labor management relations for several years, during which the Supreme Court consistently ruled that States may exercise their traditional police powers to protect public safety and order, but may not adopt their own codes of labor relations, since this was the exclusive prerogative of the federal government. The doctrine is clear, and still stands as one of the chief arbiters in relations between the federal government and the States. Significantly, there is just one exception: the authority that Section 14(b) has given the States since 1947 to exercise jurisdiction in matters affecting the local union security. There could be no more flagrant breach of one of the hallowed traditions of the Constitution, and Negroes and other ethnic minorities who have suffered most from the frustration of American constitutional guarantees cannot be happy over yet another blow to their aspirations for social and economic liberation.

President Truman, as many of us recall, had no interest in being an accomplice to this disastrous precedent. He attempted to veto the Taft Hartley Bill, sending it back to Congress with these words: "The bill is contrary to the national policy of economic freedom . . . would limit the freedom of employers and labor organizations to agree on methods of developing responsibility on the part of unions by establishing union security . . ." But, as so often happens, Congress saw the issue differently. And so it overrode Truman's veto and destroyed the integrity of labor's hard-won bargaining strength.

2. "Right to Work" laws are undemocratic.

In the 1930's, slowly groping its way out of a disastrous Depression, the country made a momentous democratic political decision: We decided that henceforth free collective bargaining was to be the policy of the nation. We opted to apply democratic principles to the regulation of industrial life, and in doing so, we were also opting for "exclusive jurisdiction" in labor matters. The union that won a free and fair election among the workers in a plant was to be empowered by law to represent all the workers of that plant. The union was to become the exclusive bargaining agent that could exclude or ignore no one. This became the pattern of labor-management relationships, and it helped open the economic doors to hundreds of thousands of Negroes and other minorities. But comes 1947, and with its Section 14(b) of the Taft Hartley Act. And what does it do? It refuses to acknowledge the binding nature of the majority decision of a union membership, guarantees the right of non-union membership among workers in a plant, imposes the will of a minority of members upon the majority, and thus destroys the collective bargaining arrangement, and sets back the progress of Negroes and other minorities. But the implication of this so-called right to work law goes beyond the destruction of nationwide trade union democracy; in effect it has also given certain States a minority veto over the federal government, for it permits individual States to walk out on the national labor policy. This is a most unwise and undemocratic turn of events, with grave dangers for the enforcement of federal civil rights legislation. What would we do if individual States were permitted to disaffiliate with our national food and drugs standards? What would happen if in the United States, after every election, all the losers stopped paying taxes because they didn't like the government that was elected? What do we do when Alabama opts out of Title 6 of the Civil Rights Act? The result, needless to say, would be utter chaos and a destruction of our democracy.

3. "Right to Work" laws exploit and perpetuate American poverty.

And who, may I ask, are more concerned about poverty in the United States than Negroes and other ethnic minorities? As we have seen, most of the States that have retained these laws are the poor, segregationist, reactionary States with weak labor movements and disenfranchised Negroes, and who use the laws as an inducement to those industries with low capital and low labor incentives. In other words, they attract the kind of companies that can make money off a large, defenseless pool of unskilled labor and that can profit from the perpetuation of this backwardness. It is no accident that among these States we find Alabama, Arkansas, Mississippi, Texas, North Carolina, South Carolina, Georgia, Tennessee, Virginia, and Florida.

Let's look at the situation in these States:

The percentage of families living in poverty in right-to-work States is much higher than in the other States.

None of the right-to-work States matches the federal minimum wage of $1.40 an hour.

In most of these States right-to-work laws make it literally impossible for Negroes to join unions.

Negroes are barred from enjoying an expanded minimum wage in these States.

Eleven of the States have no minimum wage standard at all.

Only three of them have equal pay for women.

Only one of these States has fair employment laws.

By contrast, it is significant that none of these problems exist in States with democratically organized union structures. Twenty-three of the States without "Right to Work" laws do have enforceable minimum wage laws. Fourteen of them cover men as well as women. Twenty-one provide at least $1.00 an hour minimum wage. And twelve of them equal or exceed the federal minimum wage of $1.40 an hour. And in all of them Negroes are organized in the union shop structure.

So, as the evidence shows, contrary to guaranteeing the right to work, what these laws do is to guarantee the right to work long hours; the right to bar Negroes; the right to underpay women who do equal work with men; the right to pay substandard wages; the right to pay substandard unemployment and compensation benefits; and the right to destroy organized unionism.

4. "Right to Work" laws are anti-Negro and anti-Civil Rights.

