George R. McCurry, of California.
Gerald G. McLaughlin, of Texas.
Miss Harriet K. Miller, of California.
William Moody, of California.
Miss Raecarol Morgan, of Kansas.
John J. O'Donnell, of Pennsylvania.
Frederic R. Ohringer, of the District of Columbia.
Joseph P. O'Neill, of New York.
Gus P. Peleuses, of Ohio.
Dominick Ramirez, of New York.
Mrs. Muriel K. Ransom, of California.
Fred L. Robinson, of Utah.
Miss Josephine P. Scarano, of New York.
Miss Anne Marie Schloss, of New York.
Frederick H. Sheppard, of Ohio.
William W. Smith, of New York.
Frederick A. Turco, of Maryland.
Rodelle L. Wenndorf, of Nebraska.
Elijah H. White, of Virginia.
Mitchell Wolfson, Jr., of Florida.

POSTMASTERS

The following-named persons to be postmasters:

CALIFORNIA

Donald R. Wilson, Farmersville, Calif., in place of Gerhard Wipf, retired.
Tommy M. Neff, Imperial, Calif., in place of D. J. McChristy, retired.
Walter H. Jahn, Lakeport, Calif., in place of W. M. Patterson, resigned.
Hugh W. Aber, Morongo Valley, Calif., in place of L. D. Davis, retired.

MISSOURI

Robert J. Eckstein, Clyde, Mo., in place of E. A. Farnan, retired.

MONTANA

John R. McNamara, Helena, Mont., in place of L. A. Wendell, retired.

NEBRASKA

Alvin J. Goochey, Johnstown, Nebr., in place of L. H. Pelc, resigned.

NEW YORK

Kendall E. Barnes, Islip, N,Y., in place of M. H. Schneider, retired.
Wilfred E. Batt, Waterport, N.Y., in place of DeMaris Fishbaugh, retired.

NORTH CAROLINA

Robert E. Peele, Stokes, N.C., in place of J. D. Glissen, resigned.

OHIO

John R. Carder, Continental, Ohio, in place of H. H. Kirkendall, transferred.

OKLAHOMA

Hubert W. Sanders, Custer, Okla., in place of P. H. Underwood, deceased.
Richard N. Krohn, Indiahoma, Okla., in place of J. L. McLinn, retired.

OREGON

Samuel K. Price, Independence, Oreg., in place of G. C. Smith, deceaesd.

PENNSYLVANIA

Wynfield F. Pitchard, Windgap, Pa., in place of C. J. Trexler, retired.

SOUTH DAKOTA

John L. Maloney, Watertown, S. Dak., in place of C. R. Mitchel, transferred.

TEXAS

Joseph C. Sullivan, San Marcos, Tex., in place of C. L. Haynes, retired.

MONDAY, NOVEMBER 20, 1967

HOUSE OF REPRESENTATIVES

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

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

The Lord is nigh unto all them that call upon Him, to all that call upon Him in truth.—Psalm 145: 18.

Let us pray.

We pause in this moment of prayer, our Father, to lift our hearts unto Thee. Speak Thou Thy word to us and to our Nation, and help us not only to hear it but to heed it; not only to receive it but to respond to it; not only to listen to it but to live by it.

May we be gentle with each other and generous; may we be masters of ourselves and in so doing manage our relationships with good will; may we so live our lives that we can respect ourselves and thereby be worthy of the respect of others.

Minister to us in our prayers that we may be able to change what we can change, accept what we must accept, and do it all with grateful hearts and genuine faith. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, November 17, 1967, was read and approved.

MESSAGE FROM THE SENATE

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

H.R. 3474. An act to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Ike Ignac Klein against the Government of Hungary, and for other purposes.

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

H.R. 6111. An act to provide for the establishment of a Federal Judicial Center.

The message also announced that the Senate agrees to the amendments of the House to a joint resolution of the Senate of the following title:

S.J. Res. 26. Joint resolution designating February of each year as "American History Month."

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

S. 2152. An act to authorize the vessel *Orion* to engage in the coastwise trade;

S. 2324. An act to amend the act prohibiting fishing in the territorial waters of the United States with respect to the penalties provided thereunder; and

S. 2349. An act to provide for the appointment of additional circuit judges.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 13606, THE MILITARY CONSTRUCTION APPROPRIATIONS, 1968

Mr. KIRWAN. Mr. Speaker, on behalf of the gentleman from Florida [Mr. SIKES], I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 13606) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

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

There was no objection.

DEVALUATION OF POUND, DEFENSE OF DOLLAR

Mr. PELLY. 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 Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, Britain's devaluation of the pound over the weekend makes it absolutely essential that the United States reassess its financial policies and take all necessary steps to defend the dollar and assure international monetary stability. In this connection, I know the President can expect full cooperation from all Republicans, as well as Democrats, in the Congress.

In my opinion, Mr. Speaker, austerity is a prime requirement in strengthening the dollar in this time of financial peril, and, in this way, I pledge support to the President.

Certainly, Mr. Speaker, the interest of every American is involved.

DEVALUATION OF POUND INDICATES NEED FOR CUT IN FEDERAL SPENDING

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

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

There was no objection.

Mr. CURTIS. Mr. Speaker, I have requested an hour special order this afternoon after all other business in order to discuss the serious situation in the devaluation of the pound and the immediate reaction of our monetary authorities in increasing the discount rate. This, indeed, begins to spell out some of the serious fiscal problems that many of us have been trying to call attention to not just this year but for the previous 2 years. There is one course of action that the administration still seems uninclined to pursue, and it is the only course—cut back on Federal spending.

TO ESTABLISH A JUDGE ADVOCATE GENERAL'S CORPS IN THE NAVY

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 12910) to establish a Judge Advocate General's Corps in the Navy, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, strike out all after line 8 over to and including line 15 on page 5 and insert:

"'(b) An officer of the Judge Advocate General's Corps who has the qualifications

prescribed for the Judge Advocate General in section 5148(b) of this title may be detailed as Assistant Judge Advocate General of the Navy. While so serving he is entitled to the rank and grade of rear admiral (lower half), unless entitled to a higher rank or grade under another provision of law. An officer who is retired while serving as Assistant Judge Advocate General of the Navy under this subsection or who, after serving at least twelve months as Assistant Judge Advocate General of the Navy, is retired after completion of that service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the rank and grade of rear admiral (lower half). If he is retired as a rear admiral, he is entitled to retired pay in the lower half of that grade, unless entitled to higher pay under another provision of law.

"'(c) A judge advocate of the Marine Corps who has the qualifications prescribed for the Judge Advocate General in section 4158(b) of this title may be detailed as Assistant Judge Advocate General of the Navy. While so serving he is entitled to the rank and grade of brigadier general, unless entitled to a higher rank or grade under another provision of law. An officer who is retired while serving as Assistant Judge Advocate General of the Navy under this subsection or who, after serving at least twelve months as Assistant Judge Advocate General of the Navy, is retired after completion of that service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the rank and grade of brigadier general. If he is retired as a brigadier general, he is entitled to the retired pay of that grade, unless entitled to higher pay under another provision of law.'"

Page 11, line 9, strike out all after "grade." down to and including "Navy." in line 12.

Page 12, line 9, after "date." insert: Redesignation of an officer under section 8(b) of this Act shall not operate to change the computation of his service for any purpose.

Page 12, after line 13, insert:

"SEC. 12. Title 10, United States Code, is amended by inserting the words ', the Judge Advocate General's Corps,' after the words 'the Medical Corps' in section 5652a and by inserting the words 'the Judge Advocate General's Corps' after the words 'the Medical Corps,' in sections 5581, 5702(b), 5708 (c)(1), 5753(b), 5896(a) (3) and (4), 5897(c) (1), and 6378(b) (7)."

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

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. 397]

Abbitt	Broomfield	Corman
Andrews, Ala.	Brown, Ohio	Cowger
Annunzio	Burke, Fla.	Cunningham
Arends	Button	Delaney
Ashley	Cabell	Diggs
Aspinall	Celler	Edwards, Ala.
Bates	Chamberlain	Edwards, La.
Belcher	Clark	Evans, Colo.
Berry	Clawson, Del	Evins, Tenn.
Boland	Cleveland	Feighan
Brademas	Cohelan	Findley
Brooks	Conyers	Flynt
Fountain	Madden	Rivers
Fulton, Tenn.	Martin	Rodino
Fuqua	Mathias, Md.	Rogers, Colo
Gallagher	Michel	Rogers, Fla.
Gurney	Mills	Rooney, N.Y.
Halleck	Minshall	Rooney, Pa.
Hansen, Idaho	Mosher	St. Onge
Hansen, Wash.	Moss	Satterfield
Hays	Nelsen	Schwengel
Hébert	Olsen	Shipley
Heckler, Mass.	Pepper	Stephens
Henderson	Pike	Teague, Tex.
Herlong	Poage	Thomson, Wis.
Holifield	Pollock	Udall
Hosmer	Pool	Utt
Ichord	Pryor	Whitten
Johnson, Pa.	Purcell	Wiggins
Jones, N.C.	Rees	Williams, Miss.
Kyl	Reinecke	Willis
Landrum	Resnick	Wright
McCulloch	Reuss	
McEwen	Rhodes, Pa.	

The SPEAKER. On this rollcall 330 Members have answered to their names, a quorum.

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

TO ESTABLISH A JUDGE ADVOCATE GENERAL'S CORPS IN THE NAVY

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. PHILBIN] to take from the Speaker's desk the bill (H.R. 12910), to establish a Judge Advocate General's Corps in the Navy, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments?

Mr. KING of New York. Mr. Speaker, reserving the right to object, and I shall not object, I wonder if the distinguished gentleman from Massachusetts [Mr. PHILBIN] would discuss for the edification of the Members of the House the amendments which have been added by the other body?

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

Mr. KING of New York. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, H.R. 12910 is the bill to establish a Judge Advocate General's Corps in the Navy. It was approved unanimously in subcommittee and full committee and passed the House on Consent Calendar on October 2, 1967. It was approved on consent in the other body on November 14, 1967, with minor amendments.

The main amendments are to make the two Assistant Judge Advocate Generals permissively be flag officers rather than mandatorily. In the House version it was required that one Assistant Judge Advocate General be a flag officer of the Navy and one Assistant Judge Advocate General be a flag officer of the Marine Corps. This ran into problems in the other body because of the limitation on the total number of flag officers.

The second amendment of the Senate was to set out specific sections of title 10 presently applicable to the Medical Corps which would be applicable to the Judge Advocate General's Corps. The House version had a blanket incorporation by references.

These amendments are acceptable to the Navy and to the Marine Corps.

The Senate passed H.R. 12910—the Navy Judge Advocate General's Corps bill—with certain amendments.

On page 4, line 11, change "shall" to "may," and on page 5, line 2, change "shall" to "may." The purpose of this amendment was to eliminate the mandatory provision that Assistant Judge Advocate Generals be detailed. Under the language of the bill prior to its amendment the Secretary of the Navy would have been required to detail two Assistant Judge Advocate Generals and the Senate committee advised that if this were done the Stennis ceiling would not be raised, and that the flag and general officers filling the two billets would have to be charged against the total number of flag and general officers already authorized under the Stennis ceiling for the Navy and the Marine Corps. Both the Navy and the Marine Corps took the position that they could not absorb at this time within their current flag- and general-officer allocations the two Assistant Judge Advocate General billets. Consequently the language was changed to enable the Navy and Marine Corps to have some flexibility in this regard.

On page 11 the last sentence of subsection (b) of section 8 was deleted. This sentence provides that all provisions of title 10, United States Code, relating to officers of the Medical Corps should be applicable to officers of the Judge Advocate General's Corps. The committee preferred not to use this sweeping language but instead to spell out the sections of title 10 applying to the Medical Corps which would apply to the Judge Advocate General's Corps. Accordingly, section 12 of the bill was added to take the place of the last sentence of subsection (b) of section 8.

On page 12 in section 10 a second sentence was added to the bill reading:

Redesignation of an officer under section 8(b) of the Act shall not operate to change the computation of his service for any purposes.

This technical amendment was added to insure that officers now on duty as law specialists would not have their total commissioned service changed when they were designated as members of the Judge Advocate General's Corps.

These amendments are acceptable and also have the approval of the Commandant of the Marine Corps, the Chief of Naval Operations, and the Chief of Naval Personnel.

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

Mr. KING of New York. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, as the distinguished chairman of the Subcommittee of the Committee on Armed Services states, this legislation came out of the full committee unanimously, but was not the original intent in this legislation to make this mandatory rather than permissive when it passed the House without objection?

Mr. PHILBIN. Yes; that is correct.

Mr. HALL. And create the two additional positions of flag officer or general officer rank over and above the so-called "ceiling" of chairman of the subcommittee in the other body, and there was authorized this most important legal corps which in this one branch of the service had never been brought up to comparable

rank with the other services, with the same type of officers; and by accepting this permissive legislation proposed by the other body are we not undoing what we really intended to do in the first place?

I would ask the distinguished gentleman that question for the benefit of all the Members.

Mr. PHILBIN. As the gentleman knows, the bill originally had a mandatory requirement in it that the two officers be of flag rank. The bill from the Senate would be permissive, which would permit the positions to be filled by other than the flag rank, and since it was permissive, they could be filled also by admirals. The problem was that at the present time, under the House bill, there might be some question of exceeding the present ceiling as to officers of flag rank. So the other body felt that at the present time, it was perhaps better that this legislation should be permissive rather than mandatory. Our committee feels that it would be better to accept the amendments so that we could get this program started, since it is a very desirable program to improve Navy justice and it was adopted unanimously by the House.

Mr. HALL. I agree with the gentleman, if the gentleman will yield further, and I agree that it is perhaps necessary to accept it in its "dehorned" form, as it comes from the other body, in order to get the program started. And I believe the gentleman will agree with me that in the subcommittee, the full committee, and in the House it was the intention of this body to actually create, above that existing ceiling for flag or general officers, two additional ones for this specific purpose; or to at least give the advice and consent of the Congress, that it was in order, to the executive branch. And I hope that we can establish that legislative record, and I hope I can hear a statement of confirmation from the gentleman as to that legislative record, since we are willing to accept the less importunate legislation at this time.

Mr. PHILBIN. I certainly agree with the statement of the able gentleman from Missouri, an outstanding member of the committee. I am in agreement with him that we should move toward having the legislation be as it was originally passed by the House, and I believe that should be done. But as I mentioned, I believe it is necessary to follow this procedure, and accept the Senate amendments, in order that the program may commence at an early date.

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

Mr. KING of New York. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, did I understand the gentleman to say that this bill makes it only permissive for a Judge Advocate's Corps to be established in the Navy?

Mr. PHILBIN. No; it is permissive only as to the rank of the two officers to be added to the Corps when it is organized, and they shall be of flag rank as well as a lower, lesser rank, presumably captains.

Mr. GROSS. I thank the gentleman.

Mr. PHILBIN. That is all that is involved here, I may inform the distinguished gentleman.

Mr. KING of New York. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

THE 26TH ANNIVERSARY OF JAPANESE ATTACK ON PEARL HARBOR

Mr. GOODLING. 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 Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, December 7 is but a few weeks away, and it marks the 26th anniversary of the Japanese attack on Pearl Harbor, an act which committed the United States to World War II.

Mr. Speaker, the Commonwealth of Pennsylvania has designated December 7, 1967, as Pearl Harbor Remembrance Day in Pennsylvania, and I introduce into the RECORD Gov. Raymond P. Shafer's proclamation formalizing this designation:

PROCLAMATION BY GOVERNOR OF PENNSYLVANIA, NOVEMBER 3, 1967

Greetings:

December 7, 1967, marks the 26th anniversary of the attack by the Japanese on Pearl Harbor, an act which plunged the United States into World War II.

This anniversary should serve as a grim reminder to us all of the vigilance necessary for our Country and the entire free world to preserve our liberty and democratic ideals.

As Governor of Pennsylvania, in memory of the members of our Armed Forces who lost their lives in that attack, and to those who survived to achieve the ultimate victory, I hereby designate December 7, 1967, as Pearl Harbor Remembrance Day in Pennsylvania.

Furthermore, I call upon all our citizens to pay homage to the Americans who died at Pearl Harbor, to rededicate themselves to protecting our freedom, and to fly the American Flag on this day as a symbol of our devotion to the principles for which it stands.

RAYMOND P. SHAFER,
Governor.

THE LATE A. T. BURCH

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today I was saddened to read in the Washington Post of the death of A. T. Burch, of Chicago.

Mr. Burch for a number of years was associate editor of the Chicago Daily News and was in charge of the editorial page. During that time he made the political recommendations of the Chicago Daily News in all the campaigns.

Mr. Burch was one of the most conscientious men I ever knew. He weighed carefully the merits and demerits of all candidates and I thought he always strove to reach fair determinations. He enjoyed the confidence of the public in an unusual measure. During the period that he was the responsible editor in charge of the selections it was said that the recommendations in the Chicago Daily News meant in the city of Chicago a difference of no less than 50,000 votes.

That was the estimate of political leaders based upon the clippings of the news recommendations left in the polling places.

Whether one agreed or disagreed with his judgment on political issues and personalities, no one questioned his sincerity or his honesty.

Angelus T. Burch was a man of firm religious convictions, scholarly but unpretentious, and he gave a life of service to his God and fellow men.

From 1945 to 1960, a period of 15 years, he was in charge of the editorial page of the Chicago News and was a widely read columnist for the News for 4 years after his retirement.

He was a lieutenant in artillery during World War I, later was financial editor of the old New York Tribune, political reporter for the Topeka Daily Capital, editorial writer for the Topeka State Journal, and over headed the journalism department of Washburn College.

THE LATE A. T. BURCH

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

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

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, I would like very much to join in the statement just made by the gentleman from Illinois [Mr. O'HARA] because, as a matter of fact, Mr. Burch was my second cousin. The "A. T." stood for Angelus T. Burch.

Mr. Speaker, I appreciate the thoughtfulness of the gentleman from Illinois in saying those kind and well-deserved words.

CONSENT CALENDAR

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

INTERNATIONAL BRIDGE AT PHARR, TEX.

The Clerk called the bill (H.R. 470) to authorize the Pharr Municipal Bridge Corp. to construct, maintain, and operate a toll bridge across the Rio Grande near Pharr, Tex.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, on November 6, at the

request of the gentleman from Pennsylvania [Mr. JOHNSON], this bill, H.R. 470, was passed over without prejudice.

The reason it was passed over was that there was no report of the State Department included in the printed report accompanying the bill.

Since that time the author of the bill, the gentleman from Texas [Mr. DE LA GARZA] has furnished the objectors' committee with copies of the report.

Mr. Speaker, I note that by the bill consent of Congress is granted to the city of Pharr, Tex., to enter into an agreement. However, the report states:

Since Congress would be granting its consent to the conclusion of an agreement before the terms of the agreement are known, it is believed that the terms of such an agreement should be submitted to the Department of State for approval.

Therefore, Mr. Speaker, I withdraw my reservation of objection, and I ask unanimous consent that the bill be passed over without prejudice.

Mr. SELDEN. Mr. Speaker, reserving the right to object, I would like to call to the attention of the gentleman that there has been a section included in the bill, an amendment which was requested by the State Department. It is section 2, which will cover the question raised by the gentleman from Washington.

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

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

Mr. PELLY. The gentleman from Pennsylvania is absent today. I would like to have the bill passed over without prejudice until the gentleman from Pennsylvania can make a determination about that language.

Mr. SELDEN. Mr. Speaker, further reserving the right to object, I talked with the gentleman from Pennsylvania after he asked 2 weeks ago that the bill be passed over. He told me the reason he had made the request was due to the absence of the gentleman from Washington. He, himself, had no objection personally.

Mr. PELLY. Mr. Speaker, will the gentleman yield further?

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

Mr. PELLY. I would like to discuss it with him.

Mr. DE LA GARZA. Mr. Speaker, reserving the right to object, I would like to inform the gentleman from Washington that the gentleman from Pennsylvania informed me that he had no objection to this legislation, that he would not be present today, and in the presence of the gentleman from Missouri he made the statement that no objection need be made because of his absence, and that he had no objection.

Mr. PELLY. I thank the gentleman from Texas. If he would yield to me, I would like to point out that the gentleman has certainly been very conscientious in trying to satisfy the objectors. The only problem that I have, if the gentleman will yield further, is that I want to study the language of this report, which was placed in my hand only this weekend, and study it in relation to the language which is in the bill, which seeks to overcome this objection of the State Department.

So if the gentleman would not mind, I would like to have the bill passed over for another 2 weeks, and then I think we would probably be willing to have it passed on the Consent Calendar.

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

There was no objection.

INCREASE OF TIMBER SURVEY AUTHORIZATION

The Clerk called the bill (S. 1136) to amend section 9 of the act of May 22, 1928 (45 Stat. 702), as amended and supplemented (16 U.S.C. 581h), relating to surveys of timber and other forest resources of the United States, and for other purposes.

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

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

There was no objection.

NAMING THE FEDERAL OFFICE BUILDING, DETROIT, MICH., IN HONOR OF THE LATE PATRICK V. McNAMARA

The Clerk called the bill (S. 343) to provide that the Federal office building to be constructed in Detroit, Mich., shall be named the "Patrick V. McNamara Federal Office Building" in memory of the late Patrick V. McNamara, a U.S. Senator from the State of Michigan from 1955 to 1966.

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

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

There was no objection.

TOBACCO ALLOTMENT LEASE AND TRANSFER

The Clerk called the bill (H.R. 13653) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SNYDER, Mr. ZION, and Mr. CARTER objected; and, under the rule, the bill was stricken from the Consent Calendar.

Mr. SNYDER. 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 Kentucky?

There was no objection.

Mr. SNYDER. Mr. Speaker, I want to explain to the Members of the House that my opposition to this legislation is not out of any desire to be obstinate. I sincerely believe it would not be for the best interest of the burley tobacco producers. I believe it would increase production in an area where overproduction is already a problem.

The committee hearings on August 16 and 17, 1967, indicate that the President of the Kentucky Farm Bureau, Mr. Louis Ison, testified against the leasing of burley allotments as did Mr. S. J. Stokes, Jr., president of the Burley Farmers Advisory Council.

Mr. Speaker, the Kentucky Farm Bureau in its State convention less than 2 weeks ago affirmed its opposition by a resolution duly adopted.

Along this line, Mr. Speaker, I include a short editorial from the Louisville Courier-Journal of Sunday, November 12:

A QUESTIONABLE TOBACCO BILL

Two Kentucky Congressmen last week blocked temporarily a dubious tobacco bill that would let tobacco growers lease and transfer their acreage allotments to other farmers. It is a measure favored by large tobacco growers and opposed by small growers. Representatives Tim Lee Carter and Gene Snyder, siding with the small growers, teamed up to halt immediate action on the bill in the House.

The bill, sponsored by two other Kentucky Congressmen, John Watts and Frank Stubblefield, would permit a grower to lease other farmers' tobacco allotments and consolidate as much as 10 acres for additional planting. The big growers are in a better position to lease the acreage, which would give them a cushion against further government-imposed acreage reductions.

It isn't a questionable bill just because the big growers are for it and the little ones are against it. It is dubious because it is a device to stimulate tobacco production. As Representative Snyder put it: "Our problem right now is over-production—not underproduction. This would compound the problem."

He is right.

RELATING TO OIL AND GAS LEASES

The Clerk called the bill (H.R. 7940) to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely.

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

H.R. 7940

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 31(b) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188 (b)), is amended by changing the period at the end thereof to a colon and adding the following: *"Provided,* That if the rental payment due under a lease is paid timely but the amount of the payment is deficient and the deficiency is nominal, as determined by the Secretary in regulations to be issued by him, the Secretary shall notify the lessee of the deficiency and such lease shall not automatically terminate unless the lessee fails to pay the deficiency within the period prescribed in the notice."

SEC. —. Section 31(c) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(c)), is amended to read as follows:

"(c) Where any lease has been terminated automatically by operation of law under this section for failure to pay rental timely or for failure to pay the full amount due and the deficiency is not nominal and it is shown to the satisfaction of the Secretary of the

Interior that such failure was either justifiable or not due to lack of reasonable diligence, he may reinstate the lease if—

"(1) a petition for reinstatement, together with the required rental, including back rental accruing from the date of termination of the lease, is filed with the Secretary; and

"(2) no valid lease has been issued affecting any of the lands covered by the terminated lease prior to the filing of said petition. In the case of any lease terminated after October 15, 1962, but before the effective date of this sentence for failure to pay rental timely or for failure to pay the full amount due, such petition must be filed within one hundred and eighty days after this sentence becomes effective. The Secretary shall not issue any new lease affecting any of the lands covered by such terminated lease for a reasonable period, as determined in accordance with regulations issued by him."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That section 31(b) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(b)), is amended by changing the period at the end thereof to a colon and adding the following: *'Providing,* That if the rental payment due under a lease has been or is hereafter paid on or before the anniversary date but either (1) the amount of the payment is deficient and the deficiency is nominal, as determined by the Secretary by regulation, or (2) the payment was calculated in accordance with the acreage figure stated in the lease or made in accordance with a bill which has been rendered by him and such figure or bill is found to be in error resulting in a deficiency, the Secretary shall notify the lessee of the deficiency and such lease shall not automatically terminate unless the lessee fails to pay the deficiency within the period prescribed in the notice.'

"SEC. 2. Section 31(c) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(c)), is amended to read as follows:

"'(c) Where any lease has been or is hereafter terminated automatically by operation of law under this section, for failure to pay rental on or before the anniversary date or for failure to pay the full amount due and the deficiency is not nominal and payment was not made in accordance with the acreage figure stated in the lease or in accordance with a bill rendered by the Secretary and it is shown to the satisfaction of the Secretary of the Interior that such failure was either justifiable or not due to lack of reasonable diligence, he may reinstate the lease if—

"'(1) a petition for reinstatement, together with the required rental, including back rental accruing from the date of termination of the lease, is filed with the Secretary; and

"'(2) no valid lease has been issued affecting any of the lands covered by the terminated lease prior to the filing of said petition. The Secretary shall not issue any new lease affecting any of the lands covered by such terminated lease for a reasonable period, as determined in accordance with regulations issued by him. In any case where a reinstatement of a terminated lease is granted under this subsection and the Secretary finds that the reinstatement of such lease will not afford the lessee a reasonable opportunity to continue operations under the lease, the Secretary may at his discretion, extend the term of such lease for such period as he deems reasonable: *Provided,* That (A) such extension shall not exceed a period equivalent to the time beginning when the lessee knew or should have known of the termination and ending on the date the Secretary grants such petition; (B) such extension shall not exceed a period equal to the unexpired portion of the lease or any extension thereof remaining at the date of termination; and (C) when the reinstatement occurs after the expiration of the term or extension thereof the lease may be extended from the date the Secretary grants the petition.'"

The committee amendment was agreed to.

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

Mr. HALEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill, S. 1367.

The Clerk read the title of the Senate bill.

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

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

S. 1367

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 31(b) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(b)), is amended by changing the period at the end thereof to a colon and adding the following: *"Provided,* That if the rental payment due under a lease is paid on or before the anniversary date but either (1) the amount of the payment has been or is hereafter deficient and the deficiency is nominal, as determined by the Secretary by regulation, or (2) the payment was calculated in accordance with the acreage figure stated in the lease or made in accordance with a bill which has been rendered by him and such figure or bill is found to be in error resulting in a deficiency, the Secretary shall notify the lessee of the deficiency and such lease shall not automatically terminate unless the lessee fails to pay the deficiency within the period prescribed in the notice."

SEC. 2. Section 31(c) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(c)), is amended to read as follows:

"(c) Whereas any lease has been or is hereafter terminated automatically by operation of law under this section, for failure to pay rental on or before the anniversary date or for failure to pay the full amount due and the deficiency is not nominal and payment was not made in accordance with the acreage figure stated in the lease or in accordance with a bill rendered by the Secretary and it is shown to the satisfaction of the Secretary of the Interior that such failure was the result of error or neglect on the part of the Department of the Interior, the Secretary may reinstate the lease if—

"(1) a petition for reinstatement, together with the required rental, including back rental accruing from the date of termination of the lease, if filed with the Secretary; and

"(2) no valid lease has been issued affecting any of the lands covered by the terminated lease prior to the filing of said petition. The Secretary shall not issue any new lease affecting any of the lands covered by such terminated lease for a reasonable period, as determined in accordance with regulations issued by him. In any case where a reinstatement of a terminated lease is granted under this subsection and the Secretary finds that the reinstatement of such lease will not afford the lessee a reasonable opportunity to continue operations under the lease, the Secretary may, at his discretion extend the term of such lease for such period as he deems reasonable: *Provided,* That (A) such extension shall not exceed a period equivalent to the time beginning when the lessee knew or should have known of the termination and ending of the date the Secretary grants such petition; (B) such extension shall not exceed a period equal to the unexpired portion of the lease or any extension thereof remaining at the date of termination; and (C) when the reinstatement occurs after the expiration of the term or extension thereof the lease may be extended from the date the Secretary grants the petition."

AMENDMENT OFFERED BY MR. HALEY

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

The Clerk read as follows:

Amendment offered by Mr. HALEY: Strike out all after the enacting clause of S. 1367 and insert the provisions of H.R. 7940, as passed.

The amendment was agreed to.

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

A similar House bill (H.R. 7940) was laid on the table.

ELIGIBILITY FOR PARTICIPATION IN THE CROPLAND ADJUSTMENT PROGRAM

The Clerk called the bill (H.R. 2375) to amend the Food and Agriculture Act of 1965.

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

H.R. 2375

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 602(a) of the Food and Agriculture Act of 1965 is amended by adding at the end thereof the following new sentence: "The foregoing provision shall not prevent a producer from placing a farm in the program if the farm was acquired by the producer to replace an eligible farm from which he was displaced because of its acquisition by any Federal, State, or other agency having the right of eminent domain."

With the following committee amendment:

On page 1, line 7, strike out the word "a" and insert in lieu thereof the words "an eligible".

The committee amendment was agreed to.

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

Mr. STUBBLEFIELD. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 2126) to amend the Food and Agriculture Act of 1965.

The Clerk read the title of the Senate bill.

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

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

S. 2126

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 602(a) of the Food and Agriculture Act of

1965 is amended by adding at the end thereof the following new sentence: "The foregoing provision shall not prevent a producer from placing an eligible farm in the program if the farm was acquired by the producer to replace a farm from which he was displaced because of its acquisition by any Federal, State, or other agency having the right of eminent domain."

AMENDMENT OFFERED BY MR. STUBBLEFIELD

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

The Clerk read as follows:

Amendment offered by Mr. STUBBLEFIELD: Strike all after the enacting clause in S. 2126 and insert in lieu thereof the provisions of H.R. 2375, as passed.

The amendment was agreed to.

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

A similar House bill (H.R. 2375) was laid on the table.

NAMING THE POST OFFICE AND FEDERAL OFFICE BUILDING, BRONX, N.Y., IN HONOR OF THE LATE CHARLES A. BUCKLEY

The Clerk called the bill (H.R. 13833) to provide that the post office and Federal office building to be constructed in Bronz, N.Y., shall be named the "Charles A. Buckley Post Office and Federal Office Building" in memory of the late Charles A. Buckley, a Member of the United States of Representatives from the State of New York from 1935 through 1964.

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

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

There was no objection.

PROVIDING FOR THE RESTORATION AND RETURN TO THE UNITED STATES OF THE "KAIULANI"

The Clerk called the joint resolution (S.J. Res. 101) amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani*, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

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

There was no objection.

FEDERAL MARITIME DISCOVERY PROCEDURES

The Clerk called the bill (S. 706) to amend section 27 of the Shipping Act, 1916.

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

S. 706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Shipping Act (46 U.S.C. 826) be amended by deleting the present section and substituting therefor the following:

"SEC. 27. (a) In all proceedings under section 22 of this Act, depositions, written interrogatories, and discovery procedure shall be available under rules and regulations issued by the Federal Maritime Commission, which rules and regulations shall, to the extent practicable, be in conformity with the rules applicable in civil proceedings in the district courts of the United States. In such proceedings, the Commission may by subpena compel the attendance of witnesses and the production of books, papers, documents, and other evidence, in such manner and to such an extent as the Commission may by rule or regulation require. Attendance of witnesses and the production of books, papers, documents, and other evidence in response to subpena may be required from any place in the United States at any designated place of hearing, and persons so acting under the direction of the Commission and witnesses shall, unless employees of the Commission, be entitled to the same fees and mileage as in the courts of the United States.

"(b) Obedience to this section shall, on application by the Commission, be enforced as are orders of the Commission other than for the payment of money."

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

AMENDING THE ACT CREATING THE ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION

The Clerk called the bill (S. 1566) to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans.

Mr. HALL. Mr. Speaker, reserving the right to object, as I read the bill and the report, this is a bill, which has $4.5 million additional funding in the bill as passed by the other body, and therefore it is not eligible for consideration, according to the criteria of the objectors.

Is there anything that can be said in its behalf, because it is for that reason that I have taken the reservation of objection, rather than asking unanimous consent that the bill be put over without prejudice, pending the next call of the calendar.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Speaker, I will be most happy to answer the gentleman.

When the bill was before the Subcommittee on the Panama Canal, we had several hearings. We decided the Commission should have an additional year and a half in which to finish some of its studies and report back to the Congress, but we refused in the Committee to give them any additional money. The Senate bill would authorize an additional amount of $4.5 million. We probably will have to go to conference. We will insist that there be no more money for this Commission.

Mr. HALL. Mr. Speaker, is there any reason to believe that with this insistence and maintaining the position on the part of the conferees on the part of the House, we would not be dedicating from the taxpayers' pockets additional funds to the end result?

I am the first to agree that we do need a report from this Commission. It was for that reason I took the reservation, rather than merely asking that the bill be passed over without prejudice, this late in the session.

I do understand the situation in the Panama Canal. The distinguished gentlewoman knows I have worked with her on this vital subject. I am most anxious that this come to fruition and that we not give away our rights there until such a report is made.

Do we have any assurance that the position of the House can be maintained? Second, does it require a year and a half extension of the Commission to wind up the final report?

Mrs. SULLIVAN. Mr. Speaker, if the gentleman will yield further, I want to assure the gentleman that they do need this time. The Commission sent to our Committee, on the day that we were to take final action on the bill, a message that they were ready to accept the House version of the bill. I can assure the gentleman that we will insist upon our version, with no additional money, but providing a year and a half extension in the period for filing their report.

Mr. HALL. Mr. Speaker, I would certainly want the Members of the House to be on notice that if such a conference report came back it could and should be objected to, if it involved the additional funds.

I certainly appreciate the gentlewoman's explanation, and I withdraw my reservation.

Mrs. SULLIVAN. I thank the gentleman.

Mr. GROSS. Mr. Speaker, further reserving the right to object, the bill I have before me is a Senate bill. If it is approved by unanimous consent, the House will have put its stamp of approval upon $4½ million of additional money for the Commission.

In addition, the bill I have before me violates the rules for consideration on the Consent Calendar, in that it deals with $4½ million.

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

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

There was no objection.

SHIPPING ACT, 1916: AUTHORIZED REFUND OF CERTAIN FREIGHT CHARGES

The Clerk called the bill (H.R. 9473) to amend provisions of the Shipping Act, 1916, to authorize the Federal Maritime Commission to permit a carrier to refund a portion of the freight charges.

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

H.R. 9473

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That section 13(b) of the Shipping Act, 1916 (46 U.S.C. 817(b)), is amended by changing the period at the end of subsection (3) thereof to a colon and adding the following proviso: *"Provided, however,* That the Federal Maritime Commission may in its descretion and for good cause shown permit a carrier to refund a portion of freight charges collected from a shipper or waive the collection of a portion of its charges from a shipper, where it appears that such refund or waiver will not result in discrimination among shippers: *Provided, further, however,* That the carrier has, prior to applying for authority to make refund, filed a new tariff with the Federal Maritime Commission which sets forth the rate on which such refund or waiver would be based: *And provided further, however,* That the rate resulting from such refund or waiver when approved shall be the effective and applicable rate for all other shipments of the same description of the carrier for the period commencing thirty days prior to the date of the shipment or shipments involved, until thirty days subsequent to the date of application for refund or waiver or until ninety days subsequent to the shipment or shipments involved, whichever is later, and where appropriate, additional refunds or waivers shall likewise be made."

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That section 18(b) of the Shipping Act, 1916 (46 U.S.C. 817(b)), is amended by changing the period at the end of subsection (3) thereof to a colon and adding the following proviso: *'Provided, however,* That the Federal Maritime Commission may in its discretion and for good cause shown permit a common carrier by water in foreign commerce or conference of such carriers to refund a portion of freight charges collected from a shipper or waive the collection of a portion of the charges from a shipper where it appears that there is an error in a tariff of a clerical or administrative nature or an error due to inadvertence in failing to file a new tariff and that such refund or waiver will not result in discrimination among shippers; *Provided further,* That the common carrier by water in foreign commerce or conference of such carriers has, prior to applying for authority to make refund, filed a new tariff with the Federal Maritime Commission which sets forth the rate on which such refund or waiver would be based; *Provided further,* That the carrier or conference agrees that if permission is granted by the Federal Maritime Commission, an appropriate notice will be published in the tariff, or such other steps taken as the Federal Maritime Commission may require, which give notice of the rate on which such refund or waiver would be based, and additional refunds or waivers as appropriate shall be made with respect to other shipments in the manner prescribed by the Commission in its order approving the application: *And Provided further,* That application for refund or waiver must be filed with the Commission within 180 days from the date of shipment.' "

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to amend provisions of the Shipping Act, 1916, to authorize the Federal Maritime Commission to permit a common carrier by water in foreign commerce or conference of such carriers to refund a portion of the freight charges."

A motion to reconsider was laid on the table.

ARGOS NATIONAL FISH HATCHERY

The Clerk called the bill (H.R. 10923) to authorize the Secretary of the Interior to convey the Argos National Fish Hatchery in Indiana to the Izaak Walton League.

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

H.R. 10923

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey to the Argos (Indiana) Chapter Numbered 68 of the Izaak Walton League of America without compensation the title to the Argos National Fish Hatchery in Marshall County, Indiana, whenever he determines that said league is capable of assuming the full responsibility for operating and maintaining the hatchery for the purposes for which it was established.

With the following committee amendment:

Add the following provision at the end of the bill: "Whenever the Secretary determines, after conveyance, that the hatchery is not being operated and maintained for the purposes for which it was established, title thereto shall automatically revert to the United States."

The committee amendment was agreed to.

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

UNSUBSIDIZED SERVICE TO THE TERRITORY OF GUAM

The Clerk called the bill (H.R. 12638) to authorize the exchange of certain war-built vessels for conversion and operation in nonsubsidized service between the west coast of the United States and the territory of Guam.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to be reassured that there will be absolutely no cost to the Government, either directly or indirectly, either as subsidies or as costs of conversion of these particular C–4 type ships for use in trade between the west coast, Guam, and other territories of the United States.

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

Mr. HALL. I will be glad to yield to the distinguished chairman of the committee.

Mr. GARMATZ. This says that the Secretary shall make no payment to the owner with respect to any of these changes. Therefore, exchanges of vessels under the Exchange Act involve no additional cost to the Government.

Mr. HALL. Mr. Speaker, further reserving the right to object—and I appreciate that it is written in the bill—is there any reason why the Comptroller General did not have the information on which to comment and forward the departmental views as required by the objectors criteria, concerning our deal with the supposedly nonsubsidized associations for these liners, tankers, and tramp-type vessels? Does the gentleman have any information as to why there is not available to the Comptroller General or the General Accounting Office such information?

Mr. DINGELL. Mr. Speaker, if the gentleman will yield?

Mr. HALL. I will be glad to yield to the distinguished gentleman from Michigan.

Mr. DINGELL. I believe this legislation is to straighten out a technicality in the law. It was the understanding of the committee when we considered this legislation that the persons who were permitted to trade in C–2's and C–4's had authorization under existing law, but there was a question in the mind of certain Federal agencies as to whether or not this authority existed in fact. In order to make it absolutely clear that the authority for the trade in and trade out lies in the persons concerned, the committee reported this bill. Perhaps this is the reason why the departmental agencies have not been able to give adequate reports on the matter. It is because it is correcting a technicality.

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

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

Mr. MAILLIARD. The point is most of us believe the permission to trade in and trade out went only to vessels not under subsidy. There is a later interpretation by the executive that if a subsidized operator operated nonsubsidized ships, they were ineligible. We always thought the restriction applied to the ship and not to the operator. This bill is merely an effort to put into law an interpretation most of us thought was in the law in the first place.

Mr. HALL. Is the distinguished gentleman trying to tell me that this will legalize a nonsubsidized operator operating a subsidized ship?

Mr. MAILLIARD. No. It is just the other way around. This particular operator does operate a subsidized service. The Guam service is not a subsidized service and it has no subsidy money in it.

Mr. HALL. The gentleman will confirm the fact that this simply makes it legally correct for them to convert and operate, and that there is no expense to the taxpayers involved in the conversion that will be done by the nonsubsidized operators as they convert the ships?

Mr. MAILLIARD. That is correct.

Mr. HALL. Mr. Speaker, I thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

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

H.R. 12638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce, acting by and through the Maritime Administration, pursuant to the provisions of section 510(1) of the Merchant Marine Act, 1936, is authorized to trade out in exchange for obsolete vessels two war built vessels of the C–4 type for the purpose of conversion and operation in a nonsubsidized service between the west coast of the United States and the territory of Guam.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of Commerce (hereinafter referred to as the "Secretary"), acting by and through the Maritime Administration pursuant to the provisions of section 510(1) of the Merchant Marine Act, 1936 (46 U.S.C. 1160(1)), is authorized to trade out in exchange for obsolete vessels two C-4-type vessels for the purpose of conversion and operation in unsubsidized service between the west coast of the United States and the territory of Guam by the person acquiring the traded-out vessels without regard to whether such person receives operating-differential subsidy under the Merchant Marine Act, 1936, for any other of his operations. The Secretary shall exchange the vessels under authority of this Act under such terms and conditions as he deems necessary to insure that if the person who acquires the two C-4-type vessels discontinues his operation in such service, the vessels will be sold to his successor in such service at their fair and reasonable value as determined by the Secretary and subject to such other requirements as the Secretary determines necessary to protect the interests of the United States."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to authorize the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the territory of Guam."

A motion to reconsider was laid on the table.

SHIP MORTGAGE INSURANCE

The Clerk called the bill (H.R. 13369) to amend section 509 of the Merchant Marine Act of 1936, to provide for construction aid for certain vessels operating on the inland rivers and waterways.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object——

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. HALL. Yes. I will be glad to yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. I wonder if the gentleman from Missouri will tell me why he is objecting to this bill.

Mr. HALL. Because there are no departmental reports and therefore it does not come within the criteria of unanimous consent established as a matter of fact by the objectors on the majority side of the aisle.

Mrs. SULLIVAN. In response to the gentleman's comment, may I read what the General Counsel of the Treasury said, as well as the Department of Commerce?

Mr. HALL. I would be glad to yield for that purpose if the distinguished gentlewoman would also read what the Department of Transportation says in opposition to the bill.

Mrs. SULLIVAN. The Department of Transportation opposed the original bill because they said the railroads and other carriers might object from a competitive standpoint. But there is no competition involved here.

This is for mortgage insurance to assure the financing of construction of a passenger vessel designed to operate on the inland waterways—the construction of a riverboat or a passengerboat. It has nothing to do with transportation of any cargo. The bill is necessary to make possible the replacement of the last remaining riverboat on the Mississippi River, the Ohio River, and the Tennessee River. The Safety at Sea Act we passed in the last Congress will force the present vessel to go out of service.

Mr. Speaker, there are no Federal funds involved in this legislation, merely mortgage insurance to guarantee 87½ percent of the cost of replacing this vessel. We are merely giving the same insurance, or propose to do so, that is given for the construction of any ship that plies the ocean waters.

Further, Mr. Speaker, I think it is in the interest of continuing the romance of river packets in the inland waterways that we should pass this bill today.

Believe me, Mr. Speaker, there was no real discouragement from any of the agencies that we consulted. We are merely increasing from the present maximum of 75 percent of cost to a new maximum of 87.5 percent the mortgage insurance which they can obtain under the existing law for vessels of this size and speed. But this boat is unique.

Mr. HALL. Mr. Speaker, if the distinguished gentlewoman from Missouri will yield further, I will say that I am very familiar with the *Delta Queen*, and I think in the interest of safety that she should perhaps be placed in a museum status because of the services which she has rendered in the past.

Certainly, Mr. Speaker, the lovely and distinguished gentlewoman from Missouri speaks with great authority about romance, insofar as I am concerned.

But, is it not true that this proposal not only extends this additional insurance to this operation, but grants an 87-percent mortgage guarantee to the contractors and constructors of the *Delta Queen*? Is this not a fact and does this not in fact represent a subsidy by the Federal Government?

Mrs. SULLIVAN. There is no subsidy, I would like to say to the gentleman from Missouri. It is going to cost $4 million to have this boat replaced. The company can furnish $500,000 down. Under present law, they would have to put down $1,000,000. This is a small company that has been making money on the operation of the present boat. The boat must be removed from service next year, under the safety law. We have put this off too long. We passed legislation last year to permit the various vessels now operating upon the rivers to stay in service until November 1968. But then they must be replaced. Therefore, they need the legislation passed now so that they can go ahead and build a boat and have it ready for replacement when the deadline for compliance with the safety law takes effect.

They have shown in their testimony that in the last 5 years they have operated at full passenger capacity. I repeat: they operated at 100 percent of their capacity over the past 5 years. They have further shown that they have been making money. But they cannot put up $1,000,000 in cash to finance a new $4,000,000 vessel.

Mr. HALL. Mr. Speaker, if the distinguished gentlewoman will yield further for one additional question, is there an urgency connected with this legislation that is not apparent from a reading of the report and the House bill itself?

Mrs. SULLIVAN. There is great urgency. They have four bids now for the building of this boat. It takes a year to build it. If we do not pass it at this session of Congress, they will not be able to replace it in time to maintain this delightful and romantic river tradition of the handsome packetboat rounding the bend of our great inland rivers. You will never find a more enjoyable way to take a leisurely trip through the heartland of America, recalling an era almost forgotten except through this vessel.

The SPEAKER. Does the gentlewoman from Missouri desire to yield to the gentleman from Michigan?

Mrs. SULLIVAN. I will be happy to yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, I merely wanted to make the point that evidently has already been made as to the adverse report by the Department of Transportation. A change has been made in the bill, as the gentleman will note, eliminating the fact that that vessel might be used for the carriage of cargo and that the ship will carry only passengers. Therefore this should eliminate the objection presented by the Department of Transportation.

Mr. HALL. If the gentlewoman will yield further, I would ask unanimous consent to withdraw my request that the bill be passed over without prejudice.

The SPEAKER. The gentleman withdraws his request.

Is there objection to the present consideration of the bill?

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

H.R. 13369

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That section 509 of the Merchant Marine Act of 1936 is amended by inserting after the words, "fourteen knots," the following: "except in the use of a vessel operating solely on the inland rivers and waterways in which case the vessel is designed to be of not less than one thousand gross tons and to be capable of sustained speed of not less than eight knots,".

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following:

"That section 509 of the Merchant Marine Act of 1936 (46 U.S.C. 1159), is amended by inserting immediately after the words, 'fourteen knots,' the following: 'or in the case of a passenger vessel operating solely on the inland rivers and waterways which is designed to be of not less than one thousand gross tons and to be capable of sustained speed of not less than eight knots,'."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to amend section 509 of the Merchant Marine Act, 1936, to provide for construction aid for certain passenger vessels operating on the inland rivers and waterways."

A motion to reconsider was laid on the table.

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries be discharged from further consideration of a similar Senate bill, S. 2211, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

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

S. 2211

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 509 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1159) be amended by inserting after the words "fourteen knots" the following: "except in the case of a passenger vessel operating solely on the inland rivers and waterways in which case the vessel is designed to be of not less than one thousand gross tons and to be capable of sustained speed of not less than eight knots,".

AMENDMENT OFFERED BY MRS. SULLIVAN

Mrs. SULLIVAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. SULLIVAN: Strike out all after the enacting clause of S. 2211 and insert the provisions of H.R. 13369, as passed.

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

A similar House bill (H.R. 13369) was laid on the table.

GENERAL LEAVE TO EXTEND

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

CANAL ZONE CODE

The Clerk called the bill (H.R. 13439) to correct and improve the Canal Zone Code, and for other purposes.

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

H.R. 13439

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the list of titles of the Canal Zone Code, preceding title 1 of the Code, is amended by striking out

"5. CIVIL PROCEDURE GENERALLY.",

and in lieu thereof inserting

"5. CIVIL PROCEDURE AND EVIDENCE."

SEC. 2. The list of chapters of title 1, Canal Zone Code, preceding chapter 1 of such title, is amended by striking out, in item numbered 5 thereof, the word "DEFINITIONS", and in lieu thereof inserting the word "CONSTRUCTION", so that the item will read:

"5. RULES OF CONSTRUCTION..... 61".

SEC. 3. The heading of chapter 5 of title 1, Canal Zone Code, preceding the analysis of sections in that chapter, is amended by striking out the word "DEFINITIONS" therein, and in lieu thereof inserting the word "CONSTRUCTION", so that the heading will read:

"CHAPTER 5—RULES OF CONSTRUCTION"

SEC. 4. The definition of "aircraft" in section 61 of title 1, Canal Zone Code, is amended by inserting the word "any" immediately preceding the word "contrivance".

SEC. 5. Chapter 5 of title 1, Canal Zone Code, is further amended by adding a new section thereto, immediately following section 66 of title 1, to read as follows:

"§ 67. Scope of applicability of United States Code sections

"The applicability to and within the Canal Zone, of the several sections of the United States Code, provided for by various provisions of the Canal Zone Code, extends to and includes any and all amendments which may be made from time to time after January 2, 1963, to those sections."

SEC. 6. The section analysis of chapter 5 of title 1, Canal Zone Code, preceding section 61 thereof, is amended by adding, immediately underneath item 66 in the analysis, the following new item:

"67. Scope of applicability of United States Code sections."

SEC. 7. Section 34 of title 2, Canal Zone Code, is amended by striking out the words "officer of the Army" and in lieu thereof inserting the words "officer of the Armed Forces".

SEC. 8. Subsection (f) of section 62, title 2, Canal Zone Code, is amended by striking out the final paragraph thereof, reading as follows:

"The net costs of operation of the Canal Zone Government, which are deemed to form an integral part of the costs of operation of the Panama Canal enterprise as a whole, shall not include interest but shall include depreciation and the reimbursement of other Government agencies for expenditures made on behalf of the Canal Zone Government. The payments into the Treasury, referred to in this subsection, shall be made annually to the extent earned, and if not earned shall be made from subsequent earnings unless the Congress otherwise directs."

SEC. 9. Subsection (g) of section 62, title 2, Canal Zone Code, is amended by adding the following paragraph at the end thereof:

"The net costs of operation of the Canal Zone Government, which are deemed to form an integral part of the costs of operation of the Panama Canal enterprise as a whole, shall not include interest but shall include depreciation and the reimbursement of other Government agencies for expenditures made on behalf of the Canal Zone Government. The payments into the Treasury, referred to in this subsection, shall be made annually to the extent earned, and if not earned shall be made from subsequent earnings unless the Congress otherwise directs."

SEC. 10. Section 233 of title 2, Canal Zone Code, is amended by striking out the word "and" following the word "medical" and preceding the word "hospital", and in lieu thereof inserting the word "or".

SEC. 11. The analysis of sections for chapter 19 of title 2, Canal Zone Code, preceding section 451 of that chapter, is amended by striking out

"471. Declaration and findings."

and

"472. Construction, maintenance, and operation of bridge."

SEC. 12. (a) Chapter 21 of title 2, Canal Zone Code, is amended by inserting the following section analysis immediately preceding section 471 thereof:

"Sec.
"471. Declaration and findings.
"472. Construction, maintenance, and operation of bridge."

(b) Paragraph (4) of section 471 of title 2, Canal Zone Code, is amended by striking out "direction" in the third line and in lieu thereof inserting "directive".

SEC. 13. The list of chapters of title 2, part 2, Canal Zone Code, preceding chapter 51 of such title, is amended by striking out, in item numbered 65 thereof, the word "BRIDGES;" so that the item will read:

"65. HIGHWAYS, ROADS, AND VEHICLES.. 1001".

SEC. 14. (a) The analysis of sections for chapter 73 of title 2, Canal Zone Code, preceding section 1131 of that chapter, is amended by striking out in item numbered 1136 thereof, the word "fees" and in lieu thereof inserting the word "funds" so that the item will read:

"1136. Control of money-order and postal-savings funds."

(b) The catchline to section 1136 of title 2, Canal Zone Code, is amended by striking out the word "fees" and in lieu thereof inserting the word "funds".

SEC. 15. (a) Subsection (a) of section 1541 of title 2, Canal Zone Code, is amended by inserting the reference "155," following the word "sections" and by inserting the words "and section 1654 of title 5" following the word "title" and before the word "shall".

(b) Subsection (b) of section 1541 of title 2, Canal Zone Code, is amended by striking out the reference "6225", and in lieu thereof inserting "6625", and by inserting the reference "2573," between "2061," and "4782".

SEC. 16. The analysis of sections preceding subchapter I of chapter 11, title 4, Canal Zone Code, is amended by striking out

"200. Future interests; posthumous children.",

and

"201. Transfer of title to future interests.", and

"202. Future interests; possibilities.",

and in lieu thereof inserting

"200. Same; posthumous children.",

and

"201. Same; transfer of title.",

and

"202. Same; possibilities.",

respectively.

SEC. 17. Subsection (a) of section 423 of title 4, Canal Zone Code, is amended by striking out, in the third sentence thereof, the word "bought" and in lieu thereof inserting the word "brought".

SEC. 18. Section 1391 of title 4, Canal Zone, is amended by striking out the reference "40–105" and in lieu thereof inserting "45–105".

SEC. 19. The analysis of sections preceding subchapter I of chapter 45, title 4, Canal Zone Code, is amended by striking out the item.

"1441. No property passes until goods are ascertained.",

and in lieu thereof inserting

"1441. Property not to pass until goods are ascertained."

SEC. 20. The introductory clause of subsection (a) of section 1492, title 4, Canal Zone Code, is amended to read as follows:

"(a) Subject to the provisions of this chapter, notwithstanding that the property in the goods may have passed to the buyer, the unpaid seller of the goods, as such, has:".

SEC. 21. The introductory provisions of subsection (a) of section 1493 of title 4, Canal Zone Code, preceding clause (1) thereof, are amended by striking out the words "notwithstanding that" and in lieu thereof inserting "the unpaid seller of".

SEC. 22. Section 1582 of title 4, Canal Zone Code, is amended by striking out, after

"goods, or", the word "remove" and in lieu thereof inserting the word "removes".

SEC. 23. The analysis of sections preceding subchapter I of chapter 51, title 4, Canal Zone Code, is amended by striking out the word "claims" in item numbered 1791, and in lieu thereof inserting "claim", so that the item will read:

"1791. Warehouseman has reasonable time to determine validity of claim."

SEC. 24. Section 1898 of title 4, Canal Zone Code, is amended by striking out the word "compensates" following the words "ownership, and", and in lieu thereof inserting the word "compensate".

SEC. 25. The catchline to section 1971 of title 4, Canal Zone Code, is amended by striking the comma following the word "time", and in lieu thereof inserting a semicolon.

SEC. 26. Paragraph (3) of section 3182 of title 4, Canal Zone Code, is amended by inserting the word "sections" after the word "of" and preceding the reference "3151–3157".

SEC. 27. Section 4123 of title 4, Canal Zone Code, is amended by striking out the word "encumbrances" and in lieu thereof inserting "encumbrancers".

SEC. 28. Section 4726 of title 4, Canal Zone Code, is amended by striking out the word "partly" and in lieu thereof inserting "party".

SEC. 29. Section 413 of title 5, Canal Zone Code, is amended by inserting the subsection symbol "(a)" at the beginning of the first paragraph.

SEC. 30. The section analysis of chapter 15 of title 5, Canal Zone Code, preceding subchapter I of that chapter, is amended by striking out, in the heading of subchapter I, as it appears in the analysis, "JUDGMENTS", and in lieu thereof inserting "JUDGMENTS", so that the heading will read:

"SUBCHAPTER I—JUDGMENTS GENERALLY"

SEC. 31. Items (A), (B), and (C) of subparagraph (6) of section 548 of title 5, Canal Zone Code, are amended to read as follows:

"(A) all of so much of the gross earnings as does not exceed $40 per week;

"(B) 80 percent so much of the gross earnings as exceeds $40 per week and does not exceed $100 per week; and

"(C) 50 percent of so much of the gross earnings as exceeds $100 per week;".

SEC. 32. Section 1814 of title 5, Canal Zone Code, is amended by inserting the subsection symbol "(a)" at the beginning of the first paragraph.

SEC. 33. The introductory provisions of section 2962 of title 5, Canal Zone Code, preceding paragraph (1) thereof, are amended by striking out "heresay," preceding the word "evidence", and in lieu thereof inserting "hearsay."

SEC. 34. The section analysis of chapter 1 of title 6, Canal Zone Code, preceding subchapter 1 of that chapter, is amended as follows:

(1) in item numbered 42, by striking out the word "of," and in lieu thereof inserting "on," so that the item will read:

"Conviction on testimony of accomplice; accomplice defined.";

and

(2) in item numbered 131, by striking out the word "crimes", and in lieu thereof inserting "offenses", so that the item will read:

"131. Arrest only for offenses declared in Code; exceptions."

SEC. 35. Section 461 of title 6, Canal Zone Code, is amended by striking out the reference "214" wherever it appears therein, and in lieu thereof inserting "210."

SEC. 36. Section 462 of title 6, Canal Zone Code is amended by striking out the reference "215" wherever it appears therein, and in lieu thereof inserting "211."

SEC. 37. Section 543 of title 6, Canal Zone Code, is amended by striking out, after "intent" and preceding "arousing", the word "or", and in lieu thereof inserting "of".

SEC. 38. Section 988 of title 6, Canal Zone Code, is amended by striking out, in paragraph (1) thereof, the word "entitled" and in lieu thereof inserting "entitle".

SEC. 39. Subparagraph (4) of section 1132 of title 6, Canal Zone Code, is amended by striking out the word "quality" and in lieu thereof inserting "quantity".

SEC. 40. The section analysis of chapter 79 of title 6, Canal Zone Code, preceding subchapter I of that chapter, is amended by striking out the item numbered 1564, and in lieu thereof inserting:

"1564. Opening or injuring fence."

SEC. 41. Paragraph (1) of subsection (b) of section 2572 of title 6, Canal Zone Code, and subsection (c) of such section, are amended by striking out the words "chief of police and fire division", where they appear therein, and in lieu thereof inserting the words "Chief, Police Division".

SEC. 42. Section 3841(a) of title 6, Canal Zone Code, is amended by striking out "exent" in the third line and in lieu thereof inserting "extent".

SEC. 43. Section 3847 of title 6, Canal Zone Code, is amended by striking out the words "of this chapter" following the word "provisions" and preceding the word "apply".

SEC. 44. Subparagraph (1) of section 41 of title 7, Canal Zone Code, is amended by striking out, after "thereof", the word "to", and in lieu thereof inserting "by".

SEC. 45. Section 1412 of title 7, Canal Zone Code, is amended by striking out the word "decendent" in the third sentence, and in lieu thereof inserting "decedent".

SEC. 46. The sectional analysis of chapter 73 of title 7, Canal Zone Code, preceding subchapter I of that chapter, is amended as follows:

(1) in item numbered 1744, by striking out the word "or", and in lieu thereof inserting "of", so that the item will read:

"1744. Execution of notes and instruments of security.";

and

(2) in item numbered 1773, by striking out the word "order", and in lieu thereof inserting "orders", so that the item will read:

"1773. Hearings; objections; orders; compliance.".

SEC. 47. Section 1779 of title 7, Canal Zone Code is amended by striking out, after "person", the word "entitle" and in lieu thereof inserting the word "entitled".

SEC. 48. The section analysis of chapter 75 of title 7, Canal Zone Code, preceding subchapter I of that chapter, is amended by striking out the word "accounts" in item numbered 1858, and in lieu thereof inserting "account", so that the item will read:

"1858. Exceptions to account; hearing; reference.".

SEC. 49. The catchline to section 1858 of title 7, Canal Zone Code, is amended by striking out the word "referees", and in lieu thereof inserting "references".

SEC. 50. The section analysis of chapter 77 of title 7, Canal Zone Code, preceding subchapter I of that chapter, is amended by adding, immediately underneath item numbered 1923, the following item:

"1924. Ratable distribution.".

SEC. 51. Section 1954 of title 7, Canal Zone Code, is amended by striking out the word "include" in the second sentence, and in lieu thereof inserting "included".

SEC. 52. The second sentence of section 2502 of title 7, Canal Zone Code, is amended by striking out, after "persons", the word "at", and in lieu thereof inserting "as".

SEC. 53. Section 2504 of title 7, Canal Zone Code, exclusive of the catchline to the section, is amended to read as follows:

"In appointing a trustee, the court shall prefer the spouse of the missing person, or his or her nominee, and, in the absence of a spouse, a person who is willing to act, and who would be entitled to participate in the distribution of the missing person's estate if he or she were dead."

SEC. 54. Subsection (a) of section 3007 of title 7, Canal Zone Code, is amended by striking out, after the subsection symbol "(a)", the word "after", and in lieu thereof inserting "After".

SEC. 55. The section analysis of chapter 135 of title 7, Canal Zone Code, preceding section 3081 of that title, is amended by striking out, in item numbered 3088, the word "Investments", and in lieu thereof inserting "Investment", so that the item will read:

"3088. Investment and management of wards' estates; orders of court.".

SEC. 56. Section 3082 of title 7, Canal Zone Code, is amended by inserting after "bond", and preceding "the failure", the words "for any injury to the estate or a person interested therein, arising from".

SEC. 57. Subsection (b) of section 3201 of title 7, Canal Zone Code, is amended by striking out the word "obtaining" and in lieu thereof inserting "attaining".

SEC. 58. The second sentence of section 35 of title 8, Canal Zone Code, is amended by striking out the word "text" and in lieu thereof inserting "test".

SEC. 59. Subsection (a) of section 14 of title 18, United States Code, as last amended by subsection (a) of section 3 of the Act of October 18, 1962 (Public Law 87–845, 76A Stat. 698), is amended as follows:

(1) by inserting the words ", as amended from time to time," following the word "title" and before the word "apply";

(2) by inserting the references "203, 205, 207, 208, 209, 210, 211, 218," following the reference to "202,"; and

(3) by striking out "1914,".

SEC. 60. Sections 468, 469, and 691 of title 6, Canal Zone Code, are hereby repealed.

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

EXTENSION OF INTERSTATE OIL AND GAS COMPACT

The Clerk called the Senate Joint Resolution (S.J. Res. 35), consenting to an extension and renewal of the interstate compact to conserve oil and gas.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

Mr. GROSS. Mr. Speaker, reserving the right to object, I note in connection with this resolution that the Attorney General of the United States failed to file a timely report as required by law, and when he did file it on August 16, 1967, he raised serious questions concerning this compact. He said on page 3 of the report:

> In summary, then, it is undeniable that there are serious questions of the general operations of the industry as measured by the usual standards of competitive performance; and there are equally serious questions whether in large part the industry's noncompetitive performance in certain of its markets do not stem from the governmental interference with the competitive process. This Government action, ostensibly aimed only at achieving a stable supply base, appears to have side effects which partly frustrate that purpose and impose more burden on consumers than is essential.