It does not require an extraordinary amount of wisdom to see that behind the insistence of certain States to maintain "Right to Work" laws is a desire to preserve their right to discriminate. In the same way that many of them have run out on the national labor policy, they want to make it easy for Mississippi and Alabama, say, to contract out of the national Civil Rights Acts of 1964 and 1965. Therefore, it is not an accident that we find the plight of Negroes worst in States that have "Right to Work" laws. In a study conducted by Dr. Vivian Henderson, President of Clark College, Atlanta, Georgia, of Negro employment and income between 1950 and 1960, the author found that in only one of the Southern "Right to Work" States "have the earnings of the Negro male workers gained in relation to those of white male workers. In each of the other ten States, not only did the dollar gap increase, but Negroes also lost percentage ground, ranging from 6% in Virginia to 25% in Arkansas for all male workers." In short, between 1950 and 1960, everyone in these Southern States was doing better, while Negroes were falling farther and farther behind.

Therefore A. Philip Randolph is right when he says that right-to-work supporters are pushing these laws "in the hope of driving a wedge between Negroes and the labor movement." And Martin Luther King is right when he charges that the "Right to Work" laws are laws to "rob us of our civil rights and job rights." And Roy Wilkins, Clarence Mitchell, and James Farmer were absolutely right in their testimony before the Special House Subcommittee in support of the repeal of Section 14(b). As they went on to point out, it is significant that these efforts to deny our civil rights and job rights are being pushed by some of the country's staunchest segregationists.

5. "Right to Work" laws are "Rightist" and racist. Who are some of the leading figures behind the drive to retain "Right to Work" laws? You will find their names on every right-wing letterhead across the nation, all of which organizations, let us not forget, are anti-Negro, anti-Mexican American, and anti-Puerto Rican, and anti-civil rights. These men and organizations who are representatives on the Right to Work Committee are well-known right-wingers.

What could it be that has suddenly united racists, rightists and segregationists behind the right to work? I wonder why it is that these laws were being passed in Alabama, Mississippi, Arkansas, North Carolina, South Carolina and Texas during the late forties and early fifties, precisely the times when Negroes were effectively denied the right to vote? Isn't it rather cheerful and hopeful for the future of our democracy that members of the John Birch Society have suddenly developed a tender love and sympathy for the common man? If questions like these bring sneers instead of smiles to our faces, then we know we cannot take them seriously, that we are in fact being had.

In raising these questions and in relating them to the political interests and tastes of rightists and segregationists, I am not supporting the notion of guilt by association. I am against lists that would bar a man from a job on the grounds of assumptions about past membership in an organization rather than on the facts of his present competence. But in politics, it is necessary to test a man's word by what he does. And the advocates of the "Right to Work" laws have, by and large, been opposed to every social and economic reform that would benefit Negroes and workers, the very groups they sometimes profess so much concern about. It is also necessary, in politics, to judge movements by the major trends within them. And I am suspicious of any campaign in behalf of the right to work which claims to be for Negro rights, but is in fact supported by practically every racist in the country; which says it is in favor of

workers' rights, yet only succeeds in States where workers are a small minority.

Though all the foregoing do not exhaust the possible objections to "Right to Work" laws, or the reason why 14(b) ought to be repealed, they represent the fundamental grounds of protest on which the labor and Negro movement stand united.

Having said all this, let me make it clear that I remain in favor of our working out a genuine right to work situation. But it is impossible to come to what such a situation would be without stating that a genuine right to work will not be achieved until the Negro and the trade union movement succeed in eliminating some of the urgent problems that remain between them. I mean by this that we all have to recognize that there is still discrimination in a minority segment of the American labor movement. This is a scandal, however, that is being vigorously fought by every unionist, black or white, who is worthy of the name. I myself am, in my own capacity, committed to end the vestiges of discrimination in the trade union movement, but I absolutely refuse to conduct the battle along lines that will ultimately injure the labor movement. I could not do this and still remain convinced that Negroes have a need and a responsibility to make that movement stronger and more effective.

After all, we must recognize that a great measure of the Negroes' economic progress is the result of their membership in the labor movement. We all know of the post *World War I* emigration of Southern Negroes to Northern industrial centers in search of jobs and dignity. We all know what they discovered when they came; that the economy was systematically arranged to keep them more unemployed, more menially employed, less paid, most slowly hired, and most quickly fired. We all know how that terrible disillusionment found expression in the back-to-Africa movement led by Marcus Garvey, in much the same way that their contemporary despair is finding outlet in the cries for Black Power. And we all know how the Depression that brought down millions of white Amricans in poverty ironically raised the economic standards of the majority of poor Negroes who found that their relief payments added up to more than they were able to earn as workers.