I wonder if the chairman of the Committee on Interstate and Foreign Com-

merce would care to comment on this criticism by the Attorney General?

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

Mr. GROSS. I yield to the gentleman.

Mr. STAGGERS. We went over this in our committee very carefully and we agreed with the compact designed by the 30 States, and the whole purpose of it is good.

The intention, as you will notice in the bill, is that all these States will enact their own laws to see that they do not have inefficient operation of oil wells and that they do not waste oil and gas.

The purpose of this is only to supervise the different States. All the Congress does is to vote on the compact, or to ratify it between the States.

What we have said to the Attorney General is that we are making it 1 more year. We did not let them go for 4 years as we have in the past. He is to give us a report by the end of next year on this whole operation between these States. Then we will see as to whether we should go ahead with it or not.

Mr. GROSS. If there is any substance to the criticism by the Attorney General as contained on page 3 of the report, I question whether we should wait for another report a year from now.

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

Mr. GROSS. I yield to the gentleman.

Mr. DINGELL. I am aware of the language of which the gentleman speaks.

As a matter of fact, the gentleman from California [Mr. Moss] and I have had this matter held up for one whole meeting of the committee to go further into the matter that the gentleman is discussing at this particular time.

I want to commend him because I share his concern on the point he is raising. We have a limited amount of time during which the compact will be in effect. Originally, it was requested that it be done for 4 years. It is now limited so that the committee has given consent only for 2 years and the compact authority has agreed to this 2-year extension.

We also have a very clear understanding that previous to the time that the compact does expire, the Attorney General is going to make a very thoroughgoing study of the points on which he raises questions.

I will tell my friend, the gentleman from Iowa, I have gone very carefully into the questions raised by the Attorney General and have reviewed his report with great care. I cannot find any specific language either in his report or some scrutiny of the matter with the Attorney General to find where the questions raised by the Attorney General are, in fact, set forth in concrete language.

It is my intention before this legislation is renewed, and I want to give the gentleman this assurance, that the committee will go very carefully into it to be sure that the Attorney General has scrutinized this compact to insure that the consumers are not forced to undergo any economic hardship as a result of the compact. I want to give the gentleman full assurance on this particular point.

Mr. GROSS. I appreciate the explanation on the part of the gentleman from Michigan and thank him for it. I would find amusing, if the subject were not so serious, the communication from the Attorney General to the House Committee on Interstate and Foreign Commerce. The committee apparently asked the Attorney General for more details and the Attorney General on August 23, 1967, in his reply, was evasive in his answer.

Mr. DINGELL. The committee, I will say to the gentleman, did not find these comments amusing. As a matter of fact, if the gentleman will note the chronology of the matter he will find that the compact was held up for a substantial period pending the receipt of the report. I must confess that the Attorney General has not been adequate in his study of this matter and this is one of the reasons that the committee behaved as it has on that particular compact.

Mr. GROSS. I am certain the committee found nothing amusing about it. The Attorney General should have been specific in his letter to the committee of August 23, 1967, and I trust the committee will see to it that in the future his reports are filed on time and any implications he makes are properly amplified.

Mr. DINGELL. The gentleman raises a very valid point.

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

Mr. GROSS. I yield to the gentleman.

Mr. STAGGERS. We will try to make sure that that will be done in the future.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

There being no objection, the Clerk read the Senate joint resolution, as follows:

S.J. RES. 35

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an extension and renewal for a period of four years from September 1, 1967, to September 1, 1971, of the interstate compact to conserve oil and gas, which was signed in the city of Dallas, Texas, the 16th day of February, 1935, by the representatives of Oklahoma, Texas, California and New Mexico, and at the same time and place was signed by the representatives, as a recommendation for approval to the Governors and Legislatures of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and which prior to August 27, 1935, was presented to and approved by the Legislatures and Governors of the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, and which so approved by the six States last above-named was deposited in the Department of State of the United States, and thereafter was consented to by the Congress in Public Resolution Numbered 64, Seventy-fourth Congress, approved August 27, 1935, for a period of two years, and thereafter was extended by the representatives of the compacting States and consented to by the Congress for successive periods, without interruption, the last extension being for the period from September 1, 1963, to September 1, 1967, consented to by Congress by Public Law Numbered 88–115, Eighty-eighth Congress, approved September 6, 1963. The agreement to extend and renew said compact for a period of four years from September 1, 1967, to September 1, 1971, duly executed by representatives of the States of Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wyoming, has been deposited in the Department of State of the United States and reads as follows:

"AN AGREEMENT TO EXTEND THE INTERSTATE COMPACT TO CONSERVE OIL AND GAS

"Whereas, on the 16th day of February, 1935, in the City of Dallas, Texas, there was executed 'An Interstate Compact To Conserve Oil and Gas' which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, the original of which is now on deposit with the Department of State of the United States, a true copy of which follows:

"'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS

"'ARTICLE I

"'This agreement may become effective within any compacting state at any time as prescribed by that state, and shall become effective within those states ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing state may become a party hereto as hereinafter provided.

"'ARTICLE II

"'The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

"'ARTICLE III

"'Each state bound hereby agrees that within a reasonable time it will enact laws, or if the laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

"'(a) The operation of any oil well with an inefficient gas-oil ratio.

"(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas, in paying quantities.

"'(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.

"'(d) The creation of unnecessary fire hazards.

"'(e) The drilling, equipping, locating, spacing or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

"'(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

"'The enumeration of the foregoing subjects shall not limit the scope of the authority of any state.

"'ARTICLE IV

"'Each state bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

"'ARTICLE V

"'It is not the purpose of this compact to authorize the states joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

"'ARTICLE VI

"'Each State joining herein shall appoint one representative to a commission hereby constituted and designated as "The Inter-

state Oil Compact Commission", the duty of which said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

" 'The Commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said states, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

" 'No action shall be taken by the Commission except: (1) by the affirmative votes of the majority of the whole number of the compacting States represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

" 'ARTICLE VII

" 'No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

" 'ARTICLE VIII

" 'This compact shall expire September 1, 1937. But any State joining herein may, upon sixty (60) days notice, withdraw herefrom.

" 'The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory states.

" 'This compact shall become effective when ratified and approved as provided in Article I. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.'

"Whereas, the said Interstate Compact to Conserve Oil and Gas has heretofore been duly renewed and extended with the consent of the Congress to September 1, 1967; and

"Whereas, it is desired to renew and extend the said Interstate Compact to Conserve Oil and Gas for a period of four (4) years from September 1, 1967, to September 1, 1971:

"Now, therefore, this writing witnesseth:

"It is hereby agreed that the Compact entitled 'An Interstate Compact To Conserve Oil and Gas' executed in the City of Dallas, Texas, on the 16th day of February, 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same hereby is, extended for a period of four (4) years from September 1, 1967, its present date of expiration, to September 1, 1971. This agreement shall become effective when executed, ratified, and approved as provided in Article I of the original Compact.

"The signatory States have executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory States. Any oil-producing state may become a party hereto by executing a counterpart of this agreement to be similarly deposited, certified, and ratified.

"Executed by the several undersigned states, at their several state capitols, through their proper officials on the dates as shown, as duly authorized by statutes and resolutions, subject to the limitations and qualifications of the acts of the respective State Legislatures.

"THE STATE OF ALABAMA
"By GEORGE C. WALLACE, Governor
"Dated: Aug. 11, 1966
"Attest: MRS. AGNES BAGGETT, Secretary of State
(SEAL)

"THE STATE OF ALASKA
"By WILLIAM A. EGAN, Governor
"Dated: July 13, 1966
"Attest: HUGH J. WADE, Secretary of State
(SEAL)

"THE STATE OF ARIZONA
"By SAMUEL P. GODDARD, Governor
"Dated: March 8, 1966
"Attest: WESLEY BOLIN, Secretary of State
(SEAL)

"THE STATE OF ARKANSAS
"By ORVAL E. FAUBUS, Governor
"Dated: May 3, 1966
"Attest: KELLY BRYANT, Secretary of State
(SEAL)

"THE STATE OF COLORADO
"By JOHN A. LOVE, Governor
"Dated: January 13, 1966
"Attest: BYRON A. ANDERSON, Secretary of State
(SEAL)

"THE STATE OF FLORIDA
"By HAYDON BURNS, Governor
"Dated: June 28, 1966
"Attest: TOM ADAMS, Secretary of State
(SEAL)

"THE STATE OF ILLINOIS
"By OTTO KERNER, Governor
"Dated: January 24, 1966
"Attest: PAUL POWELL, Secretary of State
(SEAL)

"THE STATE OF INDIANA
"By ROGER D. BRANIGIN, Governor
"Dated: May 31, 1966
"Attest: JOHN D. BOTTORFF, Secretary of State
(SEAL)

"THE STATE OF KANSAS
"By WM. H. AVERY, Governor
"Dated: December 1, 1965
"Attest: PAUL R. SHANAHAN, Secretary of State
(SEAL)

"THE STATE OF KENTUCKY
"By EDWARD T. BREATHITT, Governor
"Dated: 6-6-66
"Attest: THELMA L. STOVALL, Secretary of State
(SEAL)

"THE STATE OF LOUISIANA
"By JOHN J. McKEITHEN, Governor
"Dated: November 22, 1965
"Attest: WADE O. MARTIN, JR., Secretary of State
(SEAL)

"THE STATE OF MARYLAND
"By J. MILLARD TAWES, Governor
"Dated: October 10, 1966
"Attest: LLOYD L. SIMPKINS, Secretary of State
(SEAL)

"THE STATE OF MICHIGAN
"By GEORGE ROMNEY, Governor
"Dated: 5/19/66
"Attest: JAMES M. HARE, Secretary of State
(SEAL)

"THE STATE OF MISSISSIPPI
"By PAUL B. JOHNSON, Governor
"Dated: April 27, 1966
"Attest: HEBER LADNER, Secretary of State
(SEAL)

"THE STATE OF MONTANA
"By TIM BABCOCK, Governor
"Dated: Feb. 14, 1966
"Attest: FRANK MURRAY, Secretary of State
(SEAL)

"THE STATE OF NEBRASKA
"By FRANK B. MORRISON, Governor
"Dated: Jan. 31, 1966
"Attest: FRANK MARSH, Secretary of State
(SEAL)

"THE STATE OF NEVADA
"By GRANT SAWYER, Governor
"Dated: June 17, 1966
"Attest: JOHN KOONTZ, Secretary of State
(SEAL)

"THE STATE OF NEW MEXICO
"By JACK M. CAMPBELL, Governor
"Dated: November 16, 1965
"Attest: ALBERTA MILLER, Secretary of State
(SEAL)

"THE STATE OF NEW YORK
"By NELSON A. ROCKEFELLER, Governor
"Dated: November 28, 1966
"Attest: JOHN P. LOMENZO, Secretary of State
(SEAL)

"THE STATE OF NORTH DAKOTA
"By WILLIAM L. GUY, Governor
"Dated: December 19, 1966
"Attest: BEN MEIER, Secretary of State
(SEAL)

"THE STATE OF OHIO
"By JAMES A. RHODES, Governor
"Dated: July 25, 1966
"Attest: TED W. BROWN, Secretary of State
(SEAL)

"THE STATE OF OKLAHOMA
"By HENRY BELLMON, Governor
"Dated: November 15, 1965
"Attest: JAMES M. BULLARD, Secretary of State
(SEAL)

"THE COMMONWEALTH OF PENNSYLVANIA
"By WILLIAM W. SCRANTON, Governor
"Dated: September 16, 1966
"Attest: W. STUART HELM, Secretary of State
(SEAL)

"THE STATE OF SOUTH DAKOTA
"By NILS A. BOE, Governor
"Dated: September 26, 1966
"Attest: ALMA LARSON, Secretary of State
(SEAL)

"THE STATE OF TENNESSEE
"By FRANK G. CLEMENT, Governor
"Dated: April 18, 1966
"Attest: JOE C. CARR, Secretary of State
(SEAL)

"THE STATE OF TEXAS
"By JOHN CONNALLY, Governor
"Dated: October 11, 1965
"Attest: CRAWFORD C. MARTIN, Secretary of State
(SEAL)

"THE STATE OF UTAH
"By CALVIN L. RAMPTON, Governor
"Dated: 4/11/66
"Attest: CLYDE L. MILLER, Secretary of State
(SEAL)

"THE STATE OF WEST VIRGINIA
"By HULETT C. SMITH, Governor
"Dated: July 14, 1966
"Attest: ROBERT D. BAILEY, Secretary of State

(SEAL)

"THE STATE OF WYOMING
"By CLIFFORD P. HANSEN, Governor
"Dated: Jan. 18, 1966
"Attest: THYRA THOMSON, Secretary of State"

(SEAL)

SEC. 2. The Attorney General of the United States shall make a report to Congress not later than December 31, 1970, as to whether or not the activities of the States under the Interstate Compact To Conserve Oil and Gas have been consistent with the purpose as set out in article V of such compact.

SEC. 3. The right to alter, amend, or repeal the provisions of the first section of this joint resolution is hereby expressly reserved.

With the following committee amendments:

On the first page, line 4, strike out "four" and insert in lieu thereof "two".

On the first page, line 5, strike out "1971" and insert in lieu thereof "1969".

Page 16, line 1, strike "1970" and insert in lieu thereof "1968".

The committee amendments were agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SHIP MORTGAGE INSURANCE

The Clerk called the bill (H.R. 11354) to amend the Merchant Marine Act, 1936, to increase the Federal ship mortgage insurance available in the case of certain oceangoing tugs and barges.

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

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

There was no objection.

NONTEMPORARY STORAGE OF HOUSEHOLD EFFECTS

The Clerk called the bill (H.R. 12961) to amend title 37, United States Code, to authorize the nontemporary storage of household effects of members of a missing status.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I have a couple of quick questions to ask concerning this bill. I trust that it is in nowise designed to take care of storage for some member of the service who is absent without leave or in a deserter's status.

Mr. HICKS. That is correct. It is not so designed.

Mr. GROSS. Then I would like to ask a question concerning the language to be found on line 4 of the bill, which states as follows: "amended by adding the following new flush sentence."

What is a "flush" sentence? I have never heard of a "flush" sentence.

Mr. HICKS. It is administration language. I will tell the gentleman I do not know the answer to that question.

Mr. GROSS. Administration language?

Mr. HICKS. Yes.

Mr. GROSS. "Great Society" language?

Mr. HICKS. Department of Defense language.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

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

H.R. 12961

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 554(b) of title 37, United States Code, is amended by adding the following new flush sentence:

"When he considers it necessary, the Secretary concerned may, with respect to the household and personal effects of a member who is officially reported as absent for a period of more than twenty-nine days in a missing status, authorize the nontemporary storage of those effects for a period of one year, or longer when justified."

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

LAND CONVEYANCE TO THE STATE OF WASHINGTON

The Clerk called the bill (S. 2428) to authorize the Secretary of the Army to convey to the State of Washington certain lands in the counties of Yakima and Kittitas, Wash., in exchange for certain other lands, and for other purposes.

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

S. 2428

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Army, or his designee, is hereby authorized to convey to the State of Washington, subject to the terms and conditions hereinafter stated, and to such other terms and conditions as the Secretary of the Army, or his designee, shall deem to be in the public interest, all right, title, and interest of the United States in and to certain lands within the Yakima Firing Center as described in section 3 of this Act as may be required for the routing and construction of Interstate Highway I–82.

SEC. 2. In consideration for the conveyance by the United States of the aforesaid lands, the State of Washington shall convey, or provide for the conveyance, to the United States of certain lands described in section 3 of this Act, acceptable to the Secretary of the Army as replacement lands for use in connection with the Yakima Firing Center: *Provided,* That in order to facilitate the exchange of lands and the construction of Interstate Highway I–82, and if so requested by the State of Washington, the Secretary of the Army, or his designee, is hereby authorized to acquire by purchase, condemnation, donation, exchange, or otherwise on behalf of the United States part or all of such replacement lands: *Provided further,* That the State of Washington shall provide in advance funds for payment to landowners and shall reimburse the Secretary of the Army for all other administrative costs and expenditures incident to the acquisition of such lands.

SEC. 3. The lands authorized to be exchanged and referred to in sections 1 and 2 of this Act are located in Yakima and Kittitas Counties, Washington, and are as generally depicted on the Land Management map on file in the office of the Seattle district engineer, North Pacific Division, Department of the Army, entitled "Proposed Route for Interstate Highway I–82, Yakima Firing Center, Washington; numbered SE–RE 323.19". The lands to be conveyed by the United States comprise approximately two thousand two hundred acres situated west and northwesterly of the east right-of-way boundary of the proposed highway I–82; the replacement lands to be acquired by the United States comprise approximately three thousand two hundred acres situated east of the proposed highway and contiguous to other lands of the Yakima Firing Center. The exact descriptions and acreage are to be determined by accurate surveys as mutually agreed upon between the State of Washington and the Secretary of the Army.

SEC. 4. The lands so conveyed to or acquired by the United States shall become a part of the Yakima Firing Center and be administered by the Department of the Army. The Secretary of the Army is also authorized to accept from the State of Washington, or any agency or subdivision thereof, such appropriate interests in other lands as may be considered necessary for the protection of the interests of the United States in connection with the exchange.

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

The SPEAKER. That concludes the call of the eligible bills on the Consent Calendar.

INTEROCEANIC CANAL STUDY COMMISSION

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 107, the bill (S. 1566) to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1566

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved September 22, 1964 (Public Law 88–609, 78 Stat. 990), as amended, is hereby further amended (1) by striking out "June 30, 1968" in section 3 and inserting in lieu thereof "December 1, 1970," and (2) by striking out "$17,500,000" in section 4 and inserting in lieu thereof "$22,000,000." *"December 1, 1969."*

With the following committee amendments:

On page 1, line 5, strike out "(1)".

On page 1, line 6, strike out "'December 1, 1970,'" and insert in lieu thereof "December 1, 1969."

On page 1, line 6, delete the words "and (2)" and insert in lieu thereof a period.

On page 1, delete lines 7 and 8.

The committee amendments were agreed to.

The Senate bill was ordered to be read a third time, was read the third time,

and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 398]

Abbitt	Fulton, Tenn.	Pike
Andrews, Ala.	Fuqua	Poage
Annunzio	Gallagher	Pryor
Arends	Gurney	Purcell
Ashley	Halleck	Reinecke
Aspinall	Hanna	Resnick
Bates	Hansen, Wash.	Reuss
Belcher	Hays	Rivers
Berry	Hébert	Rodino
Boland	Heckler, Mass.	Rooney, N.Y.
Brooks	Heriong	Rooney, Pa.
Broomfield	Holifield	St. Onge
Cabell	Hosmer	Schwengel
Celler	Johnson, Pa.	Shipley
Chamberlain	Jones, N.C.	Sisk
Clark	Kyl	Stephens
Conyers	Landrum	Teague, Calif.
Corman	Madden	Thomson, Wis.
Cowger	Mailliard	Udall
Delaney	Martin	Utt
Edwards, La.	Mills	Whitten
Evans, Colo.	Minshall	Wiggins
Evins, Tenn.	Moss	Williams, Miss.
Findley	Nelsen	Willis
Flynt	Olsen	Wright
Fountain	Pepper	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 356 Members have answered to their names, a quorum.

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

AUTHORIZING MODIFICATIONS IN THE INTERSTATE SYSTEM

Mr. KLUCZYNSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13933) to amend section 103 of title 23, United States Code, to authorize modifications or revisions in the Interstate System.

The Clerk read as follows:

H.R. 13933

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (d) of section 103 of title 23, United States Code, is amended by inserting "(1)" immediately after "(d)" and by adding at the end thereof the following new paragraph:

"(2) In addition to the mileage authorized by the first sentence of paragraph (1) of this subsection, there is hereby authorized additional mileage for the Interstate System of two hundred miles, to be used in making modifications or revisions in the Interstate System as provided in this paragraph. Upon the request of a State highway department the Secretary may withdraw his approval of any route or portion thereof on the Interstate System within that State selected and approved in accordance with this title prior to the enactment of this paragraph, if he determines that such route or portion thereof is not essential to completion of a unified and connected Interstate System (including urban routes necessary for metropolitan transportation) and will not be constructed as a part of the Interstate System, and if he receives assurances that the State does not intend to construct a toll road in the traffic corridor which would be served by such route or portion thereof. After the Secretary has withdrawn his approval of any such route or portion thereof the mileage of such route or portion thereof and the additional mileage authorized by the first sentence of this paragraph shall be available for the designation of interstate routes or portions thereof as provided in this subsection. The provisions of this title applicable to the Interstate System shall apply to all mileage designated under the third sentence of this paragraph, except that the cost to the United States of the aggregate of all mileage designated under the third sentence of this paragraph shall not exceed the cost to the United States of the aggregate of all mileage approval for which is withdrawn under the second sentence of this paragraph, as such cost is included in the 1965 Interstate System cost estimate set forth in House Document Numbered 42, Eighty-ninth Congress. In considering routes or portions thereof to be added to the Interstate System under the third sentence of this paragraph, the Secretary shall, in consultation with the States and local governments concerned, give due regard to (A) routes or portions thereof in States in which the Secretary has heretofore or hereafter withdrawn his approval of other routes or portions thereof, and (B) the extension of routes which terminate within municipalities served by a single interstate route, so as to provide traffic service entirely through such municipalities."

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, the report on this bill (H. Rept. 946) explains it clearly. In addition to the report, there are two points I think should be made very clear. The first is that this is interim legislation, designed to take care of a few unique situations in which modifications of interstate mileage are needed, so that we can save many months in the construction of needed mileage, and do that construction at 1965 cost levels.

The second point is that this legislation has nothing whatever to do with the long-range need for added mileage on the Interstate System. I am well aware, as is the entire Public Works Committee, that the Congress is going to have to authorize a substantial expansion of the Interstate System. The Subcommittee on Roads will begin hearings on that in January, to find out where gaps exist, where mileage is needed, and how much. I do not know the number of miles we are going to need, but the committee expects to hear from everyone concerned, including the Members of this body, in making its recommendations. In the meantime, we need to get on with saving the time and the money in these few unusual cases that this legislation will assist.

I think I should also tell you at this time, so there will be no misunderstanding about it, that if this legislation should be amended in the other body, after favorable action here, to add any substantial amount of mileage or change the financing restrictions in H.R. 13933 as it is before us, and if I am privileged to serve as a conferee, I will absolutely oppose any such action.

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

Mr. KLUCZYNSKI. Yes, I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding.

Mr. Speaker, I rise as one Member of the House to express my appreciation to the gentleman for advising us at this time of the proposed action of the subcommittee in the next session of the Congress, because if there is one thing we have to do with the Interstate System, I feel sincerely it is that we must increase the mileage. So, as I said, I just want to express my personal appreciation to the gentleman for advising the House today that they plan to hold these hearings to determine what we need. And I know that when they have held these hearings they will know what we do need as they have in the past.

Mr. KLUCZYNSKI. I want to thank the gentleman for his statement. I am sure that every Member of the House feels as the gentleman does.

There is no question but that we need substantial additional mileage on the Interstate System, and it is our committee's intention to find out now only how much mileage is going to be required to serve the future transportation needs of this country, but where it should be located as well.

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

Mr. KLUCZYNSKI. I yield to the gentleman.

Mr. CAHILL. I have two questions that I would like to ask.

As I understand this bill, this would allocate 200 additional miles to the 41,000 miles already authorized; is that correct?

Mr. KLUCZYNSKI. That is correct.

Mr. CAHILL. Do I understand that if a State has received an authorization that they may exchange that authorization for a new plan which would include not only the miles already allowed, but would also include mileage out of the 200 additional miles already authorized by this legislation?

Mr. KLUCZYNSKI. In other words, if you have mileage that is not needed in your State, you can transfer it to another part of the State at probably less cost.

Mr. CAHILL. That is what I understand.

Mr. KLUCZYNSKI. If it would cost $100 million and you return that where it would only cost $60 million, that would be a saving of $40 million.

Mr. CAHILL. That is my question, if I may say to the gentleman. It is my understanding that there is an area in New Jersey that is already authorized under the criteria of the Highway System which, if built, would cost approximately $100 million. Now do I understand that the committee has already agreed that the State of New Jersey shall be permitted to use this money if the State wants to build another highway within the State of New Jersey?

Mr. KLUCZYNSKI. No; the committee has made no agreement with respect to any State. That is something to be worked out between the State and the

Secretary. We are talking here about mileage that a State may decide to turn back, which of course could then go to another part of the State.

If the gentleman will listen to the gentleman from Florida [Mr. CRAMER], who has had a great deal to do with this legislation he will, I am sure, discuss the procedures involved.

We are not here opening up a Pandora's box where everybody wants added mileage here and there—that is another question. This is just interim legislation.

Mr. CAHILL. I understand. Let me ask the gentleman this question specifically:

If the State of New Jersey relinquishes the $100 million that they are already authorized, will they be guaranteed that they will get at least $100 million of new highways under this bill?

Mr. KLUCZYNSKI. Not necessarily. I do not know if they could use up that $100 million in the alternate mileage that you are talking about.

Mr. CAHILL. I do not want to pursue the question further if the gentleman prefers and I will address my question to some other Member.

May I ask the gentleman from New Jersey—who is a cosponsor of this legislation, and I think he is familiar with the situation—if Union County, which has a highway that is supposed to be built in Union County—which is to cost $100 million—if that is not built and if the State decides on an alternative or alternate construction program within the State; will the State of New Jersey be guaranteed at least $100 million under the Federal highway program?

Mr. HOWARD. Mr. Speaker, will the gentleman yield so that I may reply to the gentleman?

Mr. KLUCZYNSKI. I yield to the gentleman.

Mr. HOWARD. No; this is not necessarily the case. Another thing—it is up to the Secretary of Transportation—he may or may not bring this back.

The State of New Jersey cannot arbitrarily change the mileage or affect any amount of money.

In fact, without this legislation, the Secretary of Transportation may upon checking with the secretary of transportation of the State of New Jersey, ask whether or not in the foreseeable future this road may be built. If the answer to that is, No, it would not, then the Secretary of Transportation may now bring back all of the money involving that specific mileage which is allocated to the States.

Mr. CAHILL. Again, if the gentleman from Illinois does not want to answer, I will address the question to someone else. My question is specifically this. If the State of New Jersey decides that they are not going to construct a highway in Union County and they ask to have that authorization transferred to some other part of the State and they are given additional mileage under this new authorization, are they guaranteed that they at least will be given up to $100 million that they were authorized to spend in Union County?

Mr. HOWARD. They may or may not. They are not guaranteed the money at all. They may receive it or they may not. That is a determination to be made by the Secretary.

Mr. CAHILL. Let me ask the gentleman if I may one other question. The gentleman, I know, is a member of the committee and he is familiar with the criteria which were established back in 1944 as the prerequisite to obtaining highway funds. As to this new 200-mile authorization, will the same criteria apply?

Mr. HOWARD. Yes; any allocation must comply with the criteria which the Secretary of Transportation follows for allocation of mileage in the Interstate System.

Mr. CAHILL. So if the State of New Jersey, for example, wanted to build, instead of the roadway in Union County, some other highway across the State, they would still have to comply with the four criteria that are established in the 1944 act, and if it did not meet one of those criteria, then the highway would not be built. Is that right?

Mr. HOWARD. I would presume that that is correct.

Mr. CAHILL. I thank the gentleman.

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

Mr. KLUCZYNSKI. I am happy to yield to the gentleman from New Jersey.

Mr. HUNT. I would like to clarify one point, and I address my remarks to my colleague from New Jersey: Did I correctly understand you to say that there is no guarantee that if we give up $100 million on the Union County project, we will not have the same benefit; that the amount can be changed to $60 million, and thereby we in New Jersey would lose $40 million worth of highway benefits?

Mr. HOWARD. I said it in a somewhat different way. New Jersey does not own $100 million nor the 8 miles in Union County. This fund is distributed by the Secretary of Transportation, and although there is no guarantee in this legislation or in the present law that this money will stay in the State of New Jersey, it is no different from problems faced by any other State. New Jersey would have to have the determination by the Secretary of Transportation that this should be in an interstate group. There is no guarantee at all, and the State of New Jersey does not determine that it may keep this $100 million.

Mr. HUNT. I am familiar with that. I come back to my question. Is it not so that we currently have $100 million allocated for Union County in New Jersey, and if we abandon that project, we will then only get the amount of money that will be required to build a Trenton to Asbury Park road?

Mr. HOWARD. That is not true. There would possibly be $100 million returned to other roads in the State of New Jersey, should the Secretary of Transportation so decide. The secretary of transportation of the State of New Jersey or any other State must first request this. If this request is not made, then the money will not move out at all.

Mr. HUNT. Would the gentleman be amenable to an amendment to this bill guaranteeing this amount?

Mr. HOWARD. I do not believe an amendment to guarantee anything determined by the States for the Interstate System would get very far in either the House of Representatives or the Senate, or anywhere else; so I would not be.

Mr. CAHILL. Mr. Speaker, will the gentleman yield so that I may address a question to the gentleman from New Jersey through the gentleman from Illinois?

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

Mr. CAHILL. Mention has been made of a highway from Trenton to Asbury Park. Is my understanding correct that there has been some decision made that if the State of New Jersey makes a request now not to build the Union County Highway, the money will then go to the construction of this highway between Trenton and Asbury Park?

Mr. HOWARD. No, there is not. I am in hopes the Secretary of Transportation may agree that this is a priority item.

Mr. CAHILL. May I ask the gentleman what is the determinative body in the State of New Jersey to make the request for a change in the authorization and allocation?

Mr. HOWARD. The secretary of transportation of the State of New Jersey, Mr. Goldberg.

Mr. CAHILL. If the gentleman will yield further, if the Secretary should request a highway which would cost, say, $10 million, do I correctly understand that then the $90 million already authorized in the judgment of the Secretary of Transportation would be lost forever to the State of New Jersey?

Mr. HOWARD. It could be, or it could be reallocated to other places in the State of New Jersey, in the determination of the Secretary of Transportation.

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

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

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman for yielding.

To clarify the situation, could I ask whether it is the basic purpose of this legislation to give a State, which has projects authorized, priority in making new suggestions for the use of funds.

Mr. HOWARD. Right.

Mr. FRELINGHUYSEN. And if, for instance, it should be ready to release or would like to release a $100 million project, it would have a priority with respect to that $100 million?

Mr. HOWARD. The gentleman is correct.

Mr. FRELINGHUYSEN. If it should submit a request for something less than $100 million, it would then lose control over the balance of the amount, and that would go up for grabs among the 50 States?

Mr. HOWARD. The answer is yes.

Mr. FRELINGHUYSEN. So the basic necessity on the part of the State which wishes to keep its share of the money is to come up with an equivalent program, equivalent in terms of dollars?

Mr. HOWARD. The gentleman is correct.

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

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

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding.

My question is on another subject entirely, and it is just for a point of information. Is it the intent of the committee, as set forth in the bill itself and in the report—with which I agree and for which I commend the committee—that the Interstate System could use the 200 miles in addition to the 25 miles already authorized by the Director of the Bureau of Roads, or this new part of the Department of Transportation; in each State, or does this just extend the total limits in all the States and territories by 200 miles?

Mr. KLUCZYNSKI. Mr. Speaker, as the gentleman understands, we would authorize 200 additional miles, which would be added to the 25 miles still left. Because of the requests from certain States, we added 200 miles to this, which makes it 225 miles. The gentleman's question is, Could it be used in any part of the country? Is that right?

Mr. HALL. Could the Director add this much in each of the 50 States?

Mr. KLUCZYNSKI. No. He can use the total 225 miles anywhere in the country, but this does not add 200 miles for each State.

Mr. HALL. If they met all the requirements?

Mr. KLUCZYNSKI. That is correct.

Mr. HALL. It is then a total interstate and defense highway addition of just 25 miles, but it is not that much for each of the continental States?

Mr. KLUCZYNSKI. The gentleman is correct.

Mr. HALL. I thank the gentleman, and I appreciate the portended committee hearings for next year. Missouri is proud of its highway system and the fact that the great Interstate and Defense Highway System Director was the Missouri Highway Commission's chief engineer, Mr. Rex Whitton. The system in Missouri is practically complete, but extensions in interstate as well as Federal primary and secondary roads are needed. For example, there is total consensus for a need to extend I29 southerly to join Kansas City with Little Rock and New Orleans. There is a dearth of north-south defense roads in this section of the Midwest and I plan to appear before the distinguished gentleman's subcommittee in regard to these matters. I congratulate the subcommittee.

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

Mr. Speaker, I am glad to see the interest in this legislation, but I hope to straighten out some of the facts.

No. 1, I wholeheartedly support this bill. It involves the entire United States. It provides for the needed flexibility in solving some critical problems before the system is completed. It will not do any good to try to remedy these matters after the system is completed in 1972 or 1973, or later.

The Secretary of Transportation has very limited powers under the present law. Let us take the situation of the State of New Jersey. At the present time, if it is determined that an 8-mile highway in an urban area in New Jersey is not needed, and the State is not going to build it, under the present law New Jersey could lose that mileage, particularly if a different route is asked for which exceeds 8 miles. That is the problem New Jersey is talking about. I do not know what figures they will come up with, and nobody else can second-guess it at this moment. If the State abandons 8 miles, I would assume that the highway department, local officials, and the Governor are going to come up with one or more needed alternative locations, which would have to be justified and would have to meet the interstate requirements and needs of the Interstate System prior to 1972, or the completion date. This bill gives the State the flexibility to make such a request if the new mileage exceeds 8 miles.

Under the present law, with no additional interstate mileable available, if the State of New Jersey were going to lose the 8 miles, it would lose it unless the State came back with another 8-mile section.

This bill would give some flexibility as to the mileage of a new route.

Not only New Jersey, but also the State of Florida and other States have need for mileage flexibility.

The Interstate System was authorized in 1944 and the present program commenced in 1956, 11 years ago. It is not going to be completed until 1972 or 1973, or later. There is not any effort to put more money into the highway trust fund. There is not a big drive for new taxes to put enough money into this trust fund to finish this system by 1973, so it will be at least 1973 and probably later before it is finished.

Therefore, if there is going to be any flexibility, if the State of New Jersey or the State of Florida or the State of California or any other State which has a problem is to have that problem resolved between now and the completion of this system, it will have to be done by interim authorizing legislation.

I am delighted to see that the gentleman from Illinois [Mr. KLUCZYNSKI], the chairman of the Roads Subcommittee, has stated unequivocally that as of next year we will have hearings relating to what will happen after the completion of the present Interstate System, as to what will happen with regard to the trust fund, as to what will happen with regard to the primary, secondary, and urban highway program in this country, on a long-range plan basis, and that the Bureau will have to submit a report to the Congress as to what it believes should be done, by January of next year. The chairman has already given a commitment that these hearings will be held early next year.

There are many problems which concern the Members of the House, and justifiably so. We have problems in the State of Florida. We have an obvious missing link between Tampa-St. Petersburg and Miami, which I hope will be given consideration next year.

That is the time for us to consider additional mileage for missing links. Between now and then there are some interim problems which need to be considered, and this bill would take care of them.

Second, this bill was written by the minority. We tried to tighten it up. We tried to make certain that we do not get into a Pandora's box of metropolitan problems and additional mileage at this time. Next year is time enough for that.

We do not intend to get into the problem of the District of Columbia, for instance. This bill is not going to give the Secretary or the District government, or anybody else authority to relinquish the Three Sisters Bridge or the North Central Freeway. As a matter of fact, we wrote in a restriction which, in my opinion, would prevent them from using this or any other authority until we hold hearings on these urban problems. That will be a part of the other hearings in January of next year.

Also, there is no new money. This bill will merely afford flexibility relating to new mileage.

Third, we also tightened up the bill so that a State cannot put a toll road in place of a presently designated interstate highway and get free mileage in exchange. That was an amendment which I proposed as a part of the substitute. If a State gives up money and mileage, that State, and other States which gave up mileage, would be given priority for the designation of zero mileage, with like priority for municipalities in which interstate routes deadend. We have established priorities and tightened up the bill.

I believe this is a good bill. If I thought it would open up a Pandora's box I would be against it. But it will not.

We have made it possible, in the instances where there are serious problems, to give the Secretary an opportunity to consider them. However, under this bill the Secretary can eliminate an interstate route or portion thereof only when requested by the States to do so.

Mr. Speaker, I fully support H.R. 13933. We are now approaching the final stages of completion of the Interstate System, and in a number of urban areas designated routes of the system are so controversial that construction of these routes may not be undertaken in time for their completion as a part of the present program. It is with respect to these controversial locations which may exist in as many as 10 or 12 urban areas, that this bill is directed.

A number of Members and other persons have contacted me relative to the first bill introduced to accomplish this purpose, which was H.R. 13442. I wish to point out that the bill now before the House is considerably different from the first proposal. H.R. 13442 would have permitted a State to eliminate a presently designated interstate route even though it resulted in a gap being left in the Interstate System, and the original bill provided that any mileage made available by the elimination of a designated route could only be allocated to the State in which such route was eliminated. And the additional mileage authorized for flexibility in adding to new routes was likewise available only to States in which routes were eliminated.

H.R. 13933 is a substitute bill which was approved by the Committee on Public Works and it is designed to eliminate

the objectionable features of the original measure. The bill now before the House not only requires the request of a State Highway Department for the elimination of a presently designated interstate route but also requires approval of the Secretary of Transportation. As a condition precedent to the Secretary's approval, he is required by this bill to first determine that such route or portion thereof is not essential to completion of a unified and connected Interstate System, including those portions of the Interstate System within urban areas that are necessary for metropolitan transportation. If the withdrawal of a designated route would leave a gap in the Interstate System in either a rural or urban area, the Secretary cannot approve the elimination or such route or portion thereof.

For example, this bill would not authorize the elimination of the Three Sisters Bridge or the North Central Freeway as a part of the Interstate System here in the District of Columbia if these sections of highway are essential to completion of a unified and connected Interstate System necessary for metropolitan transportation within the District of Columbia, and in my opinion they are essential.

The substitute bill also provides that the Secretary shall not approve the withdrawal of an existing designated interstate route or portion thereof unless he receives assurance that the State does not intend to construct a toll road in the traffic corridor which would be served by such route. The committee felt that this provision was desirable to prevent the mere substitution of a toll road for a free road in the traffic corridor from which the free road is to be eliminated.

The mileage of all presently designated routes on the Interstate System which are removed under authority of this bill, plus the additional 200 miles authorized for flexibility in designating new routes, goes into the nationwide reserve of mileage for the system. The withdrawn mileage and the additional mileage will be available for designation of interstate routes or portions thereof as provided under existing law, upon the request of a State and approval by the Secretary of Transportation in accordance with priority of needs on a nationwide basis.

Thus, the mileage to be withdrawn and the additional 200 miles provided for flexibility will be available to all of the 49 States in which the Interstate System is presently located.

The bill does provide, however, that in considering routes or portions thereof to be added to the system, the Secretary, in consultation with the State and local governments concerned, shall give due regard to the designation of routes in States in which Interstate routes have heretofore or hereafter been withdrawn, and that the Secretary shall likewise give due regard to the extension of routes which now terminate within municipalities that are served by a single Interstate route so as to provide traffic service entirely through such municipalities to connect with an arterial highway beyond the boundaries thereof. This latter provision is to remedy the situation now existing in some municipalities where the Interstate System terminates within a municipality and will dump large volumes of traffic on a city street system that is inadequate to accommodate movement of such traffic in and through the municipality.

I want to emphasize that even though this bill provides for up to an additional 200 miles to be added to the Interstate System, the bill expressly limits the Federal share of the cost of constructing all new routes to be designated, from both mileage withdrawn and the additional 200 miles, to the estimated cost of completing the presently designated mileage to be withdrawn, as such cost is included in the 1965 cost estimate. There will be no additional cost to the Federal Government.

Next January the Congress will receive a report from the Secretary of Transportation on the highway needs of the Nation, and the Committee on Public Works plans to hold hearings early next year on the Nation's present and future highway needs to develop a highway program to follow completion of the program now underway. At that time the committee will give consideration to the need for additional mileage on the Interstate System over and above that provided for by this bill, which is merely for the modification and readjustment of existing designated mileage.

This bill is needed to facilitate completion of the present interstate highway program, and I urge its passage.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

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

Mr. DON H. CLAUSEN. Mr. Speaker, I thank the gentleman for yielding.

I would like to take this opportunity to express my full support for H.R. 13933 of which I am a coauthor. This bill will add 200 miles to the pool of mileage authorized for the Interstate Highway System and thereby give needed flexibility to meet and solve some unanticipated problems which have arisen in recent years.

An example of the problem occurs in my own State of California. In our case, the State wishes to transfer mileage from San Francisco to the Century Freeway in Los Angeles. The mileage in San Francisco was returned to the pool of unallotted mileage and the Secretary of Transportation was requested to authorize its use in Los Angeles.

The Secretary has made it clear that the Century Freeway meets every Interstate Highway criterion, but to date he has been unwilling to act on this request or on others similar to it. Enactment of the pending legislation would make it feasible for him to make a decision on this request.

At the present time, there are only about 25 unallotted miles in the system and the Secretary is unwilling to allocate these miles and does not have the flexibility he needs, so he has simply done nothing. Passage of this bill would allow him to meet many of the problems we have seen arise from the development of the Interstate System in urban areas.

There will be no additional cost from passage of this bill. It will simply allow the Secretary to rearrange slightly the existing routes of the system so as to make it more valuable to interstate commerce and our national defense.

This is a stopgap measure, of course, and the Committee on Public Works will be studying the system in depth next year. We expect to be making additional recommendations at some time during the next session. This legislation, however, will allow us to go ahead and meet a pressing problem now and I strongly urge its enactment.

It now becomes incumbent upon the entire California delegation in the Congress to once again unite, as they did on Senator MURPHY's antismog amendment for California, and strongly urge Secretary of Transportation Alan Boyd to include the Century Freeway in Los Angeles in the Interstate Highway System. This, of course, is based on the fact that the San Francisco mileage is being or has been returned to the national pool for reallocation.

If we are successful, this will release State highway trust funds for reallocation to other State highway projects in California. This is a good bill for California; as one of the principal coauthors of this bill, I hope we get unanimous support of the House.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

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

Mr. BROYHILL of Virginia. The gentleman referred to the proposed Three Sisters Bridge and the various legs to the downtown freeway system. Did I correctly understand that this would prevent the abandonment of any of those projects?

Mr. CRAMER. It was our intention in drafting the Republican substitute which was adopted and which is before us to include the language as it appears on lines 9 and 10 of page 2 with the specific wording that if the Secretary and the State shall determine "that such route or portion thereof is not essential to completion of a unified and connected Interstate System—including urban routes necessary for metropolitan transportation—which is the nub of the question here.

So this bill could not be used as a tool to accomplish that in the District of Columbia.

Mr. BROYHILL of Virginia. It could not be used as a tool, but it would not prevent them from doing it necessarily.

Mr. CRAMER. The basic law will do that, but we will hold hearings on the subject, as the chairman of the committee stated, early next year. This will be on the subject of urban problems. There are many of them. Most of the metropolitan centers in the Nation, some eight or nine of the big ones, have such problems existing. I think we should do everything we can to resolve this question, because the Interstate System in these areas have to be completed. The District of Columbia, of course, is the clearest example where it is muddled and has sharply destroyed the effectiveness of the Interstate System. I for one do not intend to stand by and see this done.

Mr. BROYHILL of Virginia. I am glad that the gentleman made this announcement, because I was planning to address a letter to the chairman of the Committee on Public Works and the ranking minority member asking that something be done to get the Department of Transportation, the Secretary of that Department, and some other people who are dragging their feet in Washington and causing serious delay of the Interstate System, to change their viewpoints.

Mr. CRAMER. Perhaps the gentleman would like to refer my statement to them.

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

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

Mr. KLUCZYNSKI. Mr. Speaker, I would like to say that I agree with the statement of the gentleman from Florida that we will hold hearings next year. The gentleman from Virginia is one of my best friends and he knows I will try to do everything possible to help him. I do wish to assure him that we will hold extensive hearings on this subject next year.

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

Mr. CRAMER. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I am delighted that we had this colloquy on the bill on the record. However, I have not heard any word that the committee will take up a situation which I think is just as bad as any of these others that have been mentioned. This is the situation where a State went ahead and built highways before the Interstate System was established. Then those highways were included in the Interstate System and the States were compelled to take those mileages as a part of their allocation. Is anything going to be done to take care of that situation?

Mr. CRAMER. I will say to the gentleman that there was a study made with regard to previously constructed toll roads and free highways which were made a part of the Interstate System. That report is before our committee and it is up for consideration at any time that we want to consider it. However, I will say, as a word of caution. Do not get your hopes up, because as far as reimbursing a State in some form is concerned rather than making an adjustment after 1972, I just do not think that there is a possibility of providing $5 billion, which would be necessary to accomplish it. However, I will say that consideration is possible next year when other matters will be under consideration.

Mr. SAYLOR. I do not believe a State should be reimbursed, but it certainly should have consideration for applications for other highways.

Mr. CRAMER. The State of Pennsylvania put in a request when the American Association of State Highway Officials testified this year on new mileage. Pennsylvania made its request, but it will be part of that considered next year by the Congress.

Mr. SAYLOR. I thank the gentleman.

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

Mr. CRAMER. I yield to the gentleman from Nebraska.

Mr. DENNEY. Mr. Speaker, I rise in support of H.R. 13933. This is a bipartisan effort by the Public Works Committee to provide the addition of 200 miles to the Interstate System to be used in making modifications or revisions in the system, but at no additional cost in construction.

Since it will not require the expenditure of additional Federal funds, I agreed to go on the bill as a cosponsor. The Interstate System is now more than one-half complete and in all probability will be completed by 1975. All but 25 miles of the 41,000 miles authorized by statute have been designated by the States and aproved by the Secretary of Transportation. However, there are a few gaps in the system and it has now become obvious that the existing mileage limitation excludes the filling in of the gaps. As a member of the Subcommittee on Roads, I listened carefully to the testimony on this problem and became convinced that this bill is necessary to solve the acute problems that have developed especially in our urban areas because of the 41,000-mile limitation. The bill specifically requires that the cost of all mileage used for these modifications shall be no greater than the cost of the mileage withdrawn from the system as that cost was included in the 1965 Interstate System cost estimate.

Mr. Speaker, perhaps the best way to explain this proposition to my colleagues would be by way of example. If State A and the Secretary agreed to withdraw 5 miles estimated in 1965 to cost $10 million and those 5 miles together with 5 miles from the 200 authorized by this bill are redesignated to another route, the redesignated mileage cannot cost more than original mileage would have cost.

This legislation is an interim emergency measure which will allow certain States to complete interstate mileage at 1965 cost levels in lieu of mileage which they cannot now hope to construct under the present system.

Mr. Speaker, since this measure is in the nature of a technical amendment which will not require the expenditure of additional Federal funds, I urge my colleagues to join with me in supporting it. I would also like to assure the Members of the House that the Subcommittee on Roads of the Public Works Committee is mindful that sometime in the future additional mileage will have to be added to the Interstate System. I am confident that sometime in the near future we will continue hearings to ascertain the needed amount of additional mileage that will be necessary to continue the Interstate System on an orderly basis.

Mrs. DWYER. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentlewoman from New Jersey.

Mrs. DWYER. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, the pending bill represents the best available solution to two difficult highway problems in the congressional district I am privileged to represent, and I support the bill strongly.

Approval of the legislation would have the effect, first, of permitting the State of New Jersey to abandon completely the proposed extension of Interstate Highway 278 from Route 1 in Linden to a point at the Union-Springfield border and, second, of making it possible to construct additional lanes along the Garden State Parkway in the area of Union and Middlesex Counties, thereby relieving hazardous crowding of the existing lanes, and to do so in a way that will continue to provide toll-free facilities for local highway users.

The present bill, Mr. Speaker, is designed to meet specific situations in several States, including New Jersey, where overwhelming opposition among local residents has forced the States to reconsider the construction of planned segments of the interstate system through heavily populated urban areas. The bill, in effect, will permit the recapture of this potentially lost mileage. With the extra 200 miles which the bill would authorize for the Interstate System, this recaptured mileage would permit the affected States, with the approval of the Department of Transportation, to incorporate substitute routes in the Interstate System.

In the case of New Jersey, State and Federal highway officials have apparently agreed that the added mileage will be transferred to a section of the proposed Central New Jersey Expressway from Trenton to Asbury Park, though under the terms of the bill State and Federal officials would not be precluded from assigning the mileage to still another route. Assuming present plans are implemented, however, the incorporation of the Trenton-Asbury Park section of the expressway into the Interstate System would, because of the 90–10 Federal State financing of interstate routes, free sufficient funds to construct toll-free lanes along the Union-Middlesex portion of the Garden State Parkway.

In any event, Mr. Speaker, approval of the pending legislation would remove the threat of dislocation and the loss of their homes and property from thousands of residents of Union County, specifically in Union, Roselle, Roselle Park, and Kenilworth.

In view of some apparent questions about the bill, I believe it would be useful to clarify two points: First, it is only authorized mileage which can be transferred within the Interstate System and under this legislation, not the estimated funds which would have been used to construct the previously proposed route; and, second, the mileage can only be used for highways which will be part of the Interstate System, not for so-called feeder roads or for other non-Interstate System routes.

In the final analysis, Mr. Speaker, the present bill represents the most constructive way in which highway problems similar to the one in my district can be resolved. Enactment of the legislation will create both the opportunity and the responsibility for Federal and State highway officials to utilize the authorized interstate mileage in the most effective way possible.

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

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

Mr. McEWEN. Mr. Speaker, I rise in support of this bill.

I believe that without the freeways this bill will enable us to build we will not see an Interstate System completed. It is most desirable.

Mr. CRAMER. I thank the gentleman. He is a member of the committee, and I appreciate his support.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

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

Mr. RHODES of Arizona. Mr. Speaker, I rise in support of the bill. I am pleased it has been brought up at this time.

I would like to ask this question. The city of Phoenix has grown rapidly since the enactment of the original legislation. At that time there was no provision made for bypasses of the city in the form of freeways. Since that time there have been plans developed. If this bill is passed at the present time, is it possible mileage will be made available to be allocated to such purposes?

Mr. CRAMER. It is a possibility, but priorities set up in the bill give preference to the States that give up mileage, in the past or in the future, and to States where an interstate route terminates in a municipality that is not served by another Interstate System, which happens to be one of the problems we have in the great State of Florida.

After that, whatever money and mileage flows back into the national reserve is available to all the States. If there is an emergency need that has to be handled by 1973, it will be dependent upon the mileage and funds which are available.

Mr. RHODES of Arizona. There is an emergency which exists there.

Mr. Speaker, I am very pleased that this assurance has been made, because we have no money which we can make available for this purpose before 1973.

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

Mr. CRAMER. I yield to the distinguished gentleman from Maryland.

Mr. GUDE. Mr. Speaker, in line with the former statements which have been made by the gentleman from Florida, is it the belief of the gentleman from Florida and does the gentleman feel that this legislation, if enacted, would be used by the Secretary of the Department of Transportation to avoid the hard and difficult decisions and the necessary planning with reference to having a good transportation media in the case of the District of Columbia and the metropolitan area generally?

Mr. CRAMER. We wrote certain language into the bill with reference to this particular matter. We have the guarantee that we will have hearings next year, and I hope the gentleman will be able to appear and testify thereon.

Mr. GUDE. I thank the distinguished gentleman from Florida. However, in view of some of the problems which we have here in the metropolitan area of the District of Columbia, as well as in other parts of the country, the Secretary of the Department of Transportation has indicated that he would like to delay the freeway system which has previously been designed.

Mr. CRAMER. I say to the gentleman from Maryland that this is supposed to be a "model city," while it is a model of stumbling and fumbling and bumbling as it relates to an interstate system.

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

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

Mr. GROSS. In Iowa we have two cities affected by such legislation, one of them Waterloo and the other Cedar Rapids, two of about a half dozen cities of comparable population left in the Nation which have no interstate connection.

Would this bill in any way affect their chances of obtaining an interstate connection?

Mr. CRAMER. I would say to the distinguished gentleman from Iowa [Mr. GROSS] only if they meet the criteria which I just raised in answer to the question of the gentleman from Arizona [Mr. RHODES]. However, next year we will have to consider new mileage and at that time I assume that each State, such as the gentleman's State, will submit its requirement and that such request will be up for consideration with reference to the allocation of such mileage.

Mr. GROSS. I thank the gentleman.

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

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

Mr. FRELINGHUYSEN. I have two questions, Mr. Speaker, of the distinguished gentleman from Florida [Mr. CRAMER].

Mr. Speaker, the gentleman from Florida has indicated that under certain conditions a State would have some credit or rights to funds that have been allocated for a specific purpose within a State.

My question is with reference to the possible reallocation of funds totaling about $100 million in the State of New Jersey.

Is there any way in which a State relinquishes its claim to establish the fact that under its program it would not be considered to receive the money or does it have to run the gamut of losing any or all of this amount because it does not quite meet the standards set forth herein and protect itself?

Mr. CRAMER. I would assume that a State in a situation such as the gentleman has mentioned would request simultaneous action upon its request in the event additional money is made available or in the event that additional and substitute mileage would be approved.

Mr. FRELINGHUYSEN. Mr. Speaker, my second question is this:

If the substitute program should involve more than one project, would there still be priority for both projects, so long as the dollar amount was not in excess of the amount which had already been authorized?

Mr. CRAMER. The bill speaks for itself; it says "routes or portions thereof" in the plural.

So that the substitute mileage can be singular or plural so long as it does not exceed the money or mileage available.

The purpose of the legislation is to permit them to exceed the present mileage limitation which you could not do without the legislation.

Mr. FRELINGHUYSEN. In that connection, a State is in competition with a lot of other States which may like to increase the mileage without increasing the dollar amount.

Mr. CRAMER. The gentleman is correct. However, routes must qualify under the present law relating to interstate requirements.

Mr. FRELINGHUYSEN. There would be no necessity to relinquish anything until there had been a determination as to whether the substitute route would qualify?

Mr. CRAMER. I would assume the State, in exercising its proper discretion, would want some assurance of approval of alternatives before they give up the mileage, but I will assure the gentleman under the present law the Secretary does not have such authority if that mileage exceeds the mileage given up.

Mr. FRELINGHUYSEN. I understand the present law, but I am just asking, Is there some way the State could protect itself against possible loss?

Mr. CRAMER. I can assure the gentleman that any State that will ask for replacement mileage will come in with requests for replacement before they give up any routes.

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

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

Mr. SCOTT. I thank the gentleman for yielding.

Mr. Speaker, in Virginia we have a problem with the Interstate Commerce Commission. We have Interstate 95, the Shirley Highway, which cannot be widened until we get a decision from the Interstate Commerce Commission as to whether a railroad can be abandoned, the Washington & Old Dominion Railroad.

We also have the same problem with regard to the present Interstate 66 from the beltway into Washington. This is causing considerable problems to the people in suburban Washington. The Interstate Commerce Commission has been sitting on this problem for more than two and a half years. Does the gentleman or the chairman of the committee know of any way to get the Interstate Commerce Commission to say whether or not this railroad can be abandoned so that we can go ahead with our program in Virginia to get the commuters in and out of Washington?

Mr. CRAMER. I would suggest that the gentleman will have an opportunity, and I hope he will make himself available to come before our committee next year when we get into these urgent problems. I for one would be delighted to hear the gentleman, and also I hope, perhaps, that the Commission would come before the committee to explain why these problems continue to exist.

Mr. SCOTT. I thank the gentleman, and I will do that.

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

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

Mr. COLLIER. Mr. Speaker, I rise in support of the legislation.

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

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

Mr. HOWARD. Mr. Speaker, I thank the gentleman for yielding.

On the point that was raised concerning a possible hypothetical condition in the State of New Jersey, the gentleman from Florida stated that the State may propose substitute routes to the Secretary of the Department of Transportation which could result in more than one route being returned to the State, and the entire money allocation being used for other interstate routes within that State, as the bill stands now without the need for any amendments to it; is that correct?

Mr. CRAMER. The gentleman is correct. Of course the State would have to justify the priority of needs for each route, in relation to the needs of other States, and the routes would have to meet criteria established for the Interstate System under existing law.

Mr. CAHILL. 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 New Jersey?

There was no objection.

Mr. CAHILL. Mr. Speaker, I believe the gentleman from Florida [Mr. CRAMER] has made it abundantly clear that the State seeking additional miles under this legislation can request more than one project, and will be eligible to obtain funds at least equal to those estimated for the cost of the mileage already authorized. I am pleased, too, Mr. Speaker, that the gentleman from Florida, the ranking member of the committee, has indicated that the application may include projects rather than a project. With this in mind, therefore, I can now support this legislation, although very frankly I would prefer greater care in the draftmanship of the bill. I am still concerned, however, Mr. Speaker, with the fact that the criteria for the new authorized miles is the same as provided in the first highway act passed in 1944. In other words, in order for a State to qualify for new mileage under this bill, it must meet the following criteria: first, importance to national defense; second, system integration; third, importance to industry; and fourth importance to rural and urban population.

As I explained to the House in a speech on August 28, 1967, this criteria was established in 1944 when we had a limited number of automobiles using our highways. Conditions are, of course, dramatically changed in 1967. There is no doubt that the criteria should and must be changed, and I regret that this committee has not seen fit to change the criteria in relation to the additional mileage. In any event, I can recognize the need for flexibility and can recognize that some highways already authorized may not serve the needs of the State as well as other highways not considered when the application was first made. I think the discussion here on the floor has served a useful purpose and that my State, at least, must recognize that if it intends to request new and different mileage than that already authorized, it should do so in such a way as to insure credit for the amount of money that would have been necessary to construct and complete the miles heretofore authorized. I sincerely hope, Mr. Speaker, that this committee will hold early hearings in January, that they will authorize additional miles of federally-aided highway systems in the States, and that they will consider a modernization of the entire program with particular emphasis on the criteria for qualification.

Mr. PICKLE. 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 Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, it should be made plain by the vote on this measure that there is no intent to allow the claim of higher highway mileage for travel purposes. I am assured by the committee that the purpose of this bill would be to increase the 41,000 miles authorized by statute so that any gaps in the present Interstate System might be closed which would otherwise be precluded because of the mileage limitation.

The committee report states:

> The urban mileage involved in these situations is usually short and expensive. The appropriate alternate mileage is usually longer but substantially less expensive.

I assume that any person who travels for the Government and submits a mileage claim should submit the shorter of two routes and not the longer. If, indeed, the urban mileage is shorter, then the claim allowed for travel should be less. If, however, this measure provides for longer alternate mileage, it might be that we leave the impression that the individual may claim the higher or the alternate mileage. I have been given the assurance that the purpose of this bill relates to the construction of the highway system and thus allowing States to choose alternate routes rather than the more expensive although shorter urban routes. In passing this legislation, however, I think it should be made clear that we are not subjecting ourselves to higher mileage claims.

In my State, we have seen a considerable controversy evolve as a result of mileage claims on official highway maps. The contrary situation has developed, according to some people in my State, that the Government employee uses a map now which shows higher claims of mileage than would a more modern map, which in the case of Texas has shown that the alternate routes or State routes would be shorter, and thus cheaper for the Government. All I want to make plain on this bill, however, is that we are not sanctioning higher mileage claims, but, indeed, that the lesser distance, if this is uninvolved, should be the claim. This would be less expensive for the Government, and I am sure that all Members concur that this should be our objective.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the House suspend the rules and pass the bill H.R. 13933.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 361, nays 1, not voting 70, as follows:

[Roll No. 399]

YEAS—361

Abernethy	Devine	Irwin
Adair	Dickinson	Jacobs
Adams	Diggs	Jarman
Addabbo	Dingell	Joelson
Albert	Dole	Johnson, Calif.
Anderson, Ill.	Donohue	Jonas
Anderson, Tenn.	Dorn	Jones, Ala.
Andrews, N. Dak.	Dow	Jones, Mo.
Ashbrook	Dowdy	Jones, N.C.
Ashley	Downing	Karsten
Ashmore	Dulski	Karth
Ayres	Duncan	Kastenmeier
Baring	Dwyer	Kazen
Barrett	Eckhardt	Kee
Battin	Edmondson	Keith
Bell	Edwards, Ala.	Kelly
Bennett	Ellberg	King, Calif.
Betts	Erlenborn	King, N.Y.
Bevill	Esch	Kirwan
Biester	Eshleman	Kleppe
Bingham	Everett	Kluczynski
Blackburn	Fallon	Kornegay
Blanton	Farbstein	Kupferman
Blatnik	Fascell	Kuykendall
Boggs	Feighan	Kyros
Bolling	Fino	Laird
Bolton	Fisher	Langen
Bow	Flood	Latta
Brademas	Foley	Leggett
Brasco	Ford, Gerald R.	Lennon
Bray	Ford, William D.	Lipscomb
Brinkley	Fraser	Lloyd
Brock	Frelinghuysen	Long, La.
Brotzman	Friedel	Long, Md.
Brown, Calif.	Fulton, Pa.	Lukens
Brown, Mich.	Galifianakis	McCarthy
Brown, Ohio	Gardner	McClory
Broyhill, N.C.	Garmatz	McClure
Broyhill, Va.	Gathings	McCulloch
Buchanan	Gettys	McDade
Burke, Fla.	Giaimo	McDonald, Mich.
Burke, Mass.	Gibbons	McEwen
Burleson	Gilbert	McFall
Burton, Calif.	Gonzalez	McMillan
Burton, Utah	Goodling	Macdonald, Mass.
Bush	Gray	MacGregor
Button	Green, Oreg.	Machen
Byrne, Pa.	Green, Pa.	Mahon
Byrnes, Wis.	Griffiths	Mailliard
Cabell	Gross	Marsh
Cahill	Grover	Mathias, Calif.
Carey	Gubser	Mathias, Md.
Carter	Gude	Matsunaga
Casey	Hagan	May
Cederberg	Haley	Mayne
Celler	Hall	Meeds
Clancy	Halpern	Meskill
Clausen, Don H.	Hamilton	Michel
Clawson, Del	Hammer-schmidt	Miller, Calif.
Cleveland	Hanley	Miller, Ohio
Cohelan	Hanna	Minish
Collier	Hansen, Idaho	Mink
Colmer	Hardy	Mize
Conable	Harrison	Monagan
Conte	Harsha	Montgomery
Corbett	Harvey	Moore
Cramer	Hathaway	Moorhead
Culver	Hawkins	Morgan
Cunningham	Hechler, W. Va.	Morris, N. Mex.
Curtis	Helstoski	Morse, Mass.
Daddario	Henderson	Morton
Daniels	Hicks	Mosher
Davis, Ga.	Holland	Multer
Davis, Wis.	Horton	Murphy, Ill.
Dawson	Hosmer	Murphy, N.Y.
de la Garza	Howard	Myers
Dellenback	Hull	Natcher
Denney	Hungate	Nedzi
Dent	Hunt	Nichols
Derwinski	Hutchinson	Nix
	Ichord	O'Hara, Ill.

O'Hara, Mich.	Roth	Taylor
O'Konski	Roudebush	Teague, Calif.
O'Neal, Ga.	Roush	Teague, Tex.
O'Neill, Mass.	Roybal	Tenzer
Ottinger	Rumsfeld	Thompson, Ga.
Passman	Ruppe	Thompson, N.J.
Patman	Ryan	Tiernan
Patten	Sandman	Tuck
Pelly	Satterfield	Tunney
Perkins	Saylor	Ullman
Pettis	Schadeberg	Van Deerlin
Philbin	Scherle	Vander Jagt
Pickle	Scheuer	Vanik
Pike	Schneebeli	Vigorito
Pirnie	Schweiker	Waggonner
Poff	Scott	Waldie
Pollock	Selden	Walker
Price, Ill.	Shriver	Wampler
Price, Tex.	Sikes	Watkins
Pryor	Sisk	Watson
Pucinski	Skubitz	Watts
Quie	Slack	Whalen
Quillen	Smith, Calif.	Whalley
Railsback	Smith, Iowa	White
Randall	Smith, N.Y.	Whitener
Rarick	Smith, Okla.	Widnall
Rees	Snyder	Williams, Pa.
Reid, Ill.	Springer	Wilson, Bob
Reid, N.Y.	Stafford	Wilson, Charles H.
Reifel	Staggers	
Rhodes, Ariz.	Stanton	Winn
Rhodes, Pa.	Steed	Wolff
Riegle	Steiger, Ariz.	Wyatt
Roberts	Steiger, Wis.	Wylie
Robison	Stratton	Wyman
Rogers, Colo.	Stubblefield	Yates
Rogers, Fla.	Stuckey	Young
Ronan	Sullivan	Zablocki
Rosenthal	Taft	Zion
Rostenkowski	Talcott	Zwach

NAYS—1

Wydler

NOT VOTING—70

Abbitt	Fulton, Tenn.	Pool
Andrews, Ala.	Fuqua	Purcell
Annunzio	Gallagher	Reinecke
Arends	Goodell	Resnick
Aspinall	Gurney	Reuss
Bates	Halleck	Rivers
Belcher	Hansen, Wash.	Rodino
Berry	Hays	Rooney, N.Y.
Boland	Hébert	Rooney, Pa.
Brooks	Heckler, Mass.	St Germain
Broomfield	Herlong	St. Onge
Chamberlain	Holifield	Schwengel
Clark	Johnson, Pa.	Shipley
Conyers	Kyl	Stephens
Corman	Landrum	Thomson, Wis.
Cowger	Madden	Udall
Delaney	Martin	Utt
Edwards, Calif.	Mills	Whitten
Edwards, La.	Minshall	Wiggins
Evans, Colo.	Moss	Williams, Miss.
Evins, Tenn.	Nelsen	Willis
Findley	Olsen	Wright
Flynt	Pepper	
Fountain	Poage	

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

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.
Mr. Annunzio with Mr. Kyl.
Mr. Brooks with Mr. Berry.
Mr. Madden with Mr. Halleck.
Mr. Rodino with Mr. Broomfield.
Mr. Rooney of New York with Mr. Goodell.
Mr. St. Onge with Mr. Gurney.
Mr. Fountain with Mr. Martin.
Mr. Aspinall with Mr. Bates.
Mr. Corman with Mr. Reinecke.
Mr. Mills with Mr. Wiggins.
Mr. Hays with Mr. Schwengel.
Mr. Holifield with Mr. Findley.
Mr. Gallagher with Cowger.
Mr. Evins of Tennessee with Mr. Chamberlain.
Mr. Delaney with Mr. Minshall.
Mr. Andrews of Alabama with Mr. Belcher.
Mr. Moss with Mr. Johnson of Pennsylvania.
Mr. Stephens with Mr. Utt.
Mr. Flynt with Mr. Thomson of Wisconsin.
Mr. Evans of Colorado with Mr. Nelsen.
Mr. Landrum with Mrs. Heckler of Massachusetts.
Mr. Clark with Mr. Olsen.
Mr. Boland with Mr. Resnick.
Mr. Udall with Mrs. Hansen of Washington.
Mr. Pepper with Mr. St Germain.
Mr. Shipley with Mr. Conyers.
Mr. Fulton of Tennessee with Mr. Herlong.
Mr. Whitten with Mr. Willis.
Mr. Wright with Mr. Reuss.
Mr. Rivers with Mr. Rooney of Pennsylvania.
Mr. Edwards of Louisiana with Mr. Williams of Mississippi.
Mr. Abbitt with Mr. Edwards of California.
Mr. Fuqua with Mr. Purcell.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

PROVIDING FOR THE HOLDING OF A TERM OF COURT AT MINEOLA IN THE EASTERN DISTRICT OF NEW YORK

Mr. TENZER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8376) to provide that the U.S. District Court for the Eastern District of New York shall be held at Brooklyn, N.Y., and Mineola, N.Y.

The Clerk read as follows:

H.R. 8376

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 112(c) of title 28, United States Code, is amended to read as follows:

"Court for the eastern district shall be held at Brooklyn and Mineola."

The SPEAKER. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, I shall not take the 20 minutes allotted to me.

This bill amends section 112(c) of title 28, United States Code, to authorize the U.S. District Court for the Eastern District of New York to be held at Mineola. This bill has been approved by the Judicial Conference of the United States, and the county bar associations of Nassau and Suffolk Counties.

All of Long Island and Staten Island are contained in the eastern district of New York. This area includes five counties. Suffolk, Nassau, Queens, and Kings are on Long Island and Richmond is on Staten Island. The population of the eastern district in 1960 was 6,625,672. In 1967 unofficial figures 7.3 million population. Nassau and Suffolk Counties have an estimated population of 2.3 million. Brooklyn, N.Y., has been the only site where the court has been authorized to sit.

Nassau County constitutes 300 square miles and Suffolk 922 square miles, and it is these counties that the bill is designed to serve. Mineola is approximately 30 miles from Brooklyn and at the far eastern point of the district it is a distance of 129 miles. Travel time into Brooklyn during the rush hours is a difficult one due to traffic congestion, taking 1¾ hours approximately.

The eastern district has a very heavy caseload. On its civil docket its caseload was the eighth largest of any of the 92 districts in the Nation and its criminal caseload was the fourth heaviest. A study made by the bar associations in conjunction with the clerk of the court in 1966 indicates that in a substantial portion of all cases either one or both parties, individual or corporation, reside within Nassau or Suffolk Counties.

The area comprising Suffolk and Nassau Counties constitutes one of the fastest growing areas in the United States. Since 1950 the population has increased by 120 percent. A recent estimate of the number of business establishments locating in this area number over 40,000.

The Department of Justice, in its report, defers to the Judicial Conference, which has heretofore stated it favors enactment of this proposal. The board of supervisors of Nassau County has authorized the use and occupancy for the county court at Mineola in the court buildings maintained by the county of Nassau at no cost to the Federal Government. Thus the provisions of section 142 of title 28 of the United States Code are complied with.

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

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

Mr. GROSS. The gentleman from New York says that there will be no immediate request for additional court facilities by transferring and holding court at the place for which this bill provides?

Mr. TENZER. In Nassau County; the gentleman is correct.

Mr. GROSS. I would further ask the gentleman if by any chance, this is the forerunner to additional court facilities at some future time, perhaps in the near future?

Mr. TENZER. I would say to the gentleman from Iowa that the answer to the question is no. If there is a future time when the population may justify it, but not as a result of this legislation.

As a result of this legislation, no, there would be no additional facilities or costs to the U.S. Government.

Mr. GROSS. I thank the gentleman.

Mr. TENZER. Mr. Speaker, the Nassau County Bar Association has adopted a resolution approving and supporting the legislation, in the following letter:

NASSAU COUNTY BAR ASSOCIATION,
Mineola, N.Y., April 5, 1967.

Hon. HERBERT TENZER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: Thank you for your inquiry concerning the location of the section of the Federal Court in either Nassau or Suffolk County.

I wish to advise you that our Federal Court Committee has had this particular matter under study for a considerable period of time, and from time to time the Bar Association itself has passed resolutions approving the location of a section of the Federal Court in either Nassau or Suffolk County. Recently an additional study was concluded and the Committee again recommended the adoption of an appropriate resolution. The resolution adopted by the Board of Directors is as follows:

Resolved that the Bar Association of Nassau County supports the establishment of a section of the Federal District Court, Eastern District, and that such section be situated in Mineola, New York.

Sincerely,

FRANCIS B. FROEHLICH,
President.

Mr. Speaker, the following excerpts from the report of the Federal court committee of the Suffolk County Bar Association relative to establishment of Federal court facilities for Nassau and Suffolk Counties includes some information which will be helpful in understanding the need for passage of H.R. 8376. It follows:

EXCERPTS FROM REPORT OF SUFFOLK COUNTY

1. ESTABLISHMENT OF THE COMMITTEE; SUPPORT OF THE NASSAU COUNTY BAR ASSOCIATION

In June, 1966, the Federal Court Committee of the Suffolk County Bar Association was established to study the feasibility of providing federal court facilities for Nassau and Suffolk Counties.

On October 13, 1966, the Nassau County Bar Association was apprised of the study and of the belief on the part of the directors of the Suffolk County Bar Association that establishment of federal court facilities for the two counties was warranted. The directors of the Nassau association discussed the project and on October 25, 1966 informed that "it is the desire of our Board to cooperate in every way possible on this particular project."

2. DESCRIPTION OF THE EASTERN DISTRICT OF NEW YORK

All of Long Island and Staten Island are contained in the eastern district of New York. Of the five counties in the district, three (Richmond, Queens and Kings) are also boroughs of the City of New York.

Richmond (Staten Island) has some manufacturing and its sparse population, practically unchanged for decades, is now increasing rapidly due to the recent completion of the Verrezzano-Narrows Bridge connecting it to Brooklyn. Richmond's area, however (60 sq. miles), is a limiting factor on future growth.

Queens (113 sq. miles) and Kings (76 sq. miles) Counties exhibit the usual urban characteristics: heavy manufacturing uses, chronic street and highway congestion and dense population.

Nassau (300 sq. miles) exhibits many typical suburban qualities: well-planned residential areas, parks, regional shopping centers, and attractive light industry, but seems to have reached maximum population saturation. Its streets and highways are crowded and busy, but do not yet suffer from the acute congestion of the city.

Suffolk County's (922 sq. miles) two westernmost towns (Huntington and Babylon) share Nassau's characteristics, and appear to have passed through their most rapid population growth. The three other towns in Suffolk's heavily populated western end, (Smithtown, Islip and Brookhaven), already have large populations but have the area (notably Brookhaven, larger than Nassau County) to absorb extremely large numbers of people. 90% of Suffolk's population resides in these five western towns.[1] Suffolk is now the principal target of the metropolitan area popluation explosion.

The United States District Court for the eastern district of New York is situated at 225 Washington Street, Brooklyn, almost at the extreme westerly end of the district. Some representative distances between the Court and locations within Nassau and Suffolk Counties follow:

Approximate road mileage of *American Automobile Association*

Location	*Miles*
Mineola	30
Huntington	50
Hauppauge	57
Stony Brook	64
Riverhead	82
Montauk	129
Orient Point	112

Travel times between the above locations and Brooklyn, especially at the morning and evening rush hours, are substantially greater than the distances indicate. For example, a trip by automobile from Huntington to arrive at the court on a weekday at 10:00 a.m. generally takes about 1¾ hours, due to traffic congestion on all westbound roads.

3. THE EXISTING FEDERAL COURT: CREATION, LOCATION AND POPULATION SERVED

The eastern district of New York was established in the year 1900 (31 Stat. 175, c. 391). Its court has never been authorized to sit other than at Brooklyn. The present population of the eastern district is estimated to exceed 7,247,775; of which 2,349,275 is attributable to Nassau and Suffolk Counties.

4. POPULATION TRENDS IN THE EASTERN DISTRICT

Exhibit "A" annexed to this report shows past populations and future projections for the counties in the eastern district. Sources for these figures are specified in footnotes to the table. The most recent population estimate available (7,247,775) combines the Long Island Lighting Company figures for Nassau and Suffolk for January 1, 1966 (2,349,275) with 1965 estimates for the three counties located within the City of New York. The most recent estimate thus places 32.4% of the District's population in Nassau and Suffolk.

Between 1950 and 1960 the combined population of Nassau and Suffolk increased 107%. Between 1950 and 1966 the two county population increased 148%. Between 1950 and 1960 the combined population of Kings, Queens and Richmond increased 5.7%.

Between 1950 and 1965 the Kings-Queens-Richmond population increased 12.1%. The population of Kings County, the seat of the court, actually declined between 1950 and 1960. Projections for the years 1975 and 1985 show a further decline in the Kings County population, a leveling off of the Queens County population slightly below its 1965 figure, and a doubling of the population of Richmond.

The 1980 projections for Nassau and Suffolk show a combined population for these two counties of 2,985,000, as compared with the 1985 projection for the three New York City counties of 4,735,000. By the 1980's it thus appears that the eastern district's population will total 7,720,000, of which 39.965% will be attributable to Nassau and Suffolk.

Some other statistics confirm that Nassau and Suffolk Counties constitute one of the most heavily populated, as well as one of the fastest growing suburban areas in the United States.

In 1950 there were 340,592 passenger cars in the two counties; in 1961 there were 782,539; in 1965 there were 954,962 (Long Island Commercial Review). In 1965 the total number of motor vehicles in the two counties was 1,083,994. The distribution was as follows: Nassau, 660,077; Suffolk, 423,917 (Long Island Commercial Review).

In 1950 there were 358,800 telephones in the two counties; in 1961 there were 1,071,000; in 1965 there were 1,323,033 (Long Island Commercial Review).

Between 1950 and 1960 expenditures in the public school systems in the two counties increased 494%, some $64.2 million to $381.7 million (Long Island Commercial Review).

The number of households in Nassau and Suffolk increased 101% between 1950 and 1960, from 260,378 to 522,141 (Long Island Commercial Review).

During the period 1949–1959 the land devoted to agriculture declined from 150,680 acres, or 33.3% of the land, to 97,182 acres, or 19% of the land (Long Island Commercial Review).

In 1962 the two-county population, then estimated at 2,084,904, made it the fourth largest urban county area in the United States, after New York City, Chicago and Los Angeles (Long Island Commercial Review).

As of January 1, 1967 there were 23,914 manufacturing wholesalers and retailers in Nassau and Suffolk (Dun and Bradstreet).

As of November 1966 there were 611,800 non-agricultural wage and salary workers in the two counties (New York State Labor Department).

During the period January to October 1966, there were 13,674 housing units under construction, based on the building permits issued in the two counties. The distribution of these units was as follows: Nassau, 3,469; Suffolk, 10,205 (New York State Division of Housing).

As of June 30, 1966 there were 426 offices of financial institutions in the two counties (Long Island Commercial Review).

Some of the largest industries in the United States have plants in Nassau or Suffolk, including Grumman Aircraft Corporation, Republic Aviation Division of Fairchild-Hiller Corporation, Gyrodyne Corporation of America, Sperry-Gyroscope Division of Sperry-Rand Corporation and Fairchild Camera and Instrument Corporation. There are a number of colleges and universities in the two-county area including Hofstra and Adelphi Universities, C. W. Post College of Long Island University, Nassau Community College, Suffolk Community College, Farmingdale Agricultural and Technical Institute, and the burgeoning State University of New York at Stony Brook. The State of New York has indicated its intent to establish a medical school and teaching hospital at the State University campus at Stony Brook; and a Veterans Administration hospital is also scheduled for the area.

Also contained in the two-county area are Brookhaven National Laboratory and the New York state school for international studies at Oyster Bay. A special committee headed by State Supreme Court Justice Howard Hogan of Nassau County has indicated that in the near future there will be at least two law schools in the Nassau-Suffolk area. Other studies have indicated that there will possibly be in the near future an oceanographic institute in Suffolk County.

There are a number of private and public airports within the two counties, including MacArthur Airport in Islip, the Westhampton Air Force base, the Republic Aviation field at Calverton. A fourth jetport for metropolitan New York may be located in Suffolk County.

A number of studies by various agencies of the State of New York and the County of Suffolk have made it almost certain that a bridge or bridges to Connecticut or Rhode Island will be constructed from eastern

[1] The population disparity between the western and eastern towns led to the institution of a local reapportionment suit, *Bianchi* v. *Griffing*, presently pending in the Supreme Court (*sub. nom. Board of Supervisors of Suffolk County, New York, et. al.* v. *Bianchi, et. al.*, October Term 1966, No. 491).

Nassau and/or Suffolk County within the next decade, thus linking the east end of Long Island with the mainland and providing access to New England's industries. Some studies have also been pursued with respect to the feasibility of a Long Island-New England tunnel.

5. CASELOAD OF EXISTING COURT

The United States District Court for the eastern district of New York is one of the busiest courts in the United States. As of March 31, 1966 its civil caseload of 1897 was exceeded by only seven district courts in the country, those for the District of Columbia, Southern District of New York, Eastern District of Pennsylvania, Eastern District of Louisiana, Northern District of Illinois, Northern District of California and Southern District of California.

The eastern district court's criminal caseload of 500 cases as of March 31, 1966 was fourth heaviest in the country, being exceeded only by the district courts for the District of Columbia; Southern District of New York, and Southern District of California.

The eastern district's total of 692 persons under supervision of the federal probation system as of March 31, 1966 was the 16th largest number in the country. The eastern district federal court ranked 33 in the number of bankruptcy cases pending on March 31, 1966 (1550 cases pending).

These figures are derived from the Report of the Director of the Administrative Office of the United States Courts for the period January 1 through March 31, 1966.

6. DISTRIBUTION OF EXISTING CASELOAD

So far as could be determined, no survey was ever made prior to 1966 as to the origin of cases docketed in the eastern district federal court. At the request of the Suffolk County Bar Association, a questionnaire in the form shown by Exhibit "B" was made available to counsel docketing civil cases in the court for a ninety-day trial period commencing November 7, 1966. Although the trial period has not yet terminated, a tabulation of 91 questionnaires filed with the clerk during the period November 7, 1966 to January 5, 1967 is available. Of the ninety-one cases represented by questionnaires, 34 have either a plaintiff or a defendant resident within, or a corporate party having its place of business in, Nassau or Suffolk County. Thus in 37.36% of the civil cases docketed during that period, venue could *properly* have been in a separate district or division encompassing only Nassau and Suffolk Counties.

Other statistics derived from the 91 questionnaires are as follows:

1. Number of cases in which a plaintiff resides in (or is a corporate plaintiff having a place of business in) Nassau or Suffolk County 14
2. Number of cases in which a defendant resides in (or is a corporate defendant having a place of business in) Nassau or Suffolk County 24
3. Number of cases having an out-of-district plaintiff and a Nassau or Suffolk defendant 12
4. Number of cases in which the claim is stated to have arisen in Nassau or Suffolk County 14

Since the individual plaintiff's residence (or the corporate plaintiff's place of business) determines venue, the figures in Items 1, and 3, are significant. Of the 91 cases, 14 would necessarily have been filed in Nassau—Suffolk, because the party having the choice of venue had a connection with the Nassau—Suffolk area. Further, in cases instituted by an out-of-district plaintiff, it is the individual defendant's residence (or the corporate defendant's place of business) which determines venue and thus 12 additional cases would necessarily have been instituted in Nassau or Suffolk (item 3). The 26 cases in these two categories comprise 28.6% of the cases, which would *necessarily* have been filed in Nassau or Suffolk County if facilities for such filing were available.

The statistics for the full 90-day trial period will be made available at the conclusion of the survey.

On September 28, 1966 the Suffolk County Bar Association requested the United States Attorney for the eastern district of New York to provide statistics showing the origin of cases pending in his office. His report dated January 17, 1967 is annexed as Exhibit C and shows that of the 798 criminal cases referred during the calender year 1966 to the United States Attorney by five federal agencies, 122 arose in Nassau or Suffolk County, or 15.0% of the total. The figures are based upon the area in which the crimes were committed rather than the county of residence of the defendants.

7. FACTORS WARRANTING ADDITIONAL LOCATIONS FOR THE HOLDING OF COURT

Review of much of the Congressional legislation authorizing district courts to sit in additional locations indicates that distribution of existing caseload is an important factor to be considered, as bearing upon the time and convenience of attorneys, litigants, witnesses and jurors, especially where distances or travelling times to the courthouse are great. The relative populations of the district and of the specific area to be served by a new court location, are also considered. For example, on August 10, 1950, Section 93, Title 28, United States Code, was amended to authorize the United States District Court for the Southern District, northern division of Illinois to sit at Rock Island. It was stated in 1950 United States Code and Congressional Service pages 2968–70:

". . . establishment of a court at Rock Island would service a population of approximately 250,000 people and facilitate the Federal legal business emanating from such cities as Moline, East Moline, Kewanee and Rock Island. An analysis as to the geographic source of the business now in the United States District Court for the Southern District, northern division of Illinois, reflects that approximately 25% of the total volume originates in the Rock Island area."

As the recent questionaires indicate, far more than 25% of the business of the Eastern District court emanates from Nassau and Suffolk Counties. Moreover, these two counties have a combined population of more than 2,349,275, as contrasted with the 250,000 persons proposed to be served in 1950 by the federal court at Rock Island, Illinois. The report of the Director of the Administrative Office of the United States Courts, *supra.*, shows that the entire Southern District of Illinois as of March 31, 1966 had only 353 civil cases pending, as contrasted with 2,144 in the Eastern District of New York. The Southern District of Illinois had 66 criminal cases pending on March 31, 1966 as contrasted with the 500 pending here. The District Court for the Southern District of Illinois is presently authorized to hold court at 5 locations [28 U.S.C. § 93(b)].

Comparison of the Eastern District of New York with the District of Connecticut demonstrates that the caseload here warrants an additional location or locations for the holding of court:

District	1960 population	Number of locations for holding court	Criminal cases pending	Civil cases pending	Persons under probation supervision	Bankruptcy cases
Eastern district of New York	6,583,524	1	500	1,897	692	1,550
District of Connecticut	2,535,234	5	115	679	375	811

Representative quotations from legislative histories of several other amendments to title 28, United States Code, are annexed as Exhibit "D" to this report. We believe that Nassau and Suffolk Counties qualify as a situs for holding court by virtue of their population, volume of federal litigation, geographical location with respect to the Court, and continued future growth.

8. LOCATIONS OF ALL EXISTING FEDERAL COURTS AND POPULATION SERVED

A review of title 28 United States Code § 81–131, shows that 80 district courts are presently authorized to sit in 408 locations throughout the United States. It is the exceptional district court which is not authorized to hold court at more than one location.

The typical district court has a far lighter caseload than does New York's Eastern District court, yet is authorized to hold court in multiple locations.

* * * * *

9. SUFFOLK LOCATION AT HUNTINGTON

Although the various Nassau-Suffolk locations mentioned in section 2 of this report are all relatively distant, both in terms of road mileage and travel time, from the existing federal courthouse in Brooklyn, they are not at the present time inaccessible to one another.

A single location for Nassau-Suffolk court facilities would seem to be dictated. A single location would obviously provide an economic advantage to the government, as opposed to multiple locations.

Another factor to be considered in the placement of a federal court annex is the availability without cost to the United States of suitable quarters and facilities. Title 28, U.S. Code § 142, so requires.

* * * * *

ACKNOWLEDGMENTS

Appreciation is extended to the Honorable Joseph C. Zavatt, Chief Judge United States District Court, Eastern District of New York; Honorable Lewis Orgel, Clerk of the United States District Court for the Eastern Division of New York; and Honorable Joseph Hoey, United States Attorney for the Eastern District of New York, for their unstinting cooperation with this committee, and for making available information which was of great value in its study. Thanks are especially extended to the first two gentlemen for making possible the 90 day trial survey report above. The conclusions reached, of course, are the committee's own.

Respectfully submitted.

FEDERAL COURT COMMITTEE, SUFFOLK COUNTY BAR ASSOCIATION,
By: RICHARD C. CARR, *Chairman.*

The SPEAKER. The gentleman from New York [Mr. WYDLER] is recognized.

Mr. WYDLER. Mr. Speaker, I rise in favor of this legislation which is before the House.

As a matter of fact, Mr. Speaker, it was more than 10 years ago that I first recommended to the Nassau County Bar Association that we do in fact have Federal court facilities in Nassau County.

I also was pleased to submit the first bill to make this possible, and I combined in that bill both the area of Mineola and the area of Hauppauge. The latter is in Suffolk County and I hoped to forestall any argument between the two counties over the location of the new court facilities.

I believe in the years to come we will

probably include Hauppauge or some other area in Suffolk in addition to Nassau because of demand and growth in those areas.

But there is a problem in connection with this legislation, and I would like to address a question on that to the proponent of the bill and the sponsor of the bill, the gentleman from New York [Mr. TENZER].

The bill before us, H.R. 8376, states in effect that court for the eastern district shall be held in Brooklyn, and Mineola. Now, there is some question that arises as to the meaning of Mineola that has been raised in the past in connection with the location of the various facilities.

As I understand the offer of the county of Nassau, it is to hold the court, or to make available facilities for the court in my congressional district, the Fourth Congressional District of New York. The Fourth Congressional District of New York does not include the area of Mineola. The Fourth Congressional District of New York has a section which is generally referred to by the public as Mineola, but which is in fact in Garden City, N.Y., which is part of my congressional district. Now, I am fearful that there some problem may arise; that is, the problem between the language of this bill and the actual place that is being offered by the county of Nassau for the holding of this court, because I believe the facilities you are offering to the Federal Government are located in Garden City, N.Y.

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

Mr. WYDLER. I will be delighted to yield to the gentleman from New York.

Mr. TENZER. I would like to thank the gentleman for yielding, and to say to the gentleman that I am delighted to have him endorse this legislation. I know that it has the endorsement of both the gentleman himself and Congressman GROVER, and also our colleague, Congressman WOLFF, all of who have indicated that this is a bipartisan bill.

The purpose of the legislation is to establish the sessions of the court in the existing county courthouse. The county courthouse is registered in every document, official and otherwise, in the telephone directory and in the official records of the State courts to be listed at Mineola. If, in fact, it is physically located in Garden City, the intent of the legislation, I can assure the gentleman, is that the sessions be held where the court facilities are located, and that is in the county courthouse located at Mineola.

Mr. WYDLER. I understand what the gentleman has said, but I again raise the question only because this deals with possible Federal legislation, and I would like to suggest to the gentleman that we should be precise and to be able to take advantage of the county's offer. It might be well in that since we cannot amend the bill in the present procedure, to consider some appropriate manner in which we can make sure we do not lock ourselves out from getting the facilities in the area, and in the buildings where we want this.

Mr. TENZER. I was advised by a member of the Committee on the Judiciary that there must be a specific location. In other words, we could not say "Nassau County"; it had to be specific.

May I call the attention of the gentleman to page 4 of the report on the bill, in the next to the last paragraph of resolution No. 951 of the Board of Supervisors of Nassau County, in the following language:

Resolved, That this board of supervisors hereby authorizes the use and occupancy of space to be allotted in the court buildings maintained by the county for court facilities to enable the U.S. District Court for the Eastern District of New York to conduct its business in Mineola, Nassau County, N.Y.; and be it further

Resolved, That the use and occupancy of any such space as may be allotted for the purposes aforesaid shall be without cost to the U.S. Government.

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

Mr. WYDLER. I am glad to yield to the gentleman.

Mr. WOLFF. As I understand, the common usage of the term, Mineola extends beyond the line of the Old Country Road there?

Mr. WYDLER. The gentleman is correct about that.

Mr. WOLFF. As you know, I think there would be equal license to put the courthouse in your district since you have your office in my district.

Mr. WYDLER. I know and that created some confusion some months ago. That, fortunately, did not turn out to be serious. I think we use the term rather loosely in our area to describe the section of Garden City and Mineola. I am not sure that would be a safe thing to do when we are considering Federal legislation, and that is why I raise the point at this time and I think some attention should be given to it.

Mr. WOLFF. I am glad you raised the question.

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

Mr. TENZER. I yield to the gentleman.

Mr. GROVER. I rise in support of this legislation of course. Sharing my constituency both in Nassau and Suffolk Counties, I originally had fondly thought, that this facility, or extension of district should include a sitting of the Federal court in the great county of Suffolk—which incidentally, Mr. TENZER, is not 900,000 in population but is now well over 1 million people by the latest estimates and the Lord willing, and some of my colleagues from Iowa willing, before another 10 years we will be looking for an extension at the great county of Suffolk.

I extend my compliments to my Nassau and Suffolk colleagues who support this bill and to the hard-working committees of the bar associations of both counties.

Mr. WYDLER. Mr. Speaker, I yield back the balance of my time.

Mr. TENZER. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion of the gentleman from New York, that the House suspend the rules and pass the bill H.R. 8376?

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

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. TENZER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WHEELING CREEK WATERSHED COMPACT, PENNSYLVANIA AND WEST VIRGINIA

Mr. TENZER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12010) to grant the consent of the United States to the Wheeling Creek Watershed Protection and Flood Prevention District compact, as amended.

The Clerk read as follows:

H.R. 12010

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is given to the interstate compact relating to the Wheeling Creek Watershed Protection and Flood Prevention District between the Commonwealth of Pennsylvania and the State of West Virginia, ratified by the Commonwealth of Pennsylvania in an Act approved by the Governor of such Commonwealth on August 2, 1967, and by the State of West Virginia in an Act approved by the Governor of such State on March 1, 1967. Such compact reads as follows:

"WHEELING CREEK WATERSHED PROTECTION AND FLOOD PREVENTION DISTRICT COMPACT

"Article I. Recitation of reasons for compact.

"Whereas, Wheeling Creek, a tributary of the Ohio River, arises in Pennsylvania, flows through Washington and Greene Counties of that commonwealth, enters the State of West Virginia, flows through Marshall and Ohio Counties, West Virginia, and empties into the Ohio River at Wheeling, West Virginia; and

"Whereas, The inhabitants of Marshall and Ohio Counties, West Virginia, and, also, but to a much lesser degree, the inhabitants of Washington and Greene Counties, Pennsylvania, living along Wheeling Creek have over the years experienced loss of life and property from flooding of that stream; and

"Whereas, Surveys made by the Soil Conservation Service of the United States Department of Agriculture indicate that the inhabitants of the four counties named can best be protected from the flooding of Wheeling Creek by flood prevention dams constructed there on with some of the dams being located on the upper reaches of the stream and its tributaries in the Commonwealth of Pennsylvania; and

"Whereas, the federal Watershed Protection and Flood Prevention Act of 1954, as amended, authorizes, under certain circumstances, federal assistance to local organizations in preparing and carrying out undertakings for flood prevention and the conservation, development, utilization and disposal of water in watershed or subwatershed areas; and

"Whereas, No local organization within the meaning of the federal act aforesaid established by or organized under the laws of West Virginia is competent under state laws to acquire land for, construct, and operate with or without federal assistance flood preven-

tion facilities in the Commonwealth of Pennsylvania, and it appears that no such local organization established by or organized under the laws of the Comomnwealth of Pennsylvania can justify the exepnditure of locally raised funds to construct and operate flood prevention facilities which will benefit primarily the inhabitants of the neighboring State of West Virginia; and

"Whereas, Facilities erected on the upper reaches of Wheeling Creek and its tributaries for flood control and prevention can nevertheless have a recreational value for the citizens of both West Virginia and Pennsylvania and particularly the citizens of Ohio and Marshall Counties, West Virginia, and Washington and Greene Counties, Pennsylvania; accordingly, for purposes of promoting that potential, as well as providing a vehicle or means whereby federal assistance may be enlisted for the protection of citizens of her neighboring State of West Virginia from the flooding of Wheeling Creek, the Commonwealth of Pennsylvania joins with the State of West Virginia in negotiating and ratifying this compact; now therefore,

"Article II. Wheeling Creek Watershed Protection and Flood Prevention District Created.

"The Commonwealth of Pennsylvania and the State of West Virginia hereby create as an agency and instrumentality of the governments thereof a district to be known as the 'Wheeling Creek Watershed Protection and Flood Prevention District,' hereinafter called the district, which shall embrace all territory in the Commonwealth of Pennsylvania and the State of West Virginia, the water in which flows ultimately into Wheeling Creek or its tributaries.

"Article III. Wheeling Creek Watershed Protection and Flood Prevention Commission Created.

"The Commonwealth of Pennsylvania and the State of West Virginia hereby create as the governing body of the district the 'Wheeling Creek Watershed Protection and Flood Prevention Commission,' hereinafter called the commission, which shall be a body corporate, with the powers and duties set forth herein, and such additional powers as may be conferred upon it by subsequent concurrent action of the General Assembly of Pennsylvania and the Legislation of West Virginia or by act or acts of the Congress of the United States.

"Article IV. Composition of Commission.

"The commission shall consist of five commissioners from Pennsylvania and five commissioners from West Virginia, each of whom shall be a citizen of the commonwealth or state from which he is appointed. The commissioners from the commonwealth and from the state shall be chosen in the manner and for the terms provided by the laws of the commonwealth or state from which they shall be appointed, and any commissioner may be removed or suspended from office as provided by the law of the commonwealth or state from which he shall be appointed. Vacancies on the commission shall be filled in the manner provided by the laws of the commonwealth or state among whose representation on the commission the vacancy occurs.

"The commissioners shall serve without compensation from the commission, but they shall be paid by the commission their actual expenses incurred and incident to the performance of their duties.

"Article V. Organization of Commission.

"The commission shall meet and organize within sixty days after the effective date of this compact, shall elect from its number a chairman and vice chairman, and shall appoint, and at its pleasure remove or discharge, such officers and legal, clerical, expert and other assistants as may be required to carry the provisions of this compact into effect, and shall determine their qualifications and fix their duties and compensation. It shall adopt a seal and suitable bylaws, and shall adopt and promulgate rules and regulations for its management and control. It may establish and maintain one or more offices within the district for the transaction of its business, and may meet at any time or place. The presence of three commissioners from the Commonwealth of Pennsylvania and three commissioners from the State of West Virginia shall constitute a quorum, and a majority vote of the quorum shall be necessary to pass upon matters before the commission.

"Article VI. Powers and Duties.

"The commission is hereby authorized and empowered:

"(a) To be and serve in the capacity of a local organization within the meaning of the Watershed Protection and Flood Prevention Act of the eighty-third Congress of the United States, second session (Public Law 566), approved August 4, 1954, as from time to time amended, and in that capacity the commission shall have the following authority and powers:

"(1) To apply for and receive federal financial and other assistance in preparing and carrying out plans for works of improvement as that term is defined in said federal act, as from time to time amended, hereinafter referred to as works of improvement, and to apply for and receive federal financial and other assistance under the aforementioned or other federal acts in preparing and carrying out plans for public fish and wildlife or recreational development in connection with works of improvement, including the construction and operation of all facilities which may be necessary or incident to such works of improvement and public fish and wildlife or recreational development in connection therewith.

"(2) To acquire, or with respect to interests in land to be acquired by condemnation, provide assurances satisfactory to the secretary of agriculture of the United States or other agent or agency of the United States that the commission will acquire such land, easements, or rights-of-way as will be needed in connection with works of improvement, and public fish and wildlife or recreational development and facilities in connection with works of improvement, installed with federal assistance.

"(3) To agree to operate and maintain any reservoir or other area included in a plan for works of improvement or public fish and wildlife or recreational development and facilities.

"(4) To assume all or such proportionate share, as is determined by the secretary of agriculture of the United States or other agent or agency of the United States, of the costs of installing any works of improvements, involving federal assistance, which is applicable to the agricultural phases of the conservation, development, utilization, and disposal of water or for fish and wildlife or recreational development and facilities or to purposes other than flood prevention and features relating thereto.

"(5) to make arrangements satisfactory to the secretary of agriculture of the United States or other agent or agency of the United States for defraying costs of operating and maintaining works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement: *Provided*, That such arrangements shall be based solely upon contributions, allotments or commitments of funds to the district or commission.

"(6) To acquire, or provide assurance that landowners or water users have acquired, such water rights, pursuant to the law of the commonwealth or state applicable thereto, as may be needed in the installation and operation of the works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement.

"(7) To cooperate with soil conservation districts in obtaining agreements to carry out recommended soil conservation measures and proper farm plans from owners of land situated in the drainage area above each retention reservoir to be installed with or without federal assistance.

"(8) To apply for and receive federal loans or advancements to finance the local share of costs of carrying out works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement, and to submit a plan of repayment satisfactory to the secretary of agriculture or other agent or agency of the United States for any loan or advancement: *Provided*, That such plan of repayment shall be based solely upon contributions, allotments or commitments of funds to the district or commission.

"(9) To cooperate, and enter into agreements with, the secretary of agriculture of the United States or other agent or agency of the United States, and to do all other things required, not inconsistent with the provisions of this compact and the laws of the Commonwealth of Pennsylvania and the State of West Virginia, to obtain maximum federal financial assistance for works of improvement and public fish and wildlife or recreational development and facilities in connection with such works of improvement.

"(b) To acquire within the district, land, easements, rights-of-way and other property rights as may be needed in connection with works of improvement and public fish and wildlife or recreational development and facilities in connection with such works of improvement and to make studies respecting, and to plan, construct, maintain and operate, works of improvement within the district and public fish and wildlife or recreational development and facilities in connection with such works of improvement.

"(c) To obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, eminent domain, or otherwise, any property, real or personal, or rights therein, for any of the purposes specified in this article of the compact: *Provided*, That eminent domain proceedings shall be instituted and prosecuted in the manner and forums provided by the laws of the commonwealth or state in which the property or property rights proceeded against are situate: *Provided, however*, That no property now or hereafter vested in or held by the Commonwealth of Pennsylvania or the State of West Virginia, or by any county, city, town, village, district, township, municipality or other political subdivision thereof shall be taken by the district without the consent of the commonwealth, state or political subdivision which owns the same.

"(d) To maintain, administer and improve any properties acquired, to charge fees for use of, and receive income from, such properties and to expend such income in carrying out the purposes and provisions of this compact, and to lease any of its property or interests therein in accordance with the following provisions and requirements: The board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, shall each have the option of leasing from the commission for such period as the lessee may specify all or any part of the works of improvement and the public fish and wildlife and recreational development and facilities in connection with works of improvement located within their respective counties upon the following terms and conditions: (a) That in each such lease the lessee in consideration thereof pay to the lessor

the sum of one dollar and agree to fully maintain at its (the lessee's) expense all works of improvement and all such development and facilities in connection therewith located within the county of the lessee in accordance with the requirements of the Watershed Protection and Flood Prevention Act of the eighty-third Congress of the United States, second session (Public Law 566), approved August 4, 1954, as from time to time amended, and all agreements and work plans made or formulated thereunder with respect to such works of improvement and such development and facilities in connection therewith located within the county of the lessee, and that for failure of the lessee to comply with such agreement, the lessor shall be given the right in the lease agreement to cancel the lease upon thirty days written notice to the lessee; (b) that any such lease not be inconsistent with the provisions, or impair the purposes, of this compact; and (c) that such lease be approved by the secretary of agriculture of the United States or other federal agent or agencies having authority to extend approval under the provisions of said act and agreements and works plan made or formulated thereunder. In the event the board of commissioners or county court of any one of the four counties named does not, within six months from the completion of the works of improvement and all such development and facilities in connection therewith located in such county, elect in writing transmitted to the commission to exercise the option given to it by the foregoing provisions, or in the event such option is exercised and the lease to such board of commissioners or county court is subsequently cancelled because of violation of the provision of the lease by the lessee, or in the event such option is exercised and the board of commissioners or county court subsequently chooses not to renew its lease, the commissioners may lease all or any part of the works of improvement and all such development and facilities in connection therewith located within such county to any other lessee which the commission may choose, and upon such terms as may be agreed upon, provided (a) that any such lease be approved by the board of commissioners or county court of the county in which any part or all of the works of improvement and all such development and facilities in connection therewith are located; (b) that any such lease not be inconsistent with the provisions, or impair the purposes of this compact; (c) that any such lease be approved by the secretary of agriculture of the United States or other federal agent or agencies having authority to extend approval under the provisions of said act and agreements and work plans made or formulated thereunder; and the option of leasing in the board of commissioners of the County of Ohio, West Virginia the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, shall include the right to sublease on the same terms and conditions set out in this paragraph designated (d) to any individual, corporation, municipal subdivision or municipal authority without the approval of the Wheeling Creek Watershed Protection and Flood Prevention Commission.

"(e) To enter into contracts and other arrangements with agencies of the United States, with persons, firms or corporations, including both public and private corporations, with the government of the state and the government of the commonwealth, or any department or agency of the United States, the state or the commonwealth, with governmental divisions, with soil conservation, drainage, flood control, soil erosion or other improvement districts in the state or the commonwealth, for cooperation or assistance in constructing, improving, operating or maintaining works of improvement within the district, and public fish and wildlife or recreational development and facilities in connection with works of improvement, or in preventing floods, damage from sediment deposited by floodwaters, or in clearance of stream beds, or in conserving, developing, utilizing and disposing of water in the district, or for making surveys, investigations or reports thereof.

"(f) To apply for, receive and use grants-in-aid, donations and contributions from any source or sources, and to accept and use, consistent with the purposes of this compact, bequests, devises, gifts and donations from any person, firm, corporation, state, commonwealth or agency or political subdivision thereof.

"(g) To do any and all things necessary or convenient for the purpose of promoting, developing and advancing the purposes of said district herein set forth, and in promoting, developing and advancing the recreational development and facilities incidental to the works of improvement that shall be constructed to achieve said purposes.

"(h) To delegate any authority given to it by law to any of its agents or employees, and to exceed its funds in the execution of the powers and authority herein given.

"Article VII. Fiscal Affairs.

"The commission shall submit at the appropriate or designated time to the board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, an annual budget of its estimated expenditure, which budget shall contain specific recommendations of the amount or amounts to be appropriated by each of the named governing bodies.

"The commission shall not incur any obligation prior to the commitment or allotment of funds by the named governing bodies or by other sources adequate to meet the same.

"The commission shall keep accurate accounts of all receipts and disbursements, which accounts shall be open for inspection at any reasonable time and shall be subject to audit by representatives of contributing political subdivisions and of the Commonwealth of Pennsylvania and State of West Virginia. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its by-laws: *Provided,* That all receipts and disbursements of the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be transmitted to each contributor of funds to the district or commission.

"Article VIII. Exemption From Taxes and Fees.

"The district and the property belonging to the district shall be exempt from the payment of all taxes or fees imposed by the Commonwealth of Pennsylvania or the State of West Virginia and by any agency and political subdivision thereof.

"Article IX. Effective Date of Compact.

"This compact shall become effective upon ratification by the General Assembly of the Commonwealth of Pennsylvania and the Legislature of the State of West Virginia and upon approval by the Congress of the United States."

SEC. 2. (a) The consent granted by this Act does not include advance consent for any additional power that may hereafter be conferred upon the Wheeling Creek Watershed Protection and Flood Prevention Commission by the General Assembly of Pennsylvania and the Legislature of West Virginia.

(b) The Congress and any of its committees shall have the right to require the disclosure and furnishing of such information by the Wheeling Creek Watershed Protection and Flood Prevention Commission as they may deem appropriate and shall have access to all books, records, and papers of the commission.

(c) The right to alter, amend, or repeal this Act is expressly reserved.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

Mr. TENZER. Mr. Speaker, I move to suspend the rules and pass the bill H.R. 12010. I yield myself such time as I may consume.

This bill would grant the consent of Congress to a compact between West Virginia and Pennsylvania. The compact creates a bi-state district to be known as the Wheeling Creek Watershed Protection and Flood Prevention District, and a commission to be known as the Wheeling Creek Watershed Protection and Flood Prevention Commission consisting of five members from each State. The commission would serve as a "local organization" within the meaning of the Watershed Protection and Flood Prevention Act (P.L. 83–566, August 4, 1954, 16 U.S.C. 1002), for carrying out a watershed project heretofore approved by the Public Works Committees of both Houses.

The compact device is needed because the watershed and the project embrace territory in both States.

Broadly stated, the commission would have jurisdiction over watershed matters covering Wheeling Creek and its tributaries as they relate to the Watershed Protection and Flood Prevention Act of 1954.

The committee amendment prevents any inference from article III of the compact the Congress is granting consent in advance for powers hereafter conferred on the commission by the State legislatures, beyond the powers specified in the compact. It also reserves the right of Congress and its committees to require disclosure of information by the commission.

The Department of Agriculture recommends enactment of the bill and the Departments of Army and Interior have no objection. Committee approval was unanimous.

Mr. Speaker, I hope the House will act favorably on this needed but noncontroversial measure.

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

The SPEAKER. The gentleman from Virginia is recognized.

Mr. POFF. Mr. Speaker, the pending legislation has the full and complete support of the distinguished gentlemen representing the great States of West Virginia and Pennsylvania in this body and in the other body. The compact is one arrived at after long and careful negotiation. It has been fully agreed upon by the legislatures of the two States. It is only the function of the Congress to consent to the compact.

I think it is important to underscore the policy of the Committee on the Judiciary to retain jurisdiction over the function of any agency which is established pursuant to a compact among

States. Because we regard this as important in the full discharge of our constitutional responsibility, we have added an amendment which, for purposes of the record, I think should be quoted at this point:

(b) The Congress and any of its committees shall have the right to require the disclosure and furnishing of such information by the Wheeling Creek Watershed Protection and Flood Prevention Commission as they may deem appropriate and shall have access to all books, records, and papers of the Commission.

Mr. Speaker, that paragraph has been included in every piece of legislation the House has passed consenting to agency-creating compacts and, so far as I am concerned and so far as I am able to control the situation, it will continue to be a part of such legislation.

In conclusion, may I pause to pay tribute to the distinguished gentleman from West Virginia [Mr. MOORE], who has been so assiduous in the promotion of this legislation. He has consulted constantly with members of the subcommittee and with members of the staff. It was he who first introduced legislation on August 1 to make this consent possible, and I think that both States, his own State and the State of Pennsylvania, are indebted to him for a job will done.

Mr. Speaker, I yield to the gentleman from West Virginia.

Mr. MOORE. Mr. Speaker, I thank the gentleman very much for yielding, and certainly in every sense of the word for his very kind remarks.

Mr. Speaker, I rise in support of my bill, H.R. 12010, which I introduced into the House on August 1, 1967. This bill is for the purpose of granting the consent of Congress to an interstate compact between the States of West Virginia and Pennsylvania that will create as an agency and an instrumentality of the governments thereof, a district to be known as the Wheeling Creek Watershed Protection and Flood Prevention District.

The compact will also create a governing body of the district to be known as the Wheeling Creek Watershed Protection and Flood Prevention Commission, consisting of five persons from Pennsylvania and five persons from West Virginia. The commission would serve in the capacity of a local organization within the meaning of the Watershed Protection and Flood Prevention Act, Public Law 83–566, approved August 4, 1954, as amended, for carrying out the watershed project on Wheeling Creek which was previously approved by the Congress.

Mr. Speaker, Wheeling Creek has its beginning in Greene and Washington Counties, Pa., which are represented in this body by my good friend, Congressman MORGAN, and flows west through the counties of Marshall and Ohio in West Virginia before emptying into the Ohio River at Wheeling. The stream overflows almost every year and is responsible for severe flood damage and loss of life in recent years, the worst being in 1963. The annual flood damage has averaged in excess of $275,000 per year according to the figures compiled by the Army Corps of Engineers. This dollar value is excessively high; however, the personal difficulties suffered by the residents of this area are by far more important.

Present plans call for the construction of one large multipurpose dam and six flood water retarding structures on Wheeling Creek. Also, clearing and snagging of 200 feet of channel will be required. Land treatment measures will be installed for both watershed protection and flood prevention purposes. Three of the projects, two flood control structures and one multiple-purpose reservoir, will be located in Pennsylvania while the remaining four flood retarding structures are located in West Virginia.

The approved project would also provide flood protection to urban areas in the city of Wheeling and suburbs situated upstream on Wheeling and Little Wheeling Creeks. In addition, the project will provide recreation facilities such as fishing, camping, and picnicking.

Normally, non-Federal interests through State or other local organizations, carry out all work involving construction of the project, in cooperation with the Federal Government. However, inasmuch as the Wheeling Creek project is located in both the States of Pennsylvania and West Virginia, it is necessary that legal authority for carrying out the plan of developing be vested in an "interstate compact."

Mr. Speaker, when this measure was before the House Judiciary Committee, reports were requested from four governmental departments—Interior, Army, Agriculture, and Justice. In each instance, the appropriate department either raised no objection to enactment of this measure or firmly recommended it.

This project has the full support of the local governmental units involved in the States of Pennsylvania and West Virginia, including substantial financial contributions from the local governmental units.

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

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

Mr. GROSS. It has been my observation that West Virginia and Pennsylvania have done very well in the matter of Federal installations and expenditures of one kind or another, and I rise only to ask the question of whether this particular legislation is going to take anything else away from the rest of the country, or anything that might well go to some other area of the country.

Mr. POFF. I would not undertake to respond for the author of the bill, but I am sure the gentleman from Iowa is fully familiar with the small watershed projects and program enacted by the Congress earlier, and I believe he probably knows the answer to the question.

Mr. GROSS. If the gentleman will yield further, aside from the watershed project, there is nothing else in this bill that is going to go to West Virginia or Pennsylvania, is there?

Mr. POFF. No. The gentleman can rest assured there is not.

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

Mr. TENZER. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the committee, the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, I rise in support of H.R. 12010, a bill introduced by my colleague, the gentleman from West Virginia [Mr. MOORE]. This bill would grant the consent of the United States to the Wheeling Creek Watershed Protection and Flood Prevention District compact.

Last year, congressional approval was given for the construction of the Wheeling Creek watershed project, which is located both in the State of Pennsylvania and the State of West Virginia. The project will be a cooperative project between the Department of Agriculture and certain local sponsoring organizations. Under the laws of both States no local organization can legally exist without the cooperation of the State and Federal Governments and so a compact is necessary to create a duly constituted organization.

The purpose of the bill is to grant the consent of Congress to an interstate compact creating an agency of the government of the two States, which will be known as the Wheeling Creek Watershed Protection and Flood Prevention District. It will also create a governing body commission consisting of five commissioners from Pennsylvania and five from West Virginia. The commissioners would serve in a local capacity and cooperate with the Federal Government in the development of the watershed project on Wheeling Creek.

This project would provide for the construction of six single-purpose flood-retarding structures, one multiple-purpose floodwater-retarding and recreation structure, and 200 feet of channel clearing and snagging.

Three of the projects, two flood-control structures and one multiple-purpose reservoir, are located in Pennsylvania, while the remaining four structures are located in West Virginia.

Mr. Speaker, this project is urgently needed to provide flood protection to the Wheeling Creek Basin. It has been ratified by both the State of Pennsylvania and the State of West Virginia, and its progress depends upon Congress granting its consent to an interstate compact. I hope that H.R. 12010 will be approved.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. TENZER], that the House suspend the rules and pass the bill H.R. 12010, as amended.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 356, nays 2, not voting 74, as follows:

[Roll No. 400]

YEAS—356

Abernethy	Adams	Albert
Adair	Addabbo	Anderson, Ill.

Anderson, Tenn.	Ford, William D.	Mathias, Md.
Andrews, N. Dak.	Fraser	Matsunaga
Ashbrook	Frelinghuysen	May
Ashley	Friedel	Mayne
Ashmore	Fulton, Pa.	Meeds
Ayres	Galifianakis	Meskill
Baring	Gardner	Michel
Barrett	Garmatz	Miller, Calif.
Battin	Gathings	Miller, Ohio
Bell	Gettys	Minish
Bennett	Giaimo	Mink
Betts	Gibbons	Minshall
Bevill	Gilbert	Mize
Biester	Gonzalez	Monagan
Bingham	Goodell	Montgomery
Blackburn	Goodling	Moore
Blanton	Gray	Moorhead
Blatnik	Green, Oreg.	Morgan
Boggs	Green, Pa.	Morris, N. Mex.
Bolling	Griffiths	Morse, Mass.
Bolton	Gross	Morton
Bow	Grover	Mosher
Brademas	Gubser	Multer
Brasco	Gude	Murphy, Ill.
Bray	Hagan	Murphy, N.Y.
Brinkley	Haley	Myers
Brock	Hall	Natcher
Brotzman	Halpern	Nedzi
Brown, Calif.	Hamilton	Nichols
Brown, Mich.	Hammer-schmidt	Nix
Brown, Ohio	Hanley	O'Hara, Ill.
Broyhill, N.C.	Hanna	O'Hara, Mich.
Broyhill, Va.	Hardy	O'Neal, Ga.
Buchanan	Harrison	O'Neill, Mass.
Burke, Fla.	Harsha	Ottinger
Burke, Mass.	Harvey	Passman
Burleson	Hathaway	Patman
Burton, Calif.	Hawkins	Patten
Burton, Utah	Hechler, W. Va.	Pelly
Bush	Helstoski	Perkins
Button	Henderson	Pettis
Byrne, Pa.	Hicks	Philbin
Byrnes, Wis.	Holland	Pickle
Cabell	Horton	Pike
Cahill	Hosmer	Pirnie
Carter	Howard	Poff
Casey	Hull	Pollock
Cederberg	Hungate	Pool
Celler	Hunt	Price, Ill.
Clancy	Hutchinson	Price, Tex.
Clausen, Don H.	Ichord	Pryor
Clawson, Del	Irwin	Pucinski
Cleveland	Jacobs	Quie
Cohelan	Jarman	Quillen
Collier	Joelson	Railsback
Colmer	Johnson, Calif.	Randall
Conable	Jonas	Rees
Conte	Jones, Ala.	Reid, Ill.
Corbett	Jones, Mo.	Reid, N.Y.
Cramer	Jones, N.C.	Reifel
Culver	Karsten	Rhodes, Ariz.
Cunningham	Karth	Rhodes, Pa.
Curtis	Kazen	Riegle
Daddario	Kee	Roberts
Daniels	Keith	Robison
Davis, Ga.	Kelly	Rogers, Colo.
Davis, Wis.	King, Calif.	Rogers, Fla.
Dawson	King, N.Y.	Ronan
de la Garza	Kirwan	Rosenthal
Dellenback	Kleppe	Rostenkowski
Denney	Kluczynski	Roth
Dent	Kornegay	Roudebush
Derwinski	Kupferman	Roush
Devine	Kuykendall	Roybal
Dickinson	Kyros	Rumsfeld
Diggs	Laird	Ryan
Dingell	Langen	St Germain
Dole	Latta	Sandman
Donohue	Leggett	Satterfield
Dorn	Lennon	Saylor
Dow	Lipscomb	Schadeberg
Dowdy	Lloyd	Scheuer
Downing	Long, La.	Schneebeli
Dulski	Long, Md.	Schweiker
Duncan	Lukens	Scott
Dwyer	McCarthy	Selden
Eckhardt	McClory	Shriver
Edwards, Ala.	McClure	Sikes
Edwards, Calif.	McCulloch	Skubitz
Eilberg	McDade	Slack
Erlenborn	McDonald, Mich.	Smith, Iowa
Esch	McEwen	Smith, N.Y.
Eshleman	McFall	Smith, Okla.
Fallon	McMillan	Snyder
Farbstein	Macdonald, Mass.	Springer
Fascell	MacGregor	Stafford
Feighan	Machen	Staggers
Fino	Mahon	Stanton
Fisher	Mailliard	Steed
Flood	Marsh	Steiger, Ariz.
Foley	Mathias, Calif.	Steiger, Wis.
Ford, Gerald R.	Matsunaga	Stratton
		Stubblefield
		Stuckey
		Sullivan
		Taft
		Talcott
		Taylor
		Teague, Calif.
		Teague, Tex.
		Tenzer
		Thompson, Ga.
		Thompson, N.J.
		Tiernan
		Tuck
		Tunney
		Ullman
		Van Deerlin
		Vander Jagt
		Vanik
		Vigorito
		Waggonner
		Waldie
		Walker
		Wampler
		Watkins
		Watson
		Watts
		Whalen
		Whalley
		White
		Whitener
		Whitten
		Williams, Pa.
		Wilson, Bob
		Winn
		Wolff
		Wyatt
		Wydler
		Wylie
		Wyman
		Yates
		Young
		Zablocki
		Zion
		Zwach

NAYS—2

Kastenmeier	O'Konski

NOT VOTING—74

Abbitt	Fountain	Rarick
Andrews, Ala.	Fulton, Tenn.	Reinecke
Annunzio	Fuqua	Resnick
Arends	Gallagher	Reuss
Aspinall	Gurney	Rivers
Bates	Halleck	Rodino
Belcher	Hansen, Idaho	Rooney, N.Y.
Berry	Hansen, Wash.	Rooney, Pa.
Boland	Hays	Ruppe
Brooks	Hébert	St. Onge
Broomfield	Heckler, Mass.	Schwengel
Carey	Herlong	Shipley
Chamberlain	Holifield	Sisk
Clark	Johnson, Pa.	Smith, Calif.
Conyers	Kyl	Stephens
Corman	Landrum	Thomson, Wis.
Cowger	Madden	Udall
Delaney	Martin	Utt
Edmondson	Mills	Widnall
Edwards, La.	Moss	Wiggins
Evans, Colo.	Nelsen	Williams, Miss.
Everett	Olsen	Willis
Evins, Tenn.	Pepper	Wilson, Charles H.
Findley	Poage	
Flynt	Purcell	Wright

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

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.
Mr. Annunzio with Mr. Cowger.
Mr. Brooks with Mr. Schwengel.
Mr. Madden with Mr. Halleck.
Mr. Rodino with Mr. Findley.
Mr. Rooney of New York with Mr. Bates.
Mr. St. Onge with Mr. Ruppe.
Mr. Fountain with Mr. Belcher.
Mr. Aspinall with Mr. Smith of California.
Mr. Corman with Mr. Utt.
Mr. Mills with Mr. Broomfield.
Mr. Hays with Mr. Thomson of Wisconsin.
Mr. Holifield with Mr. Hansen of Idaho.
Mr. Gallagher with Mr. Widnall.
Mr. Evins of Tennessee with Mr. Berry.
Mr. Delaney with Mr. Gurney.
Mr. Edmondson with Mr. Wiggins.
Mr. Moss with Mr. Chamberlain.
Mr. Stephens with Mr. Nelsen.
Mr. Flynt with Mr. Johnson of Pennsylvania.
Mr. Evans of Colorado with Mr. Martin.
Mr. Landrum with Mr. Kyl.
Mr. Clark with Mr. Olsen.
Mr. Boland with Mr. Resnick.
Mr. Carey with Mr. Reinecke.
Mr. Pepper with Mrs. Heckler of Massachusetts.
Mr. Shipley with Mr. Conyers.
Mr. Fulton of Tennessee with Mr. Herlong.
Mr. Udall with Mr. Willis.
Mr. Wright with Mr. Reuss.
Mr. Rivers with Mr. Rooney of Pennsylvania.
Mr. Edwards of Louisiana with Mr. Williams of Mississippi.
Mr. Abbitt with Mr. Charles H. Wilson.
Mr. Fuqua with Mr. Purcell.
Mr. Andrews of Alabama with Mr. Everett.
Mr. Sisk with Mrs. Hansen of Washington.

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact."

A motion to reconsider was laid on the table.

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of a similar Senate bill (S. 2514) to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2514

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is given to the interstate compact relating to the Wheeling Creek Watershed Protection and Flood Prevention District between the Commonwealth of Pennsylvania and the State of West Virginia, ratified by the Commonwealth of Pennsylvania in an Act approved by the Governor of such Commonwealth on August 2, 1967, and by the State of West Virginia in an Act approved by the Governor of such State on March 1, 1967. Such compact reads as follows:

"WHEELING CREEK WATERSHED PROTECTION AND FLOOD PREVENTION DISTRICT COMPACT

"Article I. Recitation of Reasons for Compact.

"Whereas, Wheeling Creek, a tributary of the Ohio River, arises in Pennsylvania, flows through Washington and Greene Counties of that commonwealth, enters the State of West Virginia, flows through Marshall and Ohio Counties, West Virginia, and empties into the Ohio River at Wheeling, West Virginia; and

"Whereas, The inhabitants of Marshall and Ohio Counties, West Virginia, and, also, but to a much lesser degree, the inhabitants of Washington and Greene Counties, Pennsylvania, living along Wheeling Creek have over the years experienced loss of life and property from flooding of that stream; and

"Whereas, Surveys made by the Soil Conservation Service of the United States Department of Agriculture indicate that the inhabitants of the four counties named can best be protected from the flooding of Wheeling Creek by flood prevention dams constructed thereon with some of the dams being located on the upper reaches of the stream and its tributaries in the Commonwealth of Pennsylvania; and

"Whereas, The federal Watershed Protection and Flood Prevention Act of 1954, as amended, authorizes, under certain circumstances, federal assistance to local organizations in preparing and carrying out undertakings for flood prevention and the conservation, development, utilization and disposal of water in watershed or subwatershed areas; and

"Whereas, No local organization within the meaning of the federal act aforesaid established by or organized under the laws of West Virginia is competent under state laws to acquire land for, construct, and operate with or without federal assistance flood prevention facilities in the Commonwealth of Pennsylvania, and it appears that no such local organization established by or organized under the laws of the Commonwealth of Pennsylvania can justify the expenditure

of locally raised funds to construct and operate flood prevention facilities which will benefit primarily the inhabitants of the neighboring State of West Virginia; and

"Whereas, Facilities erected on the upper reaches of Wheeling Creek and its tributaries for flood control and prevention can nevertheless have a recreational value for the citizens of both West Virginia and Pennsylvania and particularly the citizens of Ohio and Marshall Counties, West Virginia, and Washington and Greene Counties, Pennsylvania; accordingly, for purposes of promoting that potential, as well as providing a vehicle or means whereby federal assistance may be enlisted for the protection of citizens of her neighboring State of West Virginia from the flooding of Wheeling Creek, the Commonwealth of Pennsylvania joins with the State of West Virginia in negotiating and ratifying this compact; now therefore,

"Article II. Wheeling Creek Watershed Protection and Flood Prevention District Created.

"The Commonwealth of Pennsylvania and the State of West Virginia hereby create as an agency and instrumentality of the governments thereof a district to be known as the 'Wheeling Creek Watershed Protection and Flood Prevention District,' hereinafter called the district, which shall embrace all territory in the Commonwealth of Pennsylvania and the State of West Virginia, the water in which flows ultimately into Wheeling Creek or its tributaries.

"Article III. Wheeling Creek Watershed Protection and Flood Prevention Commission Created.

"The Commonwealth of Pennsylvania and the State of West Virginia hereby create as the governing body of the district the 'Wheeling Creek Watershed Protection and Flood Prevention Commission,' hereafter called the commission, which shall be a body corporate, with the powers and duties set forth herein, and such additional powers as may be conferred upon it by subsequent concurrent action of the General Assembly of Pennsylvania and the Legislature of West Virginia or by act or acts of the Congress of the United States.

"Article IV. Composition of Commission.

"The commission shall consist of five commissioners from Pennsylvania and five commissioners from West Virginia, each of whom shall be a citizen of the commonwealth or state from which he is appointed. The commissioners from the commonwealth and from the state shall be chosen in the manner and for the terms provided by the laws of the commonwealth or state from which they shall be appointed, and any commissioner may be removed or suspended from office as provided by the law of the commonwealth or state from which he shall be appointed. Vacancies on the commission shall be filled in the manner provided by the laws of the commonwealth or state among whose representation on the commission the vacancy occurs.

"The commissioners shall serve without compensation from the commission, but they shall be paid by the commission their actual expenses incurred and incident to the performance of their duties.

"Article V. Organization of Commission.

"The commission shall meet and organize within sixty days after the effective date of this compact, shall elect from its number a chairman and vice chairman, and shall appoint, and at its pleasure remove or discharge, such officers and legal, clerical, expert and other assistants as may be required to carry the provisions of this compact into effect, and shall determine their qualifications and fix their duties and compensation. It shall adopt a seal and suitable bylaws, and shall adopt and promulgate rules and regulations for its management and control. It may establish and maintain one or more offices within the district for the transaction of its business, and may meet at any time or place. The presence of three commissioners from the Commonwealth of Pennsylvania and three commissioners from the State of West Virginia shall constitute a quorum, and a majority vote of the quorum shall be necessary to pass upon matters before the commission.