It was in this period—the great Depression—that Negroes in large numbers really became involved in the labor movement. The AFL and CIO unions organized Negroes in many industrial areas, making the labor movement one of the most integrated institutions of our society. There are many problems that remain to be solved between labor and Negro; however, we are pressing a vigorous attack upon these problems. I myself am engaged in an effort to get Negro and Puerto Rican youngsters admitted to the building trades. And we have succeeded in placing 250 youngsters in those trades in the New York area. When I urge an alliance between the labor movement and other minority groups, I am not encouraging complacency nor losing sight of the unfinished business. I simply want to place the relation of the black worker to the white worker in proper perspective. More than that, it is to help us to confront together a new injustice: What are the millions of impoverished Negroes and the millions of impoverished whites going to do in an age of automation? How can we, in the new developing circumstances, guarantee full employment, and therefore guarantee a genuine right to work? The only way to guarantee this kind of right to work is for Negroes and the unions to work together. We cannot do it by ourselves, and the economy cannot do it without us. We both have got to weld a great coalition to solve the problems of jobs, education, housing. We have got to make our movement come to represent the majority will of the American society and help it move on to massive and planned social investments to end slums, inferior schools, and depression rates of employment.

It is only when we have achieved all this that we will have achieved the genuine right to work. In closing, then, I am in favor of the right to work in the sense that Franklin Roosevelt was: namely, that this society should guarantee every worker a job at decent wages with security and dignity; and if the private sector does not fulfill this task, then it must be the automatic, legal obligation of the public sector to do so.

The A. Philip Randolph Institute has:

Submitted and published testimony on behalf of the $2.00 minimum wage, Extended Unemployment Benefits and Repeal of the "Right to Work" Laws.

Conducted workshops for students going into the South to work on voter registration, community organization, and political education.

Provided background papers for the La Farge Institute Conference for Religious Leaders and the White House Conference, "To Fulfill These Rights."

Convened informal discussions between members of the press and civil rights leaders, educationists and fighters for school integration, labor leaders and Southern activists, and directors of poverty projects and indigenous leaders.

Interpreted the meaning of the Negro-Labor alliance to State AFL–CIO conventions, student bodies, civic organizations and religious groups.

Participated in the Leadership Conference on Civil Rights and the Citizens Crusade Against Poverty.

Prepared and published the "Freedom Budget for All Americans" and launched a major campaign on its behalf.

THE PLIGHT OF THE BALTIC STATES

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts [Mr. BURKE] is recognized for 20 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, on June 21, 1965, I supported House Concurrent Resolution 416 calling for freedom for Lithuania, Latvia, and Estonia. The U.S. Senate adopted this resolution on October 22, 1966. Under unanimous consent I include this resolution immediately following my remarks.

It is our moral responsibility to draw the attention of the world once more to the continuing plight of the Baltic States.

The history of the Baltic nations has been one long tragic struggle against czarist and Soviet imperialist designs to secure outlets on the Baltic Sea.

The small countries of Latvia, Estonia, and Lithuania, proud of their rich ethnic and cultural heritage, fell victims to Russian expansion in the 18th and early 19th centuries. Denied basic freedoms as well as legitimate national aspirations, the Baltic peoples partook in many courageous but unsuccessful uprisings, which were suppressed with great cruelty. It was not until the close of World War I that their determination and sacrifices were rewarded with independence. In the peace treaties signed with Estonia, Latvia, and Lithuania in 1919 and 1920, the Soviet Union formally agreed to respect the territorial integrity of these nations, and later renewed these guarantees in nonaggression pacts.

We all know that these treaties were callously violated and that the independence of the Baltic States was shortlived. It lasted only two decades and during this time was constantly threatened by Nazi Germany in the West and Soviet Russia in the East. But during these precarious 20 years the world witnessed the vitality of these nations' democratic ideals: constitutional governments were established, agrarian reforms enacted, industry grew, the economy prospered, art and literature flourished.

These promising achievements, attained by intelligent and industrious peoples against great odds, were destroyed when the Red army invaded Latvia, Lithuania, and Estonia on June 15, 16, and 17, 1940.