"Article VI. Powers and Duties.

"The commission is hereby authorized and empowered:

"(A) To be and serve in the capacity of a local organization within the meaning of the Watershed Protection and Flood Prevention Act of the eighty-third Congress of the United States, second session, (Public Law 566), approved August 4, 1954, as from time to time amended, and in that capacity the commission shall have the following authority and powers:

"(1) To apply for and receive federal financial and other assistance in preparing and carrying out plans for works of improvement as that term is defined in said federal act, as from time to time amended, hereinafter referred to as works of improvement, and to apply for and receive federal financial and other assistance under the aforementioned or other federal acts in preparing and carrying out plans for public fish and wildlife or recreational development in connection with works of improvement, including the construction and operation of all facilities which may be necessary or incident to such works of improvement and public fish and wildlife or recreational development in connection therewith.

"(2) To acquire, or with respect to interests in land to be acquired by condemnation, provide assurances satisfactory to the secretary of agriculture of the United States or other agent or agency of the United States that the commission will acquire such land, easements, or rights-of-way as will be needed in connection with works of improvement, and public fish and wildlife or recreational development and facilities in connection with works of improvement, installed with federal assistance.

"(3) To agree to operate and maintain any reservoir or other area included in a plan for works of improvement or public fish and wildlife or recreational development and facilities.

"(4) To assume all or such proportionate share, as is determined by the secretary of agriculture of the United States or other agent or agency of the United States, of the costs of installing any works of improvements, involving federal assistance, which is applicable to the agricultural phases of the conservation, development, utilization, and disposal of water or for fish and wildlife or recreational development and facilities or to purposes other than flood prevention and features relating thereto.

"(5) To make arrangements satisfactory to the secretary of agriculture of the United States or other agent or agency of the United States for defraying costs of operating and maintaining works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement: *Provided*, That such arrangements shall be based solely upon contributions, allotments or commitments of funds to the district or commission.

"(6) To acquire, or provide assurance that landowners or water users have acquired, such water rights, pursuant to the law of the commonwealth or state applicable thereto, as may be needed in the installation and operation of the works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement.

"(7) To cooperate with soil conservation districts in obtaining agreements to carry out recommended soil conservation measures and proper farm plans from owners of land situated in the drainage area above each retention reservoir to be installed with or without federal assistance.

"(8) To apply for and receive federal loans or advancements to finance the local share of costs of carrying out works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement, and to submit a plan of repayment satisfactory to the secretary of agriculture or other agent or agency of the United States for any loan or advancement: *Provided*, That such plan of repayment shall be based solely upon contributions, allotments or commitments of funds to the district or commission.

"(9) To cooperate, and enter into agreements with, the secretary of agriculture of the United States or other agent or agency of the United States, and to do all other things required, not inconsistent with the provisions of this compact and the laws of the Commonwealth of Pennsylvania and the State of West Virginia, to obtain maximum federal financial assistance for works of improvement and public fish and wildlife or recreational development and facilities in connection with such works of improvement.

"(B) To acquire within the district, land, easements, rights-of-way and other property rights as may be needed in connection with works of improvement and public fish and wildlife or recreational development and facilities in connection with such works of improvement and to make studies respecting, and to plan, construct, maintain and operate, works of improvement within the district and public fish and wildlife or recreational development and facilities in connection with such works of improvement.

"(C) To obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, eminent domain, or otherwise, any property, real or personal, or rights therein, for any of these purposes specified in this article of the compact: *Provided*, That eminent domain proceedings shall be instituted and prosecuted in the manner and forums provided by the laws of the commonwealth or state in which the property or property rights proceeded against are situated: *Provided however*, That no property now or hereafter vested in or held by the Commonwealth of Pennsylvania or the State of West Virginia, or by any county, city, town, village, district, township, municipality or other political subdivision thereof shall be taken by the district without the consent of the commonwealth, state or political subdivision which owns the same.

"(D) To maintain, administer and improve any properties acquired, to charge fees for use of, and receive income from, such properties and to expend such income in carrying out the purposes and provisions of this compact, and to lease any of its property or interests therein in accordance with the following provisions and requirements: The board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, shall each have the option of leasing from the commission for such period as the lessee may specify all or any part of the works of improvement and the public fish and wildlife and recreational development and facilities in connection with works of improvement located within their respective counties upon the following terms and conditions: (a) That in each such lease the lessee in consideration thereof pay to the lessor the sum of one dollar and agree to fully maintain at its (the lessee's) expense all works of improvement and all such development and facilities in connection therewith located within the county of the lessee in accordance with the requirements of the Watershed Protection

and Flood Prevention Act of the eighty-third Congress of the United States, second session, (Public Law 566), approved August 4, 1954, as from time to time amended, and all agreements and work plans made or formulated thereunder with respect to such works of improvement and such development and facilities in connection therewith located within the county of the lessee, and that for failure of the lessee to comply with such agreement, the lessor shall be given the right in the lease agreement to cancel the lease upon thirty days written notice to the lessee; (b) that any such lease not be inconsistent with the provisions, or impair the purposes, of this compact; and (c) that any such lease be approved by the secretary of agriculture of the United States or other federal agent or agencies having authority to extend approval under the provisions of said act and agreements and works plan made or formulated thereunder. In the event the board of commissioners or county court of any one of the four counties named does not, within six months from the completion of the works of improvement and all such development and facilities in connection therewith located in such county, elect in writing transmitted to the commission to exercise the option given to it by the foregoing provisions, or in the event such option is exercised and the lease to such board of commissioners or county court is subsequently cancelled because of violation of the provision of the lease by the lessee, or in the event such option is exercised and the board of commissioners or county court subsequently chooses not to renew its lease, the commissioners may lease all or any part of the works of improvement and all such development and facilities in connection therewith located within such county to any other lessee which the commission may choose, and upon such terms as may be agreed upon, *Provided,*

a. That any such lease be approved by the board of commissioners or county court of the county in which any part or all of the works of improvement and all such development and facilities in connection therewith are located.

b. That any such lease not be inconsistent with the provisions, or impair the purposes of this compact.

c. That any such lease be approved by the secretary of agriculture of the United States or other federal agent or agencies having authority to extend approval under the provisions of said act and agreements and work plans made or formulated thereunder.

d. The option of leasing in the board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, shall include the right to sublease on the same terms and conditions set out in this paragraph to any individual, corporation, municipal subdivision or municipal authority without the approval of the Wheeling Creek Watershed Protection and Flood Prevention Commission.

"(E) To enter into contracts and other arrangements with agencies of the United States, with persons, firms or corporations, including both public and private corporations, with the government of the state and the government of the commonwealth, or any department of agency of the United States, the state or commonwealth, with governmental divisions, with soil conservation, drainage, flood control, soil erosion or other improvement districts in the state or the commonwealth, for cooperation or assistance in constructing, improving, operating or maintaining works of improvement within the district, and public fish and wildlife or recreational development and facilities in connection with works of improvement, or in preventing floods, damage from sediment deposited by floodwaters, or in clearance of stream beds, or in conserving, developing, utilizing and disposing of water in the district, or for making surveys, investigations or reports thereof.

"(F) To apply for, receive and use grants-in-aid, donations and contributions from any source or sources, and to accept and use, consistent with the purposes of this compact, bequests, devises, gifts and donations from any person, firm, corporation, state, commonwealth or agency or political subdivision thereof.

"(G) To do any and all things necessary or convenient for the purpose of promoting, developing and advancing the purposes of said district herein set forth, and in promoting, developing and advancing the recreational development and facilities incidental to the works of improvement that shall be constructed to achieve said purposes.

"(H) To delegate any authority given to it by law to any of its agents or employees, and to expend its funds in the execution of the powers and authority herein given.

"Article VII. Fiscal Affairs.

"The commission shall submit at the appropriate or designated time to the board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, an annual budget of its estimated expenditure, which budget shall contain specific recommendations of the amount or amounts to be appropriated by each of the named governing bodies.

"The commission shall not incur any obligation prior to the commitment or allotment of funds by the named governing bodies or by other sources adequate to meet the same.

"The commission shall keep accurate accounts of all receipts and disbursements, which accounts shall be open for inspection at any reasonable time and shall be subject to audit by representatives of contributing political subdivisions and the Commonwealth of Pennsylvania and State of West Virginia. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its by-laws: *Provided,* That all receipts and disbursements of the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be transmitted to each contributor of funds to the district or commission.

"Article VIII. Exemption from Taxes and Fees.

"The district and the property belonging to the district shall be exempt from the payment of all taxes or fees imposed by the Commonwealth of Pennsylvania or the State of West Virginia and by any agency and political subdivision thereof.

"Article IX. Effective Date of Compact.

"This compact shall become effective upon ratification by the General assembly of the Commonwealth of Pennsylvania and the Legislature of the State of West Virginia and upon approval by the Congress of the United States."

SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved.

AMENDMENT OFFERED BY MR. TENZER

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

The Clerk read as follows:

Amendment offered by Mr. TENZER: Strike out all after the enacting clause of the bill, S. 2514, and insert the provisions of H.R. 12010, as passed.

The amendment was agreed to.

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

A similar House bill (H.R. 12010) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TENZER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous material on the bill just passed.

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

There was no objection.

AMENDMENTS TO INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

Mrs. KELLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9063), to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nations, and for other purposes, as amended.

The Clerk read as follows:

H.R. 9063

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Claims Settlement Act of 1949, as amended, is further amended as follows:

(1) Subsection (f) of section 4, title I, is hereby amended to read as follows:

"(f) No remuneration on account of services rendered on behalf of any claimant in connection with any claim filed with the Commission under this title shall exceed 10 per centum of the total amount paid pursuant to any award certified under the provisions of this title, on account of such claim. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be fined not more than $5,000 or imprisoned not more than twelve months, or both."

(2) Subsection (b) of section 7, title I, is amended by inserting "(1)" after the subsection letter, and adding at the end thereof the following paragraph:

"(2) The Secretary of the Treasury shall deduct from any amounts covered, subsequent to the date of enactment of this paragraph, into any special fund, created pursuant to section 8, 5 per centum thereof as reimbursement to the Government of the United States for expenses incurred by the Commission and by the Treasury Department in the administration of this title. The amounts so deducted shall be covered into the Treasury to the credit of miscellaneous receipts."

(3) Paragraph (1) of subsection (c), section 7, title I, is hereby amended to read as follows:

"(1) If any person to whom any payment is to be made pursuant to this title is deceased or is under a legal disability, payment shall be made to his legal representative, except that if any payment to be made is not over $1,000 and there is no qualified executor or administrator, payment may be made to the person or persons found by the Comptroller General to be entitled thereto, without the necessity of compliance with the requirements of law with respect to the administration of estates."

(4) Subsection (c) of section 8, title I, is amended by inserting the phrase ", prior to the date of enactment of subsection (e) of this section," immediately after the word "covered" and before the word "into", and

by inserting "(1)" after the words "section 7 (b)" and before the words "of this title."

(5) Section 8, title I, is hereby further amended by adding at the end thereof the following subsection:

"(e) The Secretary of the Treasury is authorized and directed out of sums covered, subsequent to the date of enactment of this subsection, into any special fund created pursuant to this section to make payment on account of awards certified by the Commission pursuant to this title with respect to claims included within the terms of a claims settlement agreement concluded between the Government of the United States and a foreign government as described in subsection (a) of section 4 of this title, as follows and in the following order of priority:

"(1) Payment in the amount of $1,000 or the principal amount of the award, whichever is less;

"(2) Thereafter, payments from time to time on account of the unpaid principal balance of each remaining award which shall bear to such unpaid principal balance the same proportion as the total amount available for distribution at the time such payments are made bears to the aggregate unpaid principal balance of all such awards; and

"(3) Thereafter, payments from time to time on account of the unpaid balance of each award of interest which shall bear to such unpaid balance of interest, the same proportion as the total amount available for distribution at the time such payments are made bears to the aggregate unpaid balance of interest of all such awards."

(6) Section 302, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Secretary of the Treasury shall cover into each of the Bulgarian and Rumanian Claims Funds such sums as may be paid by the Government of the respective country pursuant to the terms of any claims settlement agreement between the Government of the United States and the Government of such country."

(7) Section 303, title III, is amended by striking out the word "and" at the end of paragraph (2), and by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon and immediately thereafter the word "and".

(8) Section 303, title III, is further amended by adding at the end thereof the following new paragraph:

"(4) pay effective compensation for the nationalization, compulsory liquidation, or other taking of property of nationals of the United States in Bulgaria and Rumania, between August 9, 1955, and the effective date of the claims agreement between the respective country and the United States."

(9) Section 304 of title III is amended by inserting "(a)" after the section number and adding at the end thereof the following subsections:

"(b) The Commission shall receive and determine, or redetermine as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were nationals of the United States on September 3, 1943, and the date of enactment of this subsection, against the Government of Italy which arose out of the war in which Italy was engaged from June 10, 1940, to September 15, 1947, in territory ceded by Italy pursuant to the treaty of peace with Italy: *Provided*, That no awards shall be made to persons who have received compensation in any amount pursuant to the treaty of peace with Italy or subsection (a) of this section.

"(c) Within thirty days after enactment of this subsection, or within thirty days after the date of enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under subsection (b) of this section, whichever date is later, the Commission shall publish in the Federal Register the time when and the limit of time within which claims may be filed with the Commission, which limit shall not be more than six months after such publication.

"(d) The Commission shall certify awards on claims determined pursuant to subsection (b) of this section to the Secretary of the Treasury for payment out of remaining balances in the Italian Claims Fund in accordance with the provisions of section 310 of this title, after payment in full of all awards certified pursuant to subsection (a) of this section.

"(e) After payment in full of all awards certified to the Secretary of the Treasury pursuant to subsections (a) and (d) of this section, the Secretary of the Treasury is authorized and directed to transfer the unobligated balance in the Italian Claims Fund into the War Claims Fund created by section 13 of the War Claims Act of 1948, as amended."

(10) Section 306, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) Within thirty days after enactment of this subsection or the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under paragraph (4) of section 303 of this title, whichever is later, the Commission shall publish in the Federal Register the time when and the limit of time within which claims may be filed under paragraph (4) of section 303 of this title, which limit shall not be more than six months after such publication."

(11) Section 310, title III, is amended by adding at the end of subsection (a) thereof the following paragraph:

"(6) Whenever the Commission is authorized to settle claims by the enactment of paragraph (4) of section 303 of this title with respect to Rumania and Bulgaria, no further payments shall be authorized by the Secretary of the Treasury on account of awards certified by the Commission pursuant to paragraph (1), (2), or (3) of section 303 of the Bulgarian or Rumanian Claims Funds, as the case may be, until payments on account of awards certified pursuant to paragraph (4) of section 303 with respect to such fund have been authorized in equal proportion to payments previously authorized on existing awards certified pursuant to paragraphs (1), (2), and (3) of section 303."

(12) Section 316, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Commission shall complete its affairs in connection with the settlement of claims pursuant to paragraph (4) of section 303 and subsection (b) of section 304 of this title not later than two years following the date of enactment of such paragraph, or following the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under paragraph (4) of section 303 and subsection (b) of section 304 of this title, whichever is later."

The SPEAKER. Is a second demanded?

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

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

There was no objection.

The SPEAKER. The gentlewoman from New York is recognized.

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

Mr. Speaker, H.R. 9063 will bring to an end three international claims programs, and provide for the orderly processing and termination of several others.

In each and every case, H.R. 9063 deals with claims against foreign governments. These claims are advanced by U.S. citizens who lost properties or suffered losses in foreign countries.

Moreover, the settlement of these claims is not a burden to the U.S. Treasury. The programs with which H.R. 9063 deals are self-financing. The claims are settled with funds obtained from foreign governments; these funds also pay the cost of administering our claims programs.

Mr. Speaker, before outlining the specific provisions of H.R. 9063, I should like to take a moment to sketch the historical framework of this legislation.

Following World War II, thousands of American citizens had claims against foreign countries for the taking or destruction of property, for personal injuries, or for loss of income.

In some instances, our Government was able to enter into agreements with the foreign countries concerned, securing compensation for those of our citizens who sustained losses.

That compensation was subsequently distributed to the eligible claimants who justified their claims and received awards from the U.S. Foreign Claims Settlement Commission.

This happened, for example, in the case of Italy. H.R. 9063 deals in part with that program.

In some other cases, primarily those involving countries which were alined against us during the war, we had to proceed differently. Frequently, it was not possible to arrive at an agreement with the governments concerned. At the same time, certain of those countries, or their citizens, owned property in the United States. In some cases, our Government vested such properties and used the proceeds to compensate American citizens who sustained losses in the countries concerned.

This happened in the case of Rumania and Bulgaria. H.R. 9063 will make possible the orderly termination of both these programs.

As a result of the proceedings which I just described, many American citizens who suffered losses abroad received some compensation. Unfortunately, in many cases, this compensation amounted to only 30 percent, or 50 percent, of the awards made on their claims. The only exception to this was the Italian claims program. All of the awards made under that program were paid in full—100 percent of the principal awards.

This brings me back to H.R. 9063. This legislation was drafted in the executive branch and sent to the Congress with an executive message. The bill in that sense is an administration bill. Its major provisions are as follows:

ADMINISTRATIVE CHANGES

First, there are a number of provisions in H.R. 9063 which would bring about certain improvements in the administration of programs conducted pursuant to the International Claims Settlement Act.

Section 1 of the bill continues the

statutory ceiling on fees paid on account of services rendered on behalf of a claimant in connection with any claim filed with the Foreign Claims Settlement Commission under title I of the act. These lawyers' fees may not exceed 10 percent of the total amount paid to the claimant. H.R. 9063 retains this principle but repeals the Foreign Claims Settlement Commission's authority to set fees below that 10-percent ceiling.

Section 2 of the bill authorizes the Secretary of the Treasury to deduct, as reimbursement for administrative expenses, 5 percent from any sums covered into the claims funds subsequent to the enactment of this amendment. At present, this 5-percent fee is deducted from the individual payments to the claimants. The proposed change will simplify procedures and reduce costs.

Section 3 of the bill increases from $500 to $1,000 the awards that can be paid without the appointment of a qualified executor or administrator in cases involving legal disability or death. Again, simplification of administrative procedures is the object of this amendment.

Finally, section 5 of the bill modifies the payments procedure so as to allow periodic prorated payments on awards in cases in which foreign governments are making installment payments to the U.S. Government. The recent claims agreements with Poland, Rumania, and Yugoslavia, to mention three examples, involved such installment payments. The executive branch has argued that it would not be fair to make the claimants wait until the last of these installment payments is made. In the case of Poland, for instance, this would involve a waiting period of 20 years for some claimants. The committee agreed that some allowance should be made for these cases. For this reason, the amendment in section 5 authorizes the Commission to make partial, prorated payments as the money comes in.

RUMANIAN CLAIMS

The second set of amendments contained in H.R. 9063 deals with the Rumanian claims program.

I mentioned at the outset that following World War II, the U.S. Government vested certain foreign-owned properties located in the United States and used the proceeds to pay the claims of American nationals against the governments of the countries concerned. Rumania was one of those countries.

Under the original Rumanian claims program, approximately $20 million was paid on 498 awards. The claimants received 30 cents on the dollar on their awards. The program came to an end in 1959.

A year later, in 1960, the United States finally signed a claims agreement with Rumania. Pursuant to that agreement, Rumania paid an additional $2.5 million in final settlement of the claims of U.S. citizens.

H.R. 9063 authorizes the use of this $2.5 million for the purpose for which these funds were intended. As explained in the committee's report, claims which arose up to the date of the agreement are covered. Furthermore, provision is made in the bill for an equitable distribution of the $2.5 million between the old claimants—those who already received some compensation under the original Rumanian claims program—and those whose claims arose subsequently.

BULGARIAN CLAIMS

The background of the Bulgarian claims program was similar to that of the Rumanian claims program.

Using proceeds obtained from the liquidation of certain Bulgarian-owned properties, the U.S. Government paid $2.6 million on 217 awards made to American citizens who sustained losses in Bulgaria. The individual claimants received approximately 50 cents on the dollar on their awards. The program was terminated in 1959.

In 1963, the U.S. Government entered into a claims settlement agreement with Bulgaria. An additional $400,000 was paid and deposited in a special account in the U.S. Treasury pursuant to that agreement. That money is there, waiting to be paid to eligible claimants.

H.R. 9063 extends the same treatment to claimants under the Bulgarian claims program as it does to those under the Rumanian claims program. The Foreign Claims Settlement Commission is authorized to accept and review claims which arose up to the date of the 1963 agreement, and to make awards on such claims. The $400,000 is to be distributed equitably between the old and new claimants.

ITALIAN CLAIMS

The fourth set of amendments embodied in H.R. 9063 pertains to the claims of American citizens against the Government of Italy.

Pursuant to the treaty of peace with Italy, and the Lombardo Agreement, full compensation was paid to most of the U.S. citizens who suffered losses during World War II as a result of actions of the Italian Government. The Italian claims program was completed on May 31, 1960. As of that date, nearly $4 million was paid on 482 awards. One hundred percent—principal and interest—was paid on each and every award.

However, with the passage of time, it became apparent that some U.S. citizens who suffered losses as a result of the actions of the Italian Government during World War II never received any compensation for such losses. This was particularly the case with American nationals in the Dodecanese Islands and in other territories ceded by Italy pursuant to the treaty of peace. The treaty stipulated that these people were to be compensated by the Government of Italy. Testimony presented to our committee indicates that they were not.

There were also some American citizens who suffered losses or were injured in Italy proper after the Italian Government capitulated in 1943. Some elements of Italian military troops continued to fight after that date. For reasons which did not appear adequate to the committee, the Foreign Claims Settlement Commission refused to honor some of those claims. As pointed out in the report, particularly in the supplemental views of the gentleman from Ohio, Congressman TAFT, the Commission has both the authority and the resources to rectify that wrong.

Now, to sum up, the situation with regard to the Italian claims fund is this: All previously made awards have been paid in full. At this point, there is still over $1 million remaining in that fund. This money was paid by the Government of Italy to be used at the discretion of the U.S. Government to compensate U.S. nationals.

Bearing these facts in mind, H.R. 9063 authorizes the Foreign Claims Settlement Commission to accept these additional claims which I have just described, to process them and to make awards. The principle that the claimants had to be U.S. nationals at the time when they suffered loss is retained. Payments to persons who previously received compensation under the peace treaty or the International Claims Settlement Act are prohibited. Every effort is made to rectify a wrong, but at the same time to prevent any abuse.

Finally, H.R. 9063 provides that after payments are made to the eligible claimants pursuant to this new authority, all funds remaining in the Italian claims fund shall be transferred to the war claims fund and be used to pay wartime claims of American nationals.

COMMITTEE AMENDMENTS

Mr. Speaker, the Committee on Foreign Affairs made one substantive change in H.R. 9063. This change deleted language which would have extended eligibility to persons who did not file a timely claim under the original Italian claims program, who were not U.S. nationals at the time they suffered losses but who did become such nationals by August 9, 1955. For many years both the executive branch and the Congress have taken the position, as explained in detail in the committee's report on H.R. 9063, that the opening of the various claims programs to the so-called new nationals could not be justified either by reference to international law or to our national interest. In essence, therefore, the committee's amendment simply upheld what has been a fairly consistent policy of our Government.

In conclusion, Mr. Speaker, as I said at the outset, the enactment of this legislation does not entail any financial demands upon the U.S. Treasury. Furthermore, early and favorable action on H.R. 9063 is needed in order to provide justice to many U.S. nationals who have been waiting patiently for the settlement of their claims. For these reasons I urge that H.R. 9063 be approved.

Mr. DANIELS. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from New Jersey.

Mr. DANIELS. Mr. Speaker, I rise in opposition to H.R. 9063 in its present form.

I have read the report of the House Foreign Affairs Committee on H.R. 9063, and the supplemental views submitted by the gentleman from Ohio [Mr. TAFT] of the committee, and feel the attention of the House should be called to what I consider to be a grave injustice which would result through the omission of one

provision from the bill as introduced by Mrs. KELLY, the chairman of the subcommittee which considered it, and recommended by the administration, including the Department of State and the Foreign Claims Settlement Commission, which administers the claims programs. I feel this provision should be retained, as it was by the Senate when the legislation was considered and passed by that Chamber.

I am referring to section 9 of H.R. 9063, which would have added to the International Claims Settlement Act two provisions for the payment of claims of Americans against Italy arising out of the war with Italy, which were not covered by the peace treaty in 1947. The first class of claims is that of Americans who suffered property damage claims, principally in Greece and Albania, as well as Yugoslavia, but who have never had an opportunity to file claims, despite the fact that Congress in 1958 provided that claims of such persons could and should be paid. This class of claims was excluded from the peace treaty with Italy, which provided for the payment by Italy of other claims by Italy directly. It is important to note that Italy deposited $5,000,000 with the U.S. Treasury for the purpose of covering claims not covered by the treaty, and that over a million dollars remains from that sum, so that we are not talking about taxpayers' funds, but about money deposited by Italy for a specific purpose—the payment of American claims.

The second class of claims, covered by section 304(c) in the Senate-passed bill and the administration bill introduced in the House, and now changed to subsection (b) by the committee after its exclusion of the first class of claims, which was subsection (b), is for losses in the Dodecanese Islands, which the committee feels should be paid, and the balance of the Italian claims fund paid into the Treasury for general purposes, without consideration of the first class. I was interested in the supplemental views submitted with the committee report by Mr. TAFT in its reference to article 78, paragraph 7 of the peace treaty with Italy, under which these claims were specifically to have been paid by Italy. Therefore, they were excluded from payment under the Lombardo agreement under which the $5,000,000 was deposited to pay claims not covered by the treaty, and the failure to pay a class of claims not covered by the treaty, while recommending payment of a class covered, strikes me as being not only contrary to our international undertaking, but morally wrong. I can perhaps understand the committee's possible confusion in this respect, since the testimony of the Government officials, on page 20 of the hearings as printed for use of the committee, contains the statement that the Dodecanese claims were excluded from the peace treaty. A simple reading of the treaty clearly indicated that—

> Italy shall continue to be responsible for loss damage sustained during the war by property in ceded territory.

And the committee form of the bill provides for payment of claims "in territory ceded by Italy pursuant to the treaty of peace with Italy."

If there are funds remaining after payment of claims not covered by the treaty, I could understand the desire of the committee to arrange for additional compensation over and above that granted by Italy, if Italy has no objection to such use, which does not accord with the Lombardo agreement. However, I cannot understand such use of these funds when there are claimants who could under no circumstances be paid under the peace treaty who have not been provided for.

The committee report justifies this situation by stating that it is contrary to the policy of the State Department to make payment to persons who were not citizens at the time of loss, and an undesirable precedent might be created. The report states, however, that the State Department has modified its position, and that the Congress in 1958 enacted legislation that expanded the eligibility requirement. This requires, I believe, further explanation, since herein lies a great inequity which was effected by this same committee in 1958, and which I believe the committee should have felt an obligation to correct.

What happened was this: In 1958 it was apparent that considerable money would be left over in the Italian fund after paying persons who were American citizens at the time of loss and, therefore, the Foreign Affairs Committee recommended the enactment of Public Law 85-604, which amended section 304 of the act to provide for the payment of claims of persons who became citizens prior to the date of the amendment—August 8, 1958—the very people who would be covered by the section the committee has recommended be deleted, over the favorable proposal of the administration. However, an error was made in the wording of the 1958 amendment, and no provision was made for the filing of claims by such persons, who previously had no basis for filing claims. This meant practically that the only persons who could be paid were those who by mistake had filed claim under the previous program. Anyone who had read the statute previously would have known that he had no right to file claim unless he was a citizen at the time of loss, so that it was the ones who had not read the law or did not have the advice of lawyers who were in a position to benefit.

This is an error in legislative drafting which is almost of constitutional proportions, since it violates the principle of similar treatment for those similarly situated, and discriminates against law-abiding citizens. It was for this reason that the administration, after the Congress had established in 1958 that persons who were not citizens at the date of loss could claim against the Italian fund, recommended correction of the statute to give persons who throughout the postwar period received no compensation whatever for their losses, and who as the result of legislative oversight could not take advantage of the relief provisions enacted in 1958, can file claim. There was no testimony against this provision by anyone before the subcommittee which held hearings, and I am simply unable to understand the recommended deletion of this important provision.

Let me repeat that this is not taxpayers' money with which we are dealing, but Italian money placed with the U.S. Government for the specific purpose of paying claims against Italy not covered by the peace treaty. I feel that the inequity which would result from our adoption of the bill in its present form is so serious as to require correction.

Mr. Speaker, I think that this bill ought to be recommitted to the House Foreign Affairs Committee and the original provision as introduced in the House and as passed by the Senate ought to be restored. This House has shown its generosity to persons who are not American citizens on a great many occasions. I think that it is only simple justice that we show an equal compassion to persons who are American citizens and are seeking justice from their country. I urge, Mr. Speaker, that this bill be rejected.

Mr. Speaker, the gentlewoman has said, under the Lombardo treaty, $5 million was deposited with the U.S. Government to pay the claims not covered by the treaty of peace.

That would include the claims of persons who were not eligible to file a claim under the treaty of peace because of the fact, primarily, that they were not citizens of the United States, but who have since become citizens of the United States.

Mrs. KELLY. That is not correct. The Lombardo agreement, signed in 1947, provided compensation for persons who were U.S. nationals—not for persons who were nationals of Italy at that time.

Mr. DANIELS. Can the gentlewoman tell me why the committee in the legislation under consideration, H.R. 9063, on page 5, in subsection (9) on line 16, deleted the language which would have added to the International Claims Settlement Act a provision for the payment of claims of Americans against Italy arising out of the war with our people, which was not covered by the peace treaty, and then, in paragraph (b) on page 6 did just the opposite with reference to claims of persons from the Dodecanese Islands?

Why did the committee disallow the claims of persons who have become American citizens since World War II whose property was damaged or destroyed in Yugoslavia, Greece, or Albania, but provide for the payment of claims of those persons who had property in the Dodecanese Islands?

Mrs. KELLY. Mr. Speaker, under the Lombardo settlement, as my colleague has said, $5 million was paid to the U.S. Government to pay claims of U.S. nationals which were not compensated directly by the Government of Italy. All of the qualified claimants whose claims were considered under the original Italian Claims Program were paid 100 cents on the dollar. This left $1 million for any further distribution, to which the gentleman has referred.

In regard to the language on page 6 of the bill—section 9(b)—I should like to

emphasize again that in the treaty of peace, Italy ceded certain territories to her neighbors. Those territories included the Dodecanese Islands, located off the coast of Greece, which were ceded to Greece, the commune of Zara and the Island of Pelogosa, and certain other inlets the gentleman had mentioned.

The persons who had suffered losses in those territories were American citizens and were due consideration but had never received any compensation. For that reason the committee thought that the bill H.R. 9063 ought to contain language, as it does, authorizing compensation to these people.

I am not sure that the $1 million will be sufficient to compensate them for their losses.

Now I will refer to the other group mentioned by my colleague from New Jersey [Mr. DANIELS], the people who will not be affected by H.R. 9063 in its present from. These were not U.S. citizens when the loss occurred. They were Italian citizens—or they could have been Bulgarian, or Russian, or other nationals.

Mr. DANIELS. But the $5 million was put up for that purpose by the Italian Government.

Mrs. KELLY. Not to include those people who were not U.S. nationals. The sum was given to the United States by Italy to compensate American nationals for losses sustained during World War II as a result of actions for which the Italian Government was responsible.

I do want to remark that in the draft legislation sent up by the executive branch, the proposal was made that persons who were not U.S. nationals at the time of World War II, but who became U.S. citizens by 1955, be given consideration. This, may I repeat, could have set a precedent for a policy which the United States had never adopted before, with one exception of 1958.

I believe the committee felt—and other members of my committee will no doubt address themselves to this point—as I feel, that we should first consider the losses of American citizens, prior to giving consideration to any others.

I do believe that the proposal of my colleague [Mr. DANIELS] could lead to a very dangerous precedent for the simple reason that there are many thousands of persons who are U.S. citizens today but who were not such citizens during World World II when they suffered losses. I do not see how we could compensate all those people who lost properties and so on in Eastern Europe and other places. The only way we could compensate them, as the committee report points out, is by paying them out of the U.S. Treasury, and I wonder whether the Congress is ready to accept such a responsibility.

Mr. DANIELS. In a law passed in 1958, there was expressly provided the compensation of those persons who had become nationals prior to the enactment of the law, Public Law 85–604. If a person had filed under the misbelief he had a legitimate right to file, I understand he was paid. But those who depended on the advice of counsel and did not file, because that law failed to set up a method for filing, have not been paid. Is it fair to make fish of one and fowl of the other?

Mrs. KELLY. I want to emphasize that the committee is aware of the fact that the Congress did make this exception in 1958. I still say that the exception made in that one instance should not have been made. We should certainly not repeat it today and thus take another step in the direction of establishing an extremely far-reaching and politically tremendously expensive precedent.

Mr. DANIELS. Mr. Speaker, I must voice my opposition to this bill in its present form.

Mrs. KELLY. Mr. Speaker, I hope that the gentleman is aware of the many, many claims which could be advanced if this legislation is not passed in the manner that the Committee on Foreign Affairs presented it. We could have a vast number of claims submitted to the Congress by persons who are now citizens of the United States but were not citizens of other countries when they suffered losses in their own countries. I do not think that it is wise for such a precedent to be established, particularly since we still have many American citizens who have not received their proper compensation to this very day.

Mr. KYROS. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman.

Mr. KYROS. Mr. Speaker, I thank the gentlewoman from New York. I think she stated the case quite adequately. As I understand it, the only objection to this bill is for a class of American citizens now who were not included at one time in 1958 because they had not filed their claim or had late filed their claim and the law that existed prior to filing was changed. It seems to me one class of citizens is being treated inequitably by a fund which is not provided by the United States but is provided by Italy. One million dollars remains today that has not been paid out, and if I understand the basic objection, it might open precedents for additional claims to be filed. My question is this: Is it not a fact that the Department of State, the administration, and the Foreign Claims Settlement Commission are all in favor of including the section that my colleague from New Jersey [Mr. DANIELS] adverted to earlier in this bill? In fact, there is no opposition from them and, as a matter of fact, the other body has already passed a bill including this section within it.

Mrs. KELLY. For many years the executive branch and the Congress have steadfastly opposed this kind of an approach. Further, the other body has not passed a bill including this section, and they have not taken up this legislation at this point. I want to state I understand that the gentleman probably has constituents who are involved in this type of claim, but I again wish to repeat that the $1 million may not be enough to cover the claims of American citizens who have lost property during World War II. I must also reemphasize that over the years, and even now, the policy has been followed to compensate American nationals. There was an exception to this policy in 1958, but we feel similar exceptions could create a bad precedent and should not be allowed.

Mr. MONAGAN. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Speaker, I thank the gentlewoman for yielding.

I want to say that I support the statement of the gentlewoman from New York. I believe this distinction is a legitimate one. I supported it in the committee, and I hope that the House will support the recommendation of the committee here on the floor of the House.

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

Mr. Speaker, the gentlewoman from New York has very accurately and comprehensively described the contents of this legislation. I would suggest that it should be enacted. Its purposes are quite simple, as the gentlewoman from New York has indicated. In the first place, it would authorize the transfer of funds being held by the Secretary of the Treasury to allow adjudication of claims with respect to Bulgaria and Rumania. It would also allow adjudication of claims with respect to American nationals who lost property in the Dodecanese Islands and other territories ceded by Italy after World War II. Third, it would make certain administrative changes, to make it easier for the program to be handled in an orderly way.

The main bone of contention has already been brought up. This is whether or not we have been generous enough with those of Italian extraction who are now American nationals, and whether we should reopen and allow the filing and adjudication of claims by these individuals.

Mr. Speaker, the report, on page 5, indicates the committee's position, which is contrary to the recommendations of the executive branch of the Government.

In addition, there is, on pages 18 through 21 of the hearings, a discussion of this problem before the Committee on Foreign Affairs. It was felt on our part that the basic principle involved was an important one and that we should not encourage or make possible the compensation by a defeated state for damages to others than the nationals of the state to which compensation was made——

Mr. DANIELS. Mr. Speaker, will the gentleman yield at that point?

Mr. FRELINGHUYSEN. If I may just complete my thought, there was approved, in 1958, a relaxation of the general principle of international law. It was, presumably, because Congress made this exception that the executive branch of the Government has now changed its position with respect to the general and important principle of international law.

In other words, we say we do not think it is advisable to open the door or a Pandora's box to allow a group to be considered eligible. We should not open the door simply on the argument that there is money available so why not distribute it to people who suffered damage during the war.

In my opinion the answer to that argument is clear. They were not American

citizens and, consequently, there should not be reparations paid therefor for which the United States should be responsible, as the administering body.

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

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

Mr. DANIELS. Mr. Speaker, I want to thank the gentleman from New Jersey [Mr. FRELINGHUYSEN] for yielding to me at this point.

I would like to say this in order to cover the points which have been raised to the fullest extent possible.

Mr. Speaker, in 1958 the Congress enacted a law which extended the provision to include persons who formerly were not nationals of the United States, but who have since become citizens of this country. That 1958 law failed to provide for the manner of filing and as a result thereof created a lot of confusion. As a result and consequence thereof there were certain people who had no right to file a claim, but who did file and filed a false claim, as I understand, have been paid.

However, those who were looking for advice, and because of the failure of the Congress in specifically specifying the manner in which the claim should be filed, but who failed to file such claim were excluded.

Therefore, they have not come under the provisions of the existing law because their claims were not filed within the date prescribed therein for the payment and it is unfair to these people who, because of lack of advice or ignorance upon their part, failed to file a legitimate claim and have been excluded.

Mr. FRELINGHUYSEN. I may say to the gentleman from New Jersey that I do not think it is unfair to do so. The gentleman from New Jersey [Mr. DANIELS] indicated that some claims may have been filed, and payments made thereon, although the claims were not legitimate. I doubt very much that that was so. Presumably, they were able to establish the fact that they could qualify under the 1958 law, and then they were paid. The fact that they were able to qualify creates no obligation upon the part of the United States to open the door even wider, by saying that because others did not file, they should now be permitted to do so.

Mr. DANIELS. Mr. Speaker, if the gentleman will yield further, did not the other body file a bill to cover a situation such as this?

Mr. FRELINGHUYSEN. I am really not sure whether the other body "filed" a bill on this subject. I am not sure that it is even relevant to this particular question. Our position is that it would be creating a new situation, that it would open the door to those who normally would not be allowed to participate under international law in these funds.

Mr. DANIELS. Mr. Speaker, if the gentleman will yield further, is it not true that this $5 million was proposed and posted in order to permit the Government to pay the claims of American nationals, those who became nationals since World War II—and that there is the sum of $1 million left for the payment of these claims? In other words, to pay those who have just claims, as in the case of my constituent who lost a shipbuilding yard in Yugoslavia in 1941, when the Italians seized that yard?

This man has since become a good, law-abiding American citizen. Now, I do not believe it is fair and equitable to take this money of the Italian Government and not pay it to the claimants, but to put it in the Treasury of the United States.

Mr. FRELINGHUYSEN. I might say to the gentleman that while I sympathize with those who may have suffered loss, we must remind ourselves that those individuals were not American nationals at the time they suffered the loss. If we are to accept the argument of the gentleman that the United States Government should be the defender of those individuals we would be broadening our responsibilities greatly. Also, if we accept this argument with respect to those who have since become U.S. citizens, but who were at the time citizens of another country, we would be opening up the situation very considerably. Other claimants could claim inequity as the gentleman is now arguing, if we did now broaden our definition of those who are eligible.

I believe this would be unwise.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. Yes, I yield to the gentlewoman from New York.

Mrs. KELLY. I thank the gentleman from New Jersey for yielding.

Is it not true that the Lombardo agreement of 1947 was to pay U.S. citizens—not people who were Italian citizens during the war, and who were the responsibility of the Italian Government, and not the responsibility of the U.S. Government?

Mr. FRELINGHUYSEN. That is correct. The $5 million was basically for distribution to U.S. citizens, not nationals of other countries.

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

Mr. FRELINGHUYSEN. Yes, I yield to the gentleman from Maine.

Mr. KYROS. I thank the gentleman for yielding.

I would ask the gentleman, is it not a fact that the claims that were paid—the basic war claims that were paid out of the German and Italian reparation funds, were funds for persons who had suffered injury prior to 1945, but who had been American nationals before 1945? So, as a matter of fact, there were many, many persons who were hurt, Italians, Yugoslavs, or any other European nationals, and they then came to this country and became American citizens and then could collect on their claims. So that the gentleman's basic argument that this is only to repay those who were American citizens at the time their person or property was damaged is not so, is that a fact?

Mr. FRELINGHUYSEN. In most cases, I might say to the gentleman, the basic purpose of all the reparations was to protect American citizens, but benefits were extended to those who became American citizens afterwards. I will agree with the gentleman, we are not arguing on that point at all. It is rather a question of how generous we should be at the present time.

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

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

Mr. TAFT. Mr. Speaker, I thank the gentleman for yielding.

I take this time, Mr. Speaker to ask assurance of the distinguished chairman of the Subcommittee on Europe as to my understanding and her own, and that of the other committee members, on certain matters relating to the Italian claims fund.

As I understand, that fund was established under the Lombardo Agreement of 1947 when the Italian Government paid the United States $5 million intended to be used to idemnify American civilians injured by Italian hostilities in World War II, in their property or person, but for whom no provision had been made under the treaty of peace with Italy under article 78 of that treaty.

Under that treaty, compensation had been provided for all property of U.S. citizens as of the date of the armistice on September 3, 1943, who had lost property or suffered damage in Italy.

Since personal injuries were not included under the treaty, some personal injury claims have been considered and allowed from the Italian Claims Fund by the Foreign Claims Settlement Commission. That fund in which $1 million now still remains, was reopened and extended in 1958 to cover certain later qualified nationals of the United States at that time.

The bill H.R. 9063, which is being considered by the House at this time, would now open the fund for U.S. citizens as of the armistice date; that is, September 3, 1943, as to claims arising in ceded Italian territories which had not been paid by Italy under the treaty of peace.

My question is this. Would this reopening, read in conjunction with the 1958 legislation, fully authorize the Foreign Claims Settlement Commission to consider or to reconsider property and personal injury claims of Americans injured by hostilities with Italian forces in Italy after the 1943 armistice during the period in which they continued to engage in hostilities and for that reason not compensable under the previous Italian peace treaty, as such claims are described in my additional views and detailed in the testimony of Mr. Robert H. Reiter before the subcommittee?

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentlewoman.

Mrs. KELLY. I certainly agree with the gentleman from Ohio that the 1958 amendment and the bill gives the Commissioner all the authority he needs to process the claims to which he has referred.

The whole point of the Italian claims program was and is to take care of those U.S. nationals who were not compensated under the peace treaty.

I am sure the provisions of this act cover those claims.

I want to add that Commissioner Ed-

ward D. Re spoke to me this morning and gave me a second guarantee that they have the authority to take care of those claims.

Mr. TAFT. I thank the distinguished gentlewoman for her comments which confirm my own understanding.

I further understand, as she does, that this has been discussed with the commission. I think it is important that we have this understanding, for to be fair, I think it is quite important for this to be understood. Otherwise the effect could well be the cutting off from consideration those American citizens (natural born or naturalized before the armistice date) who filed timely claims, and who were injured in Italy by Italian forces from incidents occurring after the armistice while hostile Italian forces were still active.

Up to now such persons had no remedy under the peace treaty or under the fund.

While, we would be opening the fund for those injured outside of Italy and intended to be covered by the treaty and by other provisions of this bill relating to citizens of ceded territory.

Mr. JONES of Missouri. Mr. Speaker, will the gentlewoman from New York yield to me for a question?

Mrs. KELLY. I yield to the gentleman.

Mr. JONES of Missouri. I want to ask the chairwoman of the subcommittee, if it would be considered a conflict of interest if a Member voting for this bill was later employed to represent a claimant under this bill and received a 10 percent attorney's fee?

Mrs. KELLY. Would the gentleman please repeat his question?

Mr. JONES of Missouri. I said, would it be considered a conflict of interest if a Member of this body, voting for this bill today, was later retained as an attorney by a claimant and received a 10 percent fee.

Mrs. KELLY. Mr. Speaker, I am not a lawyer. But I certainly feel that Members of the House of Representatives know the rules of conduct in such matters and procedures. I feel and I trust that no Member of the House would permit himself to become involved in a conflict-of-interest case in allowing his firm, one of which he is a member, to obtain a fee for the passage of legislation being considered in the House and on which he is voting.

Mr. JONES of Missouri. You still do not answer my question.

Mrs. KELLY. I thought I had answered the gentleman's question.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman.

Mr. STEIGER of Wisconsin. I direct this question to the distinguished chairwoman of the subcommittee to inquire whether or not it makes any difference as to when a naturalized citizen of this country became a citizen in terms of his ability to apply for a claim against Bulgaria. In this instance a constituent in the Sixth District of Wisconsin became a citizen in 1957 and has a claim pending for property taken in 1963—I trust it is before July 2, 1963, the date on which the agreement was signed.

Does the date of his citizenship make him eligible to apply for a claim settlement?

Mrs. KELLY. Mr. Speaker, in reply to the gentleman from Wisconsin [Mr. STEIGER] I would say that if the loss occurred after his constituent became a U.S. citizen, and before the effective date of the 1963 agreement, it would be covered.

Mr. STEIGER of Wisconsin. I thank the gentlewoman for yielding and responding to my question.

The SPEAKER. The question is on the motion of the gentlewoman from New York that the House suspend the rules and pass the bill H.R. 9063, as amended.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 348, nays 10, not voting 74, as follows:

[Roll No. 401]

YEAS—348

Abernethy	Collier	Gray
Adair	Colmer	Green, Oreg.
Adams	Conable	Green, Pa.
Addabbo	Conte	Griffiths
Albert	Corbett	Grover
Anderson, Ill.	Culver	Gubser
Anderson, Tenn.	Cunningham	Gude
Andrews, N. Dak.	Curtis	Hagan
Ashley	Daddario	Haley
Ashmore	Davis, Ga.	Halpern
Ayres	Davis, Wis.	Hamilton
Baring	Dawson	Hammer-schmidt
Barrett	de la Garza	Hanley
Battin	Dellenback	Hanna
Bell	Denney	Hansen, Idaho
Bennett	Dent	Hardy
Betts	Derwinski	Harrison
Bevill	Dickinson	Harsha
Biester	Diggs	Harvey
Bingham	Dingell	Hathaway
Blackburn	Dole	Hawkins
Blanton	Donohue	Hechler, W. Va.
Blatnik	Dorn	Helstoski
Boggs	Dow	Henderson
Bolling	Dowdy	Hicks
Bolton	Downing	Holland
Bow	Dulski	Horton
Brademas	Duncan	Hosmer
Brasco	Dwyer	Hull
Bray	Eckhardt	Hungate
Brinkley	Edwards, Ala.	Hunt
Brock	Edwards, Calif.	Hutchinson
Brotzman	Eilberg	Ichord
Brown, Calif.	Erlenborn	Irwin
Brown, Mich.	Esch	Jacobs
Brown, Ohio	Eshleman	Jarman
Broyhill, N.C.	Everett	Joelson
Broyhill, Va.	Fallon	Johnson, Calif.
Buchanan	Farbstein	Jonas
Burke, Fla.	Fascell	Jones, Ala.
Burke, Mass.	Feighan	Jones, N.C.
Burleson	Fino	Karsten
Burton, Calif.	Fisher	Karth
Burton, Utah	Flood	Kastenmeier
Bush	Foley	Kazen
Button	Ford, Gerald R.	Kee
Byrne, Pa.	Ford, William D.	Keith
Byrnes, Wis.	Fraser	Kelly
Cabell	Frelinghuysen	King, Calif.
Cahill	Friedel	King, N.Y.
Carey	Fulton, Pa.	Kirwan
Carter	Galifianakis	Kleppe
Casey	Gardner	Kluczynski
Cederberg	Garmatz	Kornegay
Celler	Gathings	Kuykendall
Clausen, Don H.	Gettys	Kyros
Clawson, Del	Gibbons	Laird
Cleveland	Gilbert	Langen
Cohelan	Gonzalez	Latta
	Goodell	Leggett
	Goodling	Lennon
	Gray	
	Green, Oreg.	
	Green, Pa.	
	Griffiths	
	Grover	
	Gubser	
	Gude	
	Hagan	
	Haley	
	Halpern	
	Hamilton	
	Hammer-schmidt	
	Hanley	
	Hanna	
	Hansen, Idaho	
	Hardy	
	Harrison	
	Harsha	
	Harvey	
	Hathaway	
	Hawkins	
	Hechler, W. Va.	
	Helstoski	
	Henderson	
	Hicks	
	Holland	
	Horton	
	Hosmer	
	Hull	
	Hungate	
	Hunt	
	Hutchinson	
	Ichord	
	Irwin	
	Jacobs	
	Jarman	
	Joelson	
	Johnson, Calif.	
	Jonas	
	Jones, Ala.	
	Jones, N.C.	
	Karsten	
	Karth	
	Kastenmeier	
	Kazen	
	Kee	
	Keith	
	Kelly	
	King, Calif.	
	King, N.Y.	
	Kirwan	
	Kleppe	
	Kluczynski	
	Kornegay	
	Kuykendall	
	Kyros	
	Laird	
	Langen	
	Latta	
	Leggett	
	Lennon	
	Lipscomb	
	Lloyd	
	Long, La.	
	Long, Md.	
	Lukens	
	McCarthy	
	McClory	
	McClure	
	McDade	
	McDonald, Mich.	
	McEwen	
	McFall	
	McMillan	
	Macdonald, Mass.	
	MacGregor	
	Machen	
	Mahon	
	Mailliard	
	Marsh	
	Mathias, Calif.	
	Mathias, Md.	
	Matsunaga	
	May	
	Mayne	
	Meeds	
	Meskill	
	Michel	
	Miller, Calif.	
	Miller, Ohio	
	Minish	
	Mink	
	Minshall	
	Mize	
	Monagan	
	Montgomery	
	Moore	
	Moorhead	
	Morgan	
	Morris, N. Mex.	
	Morse, Mass.	
	Morton	
	Mosher	
	Multer	
	Murphy, Ill.	
	Murphy, N.Y.	
	Myers	
	Natcher	
	Nedzi	
	Nichols	
	Nix	
	O'Hara, Ill.	
	O'Hara, Mich.	
	O'Konski	
	O'Neal, Ga.	
	O'Neill, Mass.	
	Ottinger	
	Passman	
	Patman	
	Patten	
	Pelly	
	Perkins	
	Pettis	
	Philbin	
	Pickle	
	Pike	
	Pirnie	
	Poff	
	Pollock	
	Pool	
	Price, Ill.	
	Price, Tex.	
	Pryor	
	Pucinski	
	Quie	
	Quillen	
	Railsback	
	Randall	
	Rarick	
	Rees	
	Reid, Ill.	
	Reid, N.Y.	
	Reifel	
	Rhodes, Ariz.	
	Rhodes, Pa.	
	Riegle	
	Roberts	
	Robison	
	Rogers, Colo.	
	Rogers, Fla.	
	Ronan	
	Rosenthal	
	Rostenkowski	
	Roth	
	Roudebush	
	Roush	
	Roybal	
	Rumsfeld	
	Ruppe	
	Ryan	
	St Germain	
	Sandman	
	Satterfield	
	Saylor	
	Schadeberg	
	Scherle	
	Scheuer	
	Schneebeli	
	Scott	
	Selden	
	Shriver	
	Sikes	
	Sisk	
	Skubitz	
	Slack	
	Smith, Calif.	
	Smith, Iowa	
	Smith, N.Y.	
	Smith, Okla.	
	Snyder	
	Springer	
	Stafford	
	Staggers	
	Stanton	
	Steiger, Wis.	
	Stratton	
	Stubblefield	
	Stuckey	
	Sullivan	
	Taft	
	Talcott	
	Taylor	
	Teague, Calif.	
	Teague, Tex.	
	Tenzer	
	Thompson, Ga.	
	Thompson, N.J.	
	Tiernan	
	Tuck	
	Tunney	
	Ullman	
	Van Deerlin	
	Vander Jagt	
	Vanik	
	Vigorito	
	Waggonner	
	Waldie	
	Walker	
	Wampler	
	Watson	
	Watts	
	Whalen	
	Whalley	
	White	
	Whitener	
	Whitten	
	Widnall	
	Williams, Pa.	
	Wilson, Bob	
	Winn	
	Wolff	
	Wyatt	
	Wydler	
	Wyman	
	Yates	
	Young	
	Zablocki	
	Zion	
	Zwach	

NAYS—10

Ashbrook	Hall	Steiger, Ariz.
Clancy	Jones, Mo.	Watkins
Daniels	Kupferman	
Gross	Schweiker	

NOT VOTING—74

Abbitt	Fountain	Poage
Andrews, Ala.	Fulton, Tenn.	Purcell
Annunzio	Fuqua	Reinecke
Arends	Gallagher	Resnick
Aspinall	Giaimo	Reuss
Bates	Gurney	Rivers
Belcher	Halleck	Rodino
Berry	Hansen, Wash.	Rooney, N.Y.
Boland	Hays	Rooney, Pa.
Brooks	Hébert	St. Onge
Broomfield	Heckler, Mass.	Schwengel
Chamberlain	Herlong	Shipley
Clark	Holifield	Steed
Conyers	Howard	Stephens
Corman	Johnson, Pa.	Thomson, Wis.
Cowger	Kyl	Udall
Cramer	Landrum	Utt
Delaney	McCulloch	Wiggins
Devine	Madden	Williams, Miss.
Edmondson	Martin	Willis
Edwards, La.	Mills	Wilson, Charles H.
Evans, Colo.	Moss	Wright
Evins, Tenn.	Nelsen	Wylie
Findley	Olsen	
Flynt	Pepper	

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

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.
Mr. Annunzio with Mr. Cowger.
Mr. Brooks with Mr. Halleck.
Mr. Madden with Mr. Findley.
Mr. Rodino with Mr. Bates.
Mr. Rooney of New York with Mr. Devine.

Mr. St. Onge with Mr. Belcher.
Mr. Fountain with Mr. Cramer.
Mr. Aspinall with Mr. Utt.
Mr. Corman with Mr. Broomfield.
Mr. Mills with Mr. Thomson of Wisconsin.
Mr. Hays with Mr. Pepper.
Mr. Holifield with Mrs. Heckler of Massachusetts.
Mr. Gallagher with Mr. Berry.
Mr. Evins of Tennessee with Mr. Gurney.
Mr. Delaney with Mr. Wiggins.
Mr. Edmondson with Mr. Chamberlain.
Mr. Moss with Mr. Nelsen.
Mr. Stephens with Mr. Johnson of Pennsylvania.
Mr. Flynt with Mr. Martin.
Mr. Evans of Colorado with Mr. Kyl.
Mr. Landrum with Mr. Reinecke.
Mr. Clark with Mr. Olsen.
Mr. Boland with Mr. Resnick.
Mrs. Hansen of Washington with Mr. Charles H. Wilson.
Mr. Steed with Mr. Schwengel.
Mr. Shipley with Mr. Conyers.
Mr. Fulton of Tennessee with Mr. Herlong.
Mr. Udall with Mr. Willis.
Mr. Wright with Mr. Reuss.
Mr. Rivers with Mr. Rooney of Pennsylvania.
Mr. Edwards of Louisiana with Mr. Williams of Mississippi.
Mr. Abbitt with Mr. Wylie.
Mr. Fuqua with Mr. Purcell.
Mr. Andrews of Alabama with Mr. McCulloch.
Mr. Giaimo with Mr. Howard.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

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

S. Con. Res. 51. Concurrent resolution providing for the adjournment of Congress from November 22, 1967, to November 27, 1967.

REQUEST AS TO HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock a.m. tomorrow.

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

Mr. GROSS. I object.

The SPEAKER. Objection is heard.

LAND TRANSFER TO UNIVERSITY OF MAINE

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill—H.R. 11527—to direct the Secretary of Agriculture to release on behalf of the United States conditions in a deed conveying certain lands to the University of Maine and to provide for conveyance of certain interests in such lands so as to permit such university, subject to certain conditions, to sell, lease, or otherwise dispose of such lands, as amended.

The Clerk read as follows:

H.R. 11527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States with respect to lands designated pursuant to section 2 hereof, the conditions, contained in a deed, dated March 4, 1955, conveying certain lands in Penobscot County, Maine, to the University of Maine, which require that the lands conveyed be used for public purposes and provide for a reversion of such lands to the United States if at any time they cease to be so used.

SEC. 2. The Secretary shall release the conditions referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the university in which the university, in consideration of the release of such conditions as to such lands, agrees—

(1) that all the proceeds from the sale, lease, exchange, or other disposition of such lands shall be used by the university for the acquisition of lands to be held permanently for university purposes, or for the development or improvement of lands of the university.

(2) that all the proceeds from the sale, lease, or other disposition of lands covered by any such agreement shall be maintained by the university in a separate fund and that the record of all transactions involving such fund shall be open to inspection by the Secretary of Agriculture.

SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the conditions as to such lands shall be conveyed to the University of Maine or their successors in title by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of $1. In other areas the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

SEC. 4. Each application made under the provisions of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

SEC. 6. Amounts paid to the Secretary of the Interior under the provisions of this Act shall be paid into the Treasury of the United States as miscellaneous receipts.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, this bill deals with some lands that the Department of Agriculture deeded to the University of Maine.

The deed contained a reversionary clause that if the lands were not used for university purposes, they should revert to the United States or to the Department of Agriculture.

The University of Maine now finds that they need land adjacent to the university and those lands are in an area which are becoming urbanized and which cannot be utilized as readily as land close to the university.

The bill also provides for the sale of this land and to put the money from the sale in a trust fund and provides that whatever land they buy must then be used for university purposes.

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

Mr. DE LA GARZA. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, I have several questions to ask about this bill.

How did the Government acquire this 1,748 acres of land in the first place?

Mr. DE LA GARZA. I do not know.

Mr. GROSS. Well, then evidently you do not know how much the Federal Government has received on the lease that was made to the university since the early 1940's; is that correct?

Mr. DE LA GARZA. No, sir; I am informed that the land was acquired in the thirties. I still do not know how they acquired it. This was given under the Bankhead-Jones Act to the University of Maine.

Mr. GROSS. And now we are about to give the University of Maine 1,748 acres of land.

Mr. DE LA GARZA. No, sir; we already gave it to them a long time ago.

Mr. GROSS. I do not think we gave it to them a long time ago.

Mr. DE LA GARZA. Yes, we are only letting them sell it and buy other lands because there was the reversionary clause.

Mr. GROSS. That is exactly the point—we are permitting the University of Maine to sell this land, that is correct; is it not?

Mr. DE LA GARZA. That is correct.

Mr. GROSS. And the only thing we get out of it is the retention of possible mineral rights; is that correct?

Mr. DE LA GARZA. Yes, sir; that is correct.

Mr. GROSS. Then why should there be this windfall to the University of Maine?

Mr. DE LA GARZA. I do not know.

The SPEAKER. The Chair recognizes the gentleman from North Dakota [Mr. KLEPPE].

Mr. KLEPPE. Mr. Speaker, maybe I can throw a little light on this bill, at least as I look at it.

Those who have read the report will know that it involves 1,748 acres of land in 20 separate tracts and these tracts range in size from 2 acres to 419 acres.

Talking about what this land may have been worth when the Federal Government acquired it is the question—I

do not know the answer—but I do know that the Bankhead-Jones Farm Tenant Act allowed the Secretary of Agriculture permission to rehabilitate such lands acquired thereunder. These were called submarginal lands. The fact that they were submarginal, I think, is indicative of the fact that the value was questionable. Just exactly what the value might have been, certainly, I do not know. But the terms of the Bankhead-Jones Farm Tenant Act specifically authorized the Secretary of Agriculture to conduct a program to rehabilitate these lands. It also authorized him, under title III, as the report indicates, that he could dispose of these lands.

This bill provides that this disposal can be made under terms of the provisions of the bill as long as the lands will be used for public purposes. This is exactly what the provisions of the bill contain, that the land will be used primarily for university purposes, for the development of the lands of the university, and that the proceeds from the sale of these lands shall be maintained by the university in a separate fund.

Interestingly enough, this land has been used primarily in the development of a program at the University of Maine which has been in connection with cattle, dairy, and other agricultural products, which certainly has been along the line of rehabilitating this land.

Because this area has become greatly urbanized, and because there is a need for this land to be used by the University of Maine, and because the Secretary of Agriculture has previously been given authority to make such a transfer, this bill seemed to be in order to provide—and we do not want to call it a windfall—but it does perform a purpose in connection with all the provisions previously provided under the Bankhead-Jones Farm Tenant Act. It seems to me that the bill is very much in order.

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

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

Mr. GROSS. I do not know whether the 1,748 acres of land involved in the bill is submarginal today or not, but at least the report states that it is rapidly becoming urbanized, that is, the area in which it is located. Is that not correct?

Mr. KLEPPE. That is very specifically what we have been told.

Mr. GROSS. Evidently the land is enhancing considerably in value. If it was submarginal in 1940, it is evidently becoming valuable now. Is that not correct?

Mr. KLEPPE. That very well may be true. But may I suggest to the gentleman that if the Federal Government is going to embark upon programs in a period of time when land has questionable value, and the Federal Government embarks on a program to rehabilitate that land, and then the land becomes of value, and 20 years ago or 30 years ago, when the stipulation was made that they wanted to rehabilitate this submarginal land, that the Federal Government then gives it away for public purposes, it seems to me that that is a requirement here, and it is being met in this bill.

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

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

Mr. GROSS. You can read this report backward and forward and you cannot get any idea of the value of this 1,748 acres of land.

Mr. KLEPPE. That is correct. I admit to that. I do not know the value of it.

Mr. GROSS. Then the gentleman would not question my use of the word "windfall" would he?

Mr. KLEPPE. No, I would not.

Mr. GROSS. The committee has offered no information to refute it.

Mr. KLEPPE. Does the gentleman from Maine wish to speak on this particular question?

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

Mr. KLEPPE. I am glad to yield to the gentleman from Maine.

Mr. HATHAWAY. I thank the gentleman for yielding. I would like to say to the gentleman that the land which was granted by the Northwest Ordinance in 1789 to various Territories in the United States, including the territory which is now the State of Iowa, the State of the gentleman objecting, has undoubtedly increased in value since that time. I do not suppose the gentleman from Iowa would want us to take all that land back at this time, would he? The land in question was worth $1 or $2 at the most of the time it was taken over by the Federal Government.

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

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

Mr. GROSS. Is there any reason why this university should not pay the fair market value as we do in Iowa if we get hold of Federal land? Why should they not pay the fair market value for this land?

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

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

Mr. DE LA GARZA. The university owns the land now. We are not buying it. They have owned it since it was granted. It is only a reversionary clause that makes the situation such that they cannot dispose of it. The bill allows them to dispose of it and buy other land.

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

Mr. KLEPPE. I yield to the gentleman from South Carolina.

Mr. WATSON. I have given this report a very cursory reading. Perhaps it might be helpful, inasmuch as we do not have all the answers I believe we should have expected here, to say that the gentleman from Maine is correct that, as I understand, this land is owned by the university. However, there are several restrictions. It must be used for public purposes. However, under the terms of this bill there is no longer the requirement that it must be used for public purposes because you are releasing it now for them to sell to private individuals for development.

If I might make this additional point, there is not the reservation, as I read it here, of any mineral rights, as is customary in such transactions as this.

Mr. KLEPPE. Yes, there is.

Mr. WATSON. No. It is left to the determination of the Secretary as to whether or not there are any mineral rights.

Mr. KLEPPE. That is right.

Mr. WATSON. If he decrees there are not any mineral rights, it goes by the board. Frankly, if this is going to be used for commercial purposes, and there are going to be reserved mineral rights, it is going to impair private financing, because no companies will want to go into this if there is a Federal reservation.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

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

Mr. DE LA GARZA. Mr. Speaker, I would like to inform the gentleman he is mistaken in thinking that there is no protection for the university. We provide that any funds from sale, lease, or exchange of these lands shall be used by the university for acquisition of other lands held permanently for university purposes.

Mr. WATSON. Mr. Speaker, if the gentleman will yield, the gentleman is exactly correct. However, as the gentleman from Iowa pointed out, he asked what benefit will inure to the Federal Government in this regard. They can sell land, and all the proceeds will go to the University of Maine. I am interested in helping every educational institution, but I think the House should know what this bill includes before we vote on it.

Mr. DE LA GARZA. The Federal Government yielded this land before most Members of Congress were alive. I do not know what is the age of the gentleman from Iowa, but this occurred before most of the Members of the House were alive.

Mr. WATSON. But there were restrictions.

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

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

Mr. GROSS. Mr. Speaker, my age has been brought into question here recently. I do not know exactly what to do about it other than to refer those interested to the Congressional Directory.

Mr. DE LA GARZA. We will be happy to look it up, Mr. Speaker.

Mr. HATHAWAY. Mr. Speaker, H.R. 11527 relates to about 1,748 acres of land acquired by the United States under title III of the Bankhead-Jones Farm Tenant Act. These lands are located mainly in the vicinity of the communities of Orono, Old Town, and Stillwater, Maine, and the University of Maine near Orono. They consist of 20 separate parcels varying in size from 2 acres to 419 acres. The area in which the 1,748 acres are located is being increasingly urbanized as Old Town, Orono, Stillwater expand. Title III of the Bankhead-Jones Act authorized the Secretary of Agriculture to convey lands to public agencies under terms and conditions he deems will best accomplish title III purposes, on condition that the property conveyed is used for public pur-

poses. In 1955, the Secretary conveyed the tracts to the university subject to the required public use condition.

Most of the lands conveyed to the University of Maine are now used either as part of a university forest or in connection with the university beef-cattle, dairy, and other agricultural projects. They are predominantly forest or pasture and grasslands. Some of the granted tracts, however, lie along principal avenues of the communities or main arteries of travel between the communities. There is a demand for additional suitable land for residential development in the area and some of the tracts granted to the university are favorably situated and suited to that use. The university has received inquiries as to the possibility of local groups or individuals purchasing some of these tracts for either residential use or community facility developments.

This bill will be of benefit to the University of Maine and to the nearby communities. It will allow the University of Maine to dispose of lands on the outskirts of its campus and buy additional land closer to the center of the campus.

As was stated by Mr. Francis S. McGuire, Director of the Department of Physical Plant of the University of Maine in a letter dated June 12, 1966, addressed to whom it may concern:

> The President and the Board of Trustees . . . expressed a strong desire to receive Federal approval to convey for selected community or residential use the entire strip of land bordering Stillwater Avenue . . . we desire to do this so as to permit orderly and attractive growth of the city of Old Town. The funds received from this sale of land approximately 32.3 acres, more or less, would be used by the University for the purchase of other lands in Orono, or Old Town nearer to the campus center and most urgently needed for expansion purposes.

Section 1 of H.R. 11527 authorizes the Secretary of Agriculture to release from the public use requirement of the 1955 deed, specific tracts or portions of tracts as agreed upon with the university. The university then could exchange or sell such land.

Section 2 provides not only that the proceeds from such sale be maintained in a separate fund but that the university would use the proceeds for the improvement of university lands or for the acquisition of lands for university purposes. I believe that this section is in accord with the purposes of the original conveyance to the university and consistent with the recommendations of the Department of Agriculture June 9, 1967, report to the chairman of this committee on my previous bill H.R. 2097.

Section 3 is the new section of this bill. The deed in question reserves to the United States mineral rights, mining rights, and the right to enter upon such land for removing such minerals. This reservation in the deed has no practical application. To the best of my knowledge, there is no coal, oil, gas, or other minerals contained in this land. The definition of minerals in the deed, however, includes sand, gravel, stone, clay, and similar material. This might hinder the transfer of title. Section 3 authorizes the transfer of these mineral rights to the university or their successors in title by the Secretary of the Interior. The Secretary has the option of selling the mineral rights for the nominal consideration of $1 or for what he may determine to be the fair market value.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 11527, as amended.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 328, nays 24, not voting 80, as follows:

[Roll No. 402]

YEAS—328

Abernethy	Diggs	Jacobs
Adams	Dingell	Jarman
Addabbo	Dole	Joelson
Albert	Donohue	Johnson, Calif.
Anderson, Ill.	Dorn	Jonas
Anderson, Tenn.	Dow	Jones, Ala.
	Dowdy	Jones, N.C.
Andrews, N. Dak.	Dulski	Karsten
	Dwyer	Karth
Ashley	Eckhardt	Kastenmeier
Ashmore	Edwards, Ala.	Kazen
Ayres	Edwards, Calif.	Kee
Baring	Eilberg	Kelly
Barrett	Erlenborn	King, Calif.
Battin	Esch	King, N.Y.
Bell	Eshleman	Kirwan
Betts	Everett	Kleppe
Bevill	Fallon	Kluczynski
Biester	Farbstein	Kornegay
Blackburn	Fascell	Kupferman
Blanton	Feighan	Kyros
Blatnik	Fino	Laird
Boggs	Fisher	Langen
Bolling	Flood	Latta
Bolton	Foley	Leggett
Bow	Ford, Gerald R.	Lennon
Brademas	Ford, William D.	Lipscomb
Brasco		Lloyd
Brinkley	Fraser	Long, La.
Brock	Frelinghuysen	Long, Md.
Brotzman	Friedel	Lukens
Brown, Calif.	Fulton, Pa.	McCarthy
Brown, Mich.	Galifianakis	McClory
Brown, Ohio	Gardner	McClure
Broyhill, N.C.	Garmatz	McDade
Broyhill, Va.	Gathings	McDonald, Mich.
Burke, Fla.	Gettys	
Burke, Mass.	Giaimo	McFall
Burleson	Gibbons	McMillan
Burton, Calif.	Gilbert	MacGregor
Burton, Utah	Gonzalez	Machen
Bush	Goodell	Mahon
Button	Goodling	Marsh
Byrne, Pa.	Gray	Mathias, Calif.
Byrnes, Wis.	Green, Oreg.	Mathias, Md.
Cabell	Green, Pa.	Matsunaga
Cahill	Griffiths	May
Carey	Grover	Mayne
Carter	Gubser	Meeds
Casey	Gude	Meskill
Cederberg	Hagan	Michel
Clausen, Don H.	Halpern	Miller, Calif.
	Hamilton	Miller, Ohio
Clawson, Del	Hammer-schmidt	Minish
Cleveland		Mink
Cohelan	Hanley	Minshall
Colmer	Hanna	Mize
Conable	Hansen, Idaho	Monagan
Conte	Harrison	Montgomery
Corbett	Harvey	Moore
Culver	Hathaway	Moorhead
Cunninhgam	Hawkins	Morgan
Curtis	Hechler, W. Va.	Morris, N. Mex.
Daddario	Helstoski	Morse, Mass.
Daniels	Henderson	Morton
Davis, Ga.	Hicks	Mosher
Davis, Wis.	Holland	Multer
Dawson	Horton	Murphy, Ill.
de la Garza	Hosmer	Murphy, N.Y.
Dellenback	Hull	Myers
Denney	Hunt	Natcher
Dent	Ichord	Nedzi
Derwinski	Irwin	Nichols
Nix	Rogers, Fla.	Stuckey
O'Hara, Ill.	Ronan	Sullivan
O'Hara, Mich.	Rosenthal	Taft
O'Konski	Rostenkowski	Talcott
O'Neal, Ga.	Roth	Taylor
O'Neill, Mass.	Roush	Teague, Calif.
Ottinger	Roybal	Teague, Tex.
Passman	Rumsfeld	Tenzer
Patman	Ruppe	Thompson, Ga.
Patten	Ryan	Thompson, N.J.
Pelly	St Germain	Tiernan
Perkins	Sandman	Tuck
Pettis	Satterfield	Tunney
Philbin	Saylor	Ullman
Pickle	Schadeberg	Van Deerlin
Pike	Scherle	Vanik
Pirnie	Scheuer	Vigorito
Poff	Schneebeli	Waggonner
Pollock	Schweiker	Waldie
Pool	Scott	Walker
Price, Ill.	Selden	Watts
Price, Tex.	Shriver	Whalen
Pryor	Sisk	Whalley
Pucinski	Skubitz	White
Quie	Slack	Whitener
Quillen	Smith, Calif.	Whitten
Railsback	Smith, Iowa	Widnall
Randall	Smith, N.Y.	Williams, Pa.
Rarick	Smith, Okla.	Wilson, Bob
Rees	Snyder	Winn
Reid, Ill.	Springer	Wolff
Reid, N.Y.	Stafford	Wyatt
Reifel	Staggers	Wydler
Rhodes, Ariz.	Stanton	Wyman
Rhodes, Pa.	Steed	Yates
Riegle	Steiger, Ariz.	Young
Roberts	Steiger, Wis.	Zablocki
Robison	Stratton	
Rogers, Colo.	Stubblefield	

NAYS—24

Adair	Dickinson	Roudebush
Ashbrook	Duncan	Vander Jagt
Bennett	Gross	Wampler
Bray	Haley	Watkins
Buchanan	Hall	Watson
Clancy	Harsha	Wylie
Collier	Hutchinson	Zion
Devine	Jones, Mo.	Zwach

NOT VOTING—80

Abbitt	Fulton, Tenn.	Nelsen
Andrews, Ala.	Fugua	Olsen
Annunzio	Gallagher	Pepper
Arends	Gurney	Poage
Aspinall	Halleck	Purcell
Bates	Hansen, Wash.	Reinecke
Belcher	Hardy	Resnick
Berry	Hays	Reuss
Bingham	Hébert	Rivers
Boland	Heckler, Mass.	Rodino
Brooks	Herlong	Rooney, N.Y.
Broomfield	Holifield	Rooney, Pa.
Celler	Howard	St. Onge
Chamberlain	Hungate	Schwengel
Clark	Johnson, Pa.	Shipley
Conyers	Keith	Sikes
Corman	Kuykendall	Stephens
Cowger	Kyl	Thomson, Wis.
Cramer	Landrum	Udall
Delaney	McCulloch	Utt
Downing	McEwen	Wiggins
Edmondson	Macdonald, Mass.	Williams, Miss.
Edwards, La.		Willis
Evans, Colo.	Madden	Wilson, Charles H.
Evins, Tenn.	Mailliard	
Findley	Martin	Wright
Flynt	Mills	
Fountain	Moss	

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

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.
Mr. Annunzio with Mr. Cowger.
Mr. Brooks with Mr. Halleck.
Mr. Madden with Mr. Findley.
Mr. Rodino with Mr. Bates.
Mr. Rooney of New York with Mr. Cramer.
Mr. St. Onge with Mr. Belcher.
Mr. Fountain with Mr. Kuykendall.
Mr. Aspinall with Mr. Utt.
Mr. Corman with Mr. Broomfield.
Mr. Mills with Mr. Thomson of Wisconsin.
Mr. Hays with Mr. Pepper.
Mr. Holifield with Mrs. Heckler of Massachusetts.
Mr. Gallagher with Mr. Berry.

Mr. Evins of Tennessee with Mr. Gurney.
Mr. Delaney with Mr. Wiggins
Mr. Edmondson with Mr. Chamberlain.
Mr. Moss with Mr. Nelsen.
Mr. Stephens with Mr. Johnson of Pennsylvania.
Mr. Flynt with Mr. Martin.
Mr. Evans of Colorado with Mr. Kyl.
Mr. Landrum with Mr. Resnick.
Mr. Clark with Mr. Olsen.
Mr. Boland with Mr. Reinecke.
Mrs. Hansen of Washington with Mr. Charles M. Wilson.
Mr. Edwards of Louisiana with Mr. Macdonald.
Mr. Shipley with Mr. Schwengel.
Mr. Fulton of Tennessee with Mr. Conyers.
Mr. Udall with Mr. Herlong.
Mr. Wright with Mr. Willis.
Mr. Rivers with Mr. Reuss.
Mr. Abbitt with Mr. Rooney of Pennsylvania.
Mr. Fuqua with Mr. Purcell.
Mr. Andrews of Alabama with Mr. McEwen.
Mr. Hardy with Mr. Mailliard.
Mr. Bingham with Mr. Keith.
Mr. Downing with Mr. Howard.
Mr. Hungate with Mr. Sikes.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in connection with the bill just passed.

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

There was no objection.

GRANTING MASTERS OF VESSELS CERTAIN LIENS—CONFERENCE REPORT

Mr. GARMATZ submitted a conference report and statement on the bill (H.R. 162) to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements.

EXEMPTING CERTAIN PROPERTY FROM TAXATION

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 9606) to exempt from taxation certain property of the National Society of the Colonial Dames of America in the District of Columbia, and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 9606

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 299, Eighty-first Congress, first session, approved September 7, 1949 (63 Stat. 694, ch. 564) appearing in the District of Columbia Code, 1961 edition, as section 27 801a 2, be and the same is hereby amended by adding a new sentence at the end thereof as follows: "There shall also be exempt from taxation upon the same terms and conditions the adjoining property owned by the National Society of the Colonial Dames of America, now designated on the records of the Assessor of the District of Columbia as Lots 13 and 14 in Square 1285, together with any improvements which may hereafter be erected thereon by said National Society of the Colonial Dames of America."

SEC. 2. This amendment shall be effective for the tax year commencing July 1, 1967.

With the following committee amendments:

On page 1, line 6, strike out "27–801a–2" and insert in lieu thereof "47–801a–2".

On page 2, line 2, strike out "Lots 13 and 14" and insert in lieu thereof "Lots 813 and 814".

On page 2, strike out lines 5 and 6, and insert in lieu thereof:

"SEC. 2. This amendment shall apply with respect to taxable years beginning after June 30, 1968."

The amendments were agreed to.

Mr. GROSS. Mr. Speaker, I move to strike the last word.

The SPEAKER. The gentleman from Iowa is recognized.

Mr. GROSS. Mr. Speaker, I have one question to ask the gentleman from South Carolina in respect to this bill and the one to succeed it, which I assume will be called up, giving tax exemption to certain organizations in the District of Columbia. I am wondering where the report of the Commissioners of the District of Columbia may be found. There is nothing in the report to indicate the attitude of the District government with respect to these tax exemptions.

Mr. McMILLAN. It amounts to about $3,500.

Mr. GROSS. There are no reports from the District government with respect to these bills.

Mr. McMILLAN. We know it is the custom for the District Commissioners to oppose this kind of legislation.

Mr. GROSS. They do oppose these bills, is that correct?

Mr. McMILLAN. That is correct.

Mr. GROSS. You do not ask for their attitude or their sentiments with respect to them?

Mr. McMILLAN. We do not feel that either the National Government or the District government should tax charitable organizations.

Mr. GROSS. Mr. Speaker, I thank the gentleman for his forthright answers and yield back the balance of my time.

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

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

GENERAL LEAVE TO EXTEND

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks in the RECORD prior to the passage of each of the District of Columbia bills.

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

There was no objection.

RECORDATION OF JUDGMENTS OR DECREES OF THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Mr. WHITENER. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1227) to provide that a judgment or decree of the U.S. District Court for the District of Columbia shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds of the District of Columbia, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

S. 1227

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (a) of section 15–101 of the District of Columbia Code is amended to read as follows:

"Except as provided by subsection (b) of this section, every final judgment or final decree for the payment of money rendered in the—

"(1) United States District Court for the District of Columbia; or

"(2) District of Columbia Court of General Sessions—

when filed and recorded in the office of the Recorder of Deeds of the District of Columbia, is enforceable, by execution issued thereon, for the period of twelve years only from the date when an execution might first be issued thereon, or from the date of the last order of revival thereof."

SEC. 2. (a) Subsection (a) of section 15–102 of the District of Columbia Code is amended to read as follows:

"(a) Each—

"(1) final judgment or decree for the payment of money rendered in the United States District Court for the District of Columbia, or the District of Columbia Court of General Sessions, from the date such judgment or decree is filed and recorded in the office of the Recorder of Deeds of the District of Columbia, and

"(2) recognizance taken by the United States District Court for the District of Columbia, or the District of Columbia Court of General Sessions, from the date the entry or order of forfeiture of such recognizance is filed and recorded in the office of the Recorder of Deeds of the District of Columbia, shall constitute a lien on all the freehold and leasehold estates, legal and equitable, of the defendants bound by such judgment, decree, or recognizance, in any land, tenements, or hereditaments in the District of Columbia, whether the estates are in possession or are reversions or remainders, vested or contingent. Such liens on equitable interests may be enforced only by an action to foreclose."

SEC. 3. Section 15–311 of the District of Columbia Code is amended to read as follows:

"§ 15–311. Property subject to levy

"The writ of fieri facias may be levied on all goods and chattels of the debtor not exempt from execution, and upon money, bills,

checks, promissory notes, or bonds, or certificates of stock in corporations owned by the debtor, and upon his money in the hands of the marshal or his deputy or other officer or person charged with the execution of the writ. A writ of fieri facias issued from the United States District Court for the District of Columbia or the District of Columbia Court of General Sessions upon a judgment entered in such court may be levied on all legal leasehold and freehold estates of the debtor in land, but only after such judgment has been filed and recorded in the office of the Recorder of Deeds of the District of Columbia."

With the following committee amendment:

On page 4, after line 3, add the following new section:

"SEC. 4. (a) The amendments made by the first section and section 2 of this Act shall apply only with respect to judgments or decrees rendered in, or recognizances declared forfeited by, the United States District Court for the District of Columbia on and after January 1, 1968.

"(b) The amendment made by section 3 of this Act shall apply only with respect to writs of fieri facias issued by the United States District Court for the District of Columbia on and after January 1, 1968."

The committee amendment was agreed to.

Mr. HALL. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I shall not take the 5 minutes, but I simply wish to ask the distinguished gentleman handling the bill for the majority, why in his opinion a lien should not be acted on after judgment is obtained before it is recorded in the court of general sessions of the District, any more than it should not require recording in other States of the Union? I have no objection to this. I understand the bill wants to bring it in conformity with the other courts, including the District Court of the United States in the District of Columbia, but why is it necessary that a lien be recorded before it can be acted upon?

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

Mr. HALL. I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Speaker, is the gentleman suggesting that there is some jurisdiction in this country where a judgment is acted on before it is recorded?

Mr. HALL. Mr. Speaker, once a judgment has been rendered in my home State, it becomes a lien upon the real estate of the defendants located in the county in which the judgment is rendered. In this situation the judgment dates from the rendition without further proceeding.

Mr. WHITENER. I will say to the gentleman, I would be greatly shocked if that were true, because I know of no jurisdiction where a judgment can be acted on before it is recorded.

Mr. HALL. Mr. Speaker, I will ask the gentleman whether, up until this time, and the time that the legislation goes into effect, that situation has not existed, and, if so, why it has not existed?

Mr. WHITENER. Under the present situation in the District of Columbia, the judgment rendered by the court of general sessions becomes a lien when it is recorded in the Office of the Recorder of Deeds—the docketing office—and that enactment of that legislation overlooked that a judgment in the District Court of the District of Columbia was not included in the legislation, so this bill is simply a bill to provide that a judgment in the U.S. District Court of the District of Columbia shall be treated the same as one in the court of general sessions, and become a lien and subject to execution upon its being recorded in the Office of the Recorder. There is nothing new about the principle of the legislation. It merely brings the procedural steps in line between the court of general sessions and the U.S. district court.

Mr. HALL. That is exactly my question. In other words, as stated in the first paragraph on page 2, the second sentence:

However, the same recordation requirement does not apply respecting the final judgments, decrees, and forfeited recognizances of the U.S. District Court.

Mr. WHITENER. That is right.

Mr. HALL. So up until this time that has not been required?

Mr. WHITENER. Exactly correct.

Mr. HALL. But still the gentleman says he would be amazed if there are other States of the Union or territories?

Mr. WHITENER. No, the gentleman has misconstrued what I said.

Mr. HALL. Will the gentleman please inform my nonlegally trained mind what is the difference?

Mr. WHITENER. Under this proposed legislation, the judgment will be docketed in the Office of the Recorder of Deeds rather than the clerk of the district court for lien purposes, and it is in the Office of the Recorder of Deeds, where mortgages and other encumbrances are now recorded. It is that same office where judgments from the court of the general sessions in the District of Columbia are now docketed. It merely brings about uniformity.

Mr. HALL. In other words, this is conforming legislation?

Mr. WHITENER. That is correct.

Mr. BYRNES of Wisconsin. Mr. Speaker, I move to strike the requisite number of words.

(By unanimous consent Mr. BYRNES of Wisconsin was granted permission to speak out of order.)

DOES THE PRESIDENT REALLY WANT A TAX INCREASE?

Mr. BYRNES of Wisconsin. Mr. Speaker, is the President really serious in his request for a tax increase? Or is he looking for a scapegoat—an issue to cover up the financial crisis for which his administration is responsible?

The closer the day of reckoning comes, and it is near at hand, the more frantic becomes the President's effort to blame the crisis upon somebody else.

The deficit for this year may well be $30 billion, and the deficit for next year could well rise to $35 to $40 billion. The basic reason for such deficits is not hard to find. They should come as no surprise to anyone.

All one need do is look to the Great Society programs enacted in 1965, 1966, and 1967.

Our memories should not be so short that we cannot remember the explosion of new programs enacted and funded with little concern for the original or long range cost. They were enacted by overwhelmingly Democratic Congresses and all under the constant pressuring, pushing and pulling of the President. This was the Great Society.

But now the day of reckoning is at hand. We are beset by the twin evils of inflation and tight money. There is a very serious threat that they will become worse in the days ahead. A scapegoat must be found.

So the Nation is told that all these ills will disappear—our fiscal problems will disappear—if only Congress will increase taxes. So the Nation is told that the suffering which will come from inflation and tight money will be responsibility of Mr. MILLS, Mr. BYRNES and the Ways and Means Committee for their failure to support the tax increase.

The responsibility and the failure is not in the Ways and Means Committee. The responsibility and failure is in the White House.

The President repeatedly gives lipservice to the need for that tax increase but his actions and attitudes are in direct conflict with the achievement of that objective. He has created a credibility canyon. I now question whether he really wants an increase.

The President requested such an increase in his budget message of last January. For 7 months, the administration hemmed and hawed and retreated. It was not until August that they finally submitted the details of an increase. The Ways and Means Committee immediately scheduled hearings and consideration of the measure.

It soon became clear to the overwhelming majority of the committee that the proposed increase would not be temporary and would be of questionable immediate and long range effectiveness unless major retrenchments were made in the Federal expenditures planned, requested and promoted by the administration. The vast preponderance of testimony before the committee was that a tax increase, if enacted, must be accompanied by a cut back in spending plans and a program for future control of expenditures.

Let this be crystal clear.

The President has been adamant in his unwillingness to provide assurances in which the committee or the country could have confidence that appropriate spending reductions would be made.

Instead his administration has provided reams of testimony as to why substantial reductions in spending could not be made and, almost without exception, his administration has kept up constant pressure for every program and every dollar requested in the January budget. Proposals to establish a spending ceiling have been opposed at every turn by the administration.

Through the months it has been made clear by the Chairman, by me and by the majority of the Ways and Means Committee members that an essential ingredient to consideration of a tax increase is expenditure reduction and control.

It is the President who is thwarting the consideration of the tax bill he says

he wants. He is doing so by his uttter failure to cooperate in achieving the one thing we must have to get it.

The Ways and Means Committee has not turned thumbs down on considering a tax increase. Let this be clear. What the committee did do is to defer consideration "until such time as the President and the Congress reach an understanding on the means of implementing more effective expenditure reduction and control."

To date every effort to reach such an accommodation has been opposed by the administration.

I ask again.

Does the President really want a tax increase or does he only want a scapegoat for the crisis his policies have brought upon us?

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

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

There was no objection.

Mr. WHITENER. Mr. Speaker, the purpose of S. 1227, as amended, is to provide that the same recordation requirements shall apply to liens established by final judgments or decrees rendered, and recognizances declared forfeited, by the U.S. District Court for the District of Columbia, hereinafter referred to as the "U.S. district court," and the District of Columbia court of general sessions, hereinafter referred to as the "court of general sessions."

NEED FOR THE LEGISLATION

At present, a final judgment or decree of, or a recognizance declared forfeited by, the court of general sessions does not become a lien on interests in real property until it is filed and recorded in the office of the Recorder of Deeds of the District of Columbia. However, the same recordation requirement does not apply respecting the final judgments, decrees, and forfeited recognizances of the U.S. district court. Under present law, such judgments, decrees, and forfeitures become liens on interests in real property without any necessity for their recording elsewhere than in judgment docket of that court. Thus, a person desiring to determine whether a lien exists against a particular parcel of land must research both the records maintained in the office of the Recorder of Deeds of the District of Columbia and the judgment docket in the U.S. district court.

The effect of S. 1227 will be to establish the same recordation requirements for the final judgments, decrees, and forfeited recognizances of both the U.S. district court and the court of general sessions.

The land records of the District of Columbia are in the custody of and are maintained in the office of the Recorder of Deeds. The bill is intended to centralize the recordation in that office of liens affecting such land based on final judgments, decrees, and forfeitures rendered or declared by both of the courts. The bill is also intended to serve the public convenience by eliminating the present need to search two sets of records at different locations in order to determine whether such a lien exists.

To accomplish the foregoing objectives, the bill would amend sections 15–101, 15–102, and 15–311 of the District of Columbia Code to provide, first, that every final judgment or final decree for the payment of money rendered in the U.S. district court shall be enforceable by execution thereon when filed and recorded in the office of the Recorder of Deeds of the District of Columbia; second, that such judgments or decrees and each recognizance taken and forfeited by that court shall constitute a lien on interests in real property from the date it is filed and recorded in the office of the said Recorder of Deeds; and third, that a writ of fieri facias—writ of execution—issued from the U.S. district court upon a judgment entered in that court may be levied on such estates of the debtor in land only after the judgment has been filed and recorded in the office of the Recorder of Deeds.

This bill was passed by the Senate on June 13, 1967.

The amendment to this bill adopted by our committee is to assure that the amendments made by the bill shall not apply to any judgments or decrees rendered in the U.S. District Court for the District of Columbia prior to January 1, 1968.

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

Mr. McMILLAN. Mr. Speaker, at this time I yield to the gentleman from New York [Mr. MULTER], to call up bills from his subcommittee.

EXEMPTING FROM TAXATION PROPERTY OF THE B'NAI B'RITH HENRY MONSKY FOUNDATION

Mr. MULTER. Mr. Speaker, I call up the bill (H.R. 12019) to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia, and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 12019

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) the real property in the District of Columbia which is described as lot 69 in square 182 in the records of the office of the surveyor of the District of Columbia and which is owned by the B'nai B'rith Henry Monsky Foundation, an agency of B'nai B'rith, and (2) any improvements on such real property and any furnishings in such improvements, shall be exempt from all taxation so long as (A) the real property is owned and occupied by B'nai B'rith or any of its agencies and is not used for commerical purposes, and (B) the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia", approved December 24, 1942 (D.C. Code, secs. 47–801b, 47–801c, and 47–801e) are complied with.

With the following committee amendment:

On page 2, add the following new section:
"SEC. 2. This Act shall apply with respect to taxable years beginning after June 30, 1968."

The committee amendment was agreed to.

Mr. HALL. Mr. Speaker, I move to strike the last word.

I wonder if the gentleman can tell us, first, whether this is in fact a national organization of the B'nai B'rith receiving this special tax treatment in the District of Columbia?

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

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

Mr. MULTER. The answer is, "Yes."

Mr. HALL. Second, does the gentleman have information available for the House about the type of business improvements which might be built on this property?

Mr. MULTER. The answer to the gentleman's question is that there will be no business property of any kind whatsoever built upon this property. The fact is, this organization has its tax exemption on the building it now occupies immediately adjoining, and would have it on this, if the bill passes, only so long as this property is not used for commercial purposes of any kind whatsoever.

Mr. HALL. I am sure the gentleman knows, along with me, that at the present time the Internal Revenue Service, by regulation, is interesting itself in this subject. Indeed, I believe legislative hearings may be held by this and the other body concerning the possibility of nonprofit and tax-exempt organizations, including religious and other educational and charitable institutions, possibly needing to be taxed not only with property taxes in a certain area but in other ways as they subrogate some of their activities to other than the original educational or spiritual purpose. It was for this reason I asked the assurance of the gentleman, which is quite satisfactory to me.

Mr. MULTER. If the gentleman will yield further, I am happy to tell him this is one of those few organizations which regularly files its information returns with the Internal Revenue Service. This particular organization expends more than 96 percent of all its income for educational, religious, and charitable purposes, using the balance for administration purposes.

Mr. HALL. I believe that some of this is ordinarily known, Mr. Speaker, as "soft money" for educational, charitable, or other purposes. Would the gentleman advise us whether much of that money raised for this purpose leaves the country?

Mr. MULTER. None of the money leaves the country. I must say to the gentleman that much of the work of B'nai B'rith is in the purchasing of books and motion pictures, of an entertainment kind, which are sent to our soldiers and armed services over-

seas, as well as throughout this country. They render in part the same service to our armed services as does the USO. Except to that extent, and except to the extent that they do also some of the work of the American Red Cross, and participate with them in supplying the things the American Red Cross uses in rendering its services, none of the money or property purchased by them leaves the country.

Mr. HALL. Would this same USO type or Red Cross type of activity apply also to the other so-called or currently thought of friendly nations overseas?

Mr. MULTER. I am happy to advise the gentleman it applies in the same manner. There has been distribution to our soldiers in Vietnam.

Mr. HALL. It is not limited to U.S. forces overseas?

Mr. MULTER. It is primarily limited to U.S. forces overseas.

Mr. HALL. I thank the gentleman.

Mr. MULTER. Mr. Speaker, the purpose of H.R. 12019 is to exempt from taxation certain real property in the District of Columbia, as well as any improvements on this property and any furnishings in such improvements, owned by the B'nai B'rith Henry Monsky Foundation.

BACKGROUND OF LEGISLATION

Public Law 77–846, approved December 24, 1942 (56 Stat. 1089), as amended the following year by Public Law 78–29 (57 Stat. 61), is the general statute pertaining to real estate tax exemptions in the District of Columbia. This act provides tax exemption for all properties belonging to the United States or the District of Columbia governments, as well as to certain real properties in such categories of ownership as religious organizations, hospitals, schools operated not for profit, cemeteries, et cetera. Also, this general statute provides tax exemption for the real properties of 10 specific organizations in the District which are not among the general categories referred to above. These 10 properties have a total value of $32,889,976, and their exemptions represent a tax loss to the District of Columbia of some $953,809 per year.

In addition, 33 other organizations have been granted exemption from District of Columbia real estate taxation on an individual basis by special acts of Congress. Of this number, nine would be qualified for exemption under the general statute referred to above, but had been granted exemption by special legislation prior to the date of enactment of the general statute.

Thus, tax exemption has been granted on the properties of 24 organizations in the District which would not qualify for such exemption under the general statute, but which the Congress from time to time has deemed to deserve such exemption by reason of the philanthropic nature of their purposes and their work. The total value of these properties is presently $22,798,577, and the resulting tax loss to the District is $661,159 per year.

One of these properties is the B'nai B'rith Henry Monsky Foundation's headquarters, located at 1640 Rhode Island Avenue NW. This property is valued at $1,126,680 and was exempted from taxation by Private Law 85–220 (71 Stat. A85), approved August 28, 1957.

PROVISION OF THE BILL

H.R. 12019 seeks to exempt from District of Columbia real estate taxation a property described as lot 69 in square 182 and known as 1632 Rhode Island Avenue NW. This property was acquired by the B'nai B'rith Henry Monsky Foundation on June 5, 1967, and adjoins the present B'nai B'rith headquarters. It is assessed at $47,650 and the present tax is $1,381.86 per year.

This newly acquired property is to be a part of B'nai B'rith headquarters, and will be used solely for the nonprofit religious, charitable, and educational activities of the foundation.

Under the provisions of the bill, this property and any improvements which the foundation may add thereto, as well as any furnishings in such improvements, will be exempt from taxation as long as it is owned and occupied by B'nai B'rith and is not used for commercial purposes.

HISTORY AND WORK OF THE FOUNDATION

B'nai B'rith, which is Hebrew for "Sons of the Covenant," was founded on October 13, 1843. It is America's oldest Jewish organization, and in fact is one of this country's oldest national organizations.

B'nai B'rith has operated for a century and a quarter solely as a religious, educational, and service organization. In keeping with the provisions of its constitution, the mission of the organization involves three basic programs, as follows:

First. Religious: B'nai B'rith conducts Hillel Foundations on more than 250 college campuses to provide for the religious life and education of Jewish students. In staffing these centers, B'nai B'rith became the largest employer of rabbis in the world. B'nai B'rith also sponsors chairs of Judaic studies at a number of universities. The B'nai B'rith Youth Organization works with Jewish boys and girls of high school age with the objective of promoting understanding of and loyalty to Jewish religious values. The same objective is served by the department of adult Jewish education, which conducts seminars and institutes of Judaism around the country as part of B'nai B'rith year-round program of adult education.

Second. Educational: In addition to direct religious education, B'nai B'rith, through its antidefamation league, conducts extensive educational programs designed to promote respect for religious liberty and to counteract prejudice and discrimination. The league has won commendations for its efforts from Presidents Eisenhower, Truman, Kennedy, and Johnson, and from leading universities. Its educational materials—books, films, pamphlets—are used in thousands of schools and churches in all sections of the country.

A program of vocational guidance makes its research findings available not only to Jewish youth, but to educators and government agencies generally. An active program in Americanism is carried on by B'nai B'rith with a view to helping immigrants obtain a better understanding of the American way of life, so that they may ultimately become better citizens.

The B'nai B'rith headquarters building houses an art gallery, library, and exhibit hall, all of which are open to the public daily except Saturday, without admission charge. They offer educational facilities in the field of American Jewish history not available elsewhere in the District. The exhibits tell the story of the more than 300-year-old history of Jews and Judaism in the United States and their contributions to the development and growth of our country.

Third. Charitable: Even before the great American Red Cross came onto the American scene, B'nai B'rith was engaged in a program of aid—on a nonsectarian basis—to the victims of natural disasters. For this purpose, B'nai B'rith maintains a special emergency relief fund to which every male member of B'nai B'rith contributes. To mention only a few early instances of such aid: in 1868 B'nai B'rith raised funds for flood victims in Baltimore; in 1871 it sent $50,000 to the victims of the Chicago fire; and in 1900 $26,000 was raised for the victims of the Galveston flood. More recently, aid was extended to flood victims in Mankato, Minn., in 1965; tornado victims in Topeka, Kans., in 1966; the victims of Hurricane Betsy in New Orleans, in 1965; and only last month, a rehabilitation fund was established to aid those who were left homeless in the south Texas area by Hurricane Beulah.

A significant part of B'nai B'rith's tradition of community service is the establishment and support of orphanages, homes for the aged, and hospitals. An orphans' home was founded in New Orleans in 1855; another in Atlanta, Ga., in 1889; a third in San Francisco in 1872. In 1868, an orphans' home was opened in Cleveland—today it is a center for emotionally disturbed children. In 1927, a home for the aged was founded in Memphis.

Also, B'nai B'rith founded and still contributes to the support of a number of nationally famous nonsectarian hospitals; the National Jewish Hospital for Tuberculosis in Denver—1889—with its world-famous motto: "None may enter who can pay; none may pay who enter"; the Leo N. Levi Memorial Hospital in Hot Springs, Ark.—1914—for arthritis, which just completed with funds raised by B'nai B'rith a $550,000 wing for the treatment of children afflicted with arthritis and related ailments.

Another of B'nai B'rith's principal activities is its around-the-calendar program of aid to veterans and men and women in our Armed Forces. Thousands of B'nai B'rith men and women each year make personal visits to veterans hospitals and military installations.

A concern for the religious needs of their Christian friends has prompted thousands of B'nai B'rith men and women around the country each year at Christmas time, as part of an organized national B'nai B'rith program, to take over the duties of Christian personnel in military, veterans, and other hospitals,

on police forces and other service institutions in order to make it possible for the latter to spend the Christmas holiday at home with their families.

In addition, as part of the B'nai B'rith program, B'nai B'rith men and women make countless gifts of playing cards, books, and cigarettes to servicemen, and hospitalized veterans. B'nai B'rith also has furnished television sets, bookmobiles, and musical instruments to hospitals and military installations for the recreational enjoyment of our veterans and servicemen. It has contributed ambulances, money, and clothing to the Red Cross, and has taken a leading role in providing blood donors for the Red Cross blood bank. This year alone, B'nai B'rith has sent more than 700,000 books to American servicemen in veterans' hospitals and military installations in the United States and abroad, including some 250,000 to our troops in Vietnam. B'nai B'rith has also collected for distribution to Jewish soldiers in Vietnam ceremonial objects and other religious accessories needed to celebrate major Jewish holidays.

Its extensive program of war service has earned for B'nai B'rith many citations and the first awards given by the Army and Navy to any civilian organization in World War II. The Army award was presented to B'nai B'rith by Gen. Dwight D. Eisenhower, Chief of Staff. In making the award, General Eisenhower spoke of the "unselfish service of the men and women of B'nai B'rith," adding "no one will ever know how much these services did in keeping high the morale of the Armed Forces during the terrible days of this war."

EXEMPTION FROM OTHER TAXES

B'nai B'rith's character as a nonprofit religious, charitable, and educational organization is officially acknowledged by the Internal Revenue Service. B'nai B'rith enjoys tax-exempt status for all of its programs. Indeed, virtually all of B'nai B'rith programs enjoy the additional status of being tax-deductible under section 501(c)(3) of the Internal Revenue Code as religious, charitable, or educational; and 96 percent of its funds are spent nationally for such programs. The other 4 percent of national expenditures—also tax exempt—go for auxiliary administrative operations and other educational and charitable programs, such as adult Jewish education, and disaster relief.

Our committee is informed that B'nai B'rith sought to acquire this additional property at the time it established its present headquarters building, but the owner preferred to wait until his retirement before selling. B'nai B'rith, therefore, constructed its headquarters around the subject property, which offers the only possible space for enlarging and enhancing the foundation's seat of activities.

It is the opinion of our committee that the long and distinguished record of human service which is the history of this great charitable organization, amply justifies the tax exemption which H.R. 21019 will grant this addition to their headquarters.

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

Mr. MULTER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on three District bills.

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

There was no objection.

AUTHORIZE CERTAIN BUILDINGS FOR CHANCERIES

Mr. MULTER. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 13402) authorizing the use of certain buildings in the District of Columbia for chancery purposes and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 13402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (1) of section 2 of the Act of October 13, 1964 (D.C. Code, sec. 5–418a(1)), is amended by inserting immediately after "such building" the following: "(A) for which a contract had been entered into during the period beginning January 1, 1963, and ending on the date of the enactment of this Act to sell such building for use as a chancery, or (B)".

(b) Section 4 of such Act (D.C. Code, sec. 5–418c) is amended by inserting immediately after "(D.C. Code, sec. 5–418)" the following: "or paragraph (1) of section 2 of this Act".

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That (a) paragraph (1) of section 2 of the Act of October 13, 1964 (D.C. Code, sec. 5–418a(1)), is amended by inserting immediately after 'such building' the following: '(A) for which negotiations had been entered into with a foreign government before the date of the enactment of this Act to sell such building for use as a chancery, which negotiations resulted in the making of a contract on or before June 1, 1965, with such government to sell such building for such use or (B)'.

"(b) Section 4 of such Act (D.C. Code, sec. 5–418c) is amended by inserting immediately after '(D.C. Code, sec. 5–418)' the following: 'or paragraph (1) of section 2 o this Act'."

The committee amendment was agreed to.

Mr. GROSS. Mr. Speaker, I move to strike the necessary number of words.

Mr. Speaker, as I understand it, this is the first of three bills on the general subject of the chanceries in the District of Columbia.

Mr. MULTER. That is correct.

Mr. GROSS. I would like to refer, since it is a related bill, to the language in House Report No. 907 to accompany H.R. 13401, which I assume will be called up this afternoon. I was interested to read on page 2 of that report the following:

On August 20, 1957, the Commissioners of the District of Columbia issued order No. 57–1619 relating to "Compliance by Foreign Governments with D.C. Regulations" which order stated—". . . it is hereby ordered that, on and after October 1, 1957, all construction, alteration, repair or conversion of buildings in the District of Columbia by or for use and occupancy of any foreign government, shall be accomplished under appropriate construction permits for such work, issued by the government of the District of Columbia."

The report of the District of Columbia Committee then says:

The record indicates that shortly thereafter the Commissioners of the District of Columbia must have been advised that certain foreign governments had acquired title to real property and other foreign governments were in the process of acquiring legal title to property for the purpose of erecting buildings for use as chanceries.

My question of the gentleman is this: Can it be possible that the Commissioners of the District of Columbia issued such an order without making any provision for the foreign governments that had acquired, leased, or were using the properties for chanceries; without taking any consideration of their investments and use? Can this be possible? Is that what this report is saying?

Mr. MULTER. I regret to advise the gentleman that these things are possible. I do not pretend to say that they did happen. I do not know what went on in the Commission's office, but the purpose of these three bills is to correct and remove inequities. This is the interpretation of the intent. We are trying to give to these chanceries or to these foreign governments the right to erect chanceries which were in process or which were being negotiated for or which had contracts which were then being consummated or which had actually acquired property and proceeded to erect or were even in the course of construction.

That is right.

Mr. GROSS. To me it is incredible that the District Commissioners would issue and make an order effective in the District of Columbia without having determined or having known what was actually going on with respect to this chancery situation, in whole or in part. However, I want to commend the committee for this particular legislation. I think it is badly needed.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

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

Mr. BROYHILL of Virginia. Mr. Speaker, just to add emphasis to the fact that this will make no change whatsoever insofar as permitting the occupation of the chancery after 1964 is concerned, let me make it clear that this is designed to correct an inequity with reference to those transactions that were in somewhat of a gray zone or twilight zone in 1960 to the effect that nothing would happen in the neighborhoods involved after 1960.

Mr. MULTER. Mr. Speaker, there may

be 100 chanceries in the District of Columbia, but I think less than five involved in these mistakes are oversights that we are now attempting to correct by the passage of these bills.

Mr. GROSS. I do not understand why the Commissioners would deliberately contrive this inequity.

Mr. MULTER. 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 New York?

There was no objection.

PURPOSE OF H.R. 13402

Mr. MULTER. Mr. Speaker, the purpose of H.R. 13402 is to amend the act of October 13, 1964 (78 Stat. 1091; D.C. Code, title 5, sec. 418a(1)), approved by the 88th Congress to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia. The bill is reported with an amendment which strikes out all language after the enacting clause. Paragraph (a) of the amendment proposed by H.R. 13402 provides an additional limited exception to the law governing chancery use of real property zoned for residential purposes. Paragraph (b) corrects a technical error in the act.

BACKGROUND

Prior to enactment of the Chancery Act of 1964, there was no statutory requirement relating to the location of chanceries within the District of Columbia. Difficulties arose when foreign governments applied for chancery use of property located in areas otherwise used exclusively for residential purposes. Proponents of the legislation desired to preserve the residential character of such neighborhoods and to preserve good relations with the representatives of foreign governments.

Provisions of the Chancery Act included a prohibition against location of a chancery in an area zoned for residential use, and, at the same time, protected existing rights established under law by previous use of property for chancery purposes.

Experience under the act has indicated certain inequities. A particular hardship arises when the owner of property finds himself precluded from securing approval for chancery use of property which peculiarly adapts itself to such use, in an area predominantly used for chancery and similar purposes, and which was the subject of negotiations for chancery use prior to the effective date of the Chancery Act.

An example of the inequity of such a situation concerns improved real property located in a Massachusetts Avenue area which is zoned for residential use, but which is predominantly chancery, embassy, and other similar use. The present owners acquired the property in 1962. It had for the 10 years previous been used for commercial purposes, pursuant to a properly issued certificate of occupancy. This zoning variance was terminated immediately prior to the present owners' acquisition of the subject property upon termination of the lease by the business and because of building deficiencies. The present owners began extensive repairs and remodeling to the building in late 1962. Thereafter they entered into negotiations with a foreign government for sale of the property for chancery use, subject to approval of such use by the zoning board. By August 1964, the parties had reached a tentative agreement with the Washington representatives of the foreign government. Because the principals were separated by great distance, negotiations were continued for some period of time, culminating in a contract in the spring of 1965. In the meantime, the Chancery Act had become effective on October 13, 1964.

The owners made proper application for chancery use of the subject property, submitting in support thereof a statement by owners and occupants of the area indicating no objection to such use. The application was denied. In its opinion, the Board of Zoning Adjustment, District of Columbia, noted that the Chancery Act "clearly prohibits constructing, altering, repairing, converting, or occupying a building for use as a chancery, in any residential district, except the medium-high density (R–5–C) and the high density (R–5–D) apartment house districts (and then only) provided Board of Zoning Adjustment approval is received."

Rezoning of the area to accommodate the property to chancery use would not be desirable inasmuch as such rezoning would destroy the character of the neighborhood by permitting the construction of apartment house developments.

The owners now hold property in an area zoned for residential use and find that such use is incompatible with uses of other property. They are unable to dispose of the property for residential purposes at a normal market value for such use, and cannot meet the terms of the contract which would result in compatible use. The foreign government still wants to secure the property for chancery use.

ANALYSIS OF THE BILL

The terms of the Chancery Act prohibit the location of a chancery in an area zoned for residential use; the only exception included in the law relates to property which had been used as a chancery under law prior to the effective date of the Chancery Act. H.R. 13402 provides an additional exception to cover cases wherein negotiations were begun prior to the effective date of restrictive legislation, that is, October 13, 1964, and which culminated in a contract of sale prior to June 1, 1965.

Section (b) of H.R. 13402 amends section 4 of the Chancery Act of 1964 (D.C. Code, title 5, sec. 418c) relating to the transfer of property, subject to lawful chancery use, from one foreign government to another. Present law limits the transfer of such use to those properties which conform to the general rule for location of chanceries pursuant to the Chancery Act or which complied with applicable law at the time of enactment of the Chancery Act. Section (b) amends this right of transfer to include also property which is granted a chancery use under one of the exceptions to the general requirements of the Chancery Act, so that such use may be transferred to or used by another foreign government.

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

AMEND CHANCERIES ACT TO CLARIFY AGREEMENTS WITH THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

Mr. MULTER. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 13401) to authorize certain foreign governments to proceed with their plans for chanceries in the District of Columbia in accordance with their agreement with the government of the District of Columbia entered into in 1958, and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

H.R. 13401

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 6(c) of the Act of June 20, 1938 (D.C. Code, sec. 5–418(c)), and the provisions of sections 2 and 4 of the Act of October 13, 1964 (D.C. Code, sec. 5–418a, 5–418c), any foreign government listed in Departmental Administrative Order Numbered 37 issued by the Department of Licenses and Inspections of the government of the District of Columbia on February 17, 1958 (and any amendment to that order made before October 13, 1964), may construct, expand, alter, repair, convert, or occupy any building for use as a chancery, on the real property that is listed next to the name of the foreign government in such order (and any amendment to such order made before October 13, 1964), and such building may be transferred for use as a chancery, if the Board of Zoning Adjustment determines that—

(1) the foreign government will provide offstreet parking spaces at a ratio of not less than one such space for each twelve hundred square feet of gross floor area of such building;

(2) the height of such building does not exceed the maximum permitted in the district or zone in which it is located; and

(3) the architectural design and the arrangement of all structures and offstreet parking spaces on such real property are in keeping with the character of the neighborhood.

PURPOSE OF THE BILL

Mr. MULTER. Mr. Speaker, the purpose of this bill, H.R. 13401, is to clarify the intent of Congres as expressed in Public Law 88–659—78 Stat. 1091; District of Columbia Code, section 5–418a—hereinafter referred to as the Chancery Act of 1964, approved October 13, 1964, and as interpreted in House committee report 1727 of the 88th Congress which accompanied that legislation. In the course of hearings and as a guide in drafting the terms of the legislation which became the Chancery Act of 1964, your committee adopted and followed the policy that nothing in the legislation was to affect the right to use any property for

chancery purposes where a lawful right of use existed on the date of enactment of that legislation. This policy was expressed as part of the Chancery Act of 1964 as a matter of justice and equity in harmony with the concept of law that a person may not be deprived of a property right without due process of law.

This bill relates to the problem of certain foreign governments which had acquired property for use for chancery purposes and which governments had a lawful right of use of such property for chancery purposes, including construction, alteration, and maintenance, as of the date of enactment of the Chancery Act of 1964. Interpretation of the Act by the District of Columbia government, subsequent to its effective date, has resulted in the opinion that Congress extinguished the lawful right of use acknowledged, in such opinions, to have existed on the effective date of the act.

ORIGIN OF THE PROBLEM

In 1957, the government of the District of Columbia had developed a revised body of zoning regulations which it proposed to make effective in 1958. At that time, and prior thereto, the governments of foreign nations could, as a matter of right, purchase or lease real property in any residential district of the District of Columbia for chancery use. The proposed new zoning regulations would discontinue this right and after the effective date require foreign governments to make applications to zoning officials and secure construction and occupancy permits on the same basis as any local citizen desiring to locate a comparable business operation in a residential area. Several months in advance of the effective date of the new zoning regulations, the Commissioners of the District of Columbia, in cooperation with the State Department, took steps to notify all foreign governments of the changes in the regulations.

COMMISSIONERS' ORDERS RELATING TO FOREIGN GOVERNMENTS

On August 20, 1957, the Commissioners of the District of Columbia issued order No. 57–1619 relating to "Compliance by Foreign Governments With District of Columbia Regulations," which order stated:

It is hereby ordered that, on and after October 1, 1957, all construction, alteration, repair or conversion of buildings in the District of Columbia by or for use and occupancy of any foreign government, shall be accomplished under appropriate construction permits for such work, issued by the government of the District of Columbia.

The record indicates that shortly thereafter the Commissioners of the District of Columbia must have been advised that certain foreign governments had acquired title to real property and other foreign governments were in the process of acquiring legal title to property for the purpose of erecting buildings for use as chanceries. Amendments to the original order were issued by the Commissioners on September 19 and again on September 27, 1957, exempting such properties from the terms of the new zoning regulations. On December 31, 1957, the Commissioners issued a further amendment to the August 20, 1957, order applicable to all foreign governments except those foreign governments qualifying for the exemptions stated in previous amendments.

Paragraph 2 of this order reads as follows:

2. This order shall not be applicable to those foreign governments which on August 20, 1957, the date of promulgation of the original order, were the owners of the legal title to land acquired by such governments for the purpose of erecting thereon buildings for governmental purposes of such governments, or had, by August 20, 1957, in writing informed the Secretary of State of their intention to acquire certain specified land for such purpose, and which governments prior to November 15, 1957, through the Secretary of State, had formally advised the Director, Department of Licenses and Inspections, D.C., of intention to use such land.

EFFECT OF COMMISSIONERS' ORDER

As heretofore noted, prior to the revision of zoning regulations of the District of Columbia under authority delegated to the Commissioners by the Congress, foreign governments could as a matter of right acquire or use real property located in any residential district of the District of Columbia for chancery purposes. Such acquisition and use was exempt from zoning and other regulations. The language, intent, and effect of the Commissioners' order of August 20, 1957, as amended, was to preserve the lawful right of use of any property, acquired or in process of acquisition, to those foreign governments complying with the requirements of the order. When the revised zoning regulations became effective in 1958, those foreign governments which were not signatory to the Commissioners' order were required to comply fully with all regulations of the District of Columbia as to zoning and permits. Those foreign governments which were signatory to the order were exempt and many of them proceeded with occupancy of existing structures or construction of buildings on vacant land pursuant to the exemption provided in the order. The lawful right of use of real property, improved or unimproved, for the signatory nations was clearly established under the Commissioners' order. The land owned by some of these foreign governments is located in areas where chancery use is common at the present time.

A final revision and amendment to the Commissioners' order was issued on June 19, 1961. This revision cited the original order and amendments thereto and recited the applicability of the District of Columbia regulations to all buildings to be occupied by or used by foreign governments.

The amended order made applicable the following regulations:

Zoning regulations, the building code, the electrical code, the plumbing code, housing regulations, and the refrigerating and air-conditioning regulations. Thus, under the general provisions of the order no foreign government could proceed to use or to construct a building unless the appropriate permits required by regulations of the District of Columbia were secured in advance.

In paragraph 2 of the order, the exemption was fully preserved in language identical to the amended order of December 31, 1957.

DEPARTMENTAL ADMINISTRATIVE ORDER

The original order of August 20, 1957, and subsequent amendments led to the issuance of Departmental Administrative Order No. 37, issued on February 17, 1958. The Departmental Administrative Order referred to the terms of the previous order as amended requiring that foreign governments secure permits for all construction, alteration, repair, conversion, or occupancy of buildings in the District of Columbia. The order recognized the exemption of certain foreign governments as expressed in the following language:

The order further provides that it shall not apply to certain foreign governments which had either acquired land or made a written declaration regarding the proposed construction by specified dates.

Thereafter, the order listed the street addresses, property descriptions, and the names of the foreign governments exempt from the provisions of the order. The list showed 21 foreign governments and 27 parcels of land involved.

It may be noted, according to information presented to your committee, that fewer than six of the foreign governments involved in this order have not used their privilege of construction, or still desire to exercise the right of the signatory nations. While nonsignatory nations were required to secure permits, the signatory nations were exempt from the requirement of securing permits. The legal effect of the exemption were essentially that of granting a blanket permit to every nation signatory to the order. The effect would have been the same as if the Commissioners had been required to issue to each of the foreign signatory nations a permit for the occupancy and use of improved real property or the construction of improvements on real property pursuant to the terms of the regulation. At no time, from the effective date of the Commissioners' order, as amended, was any signatory government challenged as to its right to use or improve the real property described, until the effective date of the Chancery Act of 1964. Neither prior to the effective date of that act, nor since has there been any challenge of the Commissioners' order questioning the right of lawful use of real property by the signatory foreign governments as of the date of enactment of the Chancery Act of 1964.

The lawful right of use extended to signatory foreign governments under the Commissioners' order appears to be something more than a nonconforming use as is commonly understood in zoning law. A nonconforming use relates to improvements on real property in an area not previously covered by zoning regulations or in a zoned area where zoning regulations are being revised and the use made of the improved or unimproved real property is not in conformity with the uses provided, in the new or revised zoning ordinances. Thus, a retail establishment, continuing its operation in an area after it is zoned for residential use only, becomes a nonconforming use. The retail

establishment is permitted to retain the right to use the property which may be repaired and maintained but it may not be enlarged or expanded. Unimproved land in such area could be used for residential purposes only. In contrast, under the Commissioners' order, the right of use of both improved and unimproved real property for chancery purposes was preserved to those foreign governments listed.

The Commissioners' order does not appear to grant merely a right of nonconforming use to those signatory nations. The language of the order is much broader than the limits usually applying to nonconforming uses. The order specifically exempts improved and unimproved property of those foreign governments listed from all restrictions of the zoning laws and the building codes, as to construction, reconstruction, alteration or repair of any property, improved or unimproved. The essence of the Commissioners' order is that of continuing the right of use which existed for foreign governments prior to the effective date of the revised zoning regulations.

THE CHANCERY ACT OF 1964

The Chancery Act of 1964 approved October 13, 1964, as Public Law 88–659—78 Stat. 1091; District of Columbia Code, Section 5–418a—provided that no foreign government could construct, alter, repair, convert, or occupy any building for use as a chancery in the District of Columbia unless such use conforms to the limitations provided in that act. The provisions of the act not only designated certain zoning categories for chanceries but also set up certain requirements as to height, bulk, ground coverage, parking, and design to make such uses as compatible as possible with the general neighborhood.

The legislation had its origins in the Senate. Hearings on such proposals had been conducted by the Senate Committee on Foreign Relations in the 87th Congress without any action and similar legislation was the subject of hearings before the Senate Committee on the District of Columbia in the 88th Congress. When the Senate passed bill—S. 646—was referred to the House Committee on the District of Columbia, hearings were held and an extensive study of the chancery problem was conducted by your committee. As a result of the hearings and the study, your committee struck out all of the language of the bill after the enacting clause and completely rewrote the legislation. The District government interpretation of the Chancery Act of 1964 rests mainly on hearings and committee reports not related to the legislative text developed by your committee.

The committee report—House Report No. 1727, 88th Congress, second session—which accompanied the legislation explained in detail the purpose and intent of the legislation. Your committee recognized that the impact of such new law could be great upon the foreign governments owning or renting property for chancery use. It could affect pending contracts. It could affect the programs of foreign governments for enlargement or repair and maintenance of chancery property. It could affect the status of property formerly used as a chancery but presently vacant pending transfer to another foreign government. It could affect real property, improved or unimproved, depending upon the zoning and its potential for accommodation within the proposed requirements of law. To treat all foreign governments and all persons equally, the committee arrived at a statement of policy and intent which was set forth in a single sentence in the committee report, as follows:

It is the specific intent that no existing lawful rights of use shall be affected by any provision of this bill.

Any other policy would have resulted in substantial inequities and hardships not only to foreign governments but to owners of property which had been or was being used for chancery purposes. A lawful use or lawful right of use could have been cut off in some cases and allowed to continue in others. The policy adopted by the committee could not adversely affect any foreign government or any private property owner. Any foreign government which had purchased land for the purpose of constructing a chancery and had not registered under the Commissioners' order of 1957, became subject to the new zoning regulations. Such government was required to secure permits and otherwise conform to all building and zoning regulations. Those foreign governments which were in compliance with the Commissioners' order of 1957 could exercise any right of use or real property which existed prior to the enactment of the Chancery Act of 1964.

As of the date of enactment of the Chancery Act of 1964, many of the foreign governments which complied with the Commissioners' order of 1957 had proceeded with the construction of chanceries. At the present time only six governments remain on the list. The effect of interpreting the intent of Congress as extinguishing the rights of such nations under the Commissioners' order is prejudicial to those nations remaining on the list. Thus, some nations were permitted to complete their chancery plans and other nations are denied the right to complete their plans. This results in a denial of equal opportunity under the law.

INTENT OF CONGRESS

The intent clearly expressed by your committee in its report does not make a distinction between the right of use of improved or unimproved property. The requirement of permits in the Chancery Act of 1964 was directed to those foreign governments who were required to secure permits by reason of the zoning regulations which became effective in 1958. Since the foreign governments which had qualified under the Commissioners' order of 1957 were fully exempt from the provisions of the 1958 zoning regulations, they had a lawful right to proceed without a permit. To construe that the Chancery Act of 1964 requires a permit of such nations is to deny a lawful right which existed prior to the enactment of the Chancery Act. No such purpose existed in connection with the enactment of that law.

This legislation removes any question as to the continuing right of foreign nations which qualified under the Commissioners' order of 1957 to use the real property purchased and identified in Departmental Administrative Order No. 37 of 1958 for the construction of chanceries.

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

AMEND GRANDFATHER CLAUSE REGARDING LOCATION OF CHANCERIES

Mr. MULTER. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 13403) to amend the act of October 13, 1964, to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia, and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 13403

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2 of the Act of October 13, 1964 (D.C. Code, sec. 5–418a), is amended by striking out the period at the end of paragraph (2) of that section and inserting in lieu thereof ", or" and by adding after that paragraph the following new paragraph:

"(3) the future or continued use of a building as a chancery or the making of ordinary repairs to such building if such building was used as a chancery contrary to any zoning law rule, or regulation at any time during the period beginning May 12, 1958, and ending October 13, 1964, without any written notice by the District or United States Government prior to October 13, 1964, to the owner or occupant of such building of the fact that such use was in violation of such law, rule, or regulation."

(b) Section 4 of such Act (D.C. Code, sec. 5–418c) is amended by inserting immediately after "(D.C. Code, sec. 5–418)" the following: "or paragraph (3) of section 2 of this Act."

Mr. MULTER. Mr. Speaker, the purpose of the bill H.R. 13403 is to amend the act of October 13, 1964—78 Stat. 1091; District of Columbia Code, section 5–418a—hereafter referred to as the Chancery Act of 1964, approved by the 88th Congress to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia. In House Report No. 1727, which accompanied that legislation your committee recognized the complexity of the problem of providing for the location of chanceries and that the bill, later enacted as Public Law 88–659, might require amendments pending some final solution to this problem in the District of Columbia.

Since the enactment of the abovementioned law, additional problems have been brought to the attention of your

committee in connection with the administration of that law under its terms and concerning unique, or at least unusual situations which have resulted in substantial hardship to property owners. This bill is an effort to supplement and clarify the previous enactment and meet some of the difficulties which have been presented to your committee.

BACKGROUND

For many years, foreign governments were without any restriction as to the purchase or rental of property to be used for chancery purposes. The great majority of foregin chanceries was located within single-family detached residential areas. Because of the substantial, and sometimes intense, business usage of such properties, they were not compatible, in many instances, with the character of the neighborhoods in which they existed. With the development of zoning laws and establishment of zoning categories, the admissibility of chanceries in residentially zoned areas became an increasingly controversial matter. Although zoning regulations were developed to require at least some parking facilities to avoid traffic congestion, and to preserve the residential character where chanceries were located, existing laws and regulations did not provide a suitable basis to the District of Columbia for providing for chancery locations, nor did they provide a suitable basis for harmonious relations between foreign governments and the State Department. The latter agency is the only agency which might exercise any sanctions to bring about the enforcement of District of Columbia regulations regarding the location of chanceries. This situation led to action taken during the 88th Congress, and the enactment of Public Law 88–659, approved October 13, 1964.

INTENT OF CONGRESS

Aside from specifying the zoning categories within which chanceries of foreign governments might be located, the intent of Congress was clearly expressed concerning the preservation of existing rights established by previous use under law. Existing uses of buildings as chanceries, where such use had been established under the benefit of statute or by use preceding applicable zoning laws and regulations, were to be continued. Although that act appears to have had the effect of extinguishing the right of use of some properties as chanceries where such use did in fact exist and the owner or occupant was without notice that the use was not based upon any law, rule, or regulation, some instances of hardship have been demonstrated. These represent borderline cases where, under the normal operation of law and regulation prior to the act of the 88th Congress, chancery uses would have been permitted and approved, the owners of such property now find that they are precluded under the strict language of the act from continued use of their property for chancery purposes.