The sufferings inflicted on the Baltic countries by the Soviet occupant surpass in magnitude anything they had been subjected to before. Hundreds of thousands of Lithuanians, Estonians, and Latvians were systematically exterminated, tortured, deported to slave-labor camps and prisons in Russia. A policy of colonization succeeded terror and genocide, in an effort to destroy the identity of these peoples and submerge them in the Union of Soviet Socialist Republics. Thousands of Russians have been moved to the Baltic States while even more Balts have been resettled in remote areas of Russia. The industry of these nations has been made completely dependent on Russian raw materials. Their languages and culture are jeopardized. And yet the Baltic peoples still find the will to resist and remain loyal to their national integrity.

The United States, as the moral leader of the free world, cannot remain silent. Despite great misfortunes, the Baltic national spirit has survived for more than 700 years. Surely these countries have proven that they are entitled to national self-determination as fully as any state in Asia or Africa, whose independence from colonialism we have championed.

On the 27th anniversary of Soviet aggression against the Baltic States I propose a bill to recognize June 12 to June 16 as Baltic States Week, as a tribute to the endurance and fortitude of the Baltic peoples, where hopes for freedom and faith in the dignity of man, thwarted so many times, have nevertheless remained undaunted throughout the centuries, and have been an inspiration to us all.

The resolution (H. Con. Res. 416) follows:

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Mr. BYRNE of Pennsylvania. 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. BYRNE of Pennsylvania. Mr. Speaker, today in Congress we pause to remember one of the most treacherous deeds ever performed by man against man. The night of June 14, 1941, exists for all time as a tragic example of the inhumaneness of unrestrained power.

At the beginning of World War II, while Joseph Stalin was assuring the Lithuanian people that his government was disposed to defend the territorial integrity of the Lithuanian nation, a massive Russian Army was moving onto the free soil of Lithuania. According to Stalin:

> The army was the most precious element in the service of Lithuanian security. . . . If Lithuania had fallen under German rule, she would without a doubt have become a German protectorate, whereas we respect the independence of the Lithuanian state.

This Russian concept of "territorial integrity" for its neighbor was a sham. Once on Lithuanian territory, the Soviets immediately began an all-out effort to stamp out the nationalist spirit of the people. Yet, so strong was their resistance to Communist domination, the Russian Government chose to resort to more strenuous means to "convince" the Lithuanians that now they were to be Russians. Thus, on the night of June 14–15, 1941, 30,455 innocent Lithuanian citizens were taken from their homes and sent to slave labor camps in Siberia. The exiled people were leaders of the nation; writers, thinkers, and professors, and patriots dedicated to the belief that their nation should be free to determine its own destiny. All anti-Communist and anti-Russian elements were eliminated. Most of those who suffered never lived to return to their beloved land.

Even today, Mr. Speaker, this outrageous slavery of a once sovereign people continues. Through a program which the Soviets term "voluntary resettlement," numbers of Lithuanian citizens are forcibly put to work for the Soviet power state, far away from their homes. Many of the youth are taken, together with experts in technology, men of science and learned men in all fields of human endeavor. And no man dares speak of freedom for his nation, else he condemn himself to deportation as well.

Yet, though these innocent people suffer tremendous abuses, though they are suffocated by Soviet propaganda and coerced by Russian strong-arm pressure techniques, the flame of liberty burns deep within them. For over 20 years, Lithuania was a sovereign nation on the world scene and her people lived in peace and freedom. A soul that has known liberty does not perish, though it suffer all forms of human injustice aimed at breaking its spirit.

Today, we pause in sorrowful remembrance of those many thousands who met a tragic fate on the night of June 14, 1941. Also today, we salute a great people who keep alive the nationalist spirit for their homeland. We know that Lithuanian independence will be won again and that those whom today we remember did not die in vain.

Mrs. GRIFFITHS. 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 gentlewoman from Michigan?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, in a troubled world, we commemorate with special significance this week, the anniversary of the seizure of the Baltic States. The struggle for freedom in Lithuania, Latvia, and Estonia has been incessant. For 27 years, the brave peoples of these lands have resisted the shackle of Communist domination and have persisted in their determination to secure national independence. Their spirit and sacrifice are a lesson for all mankind.

Freedom of the Baltic States is of deep concern to the free world and this Congress. In the 89th Congress, we unanimously adopted House Concurrent Resolution 416, urging the President of the United States first to direct the attention of world opinion at the United Nations and at other appropriate international forums to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and, second, to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples. On this anniversary of the Baltic States seizure, I feel it is fitting for the 90th Congress to reaffirm our dedication to the principles expressed in this resolution.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MOORE (at the request of Mr. GERALD R. FORD), for the balance of the week, on account of official business.

Mr. ROUSH, for the period of June 16, 1967, through June 30, 1967, on account of official business.

Mr. YOUNG (at the request of Mr. STEED), for Wednesday, June 14, and Thursday, June 15, on account of official business.

Mr. O'HARA of Michigan, for the period of June 16 through June 30, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DELLENBACK) and to revise and extend their remarks and include extraneous matter:)

Mr. GOODELL, for 30 minutes, today.

Mr. HALPERN, for 15 minutes, on June 20.

Mr. DIGGS (at the request of Mr. PRYOR), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. BURKE of Massachusetts (at the request of Mr. PRYOR), for 20 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. JONES of Missouri and to include extraneous matter.

Mr. HANNA.

Mr. CUNNINGHAM.

(The following Members (at the request of Mr. DELLENBACK) and to include extraneous matter:)

Mr. PRICE of Texas.

Mr. BERRY.

Mr. O'KONSKI.

Mr. SCHWEIKER.

Mr. BLACKBURN.

(The following Members (at the request of Mr. PRYOR) and to include extraneous matter:)

Mr. LONG of Maryland.

Mr. MCFALL.

Mr. EILBERG.

Mr. ST. ONGE.

Mr. ROYBAL in two instances.

Mr. ZABLOCKI.

Mr. MOORHEAD.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 990. An act to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that the committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 834. An act to amend section 5 of the act of February 11, 1929, to remove the dollar limit on the authority of the Board of Commissioners of the District of Columbia to settle claims of the District of Columbia in escheat cases;

H.R. 1526. An act for the relief of Cecil A. Rhodes;

H.R. 2048. An act for the relief of William John Masterton and Louis Vincent Nanne; and

H.R. 4445. An act for the relief of Aurex Corp.

ADJOURNMENT

Mr. PRYOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 28 minutes p.m.) the House adjourned until tomorrow, Friday, June 16, 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:

834. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to enter into contracts for the inspection, maintenance, and repair of fixed equipment in District-owned buildings for periods not to exceed 3 years; to the Committee on the District of Columbia.

835. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 7, the *Minnesota Chippewa Tribe, for and on behalf of White Earth, Cass Lake, Winnebigoshish, Leech Lake, Ball Club, White Oak Point and Mille Lac Bands, composing the Minnesota Bands of Chippewa Indians, Plaintiffs,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

836. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 75, *Emigrant New York Indians ex. rel., Julius Danforth, Oscar Archiquette, Sherman Skenandore, Mamie Smith and Arvid E. Miller, Petitioners,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

837. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 8, *The Fon du Lac, Boise Forte and Grand Portage Bands of Chippewa Indians,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

838. A letter from the Executive Director, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases as of April 30, 1967, pursuant to the provisions of Public Law 82-554; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 10867. A bill to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 10868. A bill to provide direct aid to the States and territories for educational purposes only for the benefit of the taxpayers and local governments; to the Committee on Ways and Means.

H.R. 10869. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for tuition expenses of the taxpayer or his spouse or a dependent at an institution of higher education, and an additional credit for gifts or contributions made to any institution of higher education; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 10870. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 10871. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

By Mr. COWGER:

H.R. 10872. A bill to provide that American foreign aid shall be suspended with respect to any country which has severed diplomatic relations with the United States on or after January 1, 1967, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DIGGS:

H.R. 10873. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

H.R. 10874. A bill to abolish the death penalty under all laws of the United States, and authorize the imposition of life imprisonment in lieu thereof, and for other purposes; to the Committee on the Judiciary.

H.R. 10875. A bill to amend title 18, United States Code, to provide penalties for the use of certain devices upon individuals in the exercise of their rights under the Constitution of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 10876. A bill to protect civil rights by providing criminal and civil remedies for unlawful official violence, and for other purposes; to the Committee on the Judiciary.

H.R. 10877. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10878. A bill to amend title II of Public Law 874, 81st Congress, to provide that payments received thereunder shall be disregarded for certain public assistance purposes; to the Committee on Ways and Means.

H.R. 10879. A bill to amend title II of the Social Security Act to provide that a survivor beneficiary shall not lose his or her entitlement to benefits by reason of a marriage or remarriage which occurs after he or she attains age 62; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 10880. A bill to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODLING:

H.R. 10881. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. HARSHA:

H.R. 10882. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. KUYKENDALL:

H.R. 10883. A bill to provide that American foreign aid shall be suspended with respect to any country which has severed diplomatic relations with the United States on or after January 1, 1967, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LONG of Maryland:

H.R. 10884. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate certain special requirements for entitlement to husband's or widower's benefits, to provide for the payment of benefits to widowed fathers with minor children, to equalize the criteria for determining dependency of a child on his father or mother, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 10885. A bill to amend the Federal Power Act to facilitate the provision of reliable, abundant, and economical electric power supply by strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the proper conservation of scenic and other natural resources; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER:

H.R. 10886. A bill to amend the authorizing legislation of the Small Business Administration, and for other purposes; to the Committee on Banking and Currency.