A single example will illustrate the problem. In 1958 a residential structure in an area where many similar properties were used for chanceries was rented by a representative of a foreign government. The property owner was of the understanding that this was a chancery use. Two years later, another foreign government rented the same property, which was actually used for chancery purposes, but the owner of the property was without any knowledge that such was not a proper use. Thereafter, a third government rented the property for chancery use. The record shows that during the period when the property in question was being used as a chancery, two additional residential structures in the area were authorized for use as chanceries pursuant to regulations. Had the owner of the subject property made application for a variance for chancery use it undoubtedly would have been granted. When the government occupying the subject property as a chancery moved to another location, and following the enactment of the Chancery Act of 1964 regarding location of chanceries, the property owner discovered the deficiency in his use and made application to the zoning board for a variance for such use. This application was denied by the zoning board under the terms of the enactment by the 88th Congress.

As a result, the subject property was the only structure in the residential block which is not used for chancery purposes, or a comparable use authorized by Congress for the Washington Institute of International Law. Thus, a property owner in a city block zoned for residential use found that such use was incompatible with uses of other property and he was unable to dispose of his property for residential purposes at a normal market value for such use, nor was he able to continue the use of the property as a chancery which was compatible with the uses in the remainder of the block. In effect, the terms of the Chanery Act of 1964 produced a contradiction as to the intent of Congress, and to the normal application of zoning laws which endeavor to maintain compatibility of uses in a given area.

UNLAWFUL USES OF PROPERTY FOR CHANCERY PURPOSES

In addition to situations such as that mentioned above, your committee has been advised that there were in the District of Columbia uses of property for chancery purposes which uses are not lawful within the meaning of the terms of the Chancery Act of 1964. Such uses may be instances, like the foregoing which came into existence without intent on the part of the property owners to violate any law or regulation and where the owners or occupants were without notice from any official agency of the Government as to the improper use during the period of occupancy by a foreign government. In one instance, while chancery legislation was pending, the chairman of the subcommittee received a letter from a property owner inquiring as to the effect of the bill—S. 646, 88th Congress. On the basis of all information then available, the property owner was advised by the subcommittee chairman that the language of the bill was drafted in such a way as to preserve the right of continued use of such property for chancery purposes where such use had been established. Because of circumstances, not known then to the property owner, it later developed that the use in question was not permissible under the strict terms of the act.

A second category of unlawful uses would include property owned by individuals or foreign nations concerning which the owner of the property or the occupant of the property received some notice in writing that the use or intended use of the property as a chancery was contrary to law.

Your committee distinguishes between these two categories of use which are not within the provisions of the Chancery Act of 1964. The cases of those property owners who found themselves not in compliance with law and who were without any written notice of the deficit character of the occupancy, present some mitigating circumstances and these your committee recognizes. On the other hand, as to those instances where property owners put in use or continued the use of their property for chancery purposes after notice in writing, your committee does not recognize any justification for the continued use.

APPLICATION OF THE TERMS OF THE BILL

Under the terms of H.R. 13403, the Chancery Act of 1964 is amended by the addition of a new clause 3 to section 2 of the act. The future use of the continued use of a building as a chancery would not be prohibited even though such use was contrary to the provisions of law if such use existed between the date of May 12, 1958, the date of the revision of zoning rules and regulations of the District of Columbia under the Lewis plan, and the date of October 13, 1964, the effective date of the Chancery Act of 1964, if such use was without written notice, from the Federal or District government, of noncompliance with existing zoning provisions. Thus, any use of a building as a chancery which qualifies under the provisions of this bill, becomes a lawful use as specified in the first clause of section 2 of the Chancery Act of 1964.

Section 2 of the Chancery Act of 1964, which the pending bill H.R. 13403 amends, was the subject of a clear expression of intent in House Report No. 1727 of the 88th Congress. That report stated as follows:

> It is the specific intent that no existing lawful rights of use shall be affected by any provision of the bill. Where the lawful use of the building as a chancery has been established and exists on the date of enactment, whether the property be vacant, whether the use as a chancery be interrupted at some future date, or whether the use of the building be transferred from one foreign government to another, nothing in the act shall affect such right of use.

In the pending bill, H.R. 13403, your committee amends section 4 of the Chancery Act of 1964 by including reference in section 4 of the Act—District of Columbia Code, section 5–418c—to the amendment made by section 1(a) of the bill. The effect of this amendment is to make it clear that if a building used as a chancery was lawfully used, is being or is to be used, such use may be transferred from one foreign government to another. Thus, whenever real property

which has been lawfully used for chancery purposes, pursuant to the Chancery Act of 1964 as amended by this bill, was or becomes vacant, the fact of vacancy alone has no effect upon the right of continued or future use of the property for chancery purposes. The amendment is intended to preserve the right of such use, and transfers of use, even though such use may have been or is interrupted, the property vacant, or used for other purposes so long as the use of the property as a chancery is not abandoned.

It is believed that the enactment of the amendment as favorably reported by your committee will aid in resolving inequities and hardship situations, and relieve any area of doubt as to the committee's intent in preserving a right, once established, for the future and continued use of a building as a chancery and the right of transfer of the use from one foreign government to another.

ANALYSIS OF THE BILL

The bill H.R. 13403 amends the act of October 13, 1964—78 Stat. 1091—District of Columbia Code, section 5–418a—regulating the location of chanceries of foreign governments in the District of Columbia. The first of two amendments in the bill adds a new paragraph at the end of section 2 of the act which provides that the limitations and restrictions of the act shall not prohibit the future or continued use, or the making of ordinary repairs, to a building which was used as a chancery contrary to any zoning rule or regulations between May 12, 1958, and October 13, 1964, if the owner or occupant of such building received no written notice from the District or Federal Government that the use of the property as a chancery was in violation of any law, rule, or regulation.

The second amendment inserts language in section 4 of the act—District of Columbia code, section 5–418c—referring back to the language added by the first amendment of the bill to provide that buildings qualifying under this bill for use as chanceries may be transferred from one foreign government to another under the terms of the act as amended.

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

Mr. McMILLAN. Mr. Speaker, I yield to the distinguished gentleman from Texas [Mr. DOWDY] to call up bills from his subcommittee.

AMEND DISTRICT OF COLUMBIA MOTOR VEHICLE SAFETY ACT

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the bill (H.R. 13480) to make the proof of financial responsibility requirements of section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration, and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 13480

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia (D.C. Code, sec. 40–455(a)) is amended by striking out "trial for" and all that follows down through "the operating privilege" and inserting in lieu thereof "trial for driving a motor vehicle within the District of Columbia at a time when his license is suspended or revoked, the operating privilege".

Mr. DOWDY. 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 Texas?

There was no objection.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of the bill H.R. 13480 is to amend section 39 of the Motor Vehicle Safety Responsibility Act of the District of Columbia to limit the requirement for future proof of financial responsibility to those cases involving the serious offenses of a person driving a motor vehicle in the District of Columbia when his driver's license is suspended or revoked.

This amendment would eliminate inequities which have arisen under present law in cases of motorists convicted of certain relatively minor traffic offenses which do not constitute a traffic safety problem.

BACKGROUND

Section 39 of the Motor Vehicle Safety Responsibility Act of the District of Columbia approved May 25, 1954—68 Stat. 120, as amended; District of Columbia Code, title 40, section 455(a)—requires the suspension or denial of licenses to, and registrations of, motor vehicles of persons convicted of or forfeiting bail or collateral on certain traffic offenses; namely, driving a motor vehicle without being licensed under District of Columbia law, or driving a vehicle not registered under District of Columbia law when so required.

This section also prohibits the registering of such motor vehicles in the name of such person as owner unless he gives and maintains proof of financial responsibility.

The effect of the foregoing is the suspension or denial of drivers' licenses or registrations after convictions or forfeiture of collateral in the following cases: driving without any kind of permit, diving on an expired permit, driving with a valid "out-of-State" permit after the holder thereof has resided in the District beyond the reciprocity period, driving while privilege is suspended or revoked, driving with no tags on a vehicle, driving on dead tags, driving with valid out-of-State tags, but after the owner has resided in the District beyond the reciprocity period.

In addition, section 37 of the Motor Vehicle Safety Responsibility Act requires the mandatory suspension of license and registration of any person convicted of or forfeiting bail or collateral on five specified violations:

First, driving under the influence of intoxicating liquor or narcotic drug;

Second, committing a homicide or other felony while using a motor vehicle;

Third, leaving scene of accident involving personal injury without giving assistance or making his identity known;

Fourth, reckless driving involving personal injury; and

Fifth, out-of-District convictions for the foregoing offenses.

As to these violations, the act requires the motorist so convicted to file with the Department of Motor Vehicles evidence that he is financially responsible—usually established by proof of insurance coverage for the future—before he is permitted to operate or register a motor vehicle in the District.

The District of Columbia Commissioners requested legislation of the Congress to ameliorate this situation, representing, first, that present law unjustifiably and unfairly requires motorists involved in relatively minor or unimportant infractions of motor vehicle laws to purchase motor vehicle insurance, usually at substantially higher premiums for this coverage; and, second, that present law evokes justifiably adverse criticism by lumping together minor traffic violations with those guilty of such serious violations as driving under the influence of narcotic drugs or intoxicating liquor, or committing homicides or other felonies while using motor vehicles.

Your committee agrees with the views of the Commissioners, and the bill H.R. 13480—a modification of the Commissioners' draft—makes the proof of financial responsibility, which is required under section 39 of the Motor Vehicle Safety Responsibility Act, applicable only to the motorist guilty of the serious violations of "driving a motor vehicle within the District of Columbia at a time when his license is suspended or revoked"—and inapplicable to the minor traffic offenses heretofore listed.

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

AMENDING THE DISTRICT OF COLUMBIA TRAFFIC ACT, 1925, AND THE ACT APPROVED JULY 2, 1940

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 764) to amend section 6 of the District of Columbia Traffic Act, 1925, as amended, and to amend section 6 of the act approved July 2, 1940, as amended, to eliminate requirements that applications for motor vehicle title certificates and certain lien information related thereto be submitted under oath, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to

the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

S. 764

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (d) of section 6 of the District of Columbia Traffic Act, 1925, as amended (43 Stat. 1121, 46 Stat. 1425; sec. 40–603(d), D.C. Code), is amended by striking ", under oath,".

SEC. 2. The first sentence of section 6 of the Act approved July 2, 1940, as amended (54 Stat. 737; sec. 40–706, D.C. Code), is amended by striking "under oath".

Mr. DOWDY. 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 Texas?

There was no objection.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of S. 764 is to facilitate transfers of motor vehicle or trailer ownership by eliminating present requirements that applications to the Director of Motor Vehicles for official certificates of title, and statements in such applications relating to liens, be made under oath.

NEED FOR THE LEGISLATION

Under present law when transferring title to a motor vehicle or trailer, it is necessary that the application for certificate of title be made under oath. The Department of Motor Vehicles states that this existing provision has been the source of many complaints because of the inconvenience to owners and dealers in motor vehicles and trailers, by having to appear before a notary for each application. Those who complain point out that many reports and forms including tax return forms no longer require a notary.

The Commissioners in recommending enactment of the bill believe the interest of the public will continue to be protected without the requirement that applications be made under oath in view of the fact that under the authority contained in subsections (c) and (d) of section 6 of the District of Columbia Traffic Act, 1925, as amended—section 40–603 (c) and (d), District of Columbia Code—the Commissioners have adopted a regulation, contained in section 2 of the Traffic and Motor Vehicle Regulations for the District of Columbia, providing among other things that the making of any false statement in any application or other document required by such regulations may subject the offender to punishment by a fine of not more than $300 or to imprisonment for not more than 10 days, or both such fine and imprisonment. This regulation, the Commissioners believe, will afford protection to the public after the words "under oath" have been stricken in the first sentence of subsection (d) of section 6 of the Traffic Act.

This bill was approved by the Senate on June 13, 1967.

COMMISSIONER'S LETTER

The following is the letter from the President of the Board of Commissioners of the District of Columbia, requesting this legislation:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
EXECUTIVE OFFICE,
January 10, 1967.

The Honorable the SPEAKER,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: The Commissioners of the District of Columbia have the honor to submit a draft bill to amend section 6 of the District of Columbia Traffic Act, 1925, as amended, and to amend section 6 of the act approved July 2, 1940, as amended, to eliminate requirements that applications for motor vehicle title certificates and certain lien information related thereto be submitted under oath.

The purpose of the bill is to facilitate transfers of motor vehicle ownership by eliminating present requirements that applications to the Director of Motor Vehicles for official certificates of title, and statements in such applications relating to liens, be made under oath. Section 6(d) of the District of Columbia Traffic Act, 1925 (sec. 40–603(d), D.C. Code), presently provides in part:

"The Commissioners shall cause to be levied, collected, and paid such fees for titling and retitling as they deem necessary, not to exceed the sum of one dollar for each such titling or retitling, and they shall not after the first day of January, 1932, register or renew the registration of any motor vehicle or trailer unless and until the owner thereof shall make application in the form prescribed by the Commissioners, *under oath,* and be granted an official certificate of title for such vehicle." [Italic supplied.]

Section 6 of the act approved July 2, 1940 (sec. 40–706, D.C. Code), provides in part:

"Applications for certificates, in addition to all other matters which may be required by law shall show *under oath* whether or not there are any liens against the motor vehicle * * *." [Italic supplied.]

The bill eliminates the underscored material from each act. The Director of Motor Vehicles, in recommending this change, has stated:

"These provisions which require that applications for certificates of title be made under oath have been the source of many complaints because of the inconvenience to owners and dealers in motor vehicles, by having to appear before a notary for each application. Those who complain point out that many reports and forms including tax return forms no longer require a notary."

In view of that fact that section 14 of the act of July 2, 1940 (sec. 40–714, D.C. Code) provides that persons who intentionally make any false statement with respect to liens in an application for a title cerificate shall be subject to a prescribed penalty, the Commissioners believe that the interest of the public will continue to be protected after the words "under oath" are stricken in section 6 of such act. Further, under the authority contained in subsections (c) and (d) of section 6 of the District of Columbia Traffic Act, 1925, as amended (sec. 40–603 (c) and (d), D.C. Code), the Commissioners have adopted a regulation, contained in section 2 of the Traffic and Motor Vehicle Regulations for the District of Columbia, providing among other things that the making of any false statement in any application or other document required by such regulations may subject the offender to punishment by a fine of not more than $300 or to imprisonment for not more than 10 days, or both such fine and imprisonment. This regulation, the Commissioners believe, will afford protection to the public after the words "under oath" have been stricken in the first sentence of subsection (d) of section 6 of the Traffic Act.

The Commissioners are in full accord with the objectives sought to be attained by the bill and accordingly, recommend its enactment.

Sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners,
District of Columbia.

The SPEAKER pro tempore. The question is on the third reading of the bill.

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

AMENDING THE ACT ESTABLISHING A PUBLIC CREMATORIUM IN THE DISTRICT OF COLUMBIA

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 770) to amend an act to provide for the establishment of a public crematorium in the District of Columbia, and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

S. 770

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act approved April 20, 1906, as amended (34 Stat. 123; sec. 27–130, D.C. Code), is amended (1) by deleting from the first sentence ", and for the incineration of such other bodies as may be presented for that purpose by the persons having custody thereof"; (2) by striking from the second sentence the comma immediately arfer "crematorium" and inserting in lieu thereof a period, and striking the remainder of the sentence; and (3) by striking the third sentence.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of the reported bill, S. 770, is to amend section 2 of the act entitled "An act to provide for the establishment of a public crematorium in the District of Columbia, and for other purposes" approved April 20, 1906, as amended—34 Stat. 123; section 27–130, District of Columbia Code—to delete language which presently requires the Commissioners of the District of Columbia to prescribe and collect fees for the incineration of bodies, and by special order, waive, or reduce the usual charges when enforcement of such charges would be burdensome or oppressive upon those responsible for the disposal of the remains. This would allow the District to operate the crematorium only for public health purposes.

BACKGROUND

The act approved April 20, 1906, provided for the establishment in the District of Columbia of a public crematorium and authorized and directed the Commissioners of the District of Columbia to operate the crematorium for the incineration of all bodies that could not, except at public expense, be disposed of within a reasonable time after death and for the

incineration of such other bodies as may be presented for that purpose by persons having custody thereof. The act further authorized the Commissioners to prescribe and collect fees in such amounts as may be required to defray the cost of incineration. The Commissioners could, by special order, waive or reduce the usual charges whenever, in their opinion, to enforce such charges would be burdensome or oppressive upon the persons responsible for the disposal of the remains.

When this act was passed, over 60 years ago, there were no crematories in the District of Columbia. At the present time, there are numerous privately owned crematoriums for use by persons who are able to pay for the services of a crematorium. The District crematorium is presently being used only as an adjunct of the District of Columbia General Hospital and for the disposition of bodies for reasons of public health by direction of the Director of Public Health or the coroner. If the District crematorium had continued to accept bodies for cremation upon payment of a fee, the District crematorium would be operating in competition with privately operated crematoriums. Since the District crematorium is now being used only for public health purposes, the requirement that the Commissioners make specific waivers of fees is unnecessarily burdensome and creates needless administrative problems.

This bill relieves the Commissioners of the requirement to prescribe and collect fees for incineration and to waive or reduce fees where they are determined to be burdensome or oppressive. This amendment of section 2 of the act will authorize the crematorium to be used only for public health purposes.

This bill was approved by the Senate on October 10, 1967.

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

Mr. McMILLAN. Mr. Speaker, that concludes the District of Columbia business.

The SPEAKER pro tempore. This concludes the District of Columbia business.

DEVALUATION AND TEXTILES

Mr. DORN. 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 pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, devaluation of their currencies by England, Hong Kong, Spain, and others is of grave concern to the American textile industry and its employees. This means it will be more difficult to sell American textiles in England, Spain, Hong Kong, and other countries who have devalued their currency while making it easier for them to sell their textiles in the United States.

Our friends and allies do not hesitate to use import quotas, licenses, devaluation of their currency and other unilateral actions to boycott American goods while demanding and getting a larger share of the American market. This is one method foreign nations use to circumvent trade agreements such as the Kennedy round and the long-term agreement. Our country enters into trade agreements in good faith. We keep the letter of the agreements entered into whereas many of our friends use devious methods to circumvent these agreements.

Mr. Speaker, this is not reciprocal trade. This is protectionism in reverse.

Mr. Speaker, I now see an urgent need for early consideration of our bill to provide for orderly trade in textiles which, may I repeat again, is not protectionist legislation, but would promote orderly trade and would be in the best interests of the United States and our friends the world over.

I urge, Mr. Speaker, that the Tariff Commission extend and intensify its present study ordered by the President to cover this new and startling development which could add to the difficulties of our textile industry. No list of facts or study however careful would be complete without a thorough investigation of the impact and effect of foreign curreny devaluations.

In seeking relief for our great industry so vital to our economy and to defense, I call upon the Tariff Commission and the Congress to thoroughly study the effect of these shocking currency devaluations.

VINDICATION OF APOLLO WORKMANSHIP SEEN IN SUCCESSFUL LAUNCH

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

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

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, I should like to make a few brief remarks pertinent to a matter of pride. The American space program has been through many phases and trials, and only now are we beginning to gain sufficient perspective to take stock of our work.

Our space program has fluctuated between a good number of frustrations and innumerable successes. It has given us occasions for both unmitigated hopes, and unjustified fears.

The recent Apollo tragedy is a case in point. That accident of January 27, claimed the lives of three of the Nation's heroic young astronauts. The country faced the prospect of a long delay in plans to land an expedition on the moon.

It was a time of bitter disappointment, and a vitriolic attack against those responsible for the Apollo project. The official report of the National Aeronautics and Space Administration's review board concluded, quite unfairly, that those in charge of the Apollo project were guilty of "incompetence and negligence."

At 7 a.m., eastern standard time, on November 9, 1967—10 months after the accusation—they were proven wrong. A giant Saturn 5 rocket, the largest the world has known, was given a successful flight test with the Apollo spacecraft aboard.

Weighing some 6.2 million pounds and standing 363 feet tall, the vehicle carried a combined rocket and capsule with a weight of 280,000 pounds into orbit. The moon rocket, after a second firing of the third stage, and the short burst of the spacecraft's own 21,500-pound thrust rocket, reached an altitude of 11,286 miles.

This was the first firing in space of the craft's 21,000-pound-thrust engine, and it proved the success of the rocket upon which the astronauts will depend for the return trip from the moon. It was also a test of the newly redesigned Apollo capsule. All went smoothly, and the Apollo came down right on target, unscathed, from top speed of 23,370 miles per hour. This is the closest thing to a true "spaceship" the United States has constructed. It is a tribute to American engineering and technology, and a monument to the efforts of those who helped get it built.

When the Apollo came back intact, it was a moment of redemption for our efforts in space and an encouraging sign that the United States might still be able to put a man on the moon by 1970. This brings us back to the point of reconsidering the brash, unqualified criticism of less than a year ago.

There were mistakes in the program and errors in design. This is beyond dispute. It is also indisputable, however, that some mistakes are inevitable in a project so vast and complex; and that as unfortunate—tragic—as that accident was, we could have experienced worse. In fact, we would have experienced worse, but for the hard work and dedication of those who work on Apollo. The proof of it is that they have redesigned the capsule, and have "gotten the bugs out."

They say that the Apollo program involves 300,000 people and 20,000 companies. It is difficult to conceive of a project so great. But I know that I must, by definition, be speaking for many others, when I say that last Thursday's performance was evidence of a job well done.

My congressional district is fortunate to be in the vicinity of the home of North American Rockwell Corp.'s Aerospace and Systems Division, the major contractor for the Apollo spacecraft. Many of its employees reside in the 31st District. I am particularly proud of their work.

The people in Local 887 of the United Aerospace Workers, under the leadership of their president, Mr. Henry L. Lacayo, have persevered and have triumphed. Their dedication and close cooperation with Mr. John L. Atwood, the president of the company, has set an example of excellence for the entire aerospace industry.

Mr. Speaker, we in California and those in the rest of the Nation have justifiable pride in their achievements. Local 887 of the United Aerospace Workers is a symbol of solidarity, high performance, and pride in workmanship, while laboring in the face of adversity and unjust criticism. If anyone had ever believed them guilty of laxness, they now have been vindicated.

So let us remember that human standards are not infallible, but that there are

also standards of decency and shrewd practicality in the pursuit of an immense task.

The space program is one of the most vital and costly in the history of the United States. Undergirding a major portion of our national security, it also offers seemingly unlimited prospects for man's exploration of his universe. It demands, however, a dogged commitment on our part to follow it through, and requires the expenditure of great financial and material resources. Above all, it asks of each of us that same willingness and measure of dedication that has characterized the performance of the workers of local 887.

FEDERAL RESERVE USES FLIMSY EXCUSE TO HIT AMERICAN PEOPLE WITH HIGHER INTEREST RATES

Mr. PATMAN. 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 pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Federal Reserve Board's new increase in interest rates once again demonstrates the Board's arrogance toward the administration, the Congress, and the American people.

The Federal Reserve, obviously led by its Chairman, William McChesney Martin, has used the devaluation of the British pound as a flimsy excuse—not a reason—for the increase of the discount rate from 4 to 4½ percent.

Mr. Speaker, the increase in the discount rate is a signal to the banks and to every financial institution to raise interest rates to the American consumer. It will result in price increases for every item in the economy and thereby feed the fires of inflation.

Already the American people are burdened with some of the highest interest rates of this century. The Federal Reserve should be looking for ways to lower interest rates rather than grabbing any excuse to jack them up.

The Federal Reserve System is using the "big lie" technique in telling the press and the public that the devaluation of the British currency required an increase in U.S. interest rates. This is the purest kind of economic hogwash to delude the public into thinking that the Federal Reserve is riding in on its white charger to once again save the American dollar.

Actually, the Federal Reserve System, during the past 2 years, has done more to hurt the American economy and the U.S. dollar than any institution in this country. The confused policies of the Federal Reserve have led us from monetary crisis to monetary crisis for nearly 24 solid months.

Rumors have been floating around Washington for weeks that the Federal Reserve and the big banks had decided it was time for another interest rate crush. Always public relations conscious, the Federal Reserve Chairman was apparently waiting for the first likely excuse. This came Saturday when the British made their announcement on the pound.

Our American economy is not tied to the British pound. The soundness of the U.S. dollar is not based on the pound sterling. Not even the Federal Reserve press releases can change these facts.

But, the American economy and its well-being are tied to monetary policy and it is almost criminal that the Federal Reserve has once again ignored this fact in raising interest rates. The Federal Reserve should concern itself less with the pound sterling than with the strength of the U.S. economy.

If the Federal Reserve was really concerned about the flow of U.S. dollars overseas, then it would seek controls over the export of capital. This would be a simple and direct remedy which would not burden the American people with higher interest rates.

Mr. Speaker, we cannot stand ever-increasing interest rates. This country is already at the breaking point on monetary policy. The U.S. Treasury is paying the highest interest rates on its borrowings in almost 50 years. Purchasers of homes are paying 7 and 8 percent plus a fantastic number of "points" if they can find mortgage money. Small businessmen once again are finding it impossible to find loans. And the American worker and consumer are being stuck with unbelievable charges for all types of credit. This year alone, the American people will have to shell out at least $125 billion in interest payments.

In fact, the U.S. Government will be forced to pay about $14.2 billion in interest on the debt this fiscal year. This item is second only to expenditures for national defense. Actually, we are paying more than $7 billion a year in excess interest on the national debt because of unnecessary interest rate increases imposed since President Truman left office in 1952.

Mr. Speaker, the Federal Reserve has stabbed the people in the back with this latest interest rate increase. How much evidence do we need before the people and their elected representatives demand control over their own monetary affairs?

UMWA PRESIDENT SPEAKS IN EBENSBURG, PA.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, because I am proud of what responsible coal companies are doing to reduce pollution from mine drainage, I suggested some weeks ago that government, industry, and United Mine Workers of America officials arrange a trip to a new water treatment plant installed by Bethlehem Steel Corp. in Cambria County, Pa. The Commonwealth's bituminous coal industry is investing millions of dollars in the clean water program, and I am of the opinion that it is time to bring this story to the attention of the general public and in particular to the attention of Government bureaucrats who are constantly heaping abuse on coal in an attempt to acquire more power through a series of progressively tighter controls.

On the day set for Gov. Raymond P. Shafer, UMWA President W. A. "Tony" Boyle, and other dignitaries to visit the Bethlehem Steel facility, I found it impossible to take part in the tour or to attend the dinner at which Mr. Boyle was among the speakers. I have, however, had the pleasure of reading Mr. Boyle's remarks as published in the United Mine Workers Journal, the report of which I will include in the RECORD at the conclusion of my remarks.

Mr. Boyle did not confine his remarks to what he saw on the tour, for which I am highly pleased. He extended his comments to other matters which need to be repeated over and over, and I trust that my colleagues will absorb the full contents of his address.

I can say without fear of challenge that I am not a Johnny-come-lately in this crusade to preserve our natural resources. There was a time, before the subject of water and air pollution caught the popular fancy, that I was accused of excessive repetition in warning that treatment and reuse of water was the only way that shortages could be avoided even along major rivers and streams. I have continually appealed for extensive research—by both industry and government—to combat air contamination, and it is a deep satisfaction to find that the Office of Coal Research, which was created with the enactment of a bill I introduced almost a decade ago, is playing a major role in the determined effort to clean up the air without undue injury to the Nation's fuel producing industries.

OCR has also been active in the attack on polluted water, and I recall having visited the laboratory in Cleveland that through the auspices of OCR began several years ago to experiment with raw coal as an agent to filter sewage. I also visited the laboratory in New Jersey where basic research is taking place on a project that would counter air pollution problems through production of electricity without traditional generating facilities. Throughout the life of OCR I have watched its projects develop, and I have every confidence that it is on the threshold of a number of breakthroughs that will benefit the entire Nation as well as the coal industry.

Concurrent with these efforts are innumerable programs conjured by private industry to solve the water and air pollution problems. Last week's newspapers hailed the scheduling of tests to reduce sulfur content of coal while it is being pulverized at the Pennsylvania Electric Co.'s generating station in Seward, Pa. Out in Missouri, the Union Electric Co. is spending $1 million for an experimental system designed to remove sulfur dioxide from stack emissions of coal-fired generators. Multiple other projects are underway, and scientists and engineers predict that within a few short years the sulfur problem will have vanished.

Meanwhile, because a society of power-

thirsty minions under pay of the Department of Health, Education, and Welfare has succeeded in frightening half the Nation into believing that air pollution from coal combustion is a greater threat than the atom bomb, two of Pennsylvania's neighboring States have moved in a direction that would preclude most of our coal from their utility markets. And riding alongside HEW's crew of propagandists are Atomic Energy Commission spokesmen serving as procurers for a type of powerplant whose safety is open to serious question because in each of those facilities is a destructive potential capable of filling both atmosphere and water with deadly radioactivity.

Mr. Boyle spoke in Ebensburg on October 19. Less than 2 weeks later, Senator MUSKIE of Maine, announced that he would hold hearings to determine whether reactors proposed for New England might create thermal or heat pollution in violation of Federal water quality standards. A spokesman said that the hearings would be limited at first to New England, but may be extended later.

I suggest that a complete investigation of this nature be also conducted in Pennsylvania, where the whole pollution problem can be put on the table. Our coal, utility, and steel industries have been and are making enormous investments in the cause of cleaner air and cleaner water, and it is patently unfair to subject them to constant attack while picturing the atom as the answer to pollution problems. Radioactivity leakage that could render both water and air unusable should be included in the Senate study.

Mr. Boyle has explained the situation with a directness that leaves no room for misunderstanding. I commend his speech to your close attention, as follows:

BOYLE TALK AT OCTOBER 19 DINNER

(EDITOR'S NOTE.—Following are the remarks of UMWA International President W. A. Boyle on October 19 in Ebensburg, Pa., at a dinner jointly sponsored by UMWA District 2 and the Bethlehem Mines Corp. The dinner was attended by representatives of the coal industry, the UMWA, the Commonwealth of Pennsylvania, including Gov. Raymond P. Shafer, and representatives of the Federal government, including officials of the U.S. Bureau of Mines. Boyle and Vice President George J. Titler and Secretary-Treasurer John Owens and others had spent the day touring Bethlehem coal preparation and acid mine drainage facilities in the area.)

I am happy to say that I enjoyed my visit. I know that I speak for my Associate Officers and members of the United Mine Workers of America who had the privilege of the tour that we enjoyed today. We expect tomorrow to go on a further survey of the entire area. I think it's right to say that it is the first time that the three International Officers of the United Mine Workers of American since 1890 have appeared at the same time in your area. I was greatly impressed with what the Bethlehem Steel Co. is doing. I say this, being aware of the fact that the press is taking down everything I am saying and you know what I mean by that. We don't always see eye to eye. But I was greatly impressed and I know that I can speak for my Associates of the endeavors of the steel company and what they are doing. It is a marvelous accomplishment and I believe it will be successful. It may, in the long run, be the answer to the water pollution problem.

I would like, now, to address my remarks to Governor Shafer.

Governor Shafer, distinguished guests representing the Commonwealth of Pennsylvania and the government of the United States, my brother Union members—and my sometimes comrades-in-arms of the great American coal industry—gentlemen:

And lest my sometimes comrades-in-arms get the wrong impression I want you gentlemen of the operating side of our industry to understand what I mean. We are comrades in arms in the battles to better our industry. What I have seen today is an example of this.

But, I don't want any of you to forget 1968. That's a Presidential election year. And it's also—in case some of my operator friends have not read the newspapers or the United Mine Workers Journal—a coal contract year.

Now I happen to believe that when the great Union that I have the honor to represent negotiates a new and better wage agreement this is for the betterment of our industry. But I am the first to admit that some of you gentlemen do not always agree with me.

So, let's fight together for our mutual benefit when we can. And let's fight—in private—with each other when we must disagree. But let none of us ever forget that together we represent the most basic and important fuel industry in the world today.

Let me, in passing, mention the campaign of my Union to bring to the attention of the American public the hazards to the public health and safety of government-subsidized atomic energy power plants. I would suggest that you gentlemen engage in some coal industry public relations of your own. Point out that the coal industry is not the only fuel industry that has a pollution problem.

The atomic industry, and I shall not belabor the point at this time, has tremendous pollution problems in the form of radioactive wastes and lethal gases. And the stuff is *deadly*, unlike anything our coal industry produces. No one, to my knowledge, yet has suggested that radioactive wastes be used for roadbeds as we can do with fly ash. But that's another subject about which I could talk for many hours and perhaps terrify you. I have been accused of using terror tactics. So be it!

I was impressed today—as I am always impressed—with the work that is being done to solve the problems of our industry in behalf of the public interest.

Pennsylvania has produced down through the years more coal to power the progress of our great industrial society than any other state in the union. I want us to continue to do this. And what you are doing in the field of air and water pollution, with the cooperation and support of the United Mine Workers of America, puts Pennsylvania in the Number One place in this area also.

I think it can be truthfully said that the Pennsylvania coal industry and the Commonwealth, itself, are truly leaders in the battle for realistic air and water pollution control.

PITTSBURGH HAS CLEAN AIR

Your great city of Pittsburgh certainly stands as a thriving monument to the cooperation of government and industry in the campaign to secure clean air.

Laboratories such as the Bureau of Mines facility at Bruceton—an installation of the United States government—and research installations such as that of Bituminous Coal Research, a facility of the coal industry—are outstanding examples of what government and industry can and should do in the field of making our coal a better and cleaner fuel.

Such laboratories have successfully dedicated massive efforts in the interest of our industry and expended vast sums of money to combat the problems of smoke and fly ash. And now these technicians and research men are working diligently—and we believe they will be successful—to reduce and perhaps eliminate altogether the emission of sulfur dioxide from coal combustion.

The Bureau of Mines, for example, is developing a process whereby alkalized alumina absorbs the sulfur dioxide. And this is in turn treated for recovery of virtually pure sulfur a salable chemical needed by American industry.

The Bituminous Coal Research laboratory is working on the removal of sulfur from the coal itself as well as the removal of sulfur dioxide gas from the coal stacks. In one instance BCR is cooperating with 12 utility companies in a process to remove part of the sulfur prior to the burning of the coal in large electric utility boilers.

In another instance our technicians and research engineers are cooperating with other agencies, including the Public Health Service of the United States government, in a process that involves the use of limestone and/or dolomite. These substances, reacting with the sulfur dioxide gases will end up as a solid which can be more easily collected with conventional equipment.

A large chemical company is performing tests, right now, at an eastern Pennsylvania utility plant that will turn sulfur dioxide into sulfuric acid—another salable by-product.

We are, as you might say, working to utilize everything available in the coal combustion process even as the meat packers utilized every part of the pig including the squeal.

I hope that you representatives of government here tonight, both state and Federal, will realize that we are doing everything we can through research to solve the problems of pollution from coal.

I need not tell you gentlemen assembled here that our industry in cooperation with government agencies is carrying on similar research to solve the problems of water pollution. This is a tough problem and I do not pretend to be an expert. But I know that progress is being made. And I know that given reasonable and realistic cooperation by government at all levels, we shall solve this problem, too, just as we shall solve the air pollution problem.

Let me offer you this thought: The challenge that faces all of us in the coal industry is to develop, through modern research, the technologies that will enable us to solve these problems in the public interest while we continue to make full—and I emphasize full use of our invaluable and most abundant God given coal resources.

The Governor has proved beyond question that he is interested in all these problems. He is working diligently in an effort to resolve most of them. He is now confronted with the question that he, and he alone, is going to have to solve. It is whether he will permit, in the great commonwealth of Pennsylvania, the setting off of an atomic blast. It is unnecessary, uncalled for, not required, and in all probability it will contaminate the entire State of Pennsylvania as well as other areas.

Who wants it? Some selfish interests want to use this blast to develop an underground gas storage plant. I have great admiration and respect for the Governor. But I serve notice here tonight that the United Mine Workers of America is not going to stand idly by while any state or Federal agency spends taxpayers' money to do a thing like that in all probability would endanger the lives and well-being of the population of this country.

When I assumed the job as *President* of my Organization there was no great threat of atomic energy. No later than last week, I personally appeared on Capitol Hill and called members of both parties off the floor to point out to them the dangers in the use of atomic energy for commercial purposes. The United Mine Workers of America, as I said in Wheeling, W. Va. on Labor Day, is not opposed to the use of atomic energy or the development of atomic energy for the security of this nation.

PASTORE ATTACKED BOYLE

But a Senator from a state that you could put in this room, the chairman of the Joint Committee on Atomic Energy, said recently that "Tony" Boyle, the President of the United Mine Workers of America was causing "alarm" and conducting "a scare program" as to what would happen to the American public if they continued the building of reactors and atomic plants for the generation of electricity. I don't think such plants are necessary in this country. This Senator made quite a lengthy speech on it about me. His name happens to be Pastore [Sen. John O. Pastore (D., R.I.)]. I replied to him, I asked him to be courteous enough to put my reply to him in the *Congressional Record* as to what would happen to this country if the atomic energy people and the General Electric people and the Westinghouse people, who are making millions and millions of dollars in the building of reactors, are permitted to continue their mad program.

I have no personal problem with General Electric or any personal problem with the Westinghouse people. I don't represent their employes. But I do know that because of the selfish motives of people who are mad to make money—and I don't happen to be one of them—they are endangering the lives of the people of our generation and the next generation with this commercial atomic energy.

Now, let's take a look at this. No one yet, in Congress, out of Congress, in state governments, from the White House on down, has been able to guarantee to the United Mine Workers of America the security of the people of America from radioactive waste. Out in Hanford, Washington, they are polluting the rivers and no one knew a thing about it until the Columbia River salmon became contaminated.

When Senator Jackson of the State of Washington asked me why I was opposed to the Hanford project, several years ago, I told him the dangers that were there but he could not see it. He said they had to have that plant. You know these states are selfish. They have to have dams. They have to have this and something else. Each Congressman and each Senator has to prove to his constituents that he has done something while he is in Congress.

But, as long as I am President of the United Mine Workers of America they are not going to do this with atomic energy without hearing from me. You know why? Because of the waste that comes from atomic energy. No one yet, including all of their experts, has been able to tell us what dangers and to what extent and how long these radioactive wastes will last. They say they might boil in a cask for a thousand years.

What do they do in England? As soon as they learned from America how to build these atomic reactor plants, they started encasing their atomic wastes in steel casings, then in concrete casings and then they dumped them in the ocean. And all of a sudden one of the casks broke loose. No one knows what will happen to the sea life or what effects will be on future generations.

In the State of Illinois, they wanted to develop atomic energy reactors for the production of electricity despite all the abundance of other fuels that they have there. But they didn't know what to do with the waste. You know what they do with it? I sent people out to find out. They are shipping it out to a plant in Washington near the Hanford plant. Then the people out there get smart and said we don't want any more of the Illinois atomic waste. So now they don't know where to put it.

When I called the junior Senator from the State of Montana off the floor of the Senate the other day, he admitted that they had tried to inveigle him into letting them bury their atomic waste in dry drill holes out there where they had been prospecting for oil. They wanted to pour it down two or three thousand feet deep into those holes and cover it up in the hopes no one would ever know about it. The Senator reminded them of the fact that they had an earthquake out there that split the state virtually wide open. What would happen if that occurred again? The Senator stopped it. Are we going to have that sort of thing in the State of Pennsylvania? Or are we going to have that somewhere else? I say that atomic energy has its place; but not in the replacement of coal for the generation of electricity or for any other commercial purposes. It should not be used. Not until the experts, until the government, until the Federal agencies, until the President of the United States and all of his Departments can tell us conclusively that we are fully protected.

There is not an insurance company in this country, not one, that will insure an individual or individuals or groups of individuals against the hazards of this atomic energy—not one. You can go to Lloyd's of London. Last time I was over there, I made a special point of finding out about it. They will insure you at a prohibitive cost. But here no worker, no individual can be covered. So the government came up with the Price-Anderson Act. What does that mean? That's a government subsidy arrangement by the atomic energy monsters in Washington. These people are appointed employes of the Federal government—not elected as you and I are elected. These are appointed people, and they set the rules and regulations on atomic energy and answer to no one.

THE PEOPLE SHOULD BE ALARMED

Those are some of the things that are going to come out in the next political campaign. They can talk about Viet Nam. They can talk about poverty. They can talk about medical care. They can talk about all of the things they want to talk about. But when the people of this country are alarmed to the point and to the degree that the United Mine Workers of America are alarmed they will do something about it.

By the way, I had a long-distance telephone call when I returned from the tour we were on today. My information said they had a parade, or picket line down in Washington today in front of the White House. Guess what he told me? I hope the Senator from Rhode Island saw it. They had a parade down there with ducks—Long Island ducks! You know who was leading the ducks? Women! They were parading in front of the White House. Their signs said: Here are some Long Island ducks. "We like roast duck but not radioactive duck." I hope President Johnson saw this. I'm sure he doesn't want his grandchildren to be radioactive. That's a possibility. Here in Pennsylvania you haven't had time, perhaps, to read about it. But out in the Far West doctors could not determine what was happening to a school girl when her glands swelled up. They discovered that the milk she was drinking was coming from cows that had eaten a contaminated grass from atomic wastes.

And the great state of New York was greatly concerned about the pollution of air. They sent for an expert from the city of Los Angeles. The expert sat down and discussed the problem in New York. The expert told them as the result of a very hurried survey, that New York should just stop burning coal. The expert said: "That's the contaminant." He did not say that the city of Los Angeles, which is rated as being the most polluted city in the United States, bar none, does not burn a pound of coal. They were going to set up regulations that would put the coal industry in the State of Pennsylvania, West Virginia and other coal states out of business, completely so.

Now, I represent people who work in those coal mines and I'm concerned. They were going to stop burning coal and then the Public Health Service came up with the same kind of recommendations. We asked them to tell us who had died or who had been injured or who had had any fatal effects from the burning of coal. We told them America had been burning coal since George Washington's time. They could not find any one who had died because of the burning of coal. Sure it makes smoke. It makes black smoke. You want it white? We'll make it white for you. But who died from it? Who suffered from it? Is coal going to be the whipping boy? How about automobiles? How about airplanes? How about all of those other industries? Why coal? Why does coal have to be the whipping boy? Because it makes smoke?

Then when they looked into it further they found that the Kenilworth Dump in Washington, D.C. was polluting the air from garbage fires and was contaminating the entire area. There was no coal being burned there.

So coal has its problems. The reason that I am supporting the coal industry today—and it's a selfish motive on my part—is because coal miners work for a living. If we put the coal industry out of business—and they could do it in a hurry—we would be in a hell of a shape. They discovered that in connection with residual oil imports into this country.

So we do have a fight, and a common fight. We do not want the governors of the coal states to be taken in, in any sense of the word, by these atomic energy people that this nuclear power is a necessity in any way.

Civilian atomic power plants are not necessary! The experts who know have said that there is coal in abundance to supply the needs for the generation of electricity and for all other needs for a period of more than 2000 years. I do want to leave with you gentlemen tonight, and I hope you will carry it back to your friends, that the United Mine Workers of America and its officers are definitely on record, as being opposed, and we will continue to be opposed, to the use of atomic energy for commercial purposes.

You cannot blame the General Electric people and the Westinghouse people for wanting to build atomic reactors. But one atomic energy expert, who could not be bought off, came out in public, for the record, and said that if they were not building atomic reactors they would be building coal-burning steam generating plants.

We know definitely that they can produce electricity from coal cheaper than they can from atomic energy. The atomic energy people would have you believe that the contrary is true. Why? Because the Federal government is subsidizing the civilian atomic energy program.

There are those people now in Washington who have some influence who would try to make you believe that the Federal government ought to put a 10 percent surtax on you and on me. I have told President Johnson that he wasn't going to get away with it until he started cutting down on those useless trips to the moon and subsidizing atomic energy. As far as the moon is concerned, I don't have to be the first one there. I don't care who the hell gets there first. We don't have to be first. I don't care if we never get there.

We could save ourselves about $2 billion alone in tax money if we cut off funds for civilian uses of atomic energy.

Don't go away from here thinking that I am opposed to the military having all the money they need or require for the defense and security of this country. To the contrary I believe that they should have all the money they need. But when it comes to civilian use of atomic energy and to the Price-Anderson subsidy and the other civilian atomic energy projects, I am opposed to it.

I want you people to remember that the State of Pennsylvania for many, many years lived on the life blood of the coal industry

and the coal miners. Now some people say you don't need coal; you need atomic energy. Well, I am opposed to it. They are going to hear more about it from me. I might say, in the telephone call that came to me today, that I was told that the atomic energy people also were picketed. They had a picket line over at AEC. The demonstrators over there asked them if they wanted to eat radioactive ducks. I'll bet no one wants to eat one of them.

No one yet has been able to prove that these reactors are safe. No one yet has been able to tell us what to do with the atomic waste. They want to put it in casks and bury it in the ocean. The experts say they will guarantee the casks are good for 50 years. So what? It lasts for 50 years and then it bursts open and then what happens? There is tremendous heat boiling continually in these casks and yet they are dropping them—England's doing it—into the ocean to contaminate the life in the sea.

I know people in Washington, and I happen to be one of them, who will not eat any of these foods that come from the sea any more. The way I feel about it is that every one should be alarmed.

Governor Shafer is an honorable governor. We have seven UMWA Districts in Pennsylvania that report to me, and some of them are represented here tonight. They all report very favorably about the Governor of the State of Pennsylvania.

It has been a privilege for me to be here. I do not know when I shall return. But this is the first time in the history of this Organization, since we were established in 1890, that the three International Officers ever visited this area.

We came up here because we are vitally concerned. We are going to make a survey of some of the operations around here tomorrow. We shall be here until Saturday.

My compliments to the Bethlehem Steel Corp.—and put that on the record because when I meet them in negotiations I might not feel that way about them. It is a wonderful job they are doing out here. I enjoyed meeting all of them and the men who work for them.

"HIROSHIMA" POTENTIAL FOR DENVER?

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I wish to draw to the attention of my colleagues a front-page article which appeared in the Rocky Mountain Cervi's Journal, of Denver, Colo., for Wednesday, November 15, 1967.

The editor of the publication, in commenting on the article, stated it was its most important journalism alert ever printed. The purpose of the article was not to cause fear but to raise proper caution and concern before the possibility of uncalculable disaster.

The article is as follows:

PUBLIC UTILITIES COMMISSION PONDERS "HIROSHIMA" POTENIAL FOR DENVER

(By Douglas Bradley)

A decision which contains ominous implications confronts the Public Utilities Commission (PUC) in an apparently "routine" application before it by the Public Service Co. of Colorado (PSC), for permission to build a nuclear electric generating plant near Platteville, 30 miles north of Denver.

At stake, if the PUC assents to the plan, in cold fact, will be the acceptance of a theoretical possibility of a nuclear accident which could involve an area of about 150,000 square miles.

Assuming that in such a disaster, there was sufficient warning for wholesale evacuation and no loss of life, the damage involved in such a nuclear accident could total more than $7 billion.

These statistics and conclusions are drawn from the Brookhaven Report of the Atomic Energy Commission (AEC).

The probability of such a calamity is low. It does not mean it cannot or will not happen.

The nuclear plant admittedly will be of an experimental and unproven nature encompassing new methods in operation and construction.

A two-day hearing last week before the PUC was attended by a delegation from the United Mine Workers of America, seeking to enter the case as "a party in protest" to present testimony that the proposed plant will be potentially dangerous to Colorado.

Also seeking to intervene are two independent utilities, which fear the "adverse effects" on their transmission facilities, and other organizations and individuals.

An editorial decision has been made by this newspaper that there is a duty to lay the ramifications of the nuclear plant, to be known as the Fort St. Vrain Nuclear Generating Station, before the public.

The motive is not to scare but to alert the public of the alleged potentialities inherent in the project before the decision is made.

In the investigation conducted by this newspaper, many parties were interviewed.

They included Leo Goodman, an atomic energy expert, who, for 24 years, has been an executive advisor to Walter Reuther of the United Auto Workers; Michael F. Widman, Jr., research and marketing director of the United Mine Workers of America; Justin McCarthy, editor of the Mine Workers Journal; Joseph Brennan, Washington economist; Sam T. Franklin, UMW regional director; Patrick F. Kelly, UMW district 50 treasurer; Ruth Weiner, secretary-treasurer of the Colorado Open Space Coordinating Council; and spokesmen for private utilities and the Public Service Co.

Adding to the urgent task devolving upon *Cervi's Journal* are several factors:

(1) The expressed opposition of the PSC to light being shed by intervenors at the hearings.

(2) The tenor of the PUC reaction last week.

(3) The failure of other media to explore in depth "the case against" the St. Vrain project.

At the PUC hearing on Wednesday, the PSC utility testified that a nuclear explosion at St. Vrain "is an impossibility."

The utility's vehicle for the unqualified boast was Richard F. Walker, the assistant vice president of engineering in the electric department.

Walker is not a nuclear scientist. He is a graduate of the University of Colorado with engineering degrees, who has been an employe of the utility since 1949.

Backing his "impossible" assurance however, are the opinions of some well-qualified but not neutral nuclear experts—all of whom have a direct or related interest in the design and successful accomplishment of St. Vrain.

They told Walker an accident was impossible and he repeated this faithfully to the PUC.

The St. Vrain project, which will cost more than $90 million, conservatively, is to be financed by a 50 per cent federal subsidy and the electrical consumers of Colorado—the utility's customers.

It will not be an "orthodox" atomic power plant, but it has a prototype at Peach Bottom, Pennsylvania.

The St. Vrain plant is to be eight times as large as Peach Bottom although the latter project has yet to mark its first birthday—one which may not be an occasion for rejoicing.

There is no real assurance that St. Vrain will work. Its small prototype works—sometimes.

Peach Bottom's output of electricity generation, so far, has been dispiritingly low. It has been beset with problems. For the month of September, the output figure of megowatts gross (the last operating report available) was reported as zero.

There is no real assurance that St. Vrain will be safe.

The atomic advisors say it will be safe but any gamble on life and property is one which must be taken by the people of Colorado.

Insurance companies refuse to accept anything but a token risk.

When it is in operation, the St. Vrain plant will be a nuclear bomb contained in a shelter made of concrete instead of steel.

Concrete is cheaper than steel.

At other nuclear plants, steel has been the basic safeguard shield against accident.

Subsidiary dangers involve its location (30 miles from Denver) and questions raised in the creation and disposal of radioactive waste material from the plant.

According to past statements of Dr. Clifford K. Beck, deputy director of regulation for the AEC, a nuclear plant larger than its successful prototype, not only increases hazards but also reduces the effectiveness of the theory of containment in the case of accident.

Will the St. Vrain project be an "experiment" which will pose a dire risk to the health and safety of Coloradans? That is the troubling question.

At St. Vrain, a high temperature helium gas cooled reactor concept will be used. In other atomic plants, water is the medium in the reactor to create needed steam. The St. Vrain plant's nuclear fuel will come from thorium instead of plutonium.

This is technological data of which too much abundance serves only to confuse the average taxpayer and electrical consumer who must foot the bill.

The fact is that St. Vrain will be "different" and it is in the difference that opponents charge there are unknown and untested factors which create a risk in life and cash.

In this connection, they look to the PUC for a complete airing of the possibilities before the die is cast.

They point to the record of the Atomic Energy Commission's programs. The AEC's annual budget is approximately $2.8 billion. More than $2 billion alone has been spent on commercial reactor plants. Only three plants in the month of September produced any significant amounts of power.

Peach Bottom's cumulative total of nuclear electricity generation is reported, m.w.h. gross, as 91,608. At more conventional nuclear plants, the record is better.

The Indian Point plant, 30 miles north of New York City, on the Hudson River, reported 173,940 m.w.h. gross in September, for a cumulative total of 5,705,195, and Yankee Rowe, Mass., reported 125,247 for a total of 7,331,354 m.w.h.

In illuminating comparison, the output of the 15 American commercial nuclear plants, added together, only approximates the output of one British plant, Calder Hall. The cumulative total at Calder Hall is 27,912,-405 m.w.h.

Critics of the American commercial atomic program accuse the AEC of indulging in "exotic, extravagant and speculative" ventures rather than adhering to the conventionally proven as do the British in their 11 plants.

Objective assessment of St. Vrain becomes difficult from the back-up scientific point of view. Where can be found independent atomic scientists available for hire and consultation by the "public"?

Must the scientist's green signal be the only pointer upon which GO is authorized for certainly costly and potentially dangerous new concepts?

The atomic energy program of this country is so interrelated that there are no government authorities or industry experts who can appraise dispassionately elements of the program—elements like the St. Vrain project.

Walker of the PSC utility, backing up his claim that an accident was impossible, said there were many safety factors which would be built-in at St. Vrain. He said radioactive material could not accumulate to a point where a critical mass would result in an uncontrolled chain of reactions.

He said there had never been an accident in a licensed, commercial nuclear power plant but admitted there had been accidents in other AEC plants.

He did not comment upon the "near misses" in commercial nuclear plants.

Such a case was the $120 million Detroit Edison reactor on the shores of Lake Erie south of Detroit, which was supposed to herald the age of the peaceful atom.

The Detroit reactor, known as the Enrico Fermi Atomic Power Plant, was designed on daring theories and confidence that technology would catch up quickly. In 1956 it was to be a pilot plant to supply electric power from nuclear energy and at the same time, produce a valuable fuel, plutonium.

In 10 years, it has produced only a trickle of electricity and not a single pound of plutonium. In cash value, it produced only $303,000 worth of electricity for the $120 million invested by federal subsidy and the electric consuming public.

Of much more concern, is the story behind the story put out by the Associated Press last Friday, that the Detroit reactor is out of action because somebody dropped a piece of metal in it.

Said the AP: "The reactor will remain idle for several months as a result of that small item."

There were reports that the metal involved was a small beer can, the AP admitted.

While it seems chimerical to suppose either a small piece of metal or haphazard beer can could render inactive a $120 million nuclear plant, nevertheless, it betokens cause for reflection on the part of the Colorado PUC on the brink of committing the money of taxpayers and users of electricity to a similar gamble.

Unfortunately, there are more sinister allegations suggested for the debacle of the Detroit Fermi plant and why the $120 million dream may never come true.

A recent issue of "Scientist & Citizen"—an official publication of the Scientists' Institute for Public Information—said the Fermi plant, after being plagued by a series of technical failures, had suffered an accident "that might have just missed being a disaster to nearby Detroit."

The scientific journal declared that the accident, on Oct. 5, 1966, raised questions about the safety of the reactor program and the way that safety is being assured by the Atomic Energy Commission.

It was clear, said the journal, that a portion of the reactor fuel had melted.

There was concern that more serious accidents were possible and the journal goes on to quote Walter J. McCarthy Jr., general plant manager, as stating that the possibility of a secondary accident was a "terrifying thought."

The long fuel rods of the Fermi core contained about half a ton of uranium 235—enough to make 40 Hiroshima-sized bombs.

Months after the event, the "Scientist & Citizen" speculates on the causes and the possibilities. The AEC "experts" speculated at the time—but not for public consumption. They did not know. They were not "in control."

The Detroit Fermi incident is only one of a number of development projects of the Atomic Energy Commission which have ended in failure.

Another was the state located at Hallam, Neb. The reactor at Hallam, constructed to improved technology, was finally abandoned after years of difficulties. It was out of operation during most of its life. The federal government buried the entire generating station and the taxpayers picked up the funeral expenses.

Colorado has a chance to dictate the terms under which it will allow a nuclear plant to be constructed here—unless it abrogates its states rights through puerility, according to advocates of "a safe nuclear program."

The unconscionable rust to the nuclear age at any cost; the desperate attempts by the AEC to suppress, minimize or delay news of the malfunctions and accidents; the avarice of congressional hands and private industry for atomic bonanzas . . . these are factors breeding uneasiness that conceivably we could be setting the stage for our own Hiroshima.

ESTABLISH CALENDAR YEAR AS THE FISCAL YEAR OF GOVERNMENT

Mr. LANGEN. 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 pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, this session of Congress has surely reemphasized a very crying need for change in the budgeting and appropriation process. It is now past the middle of November with many departments and programs still not funded by our present authorization and appropriation process. This situation surely creates administrative problems for all Government activities and has some very undesirable consequences throughout the entire Nation.

Local communities, school districts, and units of government have become more and more dependent upon Federal funds in carrying out the numerous programs designed to encourage and improve their growth and progress. It becomes almost impossible for them to make any kind of reliable plans, or to even prudently expend the money, because of the uncertainty with regard to when the moneys will become available.

During recent weeks our office—and I am sure it is true with most congressional offices—has had innumerable requests and inquiries as to when moneys might be available for many projects throughout the district. This has been true even in the instances where the project or program has previously been approved in every respect.

The problems that further relate to these same matters are numerous and many. The acceptance of bids and letting of contracts has been almost impossible. In the northern part of the Nation such as I represent, where much of the construction must be done during summer months, delays of this kind can mean the difference of an entire year in the final completion.

Even greater handicaps and difficulties have been experienced by individual programs. Schools throughout the entire Nation have found it almost impossible to budget for respective programs because of the uncertainty as to either the amount or the time at which Federal funds would be made available to them.

The poverty program, still being considered by the Congress, has been substantially curtailed and limited in its activities because of, first, the entire program not being reauthorized; and, second, no appropriations being made. Regardless of what our opinion may be of this program, it does become virtually an impossibility to effect any kind of responsible administration with such lack of direction and assurance that Congress will sustain the program or identify the level at which moneys will be provided.

There is now more than 5½ months of this fiscal year already gone by without the level of spending having been definitely determined. Surely this is the height of fiscal irresponsibility and mismanagement of both Government affairs and expenditures.

The experience of recent years has left positive indication that this is a problem that is not apt to improve as time goes on, but might rather get much worse. With the continual Government expansion that includes new programs, added services, a larger populace, and a multitude of complex problems, the workload of Congress is such that it is doubtful that it would be possible in any year to accomplish the authorization and appropriation process in sufficient time to begin a new fiscal year on July 1, in the manner that it ought to be done.

For these reasons I am introducing legislation which would change the fiscal year to begin on January 1, and ending on December 31. Such change would then provide Congress with a full year in which to give adequate consideration to the respective authorizations and appropriations.

I am confident that this would serve the best interests of Government, as well as the taxpayers and anyone who would have any part in the administration or the expenditure of Federal funds at the local level. I am sure that hundreds of millions of dollars could be saved every year by better planned budgets and expenditures at both Federal and local levels.

It is not only an injustice, but most inefficient, to expect local school boards, for instance, to manage the budget of their district on this basis. What is even more pertinent is the fact that the quality of education might well deteriorate because of not being able to plan properly in advance. I know it is disturbing to many that a Headstart program, for instance, has been authorized, started, and in progress, to then discover that moneys are not available, with even an uncertainty as to whether the program will be funded at all. Title I of the Education Act has had much the same experience.

Congress does have the assignment and

the responsibility to act in accordance with its best judgment to prudently give direction to all of these programs and expenditures. This responsibility is not being fulfilled by Congress at the present time.

One cannot expect that the respective departments are going to be able to fulfill the intent of Congress with any degree of proficiency if they do not know what it is until half of the fiscal year has already gone by.

Our Nation today faces an economic crisis, with huge deficits that are most demanding of efficient and prudent use of every dollar of expenditure. To accomplish this takes sound and reliable planning on the part of everyone involved. Such plans cannot possibly be made under the present system.

I am sure that both public and Government acceptance would be most favorable to this change in the fiscal year. It would serve to benefit taxpayers, and the accomplishment of every Government program and service. This would seem to be in the best interests of all future budgeting problems and so I sincerely urge that Congress may find favor with this legislation at an early date.

SURVEYOR, ANOTHER NASA SUCCESS

Mr. KARTH. 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 pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KARTH. Mr. Speaker, another dramatically successful NASA program is nearing its end. I refer to the Surveyor program. Mention should be made of Surveyor's contributions to man's knowledge of the surface of the moon and to the potential success of the Apollo-manned lunar landing.

Surveyor had its problems in the early days, but as of now four of six flight missions have been unqualified successes, and high hopes are held for the seventh and last shot of the program in the first quarter of 1968.

Surveyor VI, which landed softly on the moon November 9, is transmitting excellent photographs from its position in the Sinus Medii, or Central Bay. As expected, this area is shown to be considerably rougher than the two previous areas scanned by Surveyors—the Ocean of Storms in the west and the Sea of Tranquillity in the east.

Surveyor VI also is transmitting important data from its alpha-scattering instrument, a device which determines the chemical composition of the lunar surface.

The Surveyor program's importance can be summed up as follows:

First. It successfully demonstrated the technique of soft-landing on the moon, using retropropulsion because of the lack of a lunar atmosphere. The soft-landing technique must, of course, be used in the manned landing.

Second. Together with the successfully concluded Lunar Orbiter program, it found and certified manned landing sites in the eastern, central, and western portions of the moon—areas of main interest to the Apollo program. It has provided valuable additional data to Apollo mission directors.

Third. It has supplied scientists with their first real information on the chemical composition of the lunar surface. In the eastern Sea of Tranquillity, for example, Surveyor V determined that the surface was made up of the same elements common to the surface of the earth; namely, oxygen, silicon, and aluminum. Scientists concluded that in this part of the moon, at least, the surface resembled basaltic rock here on earth. Surveyor VI is conducting a similar experiment in a totally different part of the moon.

Fourth. Since both Surveyor and its Centaur booster encountered enormous problems in the early stages of development, the eventual success of the program demonstrated the skill, perseverance, and determination of the NASA-industry-university team.

The Surveyor team, directed by NASA's Office of Space Science and Applications, is made up of the Jet Propulsion Laboratory, of Pasadena, Calif., as project manager; the Hughes Aircraft Co. as prime contractor to the Jet Propulsion Laboratory; the University of Chicago, which provided the alpha scattering experiment; NASA's Lewis Research Center, Cleveland, Ohio, responsible for the Atlas-Centaur development program, in which General Dynamics/Convair of San Diego is contractor; and the NASA–JPL deep space network.

Mr. Speaker, the week of November 5 to 11 was a spectacular one for NASA. Surveyor VI's performance was a notable contribution to a week which saw also the successful launches of Applications Technology Satellite III; ESSA VI, the weather satellite; and of course, the magnificent performance of the Apollo IV. I congratulate the National Aeronautics and Space Administration.

PRESIDENT JOHNSON'S OUNCE OF PREVENTION

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

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

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, in listening to many comments praising the leadership and farsightedness demonstrated by President Johnson at his Friday press conference, I am impressed by how much he said to so many people in so short a time. In approximately 40 minutes, President Johnson gave each one of us not only food for thought but also inspiration to act in the public interest.

No important facet of our lives, of our hopes, and of our future was left untouched during those 40 minutes.

For my part, I was struck by the simple and direct explanation of the importance of our foreign aid program.

I have heard thousands of words spoken to express what is right and what is wrong with the idea of foreign aid.

President Johnson characterized our foreign aid program as "preventive medicine." He noted that it was money well spent to help poor people help themselves. He pointed out the folly of cutting a billion dollars from our foreign aid program by reminding us of how much more it might cost us in the future not only in dollars but also in blood.

It is well now to call to mind once again the words of President Johnson when he said:

> But when the trouble develops—the people who are starving, the people who are ignorant, illiterate, with disease—and wars spring up and we have to go in, we will spend much more than we would if we had taken an ounce of prevention.

Is there really anyone in this Congress who is unwilling to buy that ounce of prevention?

PELLY PRAISES NBC TELECAST

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PELLY. Mr. Speaker, I think the National Broadcasting Co. rendered an important public service when it extended its "Meet the Press" program to 1 hour yesterday, allowing Ambassador Bunker and General Westmoreland to bring their views on Vietnam to the American people.

I have been a supporter of more congressional debate on the war in Southeast Asia because it has been my belief that more discussion would bring out more facts that the American people deserve to know. However, yesterday's "Meet the Press" telecast performed a somewhat similar function, being both objective and informative. In my opinion, it was a real contribution to bringing a balanced civilian, as well as military, evaluation of the situation in Vietnam to the American people, to complement statements of political leaders, including President Johnson's news conference last week.

TO HELP PEOPLE PAY THEIR DEBTS—IF THEY CAN

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have had the privilege of obtaining an advance look at an article prepared by Prof. Arthur Allen Leff of the Washington University Law School. The article is to

appear in the mid-December issue of the Personal Finance Law Quarterly. With permission of the author and the Quarterly, I am placing the article in the RECORD at this time as it pertains to legislation introduced in this session of the 90th Congress by our able colleague, Representative RICHARD POFF, of Virginia.

Representative POFF's bill, H.R. 1057, would require that a wage earner petitioning for bankruptcy first make a showing that adequate relief is not available under the "Wage Earners Plans" chapter of the Bankruptcy Act. The core idea contained in this bill has been extended by Professor Leff to cover any petition in bankruptcy against any debtor, and is the subject of Professor Leff's article, which follows:

EXCLUSIONS FROM STRAIGHT BANKRUPTCY—A LESS MODEST PROPOSAL

(By Arthur Allen Leff, associate professor of law, Washington University Law School, St. Louis, Mo.)

I write as a convert. I had often thought that the general question of under what circumstances a person who had received goods and services should be called upon to pay the entire stipulated price was one of enormous complexity, demanding close consideration not only of the diverse contexts in which the question might arise, but of the various social policies to be served by the particular answers. Frankly, I often found myself bewildered by the overall job, and unsure of my conclusions even when the frame of inquiry was radically narrowed, to the question of "unconscionable" contracts, for instance. [See Leff, *Unconscionability and the Code—The Emperor's New Clause*, 115 U.PaL. Rev. 485 (1967)]. But then—oh happy day—I read Mr. Naughton's piece in the Fall number of the Quarterly [Naughton, 21 Pers. Fin. L.Q. Rep. 123 (1967) (hereinafter cited as "Naughton")] and the scales dropped from my eyes (and hands, for that matter). No longer were any such arcane balancing acts demanded of me. The question was simply: "Should people be required to pay their bills if they can?" and the answer was a "yes," not only a yes but a "resounding 'yes'," and not only on behalf of Mr. Naughton, but on behalf of the "Consumer Bankruptcy Committee of the Section of Corporation, Banking and Business Law of the American Bar Association" [Naughton, p. 124] (which, assuming a unison answer, would certainly resound).

This limpid solution to all my problems left me transfixed with joy for a moment, but a nagging worry began to grow in me. Why, thought I, had not this sharp sword for compexity been extended by Mr. Naughton on the spot to all of the Gordian knots needing a swift slash? Well, thought I, it could only be Mr. Naughton's (and presumably the C.B.C.S.C.B.B.L.A.B.A.'s) modesty which prevented such an obvious course. It must be that, thought I, since the only other possibilities were foolishness and dishonesty.

Converts, however, are often pretty evangelical, and I have managed to overcome my modesty. I am not too bashful to show off the power of my newly received panacean principle—all men should pay their bills—and so I shall now sketch a fuller legislative package to complement and carry out the American Way of H.R. 1057.

The first step, obviously, is to extend the ambit of H.R. 1057 to cover *all* bankrupts, not just wage earners. If *any* petition in bankruptcy is filed by or against *any* debtor, the Referee in Bankruptcy shall have the authority to exclude the debtor from straight bankruptcy and instead order him to apply his future earnings to paying off his creditors. After all, H.R. 1057 has taken the laudable step of no longer "treating the American consumer like a helpless child," [Naughton, p. 125] and surely the same courtesy should be extended to the American businessman. If he can start a new business, or go to work for wages, which will be sufficient to pay off his creditors eventually (why a three-year limitation?), why not let him. "This is not to imply the road won't be tough." [Naughton, p. 126] But it seems to me that if we're going to devise a device which "offers hope and provides a path wherein a man and, yes, his family can start anew" and "a way for that person to start the tough road of living again armed with the knowledge of his mistakes" so that he "becomes a useful citizen," [Naughton, p. 126] certainly that privilege ought not be denied a man just because he has the peculiar misfortune of being a businessman (or the beneficiary of a discretionary trust) rather than a lucky wage earner. Fair is fair.

Of course, merely making H.R. 1057 applicable to all bankrupts rather than only to wage-earner bankrupts would not by itself be enough to extend the purifying ambit of our general principle to its fullest and most gratifying (and American) extent. Many additional legislative changes would be required to do the job fully, only a few of which can be indicated here (though I am sure that I can leave the details to Mr. Naughton and company). First, for instance, something would have to be done with the present exemption policy of the Bankruptcy Act which allows a man the exemptions provided in his state of domicile. [Bankruptcy Act sec. 6; 11 U.S.C. sec. 24.] After all, just because a man has the misfortune of living in a high-exemption state, he should not be denied the American way of paying his bills. Following Mr. Naughton's general technique, I would leave this too to the Referee under the general Chapter XIII rubric of what "is for the best interests of creditors and is feasible." [Bankruptcy Act sec. 656(a)(2); 11 U.S.C. sec. 1056.] Why should a businessman be allowed to give in to the temptation of holding out from his creditors a homestead, say, when wage earners, who are so much less likely ever to amass homestead equity, are not similarly tempted to such an un-American device.

Similarly, the Bankruptcy Act cannot be allowed to continue to countenance the self-defeating practice of businessmen in amassing property and transferring title to their wives (prior to the time when it would be a fraudulent conveyance to do so). Wage earners are protected from this hinderance to their rehabilitation because of the infrequency with which they can get enough ahead to reify their earnings into "property" which can then be tucked safely away, but just because they are so lucky doesn't mean that they should therefore have such an advantage over businessmen. The American way for them in this context wouldn't take much to bring about. How about a new subsection in the Bankruptcy Act, call it 70a(9), which would define as property of the bankrupt "property at any time transferred to any member of the bankrupt's family at the time of adjudication living with the bankrupt." It may need some polishing, but the idea is simple: to help people pay their bills if they can.

And, of course, the limited liability of corporations, the non-reachability of interests in spendthrift trusts, non-recourse mortgages and so forth would all have to go. Certainly doing business in corporate form should not bar a businessman wishing to avail himself of the American way from doing so. I suggest we empower the Referees to inquire into the situation, and if they determine that a particular bankrupt who went bust in corporate form could meet those business obligations out of his future earnings, why then the Referees should be able to so order.

I have it on the very best authority that "Referees in Bankruptcy throughout the country are knowledgeable, dedicated individuals, deeply concerned in carrying out the duties of their positions to the fullest conducive with fairness, honesty, and great concern for all involved in the actions before their courts." [Naughton, p. 125] My proposal, like Mr. Naughton's, is that we solve the problem of people who don't pay their bills "the way we solve our other judicial problems—by allowing a qualified and impartial judicial authority to determine the best possible solution, and then giving him the authority to enforce that solution" [Naughton, p. 126]—*for everybody*. Though I can well understand that the limited scope of Mr. Naughton's (and H.R. 1057's) plan is merely the result of modesty, the modesty could have an untoward and (I'm sure) unforeseen result, that rich debtors and business debtors and corporate debtors would still be taking the un-American path of discharging a large proportion of their debts, while wage-earner-consumer debtors would be taking the American path of paying them. That, of course, would turn the beneficient H.R. 1057 into a blatant bit of vicious class legislation. That, of course, is not the American way and that is not my way; tell me, Mr. Naughton, is it your way?

JOHNSON'S FARM POLICY WRONG

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HARSHA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARSHA. Mr. Speaker, it is sobering to see one's Nation move from strength and growth to weakness and dependency. Yet Americans who have, through the years, taken justifiable pride in the resourcefulness and productivity of their people have seen this happen in more than one vital industry.

Several basic industries have, in the last few years, found it difficult, if not impossible, to compete with other nations in the marketplaces of the world. This is a serious trend, Mr. Speaker, and it bodes little good for our children. But even more portentious is the growing tendency to depend on foreign nations for commodities vital to our survival as a great Nation.

I refer, Mr. Speaker, to our increasing reliance on the agricultural productivity of other nations. If this strange dependency were the unavoidable consequence of inadequate natural resources or if it were due to technological ineptitude on the part of our people, it would be understandable—but neither of these suggested inadequacies exists.

At a time when American productivity is at its zenith, our Government is promoting a course of action at home and abroad that threatens to greatly weaken our agricultural capability.

And this is being accomplished through a combination of administration-manipulated wage-cost-price conditions here and an unrealistic if "idealistic" attitude governing trade with other nations.

To be specific, Mr. Speaker, I call your attention to administration action that can only weaken our farming industries. Here are some examples:

First, the administration's decision to dump huge quantities of feed grain upon the domestic market in order to break and depress grain and livestock market prices;

Second, a sharp curtailment of purchases of domestic pork, lamb, and dairy products by the military;

Third, repeated decisions to increase imports of raw sugar into the United States;

Fourth, decisions on the 1967 wheat program which have depressed the blend price per bushel farmers are receiving for their wheat;

Fifth, action imposing restrictions on the export of cattle hides, calf and kid skins;

Sixth, the President's raising of the Cheddar cheese import quota for fiscal 1966 from 2.8 million pounds to 3.7 million pounds. Administration refusal to support legislation that would limit imports of meat products is, in my judgment, jeopardizing domestic producers. As a result, beef and veal imports were up 27 percent in 1966 over the previous year; meat under the meat quota amendment was up 34 percent, pork imports were up 14 percent, lamb imports increased by 19 percent, and mutton import jumped to 102 percent. And imports continue to increase.

It is disturbing, Mr. Speaker, to project present trends and contemplate their effect on our economy, our people, and our Nation's productive capability.

The results of this course are already having ruinous effects on American farmers. It is ironic that in our Government-manipulated economy, many farmers who work around the clock earn less than welfare recipients get in the Nation's large cities. While wage levels climb 8 percent in other industries, personal income of the average farmer has dropped 16 percent.

To keep from losing their farms, these patient people have had to borrow more and more. In the first 9 months of this year, the average debt per farm dollar earned was 62 percent higher than in 1960. The average farmer now owes $3.36 for every dollar earned this year. Debt on the average farm has gone up over $1,200 in 1 year.

And not only is the farmer deeper in debt. He is paying more for the money he must borrow. Interest rates, since 1960, have increased by 20 percent. The American farmer is being crushed under this enormous burden of debt.

Production costs are skyrocketing. They have gone up 31 percent during the 7-year period. And farm prices continue to decline—undermined by cheap imports from countries who pay but a small fraction of the wages paid by farmers here.

Is it any wonder that farmers are alarmed? Should we be surprised that 82,000 more farms will be wiped out this year? We are traveling down a road, Mr. Speaker, that is dangerous and ominous. Destroy the independent, hard-working farmer, and you have reduced our Nation to the level of certain bureaucratic states who have lost the ability to feed themselves, let alone help the people of other nations.

For the benefit of American farmers the administration should change its policies for they are obviously the reason for the farmer's plight.

MARINE CORPORAL HIPWELL WRITES TO THE HIPPIES

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on Wednesday, November 1, a deeply interesting and thought-provoking letter appeared on the editorial page of the Daily Eagle of Claremont, N.H., one of the fine newspapers which serves my district. At the conclusion of my remarks, I shall insert this letter in the RECORD, for I know that many of my colleagues will be interested in this message from Cpl. Brian L. Hipwell, who is now serving in Vietnam.

Mr. Speaker, as a result of this letter, a group of young people in Claremont, headed by Lawrence Stevens, organized a rally to show their support for our fighting men in Vietnam I shall also include in the RECORD a newspaper account which was published in today's Manchester Union Leader.

It was my privilege to attend this rally. As I stood in Broad Street Park in Claremont, N.H., yesterday, I was immensely proud of what these fine young men who organized the rally were doing. It is true that they had generous help from the news media, the American Legion, the Veterans of Foreign Wars, and many others, but here was a grassroots reaction to the disgraceful and sometimes illegal excesses of some dissenters.

Surely we can all agree—including those who honestly dissent—that our young men who are fighting and dying for our committment to defend South Vietnam deserve our full and unqualified support. In the city of Claremont and, indeed, from the hearts of millions of Americans, we should see to it that this message reaches our young men in Vietman loud and clear: Do not be deceived by the regrettable amount of publicity that a handful of misguided dissenters have received. We are proud of you and we are behind you, all the way.

FOR DRAFT CARD BURNERS AND "HIPPIES"

To the EDITOR:

This letter, I personally would like to dedicate to all Draft Card Burners and "Hippies". First of all I would like to introduce myself to you. My name is Brian Hipwell. I am a corporal in the United States Marine Corps and I'm proud of it. Most of all, I'm proud to be an American, and proud to be serving my country.

Now, I ask, why do you protest and demonstrate about our involvement in the Far East? You claim that you do this for peace.

You refuse to fight for your country because it's wrong to kill. Of course it is wrong to kill and fight, but have you ever thought of what the cost of peace and freedom is? Do this, coward, ask your father, if you can face him, ask him this question. Ask George Washington and the other fathers of this great country. Freedom and peace cannot be bought. These are not solid things that one can touch. But it is real. It is the bloodshed by thousands of men before you who paid the supreme price for their wives, children and loved ones to live in tranquility. This supreme price—their lives. They died proud, and never to know that people like you would come along and spit on their graves.

I'm in Vietnam now and fighting this war for many reasons. Yes, even for you I fight. I had to leave my wife behind who carries my unborn child. I know not, if I will ever see my child or my wife again. If I never return, I know that I, at least, did my small part to insure my child a good education, a home to live in, and a happy life.

My child will never have to experience the fear of seeing a barb wire fence or a brick wall separating him from his mother, nor will he have to carry identification papers, to be stopped by armed guards wherever he goes.

I pray to God that I'm able to come home and enjoy everything that I have fought so hard to keep, as did my father. Even while I'm home, re-adjusting myself to the things I used to take so much for granted, I'll never forget the men who fell before my eyes and those who will still be falling. I'll know what they're going through—it's hell. I'll know the fear that's inside them. The almost proud fear that you'll never experience.

Tell me, coward, you've never been in a water-filled foxhole before, have you? You've never felt and heard mortar rounds falling around you and making the ground tremble beneath your already trembling body. You've never been so scared that tears of fright make little ripples over your dust-caked skin. Believe me, it's only a small part of the big price one has to pay to keep the peace. It's only the beginning.

Here's a sample: you're in your hole with several other men. You have your weapon and you're loaded down with belts of extra ammunition and hand grenades you know the enemy is out there, and he's determined to stop you because you've upset his plan to rule the world with his way of thinking. You're crouched down for protection from the incoming artillery and rockets, then comes the ungodly silence.

Your finger stiffens its grip on the trigger of your rifle, the sweat is beading all over your body and your eyes are stinging from the burning sweat and dirt. Your helmet cuts into the skin of your skull and your scalp becomes numb. Your flak jacket turns into an oven and you want to take it off, but you don't because it's your only form of body armor. Your muscles ache and your body screams for sleep. Your stomach is twisted and knotted and you want to roll up in a ball and hide—you know this is it! The command comes "move out."

It's not long before the enemy makes his presence known. Then it happens—you're in a fire fight. Each man now fighting as a whole. Hot lead whizzes all around you and you fire aimlessly. Then you see your buddy fall into a crumpled mass of flesh. You forget your own safety and kneel down beside him to apply first aid to his wound. You turn him over and tears start to flow. He needs no bandage—he's been shot in the face, and you pray that he didn't feel it.

You're angry now, fear is gone and revenge has taken over. You get up, taking his ammo and know that you must fight twice as hard to take the place of an American felled in the course of protecting the "peace."

The fight is over and you fall back to help the wounded on the medi-vac helicopters. Then you see a plastic bag with "Joe's" name on the casualty tag. You know he's going home now. He's already paid for the plane trip, he's going back home in a flag-draped aluminum casket.

This little "incident" is something I would like you to remember, my bearded protestor. You can take this as fiction if you wish, but please, I ask you just one thing: The next time you take your girl friend to a movie, please, think of my buddy. He gave his life so you can watch that movie in peace. You'll never have to go through what he has. You've got it made. Also, think of his wife and family—it's the least you can do.

After the movie is over with you'll go to a bar and have a drink. Don't bother to think of some other Marine who just took a bullet in the guts—for you!

[From the Manchester (N.H.) Union Leader, Nov. 20, 1967]

VIET SUPPORT RALLY HELD: 175 AT CLAREMONT TURN OUT

(By Carol Morrisey)

CLAREMONT.—Some 175 persons shivered through a 30-minute rally here yesterday afternoon as a "tangible expression of our support for the boys in Vietnam."

U.S. Rep. James C. Cleveland of New London, keynote speaker, warned the group the freedom of the nation is in danger.

"Part of the danger is a conspiracy from abroad," he said, "but part of it is from the people who live in this country and who do not understand the threat.

"By their demonstrations and disregard of lawful dissent, they disgrace the cause of dissent and aid and abet the enemy that we fight."

Brisk winds, freezing temperatures and overcast skies set the stage for the parade and rally planned by a local high school student, 19-year-old Lawrence Stevens.

Taking part in the mile-long march from the junior high through the city, and ending up at Broad Street Park, were members of VFW Post 899 and American Legion Post 29, St. Mary's Cavaliers Drum and Bugle Corps, and numerous placard-bearing citizens of all ages.

Stevens thanked the people who turned out for the rally despite "the miserable weather" to prove to the men in Vietnam "that we care."

Mayor Marion Phillips termed the rally a "fitting beginning to our Thanksgiving weekend.

"It is a privilege and a blessing for the people of Claremont to be gathered here today in the expression that has been activated by these young people," Mrs. Phillips commented.

"Democracy is an expensive form of government. In order to preserve it, we must support those who are doing what they can to enable us to keep our freedom," she said.

Korean War veteran Ted McElreavy, District Two commander, VFW Post 808, said the men fighting in Vietnam deserve the backing of the American people regardless of their personal feelings about the war itself.

END WAR

"We should use whatever force is necessary to get this war over with and bring our men back home," he stated.

Other speakers included VFW members James Costa, and Louis F. Hipwell, father of Brian Hipwell, a local Marine corporal whose open letter to "hippies" and draft dodgers was instrumental in spurring Stevens to action. The text of the letter appeared, in part, in Saturday's Union Leader.

Cleveland has asked for a copy of the letter and will see that it is placed in the Congressional Record.

After quoting Abraham Lincoln, Oliver Wendell Holmes and the late President John F. Kennedy, Cleveland said the rally could best be described as "our defense against the disgraceful (anti-Vietnam) demonstrations."

He called President Kennedy's words, " 'Ask not what your country can do for you; but what you can do for your country,' truly a statement for this generation."

CONGRESSIONAL REFORM: ACTION NOW

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, under leave to extend my remarks, I would like to place in the CONGRESSIONAL RECORD a report of UPI reporter Frank Eleazer on a survey of first-term Members of the House and Senate. The article appeared in the Washington Post on Sunday, November 19.

The fresh ideas and different approaches of new Members can and should complement the experience of those who have served here longer. We need the objectivity which they can bring to Congress. Many of their constructive suggestions are incorporated within the framework of the Legislative Reorganization Act of 1967. It is thus regrettable that the House has failed so far to act on the Legislative Reorganization Act, passed by the Senate 75–9, last March. The report follows:

HARD WORK SURPRISES NEW CONGRESSMEN

(By Frank Eleazar)

Many freshmen members of Congress admit they are surprised at how hard lawmakers must work for their $30,000 a year. They would like more time for study, better staff assistance, and streamlined legislative procedure.

One member said there is too much yak on the floor and that it usually is "the same group" doing the talking.

Despite the pressures of office, almost half of the first-term House and Senate members of the 90th Congress took time to answer—often in their own hand—a survey on what they have learned.

One of the most frequent comments was that the job is more demanding than expected.

The most surprising majority view, considering the bottom-of-the-ladder status of freshmen, was that the much-criticized seniority system for picking committee chairmen may be the best available arrangement. Sixteen of the 30 respondents said they had concluded it is, despite occasional shortcomings.

Others replied that they would like to see the system improved but were not sure how to do it. Eight suggested election of committee chairmen at the start of each Congress from the three senior majority members.

Sometimes it is frustrating," wrote Rep. George Bush (R-Tex.) in a typical comment on the seniority system, but on balance I can't think of a fairer or better way."

Rep. Bob Eckhardt (D-Tex.) said the choice is between seniority and arbitrary control" by congressional leaders. He favored seniority.

But Sen. Mark O. Hatfield (R-Ore.) said the system should be changed to encourage younger, newer, members of Congress to share more fully in the legislative process." He suggested sometimes putting new members on House-Senate conference committees that make final legislative drafts.

Rep. William L. Scott (R-Va.) said seniority is good, but that escape hatches may be needed to block or remove a "senile or unsuitable" chairman. Rep. William O. Cowger (R-Ky.) called the seniority system "the poorest we could have." He urged election of chairmen.

Not unexpectedly, almost all the freshmen replying to the survey favored adoption by the House and Senate of ethical codes to govern conduct of members. Only one said flatly he did not consider this necessary (and he also opposed other proposals for change.)

"We are paid from taxpayer funds and are in a position of trust and confidence," said Rep. Robert V. Denney (R-Neb.) "and in my opinion, our constitutents would have greater confidence in us were we to adopt a code of ethics and abide by it."

Four of those favoring an ethics code recommended against compulsory disclousre of outside assets. Five said they favored disclosure of sources only, not amounts.

Eleven freshmen noted that the demands of the job were greater than they might have expected. Eight commented that members of Congress on balance were smarter than they had imagined. Eleven said they found no surprises.

Rep. Sam Steiger (R-Ariz.) noted "great talent among the membership—also some few amazing inadequate." He deplored the "great wasted effort" in House votes and quorum calls—217½ hours per congressman wasted yearly, he estimated.

Steiger and Rep. Donald E. Lukens (R-Ohio) recommended installation of voting machines to eliminate the oral roll calls that take close to a half an hour each.

Many of the freshmen recounted their problems in finding enough time, and enough expert help, to get all their chores done and learn all they need to know about the mass of legislation on which they have to pass judgment.

"Much more time is required handling individual problems of constituents," said one.

Another said: "The demands on the time of a Congressman by his duties and his constituents are somewhat greater than I anticipated. The great majority of members are harder working, more dedicated, and more expert in their fields than the public or the press gives them credit for."

Rep. Donald W. Riegle Jr., (R-Mich.) put the problem this way: "I feel that minority staffing is inadequate, that congressional reform is needed to make House operations more efficient, and that congressmen need an increase in their clerk hire allowance so they might engage a specialist or two on issues particularly relevant to their committee work."

On a question about other possible areas of congressional reform, seven respondents got in a plug for House passage of a Senate-approved congressional reorganization bill which includes among its objectives better staffing and closer supervision of lobbyists.

Five said the House and Senate ought to work five days a week—a frequently heard complaint this year among freshmen.

CONGRESSIONAL REFORM: A COMMENTARY

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, Roger Davidson and David Kovenock, assistant professors of government at Dartmouth

College, have written extensively and thoughtfully on the subject of congressional reform. I would particularly commend to the attention of my colleagues the book which they coauthored with Michael O'Leary entitled "Congress in Crisis: Politics & Congressional Reform," published last year by the Wadsworth Publishing Co., of Belmont, Calif.

An interesting example of their work appears in a recent issue of the "American Behavioral Scientist" under the engaging title of "The Catfish and the Fisherman: Congress and Prescriptive Political Science."

Because the article is fairly long, I will make only a few brief remarks in connection with some passages that are of particular interest to me. However, I recommend the entire text to Members of Congress, political scientists, and any others concerned about the operation of today's Congress.

While much remains to be done in the area of improving relations between the political science and congressional communities generally, the situation is certainly a great deal better today than it was when I entered Congress.

I like to think that our House Republican Task Force on Congressional Reform and Staffing has had something to do with this trend. We have made a conscientious effort to supply political scientists with research materials and current data, personal interviews, and any practical help we could offer them in their various study and writing projects on the operation of today's Congress.

As Professors Davidson and Kovenock point out in their article, even the most prominent men among their profession have for many years relied heavily, perhaps exclusively in some cases, on secondary sources for their writings about Congress.

The increasing incidence of on-the-scene scholars in the corridors of today's Congress is a healthy and long-overdue development. I hope that the House can take positive action, before this session adjourns, on House Resolution 578, introduced by my colleague from Iowa [Mr. SCHWENGEL] on June 15. This resolution amends the Rules of the House so to allow a portion of the gallery to be set aside for the use of scholars engaged in study of the House of Representatives.

Along with the trend toward firsthand observation, I think we are witnessing an equally healthy trend toward a lessening of the traditional academic skepticism about Congress. Perhaps the one has grown out of the other. When the scholar has an opportunity to see firsthand, some of the day-to-day hardships under which today's problem-ridden and information-burdened Congressman must labor to fulfill his responsibilities, his criticism may become tempered with understanding.

I do have one critical comment about the Davidson-Kovenock article, and that is my objection to the implication that Congressmen are too "provincial in their origins", perhaps, for the Nation's good. I represent one district of New Hampshire and am proud to do so. That is how our system is set up—our national House of Representatives is supposed to be composed of legislators who reflect the interests of their constituents and reflect their concerns, individually and collectively, I believe we have the Nation's best interests at heart, and there surely is strength in having a diversity of opinions represented in the national legislature. However, I should point out that Messrs. Davidson and Kovenock do not belabor this point.

THE CATFISH AND THE FISHERMAN: CONGRESS AND PRESCRIPTIVE POLITICAL SCIENCE

(By Roger Davidson and David Kovenock)

(NOTE.—Roger Davidson is an assistant professor in the Department of Government at Dartmouth College. He is co-author of Congress in Crisis and of On Capitol Hill: Studies in the Legislative Process. David Kovenock is also an assistant professor in the Department of Government at Dartmouth College. He is currently completing a study of communications and influence in the United States House of Representatives.)

During most of its history, the American political science profession has seemed to be waging an undeclared war on our national legislature. Thomas Woodrow Wilson, who earned one of the early doctorates in the profession, made little secret of his contempt for Congress long before he had occasion as president to feel the effects of a direct encounter. Quoting Bagehot's caustic description of Parliament, Wilson wrote Congress was "nothing less than a big meeting of more or less idle people." The profession has modified its hostility somewhat since 1885, but often it appears that not much has changed. One well known political scientist, for example, told the Joint Committee on the Organization of the Congress in 1965 that "Congressmen generally believe that nothing is of more importance to the welfare of the Republic than the advancement of their own personal political careers."

Such sentiments as these have inevitably produced a bombardment of academic prescriptions for reform on Capitol Hill. With each Rules Committee *coup de grace*, with each hint of a Senate filibuster, political scientists have been ready to offer public advice on congress' failings and what should be done about them. A host of books and articls have probed congressional weaknesses. Since World War II the American Political Science Association has launched no fewer than three major inquiries, at least partially directed to examining the workings of Congress. When Senator Clifford P. Case circularized the profession in 1963, he found overwhelming sentiment that "Congressional reform is long overdue."

As is often the case with volunteer advice givers, political scientists have usually been ill rewarded for their efforts. Legislators themselves frequently respond with what can best be described as a mixture of bemused contempt and fearful hostility. Neil MacNeil, *Time* magazine's chief Capitol Hill correspondent, has remarked that Congress feels toward its academic critics the way the catfish must have felt toward the fisherman: "Hold still catfish," the fisherman said, "I only want to gut you!"

The prescriptive research and commentary directed toward the American Congress illustrate some of the problems faced by the scholar-as-policy-scientist. For example, how is the political scientist's conceptual and methodological toolbox related to the kinds of institutional repairs he has proposed? And if, as we assume, the political scientist has been developing a mode of inquiry that is increasingly non-normative in character, why does he continue to employ major (yet frequently unarticulated) value premises which lend a distinct coloration to his work? Finally, if in venturing to recommend institutional change within his own society the political scientist inevitably exposes both his ethical and methodological assumptions, what kinds of questions can he ask and attempt to answer? What ought to be the extent and nature of his ties to the institutions under his scrutiny? In the following paragraphs we shall attempt to explore these questions as they relate to the role of academic political scientists in congressional reform.

Why are political scientists—and most academics, for that matter—so critical of Congress? The explanation may lie in part, in the words of one academic critic, in "a complete failure of communication." But that answer surely begs the most interesting questions. It relies upon a stereotypical view of things: impractical and inarticulate ivory tower scholars confronting semiliterate and self-seeking party hacks, with little or no meaningful interchange possible. Such stereotypes are less than accurate these days (if they ever were), and if they survive in the minds of some congressmen and scholars, they are symptomatic of more basic conflicts. Unfortunately, we know of no reliable survey data which we can whip out to clarify this problem, but perhaps some generalized observations will be helpful.

Much criticism of Congress is undoubtedly rooted in conflict over public policies or basic values. Certainly any excursion around faculty clubs would uncover a large contingent of hornbook liberals. And among social scientists particularly, the tenets of the liberal intelligentsia tend to be accepted as holy writ. When these tenets are challenged by an unruly Congress—in foreign aid, medicare, civil rights, and civil liberties—who can blame the professors for clutching Plato and *The New Republic* and denouncing legislative conservatism, parochialism, and obstructionism? No wonder that academics seem to prefer to side with the Executive. Since the New Deal at least, it is the Executive Branch and not Congress that has seemed receptive to the liberal policy proposals of the kind espoused by many political scientists. It is not hard to argue that executive experts are more sensitive to social scientists and social policy needs—especially, it might be added, when those experts sponsor elaborate research projects headed by social scientists.

The sources of the policy and value conflicts between Congress and academia are not difficult to locate. They include differences in social background and occupational recruitment, as well as in life style and occupational roles.

Congressmen, for the most part, represent "Main Street, Middletown, U.S.A." in their origins or in the representational roles they select for themselves, and frequently in both. Further, aside from their part-time residence in the Capital, the vast majority of our national legislators live in or near their original hometowns. "The typical Congressman," Samuel Huntington has pointed out, "may have gone away to college, but he then returned to his home state to pursue an electoral career, working his way up through local office, the state legislature; and eventually to Congress." The lawmakers live in and reflect two worlds: the communities centered in the House and the Senate; and the constituency communities of fellow small town and small city lawyers, businessmen, bankers, politicians, newspaper editors, trade union leaders, and other local opinion-making elites.

Our legislators tend to be provincial in their origins and current ties largely because our democratic political system rewards if not demands it of them. The occupational community in Washington reinforces the resultant values, and the occupational role strains of the elected politician further intensify the disparity between his life style and that of the typical social scientist. The background of the latter is more cosmopoli-

tan, geographically mobile and specialized. His ties are to professional communities, rather than to geographical ones, and his policy orientations tend to be continental or even global, rather than segmental and provincial.

These speculations offer a persuasive if perhaps conventional explanation of the political scientist's propensity to be critical of Congress and preoccupied with congressional reform. But we do not feel them sufficient to explain his reformism. One must look to the political scientist's work—to the concepts and categories and methodologies of his discipline—for a more complete understanding of academic reformism.

Although academic writing on Congress has often been either hyperfactual or anecdotal, most students of our national legislature approach their subject matter with descriptive or normative models which are sometimes explicit but frequently implicit. That is, they tend to view Congress through the lenses of a particular conceptual framework. It is the discrepancy between the Congress in the alternative model worlds and the Congress in the real world that has led many political scientists to take a critical stance.

One approach many political scientists have adopted is to view Congress as a policy-making instrument. Here the analogy is usually (although not always) the formal bureaucratic structure as described and interpreted by traditional schools of public administration. Perhaps the foundation for this approach lies in the box-and-string notions of organizations designed to reach an agreed goal through "the one best way"; perhaps in some scholarly penchant for simplistic categories and for neat hierarchies of control; perhaps in the fact that most political scientists with first-hand experience in government have served their apprenticeships in administrative agencies; or perhaps in the increasing bureaucratization of the environment in which scholars write and teach. Whatever its foundations, the policy-making approach tends to stress the capacities of an institution for identifying public problems, clarifying alternatives, gathering and processing cost-benefit data, and designing or invoking coherent policy directives.

Congressional performance is, needless to say, rather disappointing by bureaucratic problem-solving standards. To be sure, individual congressmen and senators labor over substantive policy problems with a devotion and grasp for detail which would surprise cynical outsiders; and the specialized consideration given to issues by the standing committees of Congress is often as searching as any comparable review mechanism within, say, a large business firm. But congressional policy-making is an uneven and discontinuous commodity: individuals and work groups on Capitol Hill possess varying levels of expertise; committee hearings and certainly floor debates may seem superficial or beside the point; and, perhaps above all, there is no neat hierarchy of command to lend coherence to the process. What is more, the calculus of democratic politics may produce no positive solution to the problem at hand. For the politician (as for all of us, occasionally), "doing nothing" may often be the most rational way of "doing something." But in Congress, these decisions "not to decide" are more contentious and visible, in part because the disappointed interests are directly represented and frequently vocal.

Nor is Congress a model board of directors. Policy analysts usually concede that, whereas Congress is incapable of solving the nation's problems on its own, it should accept the President's agenda and ratify or modify alternatives developed by the executive bureaucracy. Again referring to the organizational analogy, the relationship is that of a board of directors (Congress) to the management of a firm (the political executives). This analogy has led to one of the hoariest assumptions in political writing—namely, that legislators are "generalists" and executives are "specialists." "The hazard is," wrote Arthur Macmahon of the appropriations process, "that a body like Congress, when it gets into detail, ceases to be itself."

The mass of evidence indicates that Congress simply does not fit this mold. For one thing, Congress does not act as a body. Its decisions are made by separate houses, committees, subcommittees or less formal work groups, and by parties or more fluid factional alignments. (From one organizational point of view, this procedure is both admirable and necessary.) And in dealing with incredibly complicated issues, congressmen (like the rest of us) continually abandon "general principles" in order to "get down to cases"; and they are constantly "meddling" in details where the generalist-specialist dichotomy dictates they should keep hands off. Hence, Congress does not measure up to the standards implied by the model of a national board of directors.

A third model of Congress—as *arena of rational two party debate and confrontation*—has been a particular favorite of many political scientists. The analogy here is quite explicitly to the British party system, which has attracted the unquestioning devotion of generations of political scientists from Woodrow Wilson ("by far the best . . .") to James Macgregor Burns ("an almost ideal form of representative government"). For a time, the "responsible parties" model enjoyed the status of the official doctrine of the American Political Science Association through the reports of its Committee on Congress (1945) and Committee on Political Parties (1950). And the model survives as a *leitmotif* in introductory college texts in American government. Viewed from this standpoint, a legislative body is neither a self-contained, bureaucratic, problem-solving machine nor a simple legitimizer of decisions made elsewhere. Rather, Congress would serve as the capstone of a national system based on two, program-oriented, disciplined, responsible, and competitive political parties. Its primary functions would be to clarify policy alternatives and to represent a national majority and minority, each lined up behind explicit party programs.

By such standards the organization and performance of Congress are easily faulted. Weakly disciplined congressional parties result from a membership more responsible to effective constituencies back home than to national majorities or national leaders. Once the two houses are organized, party labels cease to provide unambiguous cues to voting records. Bargaining for *ad hoc* majorities blurs lines of party and policy. Decentralization of power and decision-making, coupled with rules which offer a veritable armory of weapons for delay and obfuscation, prevent the kind of two-party confrontation and clear-cut issue resolution which is commonly perceived as the hallmark of the British system. Thus, Congress comes in a poor second to the Mother of Parliaments.

Not all traditional approaches, it must be noted, have led to unexceptioned criticism of Congress. If our national legislature is conceived—as in the writings of E. Pendleton Herring, David B. Truman, Bertram M. Gross, and others—as an *arena for conflict reduction and value integration*—then it comes out with rather high marks. If one sees Congress as a vehicle for the expression of the myriad interests of a pluralistic society, receptive to influence at numerous structural and procedural junctures, and above all sensitive to the intensity of demands first for change and then stability—then provincialism, specialization, compromise, diffusion of power, and individual rather than party entrepreneurship becomes blessings rather than curses.

Thus, the nature of the normative and descriptive models employed in the study of Congress has influenced the judgments pronounced upon the institution of American political science. If the conceptual eyeglasses worn are darkly tinted, then Congress and congressmen shade from light gray to black; if they are rosy hued, they all emerge in a more flattering light. The point is, of course, that institutional analysis is seldom neutral: the conceptual criteria employed and the objectives chosen for examination carry the judge some distance toward the verdict. That most American political scientists have in the past been critical of Congress is, in no small part, the result of the concepts and models which they have employed in studying it.

The study of Congress and of legislative behavior has over the last 15 years undergone change bordering on revolution. It has reflected—and occasionally led—a substantial reorientation of the science of politics of which it is a part. Trained for the most part since World War II, a new generation of political scientists (and not a few sociologists and psychologists) has rediscovered legislatures and legislators as objects of research. To this endeavor they have brought (in rough order) new methodologies, new theoretical orientations, and new conceptual tools. It is not by chance that Congress has fared far better at their hands than it did when judged by their predecessors.

Some might argue that the lessening of scholars' antipathy toward Congress is the result of a decline in the fervor of liberalism among university faculties, or an increased liberalism of the policy output of the national legislature. There may be a kernel of truth in such explanations, but we feel that a complete analysis demands here, as before, some attention to the sociology of legislative research.

Woodrow Wilson wrote his *Congressional Government* without deigning to make the short journey from Johns Hopkins University to Capitol Hill, and for fifty years and more thereafter, students of Congress emulated his methodology. Much of the corpus of the relevant literature was written *as* history and *from* history (and not infrequently from Bagehot and other British writers). The principal sources of material included the *Congressional Record* and its forerunners, scattered biographies, the daily newspapers, and political and literary journals. Scholars thus consumed a heavy diet of political rhetoric.

From congressional documents came images of Congress and congressmen designed for consumers far different from academicians in their values and style. The economic and role imperatives of the printed media helped produce secondary materials that emphasized conflict and confrontation and underscored the bizarre and the scandalous.

Much of the resultant scholarly work produced its own feedback; preoccupation with the unusual and the noteworthy produced further interest in—and documentation for—ever more in a similar vein. Thus, for example, literature on the "old lobby" and case studies of "pressure politics" led to a school of congressional scholarship and criticism which far outlived its empirical validity (certainly as total explanation) if not its political utility.

Such traditional modes of research have largely ceased to occupy professional social scientists. The development of new techniques—such as systematic interviewing and observation, and content and roll-call voting analysis—coupled with the availability of resources for their utilization, have sent students of Congress into "the field" and the data-processing labs. First-hand exposure to individual congressmen and to the operation of legislative work groups, along with an increasing familiarity with developing theories in sociology, social psychology, and

organization theory, has led to the application of new conceptual frameworks in the study of Congress. Congressmen have come to be studied as people, frequently within the context of models of rational "politicians" and "decisionmakers." Congress and its procedures, work groups, and other patterns of interaction are now analyzed as a series of interconnected social systems which operate to meet internal as well as external "needs." Concepts drawn from bargaining theory rather than from hierarchical organization seem to predominate; and strenuous efforts are made to incorporate concepts borrowed from such diverse frameworks as functional analysis and role, game, and information theory. The works of Edward A. Shils, Ralph K. Huitt, Duncan MacRae, Jr., Donald R. Matthews, Lewis A. Dexter, Charles O. Jones, Robert L. Peabody, and Richard F. Fenno, Jr. (not to the exclusion of at least a dozen others) encompass the 15 year "revolution" and many of the directions which the new research has taken.

The evolution of a "new scholarship" of Congress is surely cause for rejoicing. Here as elsewhere, students have deployed a variety of sophisticated tools to analyze the institution; they have forced themselves to be more suspicious of value premises and more cautious in rendering value judgments; and, in the bargain, they have probably gained a greater measure of respect and *rapport*—from a portion of congressmen, at least. For a profession of scholars, these accomplishments are far from insignificant. But that is not to say that the new scholarship is free of some persistent problems which have serious consequences for prescription.

Scholars now, perhaps no less than in the past, are prone to select those topics of investigation which seem most easily researchable. How else can one explain the recent popularity of roll call analyses—often accompanied by scant reflection upon the meaning of a roll call vote? And by a curious inversion of logic, "interviewing congressmen" is now in the same category. While the library-oriented scholar of yesteryear might have thought it a bother to travel to Washington, his successors often appear to believe that little can be gleaned from library drudgery. And after all, it is easier (and more gratifying) to hop on a plane for Washington and get the information from congressmen themselves. (The current fascination with on-the-spot interviews, incidentally, may quite soon lead to a problem of access. With so many scholars crowding the corridors and offices of Capitol Hill, congressmen quickly tire of the attention. The situation poses, moreover, an ethical question of what demands scholars should legitimately make upon the members' time, patience and goodwill).

The newly discovered accessibility of Capitol Hill has no doubt produced a not altogether healthy preoccupation with the legislature, perhaps at the expense of other institutions (notably the executive branch and particularly the President). There are many congressmen, numerous work groups, and innumerable voting decisions and other repetitive, patterned behavioral phenomena. Most legisators are accessible (although not always easily so) to the researcher blessed with patience and at least modest resources, and many of the decisions are as close at hand as the *Congressional Record* and *Congressional Quarterly*. In contrast, there is but one President at a time, and most of his decisions are as difficult to count (much less to measure) as he is to be interviewed by political scientists.

For the congressional researcher there is, moreover, the problem of biased data. The scholar who wants to get close to his subjects must first obtain their cooperation—to respond to queries, to fill out detailed questionnaires, or to offer personal insights. Inevitably, therefore, political scientists tend to talk to political scientists. Legislators vary greatly in their attractiveness as subjects. Some are reflective, prone to intellectualize their behavior, and at ease in dealing with academicians. Others, unfortunately, have none of these qualities. Yet, the latter are equally as important as the former, if the scholar wishes to sample the total universe with which he is dealing.

Often the scholar is faced with the tough questions of choosing between *rapport* and representativeness. The Brookings Institution encountered this question when, in 1959, it sponsored a series of roundtables where congressmen were encouraged to discuss their tasks and problems. The book which resulted (Charles L. Clapp's *The Congressman: His Work as He sees It*) is one of the better items in the recent literature; but the findings are severely limited by the sample bias dictated by the roundtable techniques. "The participants," Brookings concedes, "would not be regarded as 'average' congressmen. As a group they were above average in terms of effectiveness and ability." We are not enlightened as to the criteria for arriving at such a judgment; presumably, what is implied by "effectiveness and ability" is in part a member's willingness to participate in such a roundtable. (We are given the further assurance that the "desirability" of having participants of varying constituencies and ideological viewpoints was "kept in mind." But one characteristic of the participants is noteworthy: all were from junior or middle seniority groups. Seniority leaders were not invited for fear their presence would destroy the spontaneity of the discussions.) One need not dissent from the tactical wisdom of Brookings' decision in order to recognize the very real danger of bias inherent in such techniques. The APSA's admirable Congressional Fellowship Program has encountered a parallel problem, as interns have tended through the years to cluster in the offices of a few "effective and able" members.

Even if this methodological barrier can be surmounted, a larger and more subtle problem of bias pervades the new research. In his attempt to penetrate the institution and view it on its own terms, the scholar inevitably develops an identification with his subject matter. Viewing Congress from the inside out rather than from afar, he may very well alter his criteria of evaluation. Put another way, he may be induced to accept the definition of the situation espoused by actors within the institution. Considered in empirical or analytical terms, this technique may be perfectly defensible. The point to be made, however, is that the technique is not neutral in its prescriptive implications.

The conservative cast of much recent writing on Congress may well be a product of this shift of perspective. Consider, for example, the changing views of the seniority system. An older generation of academic observers hardly needed to think twice before condemning seniority as undemocratic in reflecting the will of Congress and inefficient in utilizing the talents of younger members. But the new generation of scholars has argued persuasively that, whatever its merits as personnel policy, selection of committee leaders by a non-discretionary system serves to reduce and contain conflict in an otherwise conflict laden institution. Now, as it happens, there is probably no satisfactory substitute for what Richard Fenno has called the "seniority-protege-apprenticeship system." Some form of seniority is found in most human groups (even in the "councils of elders" who run most academic departments of political science). This does not imply that seniority is beneficial or even, for that matter, inevitable. But in altering one's perspective for viewing the seniority system, recent scholarship has altered the order and range of values by which the system is evaluated.

This problem is reflected in the widespread use of so-called "functional" explanations of political phenomena. Through this mode of explanation, scholars have succeeded in laying bare many of the "functions" performed by otherwise irrational or inexplicable congressional practices. However, whether the fact that a given practice (i.e., seniority) serves a given function (i.e., conflict reduction) *justifies* its continued use is obviously a very different matter. For one thing, practice which is functional from one perspective may be dysfunctional from another. (Does the seniority system produce incompetent leaders?) For another, a given function may be served by more than one practice. (Could devices be found to compensate for the added conflict produced by electing committee chairmen?) Thus, functional analysis, while suggestive as a mode of explanation, must be used with caution lest it become also a method of justification.

Such prescriptive problems arise from the nature of the empirical and analytical tools now being used by political scientists. If they are different from the problems encountered by earlier academic critics of Congress, they are no less important. The manner in which scholars approach an institution is bound to affect the goals they set for its performance, and in turn the kinds of prescriptions they are likely to recommend for its improvement.

Academic students of Congress, then, cannot escape the fact that their empirical and analytic methods have prescriptive consequences. Most political scientists, happily, are relatively scrupulous in observing distinctions between their methods and their value premises (though the occasional appearance of casual polemics by academic authors persuades us that old habits die hard). But even when the usual distinctions and disclaimers have been made, the careful scholar will find his methods obliging him to think of Congress in terms of certain values.

Political scientists need not shy away from evaluation. At minimum, their role as citizens require periodic judgments of institutional peformance. Beyond this, they ought to be prepared to help others to understand the kinds of judgments which must be made in an ongoing polity. In other words, they should be prepared to act as policy scientists.

For the time being, political scientists must exercise modesty in approaching this task; as the saying goes, there is much for them to be modest about. Despite decades of research, there are still embarrassing gaps in our basic knowledge of how Congress and congressmen behave. Indeed, the shortcoming of traditional scholarly criticisms of Congress was not that they were critical, but that they were often based on insufficient information. As Arthur Maass has observed, the widely accepted view that Congress must be reformed is "poorly sensed because so much exaggeration and misinformation about Congress passes for intelligence."

Yet there is much ground for believing that many of the informational gaps are at last being filled in. The mounting list of really first-rate studies is heartening evidence that scholars are getting around to their basic tasks; and the APSA's multi-volume study of Congress will undoubtedly confirm this trend. When all of these findings are added up, they should place the political scientist in an immeasurably stronger position to fulfill his roll as policy scientist.

The current reticence on the part of political scientists is hopefully a prelude to increased focus on evaluation. As Robert A. Dahl has already suggested with regard to the study of political systems, the current trend may well be viewed in retrospect as "a fallow period in which the soil was being prepared for a new crop of systematic studies in political evaluation." These future ventures, Dahl has emphasized, must be explicit and systematic—as opposed to "unsystematic, implicit, casual, incidental, or seemingly accidental appraisals."

Of what should an "explicit and system-

atic" prescriptive effort consist? We believe that several operations are involved in such activity. First, the political scientist can specify the alternative value premises upon which Congress is, or might be, judged. Vastly greater information is needed on how people do in fact make assessments of political institutions; and what we do know in general about opinion-formation suggests that the inquiry would be fruitful. From an examination of public assessments, it should be possible to abstract a limited number of normative models of congressional functioning.

Second, the political scientist can clarify the relationships between values and particular institutional arrangements. This operation follows logically from the first. What consequences flow from the acceptance of a given model of Congress? What ramifications are there in institutional terms? To clarify these means-ends relationships, the political scientist may find it useful to build hypothetical models of his own. It is always possible that such Utopian effort will produce insights which open up genuinely new alternatives.

A third function which the political scientist can perform is to develop measurements which facilitate assessment. Given certain value premises and certain institutional arrangements, what would indicate that the values were being well served? Many more data will be needed before this function can be performed, but the political scientists should be in a position to select, gather, and analyze the types of data which would be relevant to this endeavor.

Finally, the political scientist can provide reliable information on the "marketability" of specific reform commodities. In a recent book (*Congress in Crisis: Politics and Congressional Reform*), we have tried to demonstrate what course might be followed by probing the attitudes of congressmen toward reform proposals. We would not argue that the only good changes are those which can win votes, or that long-range educational campaigns cannot change the likelihood of institutional reconstruction. But a knowledge of "what is possible" is at the center of the process of prescription.

What we are saying, of course, is that the scholar *qua* scholar is not qualified to select ultimate goals or to make the "political" choices among arrangements designed to serve these goals. (Or at least he is no more qualified than anyone else.) What he can do, however, is to throw as much light as possible upon the choice-making process.

No doubt political scientists will continue to perform such functions largely within the institutional setting of the university. Yet, here as elsewhere, they will undoubtedly be lured increasingly into institutional linkages with political practitioners. Several observers who are worried about the "decline of Congress" have already proposed that Congress sponsor its own "Institute of Scholars"; and the proposal for a permanent Congressional Reorganization Committee, presumably with a professional staff, suggests that a few scholars might be recruited to provide ammunition for Congress' battle for survival. Of course, Congress has as much right to professional advice as anyone else. But in the long run, we suspect that the most effective prescriptive work will come from political scientists who are independent of the institution they are studying. In this way the contemporary political scientist can reapproach the historic role of his predecessors: that of the scholar as critic.

HOW SECURE IS YOUR SOCIAL SECURITY?

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. COLLIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. COLLIER. Mr. Speaker, a recent issue of the Reader's Digest carried an article entitled "How Secure Is Your Social Security?" written by Charles Stevenson, Washington editor of the publication. The article created considerable controversy and some consternation among many of my constituents. Most of my colleagues will recall that it was inserted in the CONGRESSIONAL RECORD by Representative DURWARD HALL, of Missouri.

Wilbur Cohen, Under Secretary of the Department of Health, Education, and Welfare, responded to Mr. Stevenson's article, and his reply charging that it was an unjustified assault on the financial soundness of the social security system was also printed in the CONGRESSIONAL RECORD.

I believe it is only proper that the rebuttal to Mr. Cohen's article be placed in the RECORD at this time because a dialog on this issue provides the means by which we can make a sound analysis of various aspects of the changing social security program. Following is the rebuttal submitted by Mr. Stevenson:

Under Secretary of Health, Education, and Welfare Wilbur Cohen has prompted an attack of such proportions against this article that I find it is in the public interest to set the record straight for those persons who otherwise might be inclined to regard official statements as factual because these bear the august imprimatur of their government and the prestigious signatures of high office.

The purpose of the article was not to argue against having a Social Security program. Rather, I hoped to provide a clearer understanding of that program and its changing modus operandi. The idea was not to promote a fully funded reserve-type insurance scheme as against a reasonable pay-as-you-go operation. Rather, it was to document the fact that Social Security payments in reality depend on the willingness of current and future generations of workers to meet the bill through their payroll taxes and that this becomes a matter of national concern due to the President's current legislative effort to transfer welfare costs to the Social Security system. I raised the question as to how far this welfare trend could be expanded without hurting the economy or so adding to the tax burden of younger working families that they'll refuse to give it their essential support. And to avoid such a disaster in which the victims would be the outnumbered retired people, I suggested the feasibility of a blue ribbon investigation of Social Security looking to a return to original sensible Social Security principles with separate budgeted welfare payments from general revenues to cover support of the needy.

All this, says Mr. Cohen in his rebuttal of September 27, adds up to an unjustified assault on the financial soundness of the Social Security system itself. Nothing more graphically shows up the nature of this rebuttal than two or three of what would appear to the uninitiated as his most telling indictments.

1. *Charge*—On reading Mr. Cohen's rebuttal the average reader would be justified in concluding that I misquoted Rep. John Byrnes, the senior Republican on the House Ways and Means Committee, as saying, "Social Security is facing a crisis; it is at the crossroads." I was made to appear incomprehensibly dishonest because of Mr. Cohen's claim that Rep. Byrnes joined Chairman Wilbur D. Mills and the House Ways and Means Committee in sponsoring President Johnson's legislative program which I criticized. "The implication that Rep. Byrnes . . . agrees with the charges made by Mr. Stevenson flies in the face of the fact that Mr. Byrnes was a co-sponsor of the Social Security bill now before Congress," says Mr. Cohen, "and is contradicted by his remarks on the floor of the House of Representatives during debate on the bill."

Fact—We interviewed Rep. Byrnes in connection with what the story was about—the drive to make Social Security taxpayers take over the cost of America's welfare programs, as exemplified by the President's current legislative effort—*and we quoted Rep. Byrnes with his specific approval* as to how it would appear within the context of my report.

Mr. Cohen's references to Mr. Byrnes as a "co-sponsor of the Social Security bill" are cynically misleading to those unfamiliar with the legislative process. Mr. Byrnes did not approve the presidential bill. Following heroic efforts within the House Ways and Means Committee against the White House program, he joined Mr. Mills in sponsoring an amended measure which did little more than propose cost-of-living increases in benefits. Rep. Byrnes never spoke in favor of the President's scheme, only in defense of a far less expensive program despite White House and big labor lobby arm twisting. In short, Mr. Byrnes' remarks during debate were in support of legislation that had been amended *against the wishes of Mr. Cohen and HEW.*

Therefore, to infer that Mr. Byrnes' defense of a modified bill (which wasn't even part of my story) puts him at odds with me and in support of the President is as ridiculous as contending that a legislator who votes funds to pay Supreme Court salaries must be counted as approving the Court's decisions.

As Rep. Byrnes told us: "Social Security is at a crossroads, but the problems will not be completely resolved when Congress acts (either on the Ways and Means Committee bill or the President's version). We're going to have continuing pressure on the integrity and underlying philosophy of the system and the principles upon which it was adopted—that Social Security should be a base of protection and that benefits should be wage-related and not 100 percent welfare. The danger is that Social Security will become not a base upon which to build savings and annuities but that it will be the sole reliance for retirement in too many cases. This was never intended by the founders. This becomes a dangerous concept. The cost of Social Security is a major and important item. . . . We are concerned as to what it does to discourage employment opportunities. Where the money is going to come from is a very difficult question."

Ways and Means Chairman Mills moreover put himself on the printed record as opposed to the President's purposes. I took our quotation of him verbatim from the Committee's transcript during hearings on the President's proposals. "It staggers my imagination that you would come forward with an increase in the minimum this high ($70 a month)," Rep. Mills told the witness, Mr. Cohen, who then replied that "perhaps there is some modification in (Social Security) policy that is embodied in this proposal" and added that its purpose is to "make a substantial contribution to the reduction of poverty."

However, what completely demolishes any attempt to palm off the House legislation as support for the President's program is the fact that as soon as the House bill was passed up to the Senate, *HEW Secretary Gardner asked the Senate Finance Committee to restore cuts which the House had made in the President's plan.* On August 22 he testified

that "we believe that it is both feasible and desirable to go further than the House bill in improving the Social Security benefits and the protection of the Social Security program . . . we urge that this committee restore the 15 percent benefit increase and the $70 minimum benefit that the President proposed." (The House had voted a $50 minimum.) He went on to urge the Senate to restore still other items which the House had deleted.

Moreover, as of November 2 the Senate Finance Committee had given in to such pressures and it had rewritten the House bill in order to restore what the White House had demanded from the outset—$70 a month minimum benefits, up 59 percent from $44—with everybody in retirement to get at least a 15 percent bigger check. And this, it was tentatively decided, would be financed out of an immediate $6.1 billion increase in Social Security taxes.

"An excellent bill," declared Mr. Cohen, according to the New York *Times*. Although the bill as finally reported out by the Senate Finance Committee disguised the high costs by proposing to pay out the big benefits now and schedule the large tax increases these entail to come *after the 1968* elections instead of before, the committee's report lists the ultimate combined employee-employer tax at 11.6 percent on the first $10,800 of a worker's earnings—*a total annual $1,252.80 tax on a single job.*

(When Senator Ribicoff of Connecticut was Secretary of Health, Education and Welfare, and the titular head of the Social Security system, he told Congress that a 10 percent tax would be as high as Congress could legislate with safety to the economy.)

And this is just the beginning. Already the two Senators Kennedy and nine others have introduced legislation to raise the taxable wage base to $15,000 and draw an additional huge Social Security subsidy from the Treasury's general revenues. *And meanwhile, Mr. Cohen, himself, has publicly called for jumping the payroll tax alone to an ultimate 20 percent on a single job.*

2. *Charge*—That continuing "highly responsible surveillance" by the House Ways and Means Committee, by its chairman, Rep. Mills, and more important, by "four major commissions of distinguished laymen" known as the "Social Security Advisory Councils" have guaranteed the correctness of the system. Under Secretary Cohen makes a special point of this in his rebuttal with the implication that this review process not only disputes evidence such as mine but causes my appeal for a blue-ribbon Hoover Commission investigation to lack any semblance of reality.

Fact—Chairman Mills certainly is a restraining influence on spending schemes which he regards as exorbitant, but he doesn't hesitate to retreat, as he did when he withdrew his opposition to Medicare and Medicaid, on concluding that he could no longer stem the tide. So while Mr. Mills and his committee have done about as well as honest men in their political position could be expected to do under a variety of administrations, this doesn't make a Hoover Commission type of inquiry superfluous.

Most of all, however, the Social Security Advisory Councils appointed by the Secretary of Health, Education, and Welfare and chaired by the Social Security Commissioner himself have scarcely proved a setup for objective analysis. To call them "independent," as Mr. Cohen does, only perpetuates a notorious fiction. As documented in the CONGRESSIONAL RECORD, volume 109, part 7, page 9246, the New York *Times* quoted Social Security Commissioner Ball saying in a speech that the most recent council would draft an expansion of Social Security taxes and benefits and add a hospital insurance program, and all this *a month before this council was even appointed and 18 months before its recommendations were even to be announced.* Dorrance Bronson, assistant actuary of the Social Security agency from 1938 to 1944, complained to the Society of Actuaries that council members representing employes came only from such as the AFL–CIO, while *none* of the three members supposed to represent employers came from an office of any employer-oriented organization such as the U.S. Chamber of Commerce or National Association of Manufacturers. Ten of this council's 12 members were chosen from persons who had publicly committed themselves to support the Social Security setup and Medicare even before they were appointed.

The House Ways and Means Committee itself has at last become so fed up with the impropriety of this sounding-board arrangement that its own current legislation—not that of the administration—proposes to bar the Social Security Commissioner from council membership. *Senators Hugh D. Scott of Pennsylvania, Charles Percy of Illinois and James B. Pearson of Kansas* and other Senators have called for a separate investigation of the Social Security system. So has *Raymond E. King of the National Association of Life Underwriters;* also *Senator Vance Hartke, the liberal Democrat from Indiana,* who complains that "one of the real problems in government is the fact that there is really no comprehensive legislative oversight . . . to see what you have done and reexamine it in the light of what you want to do." The *Federal Reserve Board* reported last year that "In the past ten years the expansion of the retirement, survivors and disability programs has usually been undertaken without consideration for the economic impact of the programs."

Moreover, the *National Bureau of Economic Research, headed by Dr. Arthur F. Burns,* has just begun a comprehensive study of Social Security because, he says, "the need to study it and the related programs is obvious. The whole welfare program requires examination." A former chairman of President Eisenhower's Council of Economic Advisers and a former member of Social Security Advisory Councils himself, Dr. Burns says of the latter that "the scope is restricted. The amount of study is limited. Only now and then is there a show of independence. There is all the more reason for a thorough and objective study as is contemplated by the National Bureau of Economic Research." The *Brookings Institution* also has felt it essential to launch a study of its own.

But as important as any other development is the recommendation of the Republican Coordinating Committee comprised of President Eisenhower, recent Republican presidential candidates, six Republican senators, nine Republican members of the House of Representatives, representatives from the Republican National Committee and state legislators and eight Republican governors—John A. Love of Colorado, John Volpe of Massachusetts, George Romney of Michigan, Nelson Rockefeller of New York, Raymond Shafer of Pennsylvania, John Chafee of Rhode Island, Nils Boe of South Dakota and Daniel J. Evans of Washington. *Last April 10 this group officially called for an investigation such as I proposed,* and in these words:

The Republican Coordinating Committee recommends that a careful and impartial study be made of the entire Social Security system—its theory as well as its practice. This survey should be made without the built-in defenses of preconceptions and vested interests. Continued "patching"—increases and extensions of benefits—may eventually impose more of a burden than the system can bear. . . . There has been no thorough and detailed study of the Social Security system since its inception. We need an accurate understanding of the system to determine if Social Security, as presently constructed, can endure on a sound basis in the decades to come and whether we can accomplish new Social Security objectives without a major revision of Social Security's concept and structure.

If further proof of flimsiness of Under Secretary Cohen's rebuttal is needed, simply pick at random from the rest of his paper.

1—I quoted Social Security's chief actuary, Robert J. Myers, to show that the *combined* Social Security tax paid by an employe and his employer could buy a private insurance annuity policy that would pay the employe a much larger pension than he could hope for under the Social Security law. "In the long run," records Mr. Myers, "covered employes do *not* receive benefits equivalent in value to what would be purchasable from the combined employer-employe contributions. This quite naturally must be the case." But Mr. Cohen insists in his rebuttal that young workers "will get Social Security protection worth 20 to 25 percent more than they will pay in Social Security contributions. . . . Young workers could not buy comparable insurance protection from private insurance companies at anywhere near the amount they pay for their Social Security protection." How is he able to say this? Simply by *excluding* from his calculations the employer's taxes made in behalf of his employe.

2—I wrote that part of the costs of the President's program would be paid by raising the income taxes of 1,400,000 persons over 65 years old who've been able to save enough so that with Social Security they have incomes of $6000 or more. But Mr. Cohen replies: "There is no truth in the statement in the article that the method of removing these people from poverty would be through the raising of income taxes." How can he say this? Simply by ignoring the fact that Assistant Secretary of the Treasury Stanley S. Surrey in testifing before the House Ways and Means Committee about this very program (pages 200–201 of hearings) declared: *"The remaining 1.4 million older taxpayers, about seven percent of the elderly, will have their taxes increased. . . . The benefits extended through our tax system to the elderly . . . will go to those who because old age has imposed particular financial problems need tax relief the most."*

3—I quoted from the government's *successful argument of record* before the Supreme Court to show that although the Social Security Administration leads the people to believe they are buying private-styled insurance with guaranteed, contractual payments, "there is no contract" in fact, no "indefeasible right to receive for life a fixed monthly benefit." The government *successfully argued* that "Social Security must be reviewed as a welfare instrument to which legal concepts of 'insurance,' 'property,' 'vested rights,' 'annuities,' etc., can be applied only at the risk of serious distortion of language"; that it is a "program under which those with jobs are taxed chiefly to provide the funds for current benefits to aged beneficiaries and other eligible survivors"; that "no beneficiary or prospective beneficiary acquires any interest in the fund itself—monthly benefit payments are voluntary payments to the recipient, property acquired by gift." Furthermore, I quoted from the *successful argument* that "the benefits conferred may be redistributed or withdrawn at any time in the discretion of Congress."