H.R. 10887. A bill to provide assistance to students pursuing programs of higher education in the fields of law enforcement and of correctional treatment of law violators; to the Committee on Education and Labor.

By Mr. PRICE of Texas:

H.R. 10888. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 10889. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10890. A bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act; to the Committee on Public Works.

By Mr. ROONEY of Pennsylvania:

H.R. 10891. A bill to amend the act of August 4, 1950 (64 Stat. 411), to provide salary increases for certain members of the police force of the Library of Congress; to the Committee on House Administration.

By Mr. ST GERMAIN:

H.R. 10892. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. SCHEUER:

H.R. 10893. A bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act; to the Committee on Public Works.

By Mr. SCHWEIKER:

H.R. 10894. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SLACK:

H.R. 10895. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 10896. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 10897. A bill to amend section 404(d) of title 37, United States Code, by increasing the maximum rates of per diem allowance and reimbursement authorized, under certain circumstances, to meet the actual expenses of travel; to the Committee on Armed Services.

By Mr. BUSH:

H.R. 10898. A bill to rename the Houston Veterans' Administration cemetery as the Albert Thomas Veterans' Memorial Cemetery; to the Committee on Veterans' Affairs.

By Mr. COWGER:

H.R. 10899. A bill to repeal the joint resolution of April 1, 1967, relating to emergency food assistance to India; to the Committee on Agriculture.

By Mr. DIGGS:

H.R. 10900. A bill to amend the Economic Opportunity Act of 1964 to provide for family planning programs; to the Committee on Education and Labor.

By Mr. DUNCAN:

H.R. 10901. A bill to provide that American foreign aid shall be suspended with respect to any country which has severed diplomatic relations with the United States on or after January 1, 1967, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FOLEY:

H.R. 10902. A bill to determine the respective rights and interest of the Confederated Tribes of the Colville Reservation and the Yakima Tribe of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 10903. A bill to strengthen the Federal Cigarette Labeling and Advertising Act; to the Committee on Interstate and Foreign Commerce.

H.R. 10904. A bill to assist in the protection of the consumer by enabling him, under certain conditions, to rescind the retail sale of goods or services when the sale is entered into at a place other than the address of the seller; to the Committee on Interstate and Foreign Commerce.

By Mr. GIBBONS (for himself and Mr. OTTINGER):

H.R. 10905. A bill to amend the Economic Opportunity Act of 1964 to provide day care for children of low-income families in order to enable their parents or relatives to undertake vocational training, basic education, or employment; to the Committee on Education and Labor.

By Mr. HAYS:

H.R. 10906. A bill to amend the Foreign Service Act Amendments of 1960 to permit certain participants in the Foreign Service retirement and disability system to exclude amounts received as disability annuities from gross income for certain past taxable years; to the Committee on Foreign Affairs.

By Mr. OLSEN:

H.R. 10907. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 10908. A bill to extend for 2 years the authority for more flexible regulations of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues; to the Committee on Banking and Currency.

By Mr. REUSS:

H.R. 10909. A bill to amend the Federal National Mortgage Association Charter Act to provide that the Secretary of the Treasury shall have responsibility and authority for Federal debt management; to the Committee on Banking and Currency.

By Mr. SCHADEBERG:

H.R. 10910. A bill to amend the Internal Revenue Code of 1954 to allow an individual an income tax deduction for the expenses of transportation to and from work; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 10911. A bill to provide for preparation of a roll of persons of California Indian descent who are eligible to share in the distribution of certain judgment funds and for a referendum on the compromise settlement in consolidated docket Nos. 31, 37, 80, 80-D and 347, Indian Claims Commission; to the Committee on Interior and Insular Affairs.

By Mr. DANIELS (by request):

H.R. 10912. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement; to the Committee on Post Office and Civil Service.

By Mr. FRASER:

H.R. 10913. A bill relating to the construction, modification, alteration, repair, painting, or decoration of buildings leased for public purposes; to the Committee on Public Works.

By Mr. KEITH:

H.R. 10914. A bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore; to the Committee on Interior and Insular Affairs.

By Mr. POAGE (for himself, Mr. MORRIS, Mr. PRICE of Texas, Mr. TEAGUE of Texas, Mr. DE LA GARZA, Mr. MAHON, Mr. SISK, Mr. ROBERTS, Mr. ABBITT, Mr. BELCHER, Mr. CABELL, Mr. STEIGER of Arizona, Mr. WHITE, Mr. WALKER, Mr. QUIE, Mr. ANDREWS of Alabama, Mr. JONES of Missouri, Mr. JONES of North Carolina, Mr. BRASCO, Mr. UDALL, Mr. RHODES of Arizona, Mr. DON H. CLAUSEN, Mr. REINECKE, Mr. TEAGUE of California, and Mr. BURLESON):

H.R. 10915. A bill to amend section 202 of the Agricultural Act of 1956; to the Committee on Agriculture.

By Mr. QUILLEN:

H.R. 10916. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 10917. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H.R. 10918. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. KING of New York:

H.R. 10919. A bill to provide that American foreign aid shall be suspended with respect to any country which has severed diplomatic relations with the United States on or after January 1, 1967, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MEEDS:

H.R. 10920. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 10921. A bill to establish the National Park Foundation; to the Committee on Interior and Insular Affairs.

By Mr. DIGGS:

H.J. Res. 632. Joint resolution proposing an amendment to the Constitution of the United States relating to the right of citizens of the United States 18 years of age or older to vote; to the Committee on the Judiciary.

H.J. Res. 633. Joint resolution proposing an amendment to the Constitution of the United States to prohibit States from imposing the death penalty; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.J. Res. 634. Joint resolution to authorize the President to issue annually a proclamation designating the 7-day period beginning October 2 and ending October 8 of each year as Spring Garden Planting Week; to the Committee on the Judiciary.

By Mr. MEEDS:

H.J. Res. 635. Joint resolution to authorize the President to issue a proclamation designating the first full week of October as Spring Garden Planting Week; to the Committee on the Judiciary.

By Mr. ABBITT:

H. Res. 544. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. ANDREWS of Alabama:

H. Res. 545. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. BENNETT:

H. Res. 546. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. BROYHILL of North Carolina:

H. Res. 547. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. CLANCY:

H. Res. 548. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. DEVINE:

H. Res. 549. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. FINO:

H. Res. 550. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By M. HULL:

H. Res. 551. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. KLEPPE.

H. Res. 552. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. NICHOLS:

H. Res. 553. Resolution for the consideration of H.R. 421; to the Committee on Rules.

Mr. O'NEAL of Georgia:

H. Res. 554. Resolution for the consideration of H.R. 421; to the Committee on Rules.

Mr. SMITH of New York:

H. Res. 555. Resolution for the consideration of H.R. 421; to the Committee on Rules.

Mr. SMITH of Oklahoma:

H. Res. 556. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. TAFT:

H. Res. 557. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. THOMPSON of Georgia.

H. Res. 558. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. WAGGONNER.

H. Res. 559. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. ZION.

H. Res. 560. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. BROYHILL of Virginia.:

H. Res. 561. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. FINDLEY:

H. Res. 562. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. HAMMERSCHMIDT:
H. Res. 563. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. HARRISON.
H. Res. 564. Resolution providing for the consideration of H. R. 421; to the Committee on Rules.

By Mr. HARSHA:
H. Res. 565. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. HUTCHINSON:
H. Res. 566. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. McEWEN:
H. Res. 567. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. PRICE of Texas:
H. Res. 568. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. ROTH:
H. Res. 569. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. SCHADEBERG:
H. Res. 570. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. SNYDER:
H. Res. 571. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. STANTON:
H. Res. 572. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. PHILBIN:
H.Res. 573. Resolution extending greetings and felicitations of the House of Representatives to the people of Mendon, Mass., on the occasion of the 300th anniversary of their community; to the Committee on the Judiciary.

By Mr. ANDREWS of North Dakota:
H. Res. 574. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. BUCHANAN:
H. Res. 575. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. O'HARA of Illinois:
H. Res. 576. Resolution expressing the sense of the House with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. OLSEN:
H. Res. 577. Resolution to establish a select committee to investigate and study the acquisition of small investor-financed and REA-financed telephone companies by the Continental Telephone Corp., a telephone holding company; to the Committee on Rules.

By Mr. SCHWENGEL:
H. Res. 578. Resolution amending the Rules of the House of Representatives to set aside a portion of the gallery for the use of scholars engaged in studies of the House of Representatives; to the Committee on Rules.

By Mr. SIKES:
H. Res. 579. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. CLEVELAND:
H. Res. 580. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. DERWINSKI:
H. Res. 581. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. GIBBONS:
H. Res. 582. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. MacGREGOR:
H. Res. 583. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. REINECKE:
H. Res. 584. Resolution for the consideration of H.R. 421; 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. ANNUNZIO:
H.R. 10922. A bill for the relief of Filiberto DiBartolo-Fonte; to the Committee on the Judiciary.

By Mr. BRADEMAS:
H.R. 10923. A bill to authorize the Secretary of the Interior to convey the Argos National Fish Hatchery in Indiana to the Izaak Walton League; to the Committee on Merchant Marine and Fisheries.

By Mr. BRASCO:
H.R. 10924. A bill for the relief of Antonio Cafarelli; to the Committee on the Judiciary.
H.R. 10925. A bill for the relief of Stefano Lombardo; to the Committee on the Judiciary.

By Mr. BROWN of California:
H.R. 10926. A bill for the relief of Jose de Jesus de la Garza-Martinez, Piedad Aguirre-Gonzalez, Victor Manuel de la Garza-Aguirre, Martha Aida de la Garza-Aguirre, Jose de Jesus de la Garza-Aguirre, Irma Amalia de la Graza-Aguirre, Noemi de la Garza-Aguirre, Emilio de la Garza-Aguirre, and Maria Salud de la Garza-Aguirre; to the Committee on the Judiciary.

By Mr. GIAIMO:
H.R. 10927. A bill for the relief of Mrs. Jean Emiline Wright; to the Committee on the Judiciary.

By Mr. MULTER:
H.R. 10928. A bill for the relief of Giuseppe Ganci (also known as Giuseppe Gangi); to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:
H.R. 10929. A bill for the relief of Mrs. Nevenka Opacic; to the Committee on the Judiciary.

By Mr. REUSS:
H.R. 10930. A bill for the relief of the estates of Charles and Caroline Durkee; to the Committee on the Judiciary.

By Mr. SCHWEIKER:
H.R. 10931. A bill to permit the vessel *Clar-Lo* to be documented for use in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mr. SIKES:
H.R. 10932. A bill for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force (retired); to the Committee on the Judiciary.

By Mr. STRATTON:
H.R. 10933. A bill for the relief of the Seneca Foods Corp.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

105. By the SPEAKER: Petition of Naha City Assembly, Naha City, Okinawa, relative to the return of Okinawa to Japan; to the Committee on Foreign Affairs.

106. Also, petition of Tamagusuku Village Assembly, Tamagusuku, Okinawa, relative to the return of Okinawa to Japan; to the Committee on Foreign Affairs.

SENATE

THURSDAY, JUNE 15, 1967

(Legislative day of Monday, June 12, 1967)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, hushing our thoughts to quietness, we would still our spirits in sincerity and truth as we wait before Thee, who knowest the secrets of our hearts. We turn to Thee, driven by our tension for the present, anxiety about the future, deep concern about ourselves, our Nation, and our world. As we play our part in days of destiny, with all mankind standing in the valley of decision, we seek the sanctuary of prayer.

In a world so uncertain about many things, we are sure of no light but Thine, no refuge but in Thee.

In these hallowed Halls may Thy servants in the ministry of public affairs serve with integrity and fidelity the cause of our country, and of our common humanity and so help to build the city of God on the ruined wastes of this divided and disordered world.

Through the sincere expression of differing appraisals in this Chamber may the final wisdom that charts the Nation's course in these perilous days be higher than our own.

We ask it through riches of grace in Christ Jesus our Lord. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 2508) to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. TENZER, Mr. CONYERS, Mr. McCULLOCH, and Mr. MacGREGOR were appointed managers on the part of the House at the conference.

The message also announced that the House had concurred in the amendment of the Senate numbered 1 to the bill (H.R. 5424) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, and that the House had concurred in the amendment of the Senate numbered 2 to the bill with an amendment, in which it requested the concurrence of the Senate.

THE DODD CENSURE RESOLUTION

The Senate resumed the consideration of the resolution (S. Res. 112) relative to censure of Senator THOMAS J. DODD.

The PRESIDENT pro tempore. Under the order previously entered, the Senator from Mississippi [Mr. STENNIS] is recognized.

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

Mr. STENNIS. As I understand, I am recognized and have the floor.

The PRESIDENT pro tempore. The Senator is correct.