But Mr. Cohen replies: "Mr. Stevenson distorts the legal issues. He has several quotes which to a lawyer and a general reader would appear to be from the Court's decision, but they are *not. He not only does not quote from the Court's decision but fails to mention that the Court decision reversed the contention of the Justice Department brief (prepared in the Eisenhower Administration) that the program is not an insurance program."*

The *documented* fact, in spite of Mr. Cohen's statement, is that this was not the

Eisenhower Administration trying in vain to introduce a new interpretation of the Social Security law. It was the government, for which Mr. Cohen at the time was a Social Security consultant, successfully arguing again in 1960 as it had successfully argued in earlier administrations exactly what the Social Security law is instead of what its propagandists then and today would have the people and Congress believe it is.

Despite Mr. Cohen to the contrary, the Supreme Court's decision states unequivocally that *"eligibility for benefits and the amount of such benefits do not in any true sense depend on contribution to the program . . . . . Persons gainfully employed and those who employ them are taxed to permit the payment of benefits to the retired and disabled and their dependents . . . ."* The Court's decision declared that a *Social Security beneficiary has no "accrued property rights"* to a government check, his *"noncontractual interest . . . cannot be soundly analogized to that of the holder of an annuity whose rights to benefits are bottomed on his contractual premium payments."* As emphasized by the Court, *payments to him will depend entirely on future "judgments and preferences as to the proper allocation of the nation's resources," and that Congress, which must exercise these judgments and preferences, "retained a clause expressly reserving to it 'the right to alter, amend or repeal any provision' of the act."*

When Assistant Secretary of the Treasury Surrey appeared before the House Ways and Means Committee last spring in behalf of the President's program, Rep. Tom Curtis of Missouri (page 378 of hearings) asked him: *"If Congress changes the law and lowers the benefits that people get under Social Security, does any citizen have a right to come in and insist on the benefits at a higher level?"* In line with the foregoing decision of the Supreme Court, Assistant Secretary Surrey replied: *"I would think not."* And Rep. Curtis rejoined: *"No, of course not, and this is part of the basic legal theory of Social Security; that it is a gratuity and not a right."*

Yet in the face of the Court decisions and all the foregoing, Mr. Cohen would have you believe that I erred in echoing the Court's own findings that the payments will depend on the *willingness of future generations to submit to taxation for the wherewithal.* At the outset of his rebuttal he declares *"categorically,"* as he puts it: *"Present and potential beneficiaries of Social Security will get the benefits provided by the Social Security law."* How can he say this? Why, simply by resort to omitting at this point the fact that *the law is subject to change at any time.*

Mr. Cohen has been associated with the Social Security bureaucracy and with enlarging its programs ever since the first law was put on the books. He is the administration's chief Social Security architect. He does not speak out of ignorance. Nevertheless, the few samples I've cited from his rebuttal are but typical of his entire document. He attempts to cast public doubt on the accuracy of my facts only through resort to diversionary tactics and mental sleight of hand—tactics which cannot hide the fact that nowhere does he actually deny the article's disclosure that:

There is great concern about the increase in the Social Security tax burden as proposed by the President.

Both Mr. Mills' and Mr. Byrnes' concern about this is represented (a) by their statements during congressional hearings and (b) the bill that they and the House Ways and Means Committee sponsored which would drastically scale down the Social Security tax burden proposed by the administration.

Benefits are not a contractual obligation to the U.S. government.

Social Security can't be regarded as a federally administered insurance program such as the government's own program would lead people to believe it is.

The Social Security taxes are not in the nature of premiums.

On retirement a person fails to acquire an indefeasible right to receive benefits for life.

Millions of additional persons who by no stretch of the imagination have paid for their benefits have been blanketed into the system to the end that current beneficiaries contributed only one tenth of the value of their annuities and that the remaining 90 percent of their benefits come out of levies on the payrolls of younger workers.

The unfunded outstanding obligations of the system now total $350 billion and would soar to $417 billion under the President's proposals.

The so-called retirement test does discourage some beneficiaries from augmenting their incomes by working.

No beneficiary or prospective beneficiary acquires an interest in Social Security trust funds.

There is a lack of correlation between total Social Security taxes paid and the amount of benefits payable to a widow with a child or the taxpayer and dependent spouse or the taxpayer himself on retirement.

The benefits may be redistributed or withdrawn by future acts of Congress.

Yet in spite of all this, Mr. Cohen concludes that: "Mr. Stevenson has not clarified any fundamental issues. . . . What he has done has been a great disservice to the millions of Social Security beneficiaries and the millions who are counting on Social Security benefits in the future." And what Mr. Cohen has written has been seized upon, made into a press release, distributed around the country both by administration legislators and the bureaucracy as the truth and only truth.

Why on the face of the record is it not important to explore the biggest policy issue of all—the protection to every American individual of some opportunity to provide out of his earnings, after paying his state and local taxes, for his family's daily needs, to have enough left over to give his children the best education he can afford and try to save something for his own old age—to protect the right of each individual to a little of the fruits of his efforts?

Why is it a "disservice" to Americans to tell them truths about the program in which they have invested their future? And how does it inspire people's confidence in a federal program if the people in charge of it handle factual material about it the way that Mr. Cohen does here?

Indeed, Rep. Durward Hall of Missouri had my article read into the *Congressional Record* of September 27 with this announcement: "The author has, for perhaps the first time, given the American people a clearer understanding of how the system operates and the dangers that threaten its fiscal solvency if politicians try to outbid each other." (Page 26995 of the *Congressional Record.*)

Rep. Tom Curtis of Missouri, one of the nation's real students of the subject, feels it incumbent upon himself to answer Mr. Cohen on the floor of the House. Rep. Curtis does not wholly agree with some of my conclusions, all of which makes his statement (see pages 2846–66 of *Congressional Record*) the more important.

Moreover, his forthright remarks make me feel that Mr. Mills went overboard in his comments about the article, perhaps because Mr. Mills too was misled by Mr. Cohen's sins of omission. Or perhaps because he felt the article somehow reflected unfavorably on his handling of Social Security legislation. I continue to have respect and sympathy for Mr. Mills, considering the tremendous pressures bearing down on him. Here is a man who fought against his own President's Social Security proposals, pushed a more sensible bill through the House, generously went to bat for HEW by endorsing its RD rebuttal—only to be faced by the administration's *victorious* efforts in the Senate committee to undo all his months of legislative effort.

Rep. Curtis said: "I find that it (my article) has raised some important points and challenges some half-truths and misleading conclusions that have been promulgated by the Social Security Administration for many decades. It (the article) essentially calls upon the public to put on its own thinking cap and examine into the matter itself . . . I find the scholarship in Mr. Stevenson's article sound and his syllogisms generally stated fairly. . . . I have also carefully examined Mr. Cohen's rebuttal. I find it seeks to build upon the half-truths and misleading conclusions the Social Security Administration has been promulgating for some time. I find that it does not forthrightly state what the basic differences of opinion are between the defenders of the Social Security system and its present-day critics so that the public can understand the dialogue and reach some conclusions of its own.

"I believe the Social Security system is in serious trouble, primarily because its promoters will not listen to honest criticism and reply to it forthrightly. I think the system can be and must be saved. But I believe if we continue much further along the path we are pursuing by accusing anyone who dares raise these questions of performing 'a great disservice to the millions of Social Security beneficiaries and the millions of people who are counting on Social Security benefits in the future,' the system will be destroyed. . . .

"In other words, the concern lest social insurance become welfare is serious, a concern which all of us on Ways and Means who have studied the system share. It does no good for us to pass off outside criticism on this score as being half-truths and drawing erroneous conclusions. Indeed, we need a great deal more examination into this matter than we have undertaken in the past.

"Mr. Cohen in his adhominem defense of the system refers to the various advisory councils which have given Social Security an upcheck. . . . Indeed, the panels chaired by the Director of Social Security have been selected because they were partisans of a particular point of view about the Social Security system and development. . . . Indeed we do need a blue-ribbon committee of top experts to study our Social Security system who have diverse views on the issues involved, as the Reader's Digest article advocates.

"The Reader's Digest article points up another serious question: How far can the payroll tax be increased before it reaches the point of diminishing returns? . . . Many scholars are now seriously concerned about this matter. . . . Notably Mr. Cohen ignores this issue too in his rebuttal. The data in the Reader's Digest article which points to the increased benefits a person can get from a private pension plan—because it must be funded—is accurate. The rebuttal of Mr. Cohen is inaccurate. . . . So the critics of the Social Security are correct in saying that the system is actuarially and financially unsound, applying the standards of private insurance. . . . Mr. Cohen seeks to throw the inquirer off the track.

". . . Again I find that Mr. Cohen's rebuttal avoids the issue and seeks to obfuscate it. Social insurance benefits are gratuities, the Supreme Court held, not contractual rights. Congress can take away the payments if it chooses. On this basis, the Internal Revenue Service held that the payments made to people qualified under Social Security were not taxable income, they were not earned rights, contractual rights, but gratuities, and under the federal income tax laws gratuities have not been taxed and are not taxed.

"From a practical political standpoint, the 90th Congress is not going to take away Social Security benefits—nor any Congress in the next ten years. But what about Congresses elected by people who do not pay in $1 and get out $20 as those who have received Social Security did, or pay in $1 and get out $10 as those presently receiving payments did, but by people who are required to make up some of this difference? And who, if they paid in—with their employers—an amount of money equivalent to their Social Security tax to a funded program, would get out twice or thrice as much in benefits and be able to enforce their right to benefits in the courts?

"I am not so certain. Nor am I so certain, as Mr. Cohen seems to be, that future Congresses will merely increase the benefits these young people are to receive—because increasing these benefits, if the system, on its own assumptions, is to remain actuarially and fiscally sound—will require further increasing the base upon which Social Security tax is levied and probably further increasing the tax rate as well.

"The half-truths of Mr. Cohen and the Social Security administrators and, yes, the advisory councils, are basically hidden in the semantics they have carefully employed over the years to make the term 'social insurance' appear to be insurance. They use all the words developed in the insurance field with which the public is familiar, 'premiums,' 'benefits entitlements,' 'actuarially,' and so forth, knowing that these terms, if they have meaning in social insurance, have different meanings when used in private insurance. Social insurance is not insurance. . . .

"People have been taught to believe they have paid into a system, that they have saved, that they are entitled to benefits. This is untrue. Yet they believe it because this has been the propaganda that the Reader's Digest article has dared to contest. As citizens they can qualify for Social Security benefits established by law, and the law if changed can only be changed to relate to all citizens equally. But the law can be changed—at least in theory, if not from a practical political standpoint—to pay all citizens equally, a zero amount.

"I've tried to say just enough hopefully to keep the public dialogue which the Reader's Digest article has started going . . . the dialogue is not going to be stopped. Time is catching up with us. Let us hope that politics does not destroy Social Security."

A POUNDING FOR SOCIALISM

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the Wall Street Journal of today, November 20, commented editorially on the devaluation of the British pound and the lesson to be learned here in the United States. Although the U.S. economy, it is true, is much larger than Britain's, still the cradle-to-the-grave welfare policies which are offered as remedies here in this country should be given closer scrutiny.

On Friday, November 17, the Wall Street Journal wondered about the future of the British pound, and whether it would be devalued. The very next day the British Government announced that it was cutting the value of the pound sterling from $2.80 to $2.40. Here are the two Journal editorials which provide some provocative observations on this latest development and the need for a return to more responsible fiscal policies.

DEVALUATION DELUSIONS

Once again speculation is rife about the future of the British pound. Will it be devalued and, if so, when?

The questions are of importance in Washington as well as London, and not only because of friendly interests in the fortunes of a close ally. Devaluation would persuade many people that the U.S. dollar was under serious pressure, and in nervous world money marts the thought can father the fact.

The basic trouble is that neither the U.S. nor Britain seems willing to do enough to assure monetary stability.

For a while last year, Britain's Labor government appeared to sense the urgency of the situation; it began edging toward austerity. But years of inflationary high living and labor union coddling have left effects that can't be corrected overnight—or entirely painlessly.

When the pains took the form of a business slowdown, the British government bowed to political pressures and resumed stimulation of the economy. Business responded to some extent, but a series of irresponsible strikes curbed foreign trade and further weakened the balance of payments. A few days ago the pound, in terms of the U.S. dollar, sank to the lowest level in a decade.

Reversing itself again, the Labor government is now moving up interest rates. And this week it was assured of continued massive support from Washington and elsewhere to shore up the sagging pound.

Through one manipulation or another, London and Washington could probably prop up the pound indefinitely. Such tactics, however, would hardly bring long-run benefits to Britain. They would for one thing allow the British to convince themselves that it's perfectly all right to pursue business as usual, a delusion that in time would be exposed as exactly that.

If the pound actually is overvalued in terms of other currencies, perhaps the best course might be to accept the inevitable and devalue. It would be useful, though, only if accompanied by firm monetary and fiscal measures to preserve sterling's new value, both at home and abroad. Otherwise, one devaluation all too probably would merely be the preclude to still further erosion of the pound.

Devaluation's merit, in other words, is only as a recognition of reality, not as a ploy in an international financial game. While its immediate effect would be to make British exports cheaper in world markets, that impact would be quickly offset by devaluation, or other defensive moves, by other nations. Devaluation thus isn't likely to end Britain's trade deficit, which now is at its worst level ever.

The U.S. has even less room for maneuver than Britain. Even if the dollar is overvalued, devalution would be a slap at those nations that have been encouraged by Washington to hang onto dollars instead of exchanging them for what's left of U.S. gold.

Both Britain and the U.S. are to some degree experiencing the result of a world monetary system that imposes little or no effective discipline on domestic financial policy. When the world was on a true gold standard, a half century ago, a persistent balance-of-payment deficit forced a nation to forgo excesses in the fiscal and monetary spheres.

A return to a real gold standard is theoretically possible but presumably out of the question politically. So, too, is full adoption of a system of completely free foreign exchange rates, which would compel every nation every day to assess the worth of its currency in the eyes of the world.

There may be more reason to hope that most nations could eventually agree to reduce the rigidity of the present system of fixed, and artificially supported, exchange rates. If currencies were permitted to fluctuate more freely, countries would have a clearer idea where they stand and, maybe, a sharpened incentive to improve their policies at home.

It is not at all certain that fluctuating exchange rates would force reforms. But nations at least could no longer so easily delude themselves that the need for reform exists only in the minds of a few reactionary economists.

A POUNDING FOR SOCIALISM

The devaluation of the British pound is both a confession of failure and a recognition of reality—as well as a lesson for the U.S.

As these columns observed last Friday, the writing off had become all but inevitable after years during which the British government lived beyond its means, indulged in inflation and suffered heavy trade losses with the rest of the world. Even the recent period of attempted austerity was not enough to cure the consequences of excess.

Like politicians elsewhere in these enlightened times, the British authorities had tried to run a grandiose welfare state, but with insufficient resources. Perhaps partly for that reason the years since World War II have seen the development of complacency or lethargy on the part of industry and labor. Certainly the unions and the Labor government fostered the I'm-all-right-Jack attitude of featherbedding and minimal effort which made it difficult for Britain to compete in world markets.

Given such policies and sentiments, it is a question how effective the devaluation will be. By itself, marking down the pound merely admits that it was overvalued. Unless followed by genuinely tough-minded approaches to economic problems, it may prove to be no more than the precursor of further reductions.

President Johnson, commenting on the move, noted Britain's trade deficit and said it had become clear that the United Kingdom was faced with a fundamental imbalance that necessitated the adjustment. Presumably the irony was unconscious. After all, the U.S. has been running not trade deficits, but heavy deficits in its general balance of payments, also mainly occasioned by wrong-headed Governmental policy.

Why, then, hasn't the day of reckoning come for the U.S.? One answer is that the dollar is being continually devalued through the Government's addiction to inflation, but that the process is not so obvious; in any case, it is the dollar by which other currencies are measured and formal devaluation would cause a lot of trouble. Another answer is that the U.S. economy is so much bigger and more variegated than Britain's that maybe it can stand the abuse for a longer time.

Still, Federal finances are in a shocking state, and Britain's step is a reminder that grave distortions cannot be left forever uncorrected. That is so whether the political system is candidly called socialism or more deviously the social-welfarism of an allegedly great society.

MODEL CITY

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I was gratified last week with the selection of Lowell, Mass., my hometown, as one of the first cities to participate in the model cities program. The selection was a tribute to the hard work, careful planning, and imagination of countless numbers of Lowell public officials and concerned citizens.

In an editorial commenting on the selection in the November 17, Lowell Sun, these individuals are duly commended. I include the text of the editorial in the RECORD.

MODEL CITY

Approval of Lowell's Model Cities application is the crowning achievement for the present city administration.

It proves that Lowell people, working together with the city government, can accomplish major undertakings.

It proves that Lowell is on the move again.

It shows other Massachusetts communities that Lowell is out to lift itself into a new era.

It shows the Federal government that the city wants to take advantage of the programs designed to rid urban areas of slums, unemployment, and poverty.

The people of Lowell should be proud of what its city government and many of its citizens have accomplished.

With the planning money Lowell can now proceed with plans to completely rebuild it ancient, historical Acre section.

If a proper plan is drawn massive federal monies will be made available to build model service centers, model schools, new cultural facilities and much more.

The government wants the "Model Cities" communities to think big, to present bold ideas that will not only solve a neighborhood's physical problems but also to try and come up with solutions to the long welfare lists, to unemployment, to juvenile delinquency and crime.

The Model Cities award is really a tremendous challenge that all Lowell should support.

Led by Mayor Edward J. Early and a Council sub-committee, headed by Councilor George F. O'Meara and including Robert C. Maguire and John E. Cox, the city kept in constant touch with federal officials in regard to the program.

Because of this constant watch, Lowell had a real insight into what the federal government was looking for in the way of applications.

It wanted people to become involved in planning the project.

Mayor Early did involve people. He gathered hundreds of volunteers and divided them into task forces that worked on special sections of the application.

The city's planning department staff and Redevelopment Authority personnel got together and did much of the technical work.

The whole theme of the application was people working together for a better Lowell.

And as the city manager put it "I never doubted Lowell would be included after seeing everyone working together on the project."

Not many people had the faith of the city manager.

But there are far fewer doubters in Lowell today.

DICK NIXON SPEAKS ON WORLD CHALLENGES

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, I submit for the RECORD the excellent address by Richard M. Nixon, "America in the World City," before the National Convocation on World Hunger conducted by the National Industrial Conference Board September 11, 12, 13, 1967, at the Waldorf-Astoria, New York City.

AMERICA IN THE WORLD CITY

(By Richard M. Nixon)

We meet here tonight at a time of turning—at the start of the final third of the 20th Century—a period in which the emerging patterns of growth and change may well set the course of civilization for ages to come.

Anyone who travels extensively abroad comes back with one indelible impression: Whether peace and freedom survive during this period will depend upon the leadership of the United States. Let us take an inventory tonight of America's strengths and weaknesses as it attempts to meet this challenge.

Never has a nation had greater assets for leadership than those of the United States today. Our military power is awesome, our economic superiority unquestioned. Wherever we go, whether in Asia, Europe, Africa or Latin America, we find signs of the American presence and evidence of American influence. We have military bases around the world, fleets in every ocean; in every country there are sales offices and subsidiaries of American companies, and the movie house down the street is likely to be playing Hollywood's latest.

And yet, increasingy, we find signs of a paradox of American power: never has a nation possessed such power as the United States now commands, and never has a nation sought to use its power to nobler purpose—but seldom has a nation been so mistrusted in its purposes or so frustrated in its efforts.

The gap is widening between what our spokesmen say and what others believe.

The deficit in our balance of payments is matched by a mounting deficit in our balance of influence. Ideas should be our greatest export—and yet in the market-place of ideas, people of other nations are simply not buying American.

In our posture ahead, in our approach to the conduct of foreign relations, in our structure of alliances, in the terms in which we try to sell our ideas and our policies, America is succumbing to a creeping obsolescence.

Our example has lost its fire. Our leadership has lost its drive.

Increasingly, we are seen as an old nation in a new world.

We are neither understood abroad, nor trusted. If we are to regain our lost leadership, there are three things we must do.

We must see the world as it *is*, not as it was or as we might wish it were.

We must face facts with a new realism.

We must speak with a new candor.

Let us take a look at what these three things mean.

First, the world as it is.

The most striking impression from months of travel is that we live in a new world. Never in human history have so many changes taken place in the space of one generation. Never has the pace of change been accelerating so rapidly.

It is a world of new nations—it is a world of new people. Half the world's nations have been born since World War II—and half the people now living have been born since World War II. And to a remarkable extent this new generation has, as one Asian Prime Minister put it, "neither the old guilts nor the old fears" of the generation seared by war.

It is a world of new ideas. The old isms—communism, socialism, anti-colonialism—that summoned men to revolution after World War II, have lost their magic.

Communism is losing the ideological battle with freedom in Asia, Africa and Latin America as well as in Europe. In Africa, native tribalism and rebellious individualism are simply incompatible with the rigid discipline a communist system imposes.

In Latin America, even while guerrilla activity is increasing, the utter failure of Communism in Cuba has drastically weakened the appeal of Communist ideology in the rest of the hemisphere.

In Asia, the remarkable success of private enterprise oriented economies in Japan, Korea, Taiwan, Malaysia and Thailand, as contrasted to the failure of Communism in China and the failure of socialism in Burma and Indonesia, makes it possible to state unequivocally that the only way for the Communists to win in Vietnam, or anywhere else in Asia, is by force and terror; they will never win by persuasion.

All over the world, whether from East Germany to West, from Communist China to free China, from Communist Cuba to the free American republics, the traffic is all one way—from Communism to freedom.

But while the new generation is no longer prisoner of the old isms, neither is it bowled over by American power or mesmerized by the American example. The young see the face of want and the face of hunger and the face of opportunity and, above all, they want change—change which will bring progress in solving these problems. Too often America appears to be the champion of the status quo rather than what we are—the boldest architects of change and progress civilization has ever known.

If they are to be won to our concept of what the world should be, they have got to be won by arguments they can understand, in terms they can believe, and for reasons that suit their own interests.

Here in the United States, we have to recognize the fact of a growing isolationism. To get a better understanding of its roots, let us look back over the years since World War II—a span that now embraces a whole generation.

These years have been a time of painful disillusion.

In 1945 America was weary with war but alive with hope. There was a feeling abroad in the land that finally, out of the terrible catharsis of the most costly war in history, and faced with the frightening dawn of the atomic age, mankind was finally ready to forge a peace that would make the world safe for idealism.

Yet in the years since, we have seen the raising of successive waves of extravagant hope, only to be dashed on the hard rocks of reality.

There was the UN. It was born in a glow of euphoria. The UN lasted, but the euphoria didn't.

There was the Soviet Union. Many expected that out of U.S.-Soviet cooperation in war would come cooperation in peace. We got an Iron Curtain, a cold war and nuclear blackmail.

There was Mao Tse-tung. Many thought his "agrarian reform" would bring the dawn of a new freedom in Asia. China got a new despotism. Asia got a new imperialism.

There was the wave of decolonization. Many thought that with the bonds of empire loosened, the people of the new nations would spring to a new prosperity and be inspired by a new morality. We got the crisis

of want and hunger, and we got Sukarno and Nasser and Nkrumah and the Congo and Suez and Kashmir.

And there were other disappointments. There was the Spirit of Geneva, and the Spirit of Camp David, and lately, for a flickering moment, the Spirit of Holly Bush. There was Castro, "liberating" Cuba from Batista's dictatorship. There was the Alliance for Progress, born in a great fanfare of words and a chorus of good intentions.

Somehow, underlying all this, there was an only vaguely articulated sense that the world had entered a new era, one in which international relations would be governed by a high code of moral precept rather than by the old rules of national self-interest.

But what has happened? What has happened, basically, is that people have been acting like people and nations have been acting like nations.

The United States has tried. We have tried to do what we thought was right. We have tried to exercise responsibly the role of leadership that our power inevitably thrusts upon us. We have tried to preserve the peace. We have tried to maintain conditions of freedom and justice in the world.

We have tried to help the poor onto their feet. We have tried to dampen the flames of war in those scattered corners where they have flared. We have tried to make the UN a forum for reason and a force for stability.

But the new morality we thought we discerned in the world was in large measure an extension of our own hopes. We thought that by wishing hard enough we could make our wish reality. We couldn't.

The result has been frustration, often angry and bitter and spiteful frustration.

Thus frustrated, it's a natural tendency of many to turn inward—to say that if the world is no better than it is, it hardly deserves our efforts or our sacrifices.

But if we yield to this temptation, we will have answered "no" to the great question that confronts us on this, the threshold of the final Third of the 20th Century: whether America has the staying power, whether it has the will, the vision, the sense of its own destiny and of the place this generation of Americans is called on to play in history, to meet the challenge of leadership in a world that has no other place we can safely let it look for that leadership.

If our leadership is to be effective, we have to be believed.

And in Europe, in Africa, in Latin America, in many parts of Asia, we simply are not believed.

Nor will we be believed as long as we engage in sanctimonious sermonizing that irritates our friends, bores our enemies and leaves the cynical unconvinced.

Take Vietnam.

It's not enough to moralize about our being there to defend democracy or guarantee freedom of choice, or to fall back on frail legalisms about the SEATO treaty or the meaning of the Tonkin Resolution.

The plain fact of the matter is that we are fighting in Vietnam for the same reason we fought in World War I and World War II and Korea: because our vital national interest is at stake.

Or take foreign aid.

In the 20 years since the Marshall Plan was launched the United States has spent nearly $117 billion on its aid programs overseas.

Why have we given this aid?

Because we are humanitarians, we like to say.

Well, we are. But this isn't *enough* of a reason. And the world doesn't believe it.

Our aid programs are distrusted abroad for the same reason they're in trouble at home: because we have not frankly stressed the simple fact that by helping others we help ourselves.

If Americans are going to be taxed in order that the peasants of India can eat or the lands of the Middle East be irrigated or fertilizer plants built in Africa, the American has got to be told why this is in America's interest.

If people abroad are going to believe us when we say that our development aid is not the opening wedge of a new imperialism, they have got to be shown why their prosperity is in America's own interest.

And why is it in our interest?

Indeed, a lot of Americans are asking the same question—demanding bluntly to know why we should be spending money on poverty abroad when our own cities are exploding with poverty at home.

One answer is, of course, that it's simply good business. Poor countries are poor markets for American exports, and rich countries are good markets. World trade is a little bit like a poker game: everybody has to have some chips in order to play.

But there is a larger and more urgent answer.

Marshall McLuhan says modern communications have turned the world into a "global village." I would go beyond that. The world is becoming one great city—with all the strains and all the tensions and all the explosive potential that implies. Distances are shrinking, time-spans are shortening, civilizations centuries apart in development are suddenly side-by-side—and in full view of one another. And as the rich and the poor are brought closer together, the gap between them becomes sharper.

The problems of the American city today will be the problems of the world city tomorrow. And in that world city, there is no retreat to the suburbs. It is a city in a deadly race with time, and a city more filled with tinder for The Fire Next Time than Newark or Detroit—for its armaments are not rocks and molotov cocktails, but the ultimate weapons of annihilation.

The violence in our own cities has brought sharply into focus two things:

First, that a civilization can endure only if order can be maintained and the safety of its people secured; but

Second, that the terrible anger and the anguish of those left out by society is, in the long run, something which society can ignore only at peril both to its conscience and to its existence.

Neither abroad nor at home can we expect our civilization to be secure in a sea of angry exiles. In the world city as well as in our own, we can preserve our hard-won abundance only by bringing the have-nots within the affluent society.

There is an understandable tendency to blame Communism as the source of our difficulties at home and abroad. Certainly the Communists delight in the agony of our cities and in our casualties abroad.

But if there were no Communism, we would still have the crisis of our cities.

If Castro were to disappear, Latin America—on a treadmill in a race between population and production—would still be a tinderbox for revolution.

If Peking and Moscow were to abandon their expansionist policies, the poverty of Asia, Africa and the Mid-East today would still provide a happy hunting ground for the Nassers, the Nkrumahs and Sukarnos of tomorrow.

America's basic self-interest in world development stems from the brutal fact that there can be no sanctuary for the rich in a world of the starving.

Just as the map of the world has so often been altered by the march of armies across the borders of nations, so now it is being altered no less dramatically by armies of the new-born.

If present trends continue, the world's population will have been doubled by the year 2000—and seven-eighths of this increase will have been in the poor nations. The frightening fact is that the poor are multiplying twice as fast as the rich. The greatest increases are among those who can least afford it.

Population control is a vitally important part of the answer, but even a successful effort can hardly do more than reduce somewhat the size of a gigantic problem of producing enough food in the decades ahead.

And even now, two-thirds of the world's people are undernourished or malnourished; 12,000 people a day are dying for lack of food. In the time a thousand of us will spend at this dinner, a thousand others will die of hunger.

Winning the race with hunger is too serious a problem to be left to philanthropy: too big to be left to government; too complicated to be handled by one nation alone and too explosive to be controlled by haphazard sentimentality.

However much it engages our compassion, the problem of hunger has to be met as a matter for the head, not just the heart.

In the poor countries, the race with hunger is part of the larger problem of economic development. It's not enough to grow food. It has to be transported, stored, processed, marketed. Farmers have to be able to get—and pay for—the fertilizers and pesticides and equipment that can multiply their output. In short, these nations need an economic infrastructure, and they need a market economy. They need entrepreneurs, managers, salesmen.

In the United States, agriculture is our greatest success, but in terms of our aid programs, it is our greatest failure.

If our aid programs are to play the role that they must play, then they must be drastically overhauled.

We have wasted too much of our aid on showcase projects that didn't really get at the root needs of the countries involved. A country that can't feed its people needs fertilizer mills before steel mills.

We've let ourselves get too paralyzed by the old cliche that foreign aid should have no strings—"no conditions"—itself a product of the notion that aid was something we as a rich nation had a duty to give out of pure humanitarianism. Political strings are one thing but it's something else again to talk about those economic conditions which are necessary if the seeds of aid are going to fall on fertile ground.

If we are convinced that another country's policies are leading it on the road to economic stagnation, then for us to subsidize those policies is an act of irresponsibility. It is worse than useless. As one of the ablest of Latin America's finance ministers put it to me: "The United States does us no favor when you aid an unsound economic and social institution. All you do is help perpetuate a system which should be changed."

We ought to turn our aid programs more in the direction of stimulating private enterprise, less in the direction of financing government enterprise.

It's not just seeds and fertilizers the hungry countries need. It's the system—a system of incentives and rewards, of prices and markets.

Some see government-to-government aid as the only humanitarian form of aid, and still tend to look on the entry into foreign markets by private business as a form of exploitation.

This misses the whole point of the dynamics of economic development.

The economic history of the poorer countries since World War II points to one clear fact: that the successful countries have been ones that have adopted an incentive economy, while those that have followed the socialist road have failed. Where private development and government enterprise have

been matched against one another, it has been private that has gotten the results.

The developing nations need American products. In order to modernize their agriculture, they need American fertilizer and American equipment, American tools and technology.

But along with our products, we have to export ideas. The usefulness of the products is going to depend on the success with which we persuade the new nations that a developing economy needs the lubricant of a free market, the fuel of profits, the security of a system in which investment is safe.

Thus to the question: "Economic development: whose responsibility?" I would answer that it is a shared responsibility, shared between rich and poor, and between government and private business. Private business shares in the responsibility for two reasons: first, because it shares in the stakes—both in the dangers of failure and in the opportunities of success. And second, because it's business that has what the developing nations need most: not only the capital, but the knowledge of the techniques of development and the understanding of the system of incentive.

America's share of the responsibility is one we can shirk only at our peril.

Our responsibility is a function of our world leadership. But our continued world leadership depends on the way we fulfill that responsibility. And to complete the circle, we can fulfill it successfully only if we can make our leadership effective.

When Malthus made his dire prediction of inevitable famine, man had not yet harnessed the marvels of modern technology to the soil; his gloom reflected a failure to predict the nature of 20th century agriculture as great as Marx's failure to predict the nature of 20th century industry. His was a prediction made at a time when there was little ground for hope. Now we have the hope; we have the means. The question is whether we can get those means in use before the production and population curves explosively intersect.

The race against hunger is part of the overriding race of this last third of the Twentieth Century: the race between man and change, the race to see whether man controls change or change controls man.

The race to control change is a race with revolution.

If our society is to survive—if our ideals are to survive—they have to be made meaningful to a new generation in a new world.

We can realize the promise of the new world only by enlisting the resources of the old. But unless those resources are directed to the realities of a new world—unless "see it like it is," and "tell it like it is," unless we strip away the wrappings of hypocrisy and speak with a new realism and a new candor, we may wake up to find that time and change have passed us by.

So let's stop apologizing for the success of free enterprise, and instead work at spreading and sharing those successes.

Let's stop apologizing for America's wealth and power. Instead let's use it aggressively to attack those problems that threaten to explode the world.

We *can* win the race with change. We *can* preserve our leadership. But to do so we have to recapture the faith and trust of a world in ferment. We have to revitalize the American dream, and cast it in terms that the new people of a new world can understand and appreciate and aspire to.

Whether they can be brought within it—whether their energies can be marshaled, their despair overcome, their hopes kindled, will largely determine whether the American dream can survive through the rest of this century, and thus whether the 21st will be one alien to our ideals and unsafe for our children—or whether that, finally, will be the century in which cynicism gives way to belief and the American dream becomes a world reality.

WPPSS TO REDEEM $25 MILLION IN OUTSTANDING HANFORD PROJECT BONDS

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOSMER. Mr. Speaker, the Washington Public Power Supply System—WPPSS—after a full year of commercial operation of the Hanford nuclear steam electric generating plant, is now redeeming approximately $25 million worth of revenue bonds through the Banker's Trust Co. of New York, the supply system's bond fund trustee.

In September 1962, following congressional approval for the WPPSS to construct and operate an electric generating facility using the excess steam being produced by the Atomic Energy Commission's new production reactor in the manufacture of plutonium at Hanford, Wash., the supply system raised the necessary risk capital to finance the project through the sale of a single issue of $122 million in revenue bonds. This action relieved Congress of any need to appropriate construction funds for the completion of this country's first dual purpose reactor. As a matter of fact, during the previous year, 1961, Congress in its wisdom refused to authorize the expenditure of such Federal funds. It believed the power development side of NPR was more properly a function of the local community which would benefit therefrom.

Owen W. Hurd, WPPSS managing director, states that a surplus of $22,271,122 in construction funds existed which permitted the early retirement of bonds originally scheduled for redemption in 1966. According to Hurd, this redemption of approximately $25 million in outstanding bonds means there will be a 20-percent decrease in the project's long-term debt, and of more importance, a corresponding reduction in Hanford No. 1's power costs.

This excess resulted from the outstanding management exercised by Burns & Roe, Inc., of Hempstead, N.Y., who were the project's engineers, as well as the fact that many large pieces of hardware were purchased below the engineer's estimates. Other reasons for the large monetary savings are due to the close scrutiny given to submitted bids, to the selection of top-quality contractors, and to the small number of contractor claims requiring arbitration or court action.

The 800,000-kilowatt steamplant has exceeded expectations and has performed beautifully. For example, recent tests conducted by General Electric engineers have shown that the two largest turbine generators in the world can produce approximately 4 percent more than their rated output. What this means is that the units can produce 62 megawatts more than the manufacturer's guaranteed performance.

In addition, Hanford No. 1 has met every expectation claimed by its proponents during the long, hard-fought legislative battle, which ultimately led to congressional approval for the WPPSS to finance, build, and operate the plant.

The steamplant came on the line at a critical low-water period which, without Hanford No. 1, would have resulted in serious brownouts causing grave economic consequences for the Pacific Northwest. Today, even with the addition of Hanford No. 1, the region faces a growing power shortage which could limit the region's growth unless additional hydro and thermal energy-producing facilities are built.

As was claimed at the congressional hearings in 1962, the Hanford steamplant was built without any expense to the Federal taxpayer.

And, in fact, the Government is making money because of payments to AEC of approximately $5 million per year for steam from the N-reactor which would otherwise be dissipated into the Columbia River. It is providing the Northwest, through the Bonneville Power Administration, with an additional source of low-cost power for industry.

All in all, Hanford No. 1 has been a shot in the arm for the economic growth of the Pacific Northwest. Unfortunately, it has been shut down for many weeks due to a labor dispute, which began September 1, 1967, between an AEC reactor contractor, Douglas-United Nuclear, and members of the Hanford Metal Trades Council employed at the N-reactor. However, prior to the strike the WPPSS's power-generating plant accounted for more than 35 percent of the total nuclear power generated in the United States.

Power from Hanford No. 1 has been purchased by 76 public and private utilities in the Pacific Northwest. The energy produced is exchanged by the participants for an equal amount of firm power from hydroelectric sources available to BPA.

The soundness of the position Congress took in recognizing the technical feasibility of the Hanford project during its long and hotly contested legislative history in 1961 and 1962 has been thoroughly substantiated. By the same token, the soundness of the insistence of Congress that the project be financed locally rather than federally also has been substantiated by the significant act of bond redemption almost 30 years ahead of schedule.

The WPPSS, consisting of 18 consumer-owned utility systems, 17 PUD's, and one municipality, in the State of Washington, is a municipal corporation authorized to build and operate facilities for the generation and transmission of power.

HANFORD PROJECT BONDS REDEEMED

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that

the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. MAY. Mr. Speaker, my colleagues who were here in 1962 will recall the long and hotly contested legislative battle over authorization of the world's largest nuclear powerplant at Hanford, in my district, in the State of Washington.

Many had great faith in this project, known as Hanford No. 1, and there were those who felt that the project was technically unfeasible. Such doubts at the time were understandable, but the position of the Congress in sustaining this vital project has been proved, over and over again, to have been basically sound.

Now, Mr. Speaker, I am more than delighted to be able to report to my colleagues that although Hanford No. 1 has been in commercial operation for only 1 year, the joint operating agency, Washington Public Power Supply System, is now redeeming approximately $25 million worth of revenue bonds through the Banker's Trust Co. of New York, the supply system's bond fund trustee.

The significance of this news is that these bonds were originally scheduled for redemption in 1996, and this early redemption, nearly 30 years ahead of time, means there will be a 20-percent decrease in the project's long-term debt and a corresponding reduction in Hanford No. 1's power costs.

The announcement of this significant news, which once again more than justifies the faith of Congress in this project, was made by the outstanding managing director of the supply system, Owen W. Hurd.

The question before the Congress in 1962 was approval for the supply system to construct and operate an electric generating facility to use the excess steam being produced by the Atomic Energy Commission's new production reactor in the manufacture of plutonium at Hanford. Following congressional approval of this, the supply system raised the necessary risk capital to finance the project through the sale of a single issue $122 million in revenue bonds, thus relieving the Congress of any need to appropriate construction funds.

Mr. Hurd, in announcing the early redemption of the $25 million in outstanding bonds, has stated that a surplus of $22,271,122 in construction funds has permitted this action. The excess resulted from outstanding management, as well as the fact that many large pieces of hardware were purchased below the engineer's estimates, among other factors.

Mr. Hurd has also reported that Hanford No. 1 has met every expectation claimed by its proponents during the long, hard-fought legislative battle, and that the 800,000-kilowatt steamplant has exceeded expectations and has performed beautifully. For example, recent tests conducted by engineers have shown that the two largest turbine generators in the world can produce approximately 4 percent more than their rated output. Mr. Hurd points out that this means the units can produce 62 megawatts more than the manufacturer's guaranteed performance.

The Hanford steamplant has been built without any expense to the taxpayer, and the Federal Government is making money from it because of the $5 million per year paid to the Atomic Energy Commission by the supply system for steam from the reactor.

Mr. Speaker, I am sure that all of my colleagues who supported this project in 1962 are pleased to hear this good news and join with me in congratulating Mr. Hurd, the Washington Public Power Supply System, and all the others who have made the Hanford project such an outstanding success. Our faith is more than justified by this truly remarkable performance.

CONGRESSMAN BURKE SEES DANGER IN SOVIET MILITARY BUILDUP IN MIDDLE EAST

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. BURKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BURKE of Florida. Mr. Speaker, the trouble spot for us appears to be Vietnam as we keep our sights focused on Southeast Asia. But, Mr. Speaker, today I want to alert you and my colleagues in the House to what may well be the real danger point for the world, and to call your attention to a military buildup that could well trigger World War III if it is not quickly checked. The danger point is the Middle East, for it appears to be here that the Soviet Union has focused its aims for expansion and is making inroads so swifty and powerfully that it would be difficult for the average American to comprehend and imagine.

For some it is hard to believe that the Soviet Union, with all its talk about world peace, would risk another world war. Yet the situation in the Middle East is so explosive and involves so many factors as well as so many people and countries that this could well be the area which will feed the flames for the outburst of another horrible war, one which could well lead to World War III.

The Soviet Union is playing a dangerous game in this part of the world. While the Communists talk of wanting peace in Asia they are furnishing arms to the North Vietnamese and are also commencing a dangerous buildup of military strength in the Middle East.

I have been informed by what I believe are reliable sources that the Russians have moved as many as 25,000 military personnel and technicians into Syria, Egypt and Algeria. The Soviet Union has been aiding the Arab forces with new modern weapons to supplant those the Arabs lost in the June 1967 war with Israel. Furthermore, it appears that trained Russian officers are now accompanying these weapons shipments and there are now six to eight Russian Army generals for the purpose of supervising the renewed area.

To further complicate matters, it appears that Algeria is now also getting involved with this Soviet program and is allowing the Russians to build a rocket complex at the port of Oran. If the information I have received is true, then you may be sure that this rocket complex will be strategically located by the Russians so that it would pose an ominous threat to the entranceway of the Gibraltar Strait from the Atlantic to the Mediterranean. In this event, the potentially explosive dictator Houari Boumedienne of Algeria together with the Soviet Union would be in a position to render our own U.S. Sixth Fleet almost impotent by bottling it up in the Mediterranean. Furthermore, one can plainly see how a rocket complex at the port of Oran would put the Russians in an excellent bargaining position for any future deliberations. With the Suez Canal under the control of Nasser and its use to us almost nil, the only other entry into the Mediterranean, that is, the Strait of Gibraltar, would be put in jeopardy since it would be directly in the line of Russian and Algerian rocket fire.

What is happening in the Middle East today is terrifying and should concern us all. The Soviet Union, which once had little or no outlet to the sea, could now conceivably become the master in any bargaining involving all of the strategic sea routes in the Middle East and in the Mediterranean.

It therefore appears that the Soviet Union is definitely playing for high stakes in this area and, contrary to what the Communists would like to have us believe, the issue far transcends the Arab-Israeli dispute. This appears to be only a smokescreen to cover the Soviet Union's real aim in the Middle East, which is the control of the vital sea routes and the promotion of the further decay of our Western world defenses.

I charge that these actions by the Soviet Union are a prelude to a direct aim by the Communists at the weak foundation of NATO which the Russians are hoping to further destroy. In my opinion, now that De Gaulle has provided an opening by neutralizing France, the Communists are aiming to wreck the entire structure of defense of the Western community.

In this regard I further feel that the administration may well be under-reacting in the Mediterranean because of a misguided belief that the Russians are less hostile and less dangerous than the North Vietnamese and the Red Chinese. As I see it, the truth of the matter is that the Soviet Union has not changed its desire for world conquest, not one bit! There is, in fact, much evidence to support the contention that the Soviet desire to conquer is stronger than ever.

The time has come for the United States, with our Western Allies, to make a complete reassessment of our stance with regard to the Russians. The world should know the Russian objectives in the Middle East and in the Mediterranean are not conducive to peace, and that they are working through the Arab

people and using the Arab people to gain their objectives by direct penetration. I think it is imperative now that we take a stronger stand in this regard and challenge the Russian aggressiveness. Tomorrow it may be too late. We must be wary and careful that we do not give aid to any nation that collaborates with the Soviet Union in that part of the world.

Furthermore, knowing the Russians, it would seem to me that we must definitely help Israel maintain a reasonable posture of defense in this area to counteract these hostile Russian movements. It was the swift and decisive action by the Israeli in that June war which saved our country from another Vietnam-type involvement and possibly the ignition of a world war.

The free world is not safe yet. All recent developments indicate that we must recognize today's dangers and prepare to stop them as they arise, or we may find ourselves in a new Munich, 1967 style.

Mr. Speaker, I am urging all my colleagues to join with me in insisting that our administration take immediate steps to inform the American people of what positive steps we will take so as to prevent a future horrible holocaust from erupting; for I believe that one could occur if we as a nation remain blind to the reality of hate that the Soviet Union is seeding in the Middle East as it appears from their present activities.

KANSANS MOURN DEATH OF EDUCATOR

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. DOLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DOLE. Mr. Speaker, death recently has taken from Kansas an educator, State leader, gentleman, and friend.

He was William C. Kampschroeder, who was serving as Kansas' last elected State superintendent of public instruction. At the age of 64, "Kampy" as he was known to thousands of friends and colleagues, had amassed an impressive 40-year career in education and public affairs.

Citizens throughout the State mourn his death. The loss to all Kansans is appropriately summarized in editorials which I submit for insertion in the RECORD:

[From the Topeka Capital-Journal]

SCHOOLS LOSE A FRIEND

The schools of Kansas lost a friend in the death Wednesday of William C. Kampschroeder.

He had devoted his life to their betterment.

His unselfish attitude was illustrated by the fact that he knew when he accepted appointment and later ran for the state superintendent's position it was a job with no future, but a vital one so long as it existed.

Kansans adopted a constitutional amendment in 1966 providing for abolishment of the office, creation of a new State Board of Education and appointment of a state commissioner of education by the board.

Kampschroeder had looked forward to completing his term as superintendent and maintaining Kansas schools on a high basis, then retiring and traveling.

He took into the state superintendency a long career in education, both on the state and local levels. He had been assistant state superintendent and a department head in the State Dept. of Public Instruction. Previously he was a principal and superintendent in several Kansas school systems.

Always devoted to the good of the community in which he lived, he was active in church, club and cultural activities.

His unexpected death, resulting indirectly from a traffic accident, cut short a career devoted to the advancement of Kansas education.

[From the Wichita Eagle-Beacon, Nov. 10, 1967]

W. C. KAMPSCHROEDER

It was fitting that W. C. Kampschroeder was able to fulfill one of his fondest ambitions and become state superintendent of public instruction before that office faded into oblivion.

The office was important to him and he went after it vigorously even though his opponent Robert Saft was an old friend and colleague and despite the fact that rough and tough political campaigning was against his nature.

"Kampy," as he was known to his students, colleagues, and friends, had a habit of raising his eyebrows and looking you straight in the eye when he made a point in conversation. It gave one the impression that he was concentrating only on what he had to say and that he considered talking with you important.

Kampy was trim and healthy looking before his death here at 64. He had been much heavier in the days at Eureka when he was superintendent of schools there.

He had taught at Savonburg and Richmond before moving to Eureka where he was superintendent for 14 years. Kampy had some visionary ideas about how Kansas education should progress, and he was happy with the thought that his tenure as state superintendent would be transitional.

But as a teacher he retained enough of the old fashioned ideas of discipline to maintain a reasonably tight ship, even during the trying war years.

He was not feared by the students, but he certainly was respected. On one occasion a group of students at Eureka High School scheduled a walkout which Kampy got wind of somehow. When a large group headed by some burly football players approached the front doors, Kampy was standing there, barring the way.

There was a brief standoff, and the students returned to class.

His students and all Kansans interested in education are going to miss Kampy.

PROTECTIONISM: A MEAT AX INSTEAD OF A DOCTOR'S SCALPEL

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. WHALEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WHALEN. Mr. Speaker, the economic well-being of the Nation is being threatened by a revivial of protectionist sentiment.

A dialog of sorts has begun on this serious question. I hope it will continue long enough for all Members of Congress to comprehend fully the significance of the import-quota measures that have been introduced during this session.

One of the most succinct commentaries on what is involved in this issue appeared over the weekend. Mr. Roscoe Drummond, the distinguished columnist, summarized the threat of the "new" protectionism by recalling some recent economic history.

Mr. Drummond observed that—

There may, indeed, be valid complaints by a few industries that trade agreements have operated inequitably in their cases. But needed relief ought to be made with the care of a doctor's scalpel, not with a politician's meat-ax.

As an economist, I concur with Mr. Drummond's evaluation, Mr. Speaker, and I would urge my colleagues to review his pungent commentary.

For that reason, I insert herewith Mr. Drummond's column which appeared in the editions of the Washington Post on Saturday, November 18, 1967:

NEW "SMOOT-HAWLEY TARIFF" COULD BRING REPEAT OF 1930'S

(By Roscoe Drummond)

Let me relate a revealing conversation which occurred on Capitol Hill the other day.

A distinguished American with long, successful experience in business who knows first-hand why expanding world trade is a boon to every nation, was talking with a United States Senator who with many others is seeking to ring American trade with high-protectionist import quotas.

This is what he gave the Senator to think about.

"Do you realize," he asked, "that in taking these first steps up the ladder of protectionist import quotas, you will be acting to destroy all that every Congress and both political parties have accomplished during the last 30 years to release world trade from artificial restrictions to the great benefit of the United States and every other country?"

"Do you realize," he asked, "that in moving away from freeing world trade and toward a barrier of import quotas for the United States you are proposing to return the Nation—and the world—to the ghastly economic mistake of the Smoot-Hawley tariff of the '20s?"

"Do you realize," he asked, "that in returning to the discarded and discredited policy of economic isolationism you will be inviting another economic depression in the United States like the horror of the 1930s?"

And what do you think the Senator's answer was?

"Yes, I know all that," he said, "but I can't help it."

He can't help it!

In 1930 President Herbert Hoover, with the gravest doubts and greatest reluctance, signed the Smoot-Hawley tariff atrocity instead of vetoing it. He said he couldn't help it—even after 3000 U.S. economists had unanimously appealed to him to veto it in order to save the United States and the world from the developing depression.

No one who knows how much the American consumer has been benefited, how many jobs have been created, how much wealth has been produced for the wage-earner by the leadership which the United States has given to the cause of freeing mutual trade, can take any comfort from the decision of the New Protectionists in Congress to hold back momentarily their import-quota proposals rather than try to push them through in the last hectic, over-crowded weeks of the present session.

They are not having second thoughts on what they are after. They simply expect to gather more steam for their enterprise by 1968 and to be in a better political position to get their way. When they say they know what they are doing but can't help it, they mean that for the most part they can't help yielding to the lobbying pressures of their home-state and home-district businesses.

That is exactly what Congress felt when it whooped through the Smoot-Hawley Tariff in 1930.

Disaster followed.

The need today is not to avert disaster, but to continue to reap the tremendous economic boom which the United States has been experiencing from expanding, not contracting, world trade.

There may, indeed, be valid complaints by a few industries that trade agreements have operated inequitably in their cases. But needed relief ought to be made with the care of a doctor's scalpel, not with a politician's meat-ax.

This year American business is exporting $31.2 billion worth of goods while we are importing $26.5 billion worth. The net benefit to the American economy, to American business and to American labor is $4.7 billion. It means more jobs; it means more profit; it means lower prices for millions of consumers; it crucially eases the strain on our balance-of-payments deficit.

Those who benefit from this kind of expanding trade better get themselves organized before Congress convenes again next January.

THE LATE HONORABLE JOHN NANCE GARNER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

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

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the death in Uvalde, Tex., on November 7, of John Nance Garner, the great and fabulous Texan, who had reached the zenith of national power as Speaker of the House and Vice President of the country, sad an event as it is, nevertheless served the purpose of reminding us of his tremendous and monumental contribution to our heritage and destiny.

The fact he retired and returned to his native soil, in the unique and beautiful Uvalde countryside, nourished by the Sabinal, rather than to remain at the scene and seat of a mighty government, has contributed to what I consider to be a tendency to diminish in the popular mind his great achievements. But he, like the classical and venerable poet of ancient Rome, Horace, chose to voluntarily relinquish the pomp and ceremony of Washington to return to his own "Sabine farm," except in this case the Sabinal.

However, I can personally testify to the fact he was always alert and very much wide-awake to all significant developments, whether they were purely local in nature, or State or national. In 1958, I was candidate for the position of Governor of Texas. There were those who dismissed my candidacy as the doings of "that Mexican." I was the favorite target of the traditional prejudice and venom of some Texans, such as reflected in the articles and dispatches printed in the Cuero, Tex., newspaper, by a journalist who today is in politics himself as the public relations man for the present junior U.S. Senator from Texas. Therefore, you can imagine my surprise when my good friend and volunteer helper in Uvalde, Tex., at that time, Charles Doria, advised me John Nance Garner was not only kindly disposed but interested in meeting me. Though the former Vice President did not in any way involve himself in the election, he certainly was courteous and respectful.

At that point, Mr. Speaker, I ask unanimous consent I be permitted to place in the RECORD the remarks made by another great American and a contemporary and colleague of Mr. Garner, the Honorable James A. Farley, of New York:

STATEMENT BY JAMES A. FARLEY, FORMER POSTMASTER GENERAL, FOLLOWING THE ANNOUNCEMENT OF THE DEATH OF FORMER VICE PRESIDENT JOHN NANCE GARNER, TUESDAY, NOVEMBER 7, 1967

The passing of former Vice President John Nance Garner marks the end of one of the greatest eras in the history of this country. I know of no man who made a greater contribution to his country than did Mr. Garner. His long record as a member of the House of Representatives and as Speaker of the House will be pointed to with pride by generations of Americans yet unborn. I know better than any living American of the contribution he made as Vice President of the United States in the two terms he served with the late President Franklin Delano Roosevelt. Despite his most conservative views he was more responsible than any other person for the passage of legislation referred to as "The New Deal Legislation," during President Roosevelt's first term.

He was most loyal in his devotion to the President and he labored unceasingly in order to get legislation through the House and Senate the way the President desired it. He was a dedicated American and one of the most loyal party members I have ever known, but his devotion to his country, which I had an opportunity to observe, overshadowed his devotion to his party. I know of no man in public life for whom I had greater affection than Mr. Garner and I considered it one of the great privileges of my life to be able to refer to him as my friend.

My family and I are saddened by his passing and extend to his son, Tully Garner, and the other members of the family our heartfelt sympathy.

Also, I ask consent to place in the RECORD the newspaper stories appearing in the New York Times on November 7, 1967, and the San Antonio Light for November 10, 1967:

[From the New York Times, Nov. 8, 1967]

JOHN NANCE GARNER, 98, IS DEAD; VICE PRESIDENT UNDER ROOSEVELT

UVALDE, TEX.—November 7.—John Nance Garner, Vice President of the United States under President Franklin D. Roosevelt, died in his home here this morning. He would have been 99 years old on Nov. 22.

Mr. Garner was Vice President during Mr. Roosevelt's first two terms as President. He broke with the President, however, over Mr. Roosevelt's controversial plan to enlarge the United States Supreme Court.

Mr. Garner developed a fever yesterday and went into a coma during the night. His son, Tully, who was his only child, was at his bedside when he died. He is also survived by a granddaughter, Mrs. John J. Currie of Amarillo, and three great-grandchildren.

A funeral service will be held in Uvalde on Thursday.

[From the New York Times, Nov. 8, 1967]

JOHN NANCE GARNER, ROOSEVELT'S FIRST VICE PRESIDENT, DIES IN TEXAS HOME AT 98—INFLUENTIAL IN NEW DEAL

(By Alden Whitman)

The Texan who was the 32d Vice President of the United States was never fully happy in the eight years he spent in that office, from 1933 to 1941.

More accustomed to the Congressional committee room and the small gatherings of influential legislators, he frequently said that he had been just "a spare tire of the Government" in the first two terms of President Franklin D. Roosevelt's New Deal.

"Worst damn-fool mistake I ever made was letting myself be elected Vice President of the United States," he remarked after he had left office. "Should have stuck with my old chores as Speaker of the House. I gave up the second most important job in the Government for one that didn't amount to a hill of beans."

Although Mr. Garner disparaged his job, he was nonetheless one of the most influential men on Capitol Hill in the first years of the New Deal. Having been in the House of Representatives since 1903 and a member of its powerful Ways and Means Committee for many years, he was practiced, as few legislators were, in the intricate and offstage business of getting bills through Congress.

As presiding officer of the Senate and as Mr. Roosevelt's designated "Mr. Common Sense," Mr. Garner put his political knowledge to work in obtaining passage of New Deal legislation. He was more conservative than his President and he did not wholeheartedly approve of much of the legislation he promoted, yet personal friendship, Mr. Roosevelt and he played poker together and party loyalty persuaded him to help gather the necessary votes and to direct legislative strategy.

BOURBON IN THE CHAMBER

Mr. Garner did most of his wheeling and dealing in a private office in the rear of the Senate chamber, to which he quietly invited key legislators to join him in what he called "striking a blow for liberty." The Vice President's excellent bonded bourbon and his persuasive, often sarcastic tongue succeeded in persuading his guests to vote his way.

However, after the election of 1936, Mr. Garner found himself increasingly out of step with Mr. Roosevelt. Their political differences reached a breaking point over the President's proposal to enlarge the Supreme Court to obtain judicial approval of New Deal statutes. The Vice President was against the plan, and when he knew how the votes were tending he told the President.

"How do you find the Court situation, Jack?" Mr. Roosevelt asked.

"Do you want it with the bark on or off, Cap'n?" Mr. Garner countered.

"The rough way," Mr. Roosevelt replied.

"All right, you are beat," Mr. Garner said. "You haven't got the votes."

Mr. Roosevelt then agreed to drop his proposal and commissioned Mr. Garner to patch up as best he could the party feuds that the Court plan had engendered.

Although the two men remained friendly, Mr. Garner was dropped from the circle of White House intimates and from the list of those who lunched with the President at his desk.

The Vice President was persuaded by his conservative friends to harbor ambitions for the White House, but these were effectively

frustrated by his lack of touch with organized labor, especially its militant leaders in the Committee for Industrial Organizations.

The mark of labor's disenchantment was stamped on Mr. Garner by John L. Lewis, head of the C.I.O., in a memorable display of his phrase-coining talents.

The occasion was a hearing on July 28, 1939, before the House Labor Committee that was considering liberalizing changes in the Wage-Hours Act, which Mr. Garner opposed. Referring to this, Mr. Lewis labeled the Vice President "a poker-playing, whiskey-drinking, labor-baiting, evil old man."

STAYED WEST OF POTOMAC

The description hurt Mr. Garner politically and so did his opposition to a third term for President Roosevelt. They added to the sourness with which he left Washington in 1941 for his home in Uvalde. He vowed never again to come east of the Potomac, and he never did.

In his Washington years, Mr. Garner was a man of striking appearance. He was somewhat under average height, but his ruddy complexion, white hair, and slanting blue eyes under shaggy eyebrows made him difficult to forget.

He was not given to speeches (he boasted that he had not made a single formal speech as Vice President) but he was an industrious and powerful member of the House.

The nickname Cactus Jack, given to him because he came from an infertile area of Texas, remained with him all his life.

Although he became a millionaire from business interests in his home state, he lived simply in Washington. For many years his wife, the former Ettie Rheiner, whom he married in 1895, performed all his secretarial duties and prepared their lunch on a gas range in his Congressional office. Because he spent so penuriously, Mr. Garner had a wide reputation as a tightwad, which he did nothing to dispel.

Apart from baseball, pecan-growing and farming (he raised fowl), Mr. Garner's chief avocation was poker. He was so adept at the game that his winning in some sessions of Congress exceeded his pay of $10,000 a year.

FATHER A CONFEDERATE TROOPER

A product of the rugged frontier, John Nance Garner was born Nov. 22, 1868, in a mud-chinked cabin near Detroit, Tex. His father, John Nance Garner 3d, had been a Confederate cavalry trooper who had migrated to Texas from Tennessee.

The boy's education was so sketchy that he had trouble keeping up with his classmates when he went to Vanderbilt University. Returning home, he read law with a lawyer in Clarksville, was admitted to the bar at the age of 22, moved to Uvalde, near the Mexican border, and joined a law firm that eventually became Clark, Fuller & Garner.

When he acquired a newspaper, The Uvalde Leader, as part of a legal fee, he made his name known and was elected county judge of Uvalde County, a post corresponding to county executive in other states.

From county judge, Mr. Garner moved to the Texas Legislature, which he entered in 1898. In his two terms he fought railroad interests in behalf of his Populist-minded small-farmer constituents, who sent him to Congress in the election of 1902.

"When I entered Congress," Mr. Garner once reminisced, "the autocratic leaders of the [Democratic] party thought I was just another cow thief from Texas. They 'rolled' me on committees, giving me minor assignments. I kicked until they put me on the Foreign Affairs Committee. Being the newest Democrat, I sat beside Nicholas Longworth, the junior Republican. That was how we struck up our friendship.

"It was darned peculiar that a silver-spoon aristocrat like him and one of the common people like me should hit it off, but we tried to outsmart each other for 30 years."

Over the years Mr. Garner formed friendships with men who exerted great influence in national affairs—Joseph T. Robinson of Arkansas, Carter Glass of Virginia, James F. Byrnes of South Carolina, Sam Rayburn of Texas, George W. Norris of Nebraska, Andrew W. Volstead of Minnesota and William Randolph Hearst, the publisher.

Increasingly, the Texan was admitted to the inner circles of the House leadership, those who frequented a Capitol hideaway and were known collectively as "the Board of Education."

Mr. Garner, a party stalwart except in international affairs, moved into the national spotlight in 1928, when he was elected House minority leader. As such he was active in the election of 1930, in which the Republican majority in the House was cut almost to the vanishing point.

In those days a new Congress did not organize until 13 months after an election, and by the time the House met in December, 1931, the Republican majority has disappeared, owing to deaths, including that of Speaker Longworth.

Mr. Garner was elected Speaker by three votes, a margin that obliged him to exercise his skill as a politician to obtain the legislative results sought by his party.

In the jousting for the Democratic nomination for President in 1932, Mr. Garner was Texas' favorite son. He was also, because of his conservative and isolationist views, the choice of Mr. Hearst, a major force in the party, who had, most improbably, won the California delegation for Mr. Garner.

On the first convention ballot in Chicago, Mr. Roosevelt had 666 votes of the 770 needed for nomination. Alfred E. Smith, the former New York Governor and the candidate in 1928, was second, and Mr. Garner was a poor third.

By the third ballot, Mr. Roosevelt had gained only 16 votes and James A. Farley, his campaign manager, was fearful that on the next ballot delegates would slip away to Mr. Smith or to Newton D. Baker, an internationalist who had been President Woodrow Wilson's Secretary of War.

Thus it came down to Mr. Hearst and Mr. Garner's 86 votes, 44 of them from California. At first Mr. Hearst refused to listen to Mr. Farley's entreaties until he received assurances, in phone calls from San Simeon, his California castle, that Mr. Roosevelt would eschew internationalist policies.

Then Mr. Hearst made his decision. Although he did not particularly care for Mr. Roosevelt, he cared far less for Mr. Smith and not at all for Mr. Baker. Through an intermediary, the publisher got in touch with Mr. Garner in Washington.

According to "Citizen Hearst," W. A. Swanberg's authoritative biography: "Garner knew that he owed Hearst the strength that he had. He thought it over and agreed [to deliver his California votes to Mr. Roosevelt]."

Although there have been denials, it has been widely accepted that the quid pro quo was the Vice-Presidential nomination for Mr. Garner. In any event, Mr. Roosevelt was nominated on the fourth ballot and Mr. Garner was chosen as his running mate without significant opposition.

In the election Mr. Garner's homespun manner and conservative fiscal views added strength to Mr. Roosevelt's appeal among those who regarded the New Yorker with skepticism.

As Vice President Mr. Garner adhered to the then current tradition—to be seen very little and not to be heard at all. Instead, he confined himself to the task he liked (and knew) best—maneuvering legislation through Congress.

He liked to joke about himself in this respect. One day a circus clown met him in the Senate Office Building and said by way of introduction:

"I am head clown in the circus."

"And I am Vice President of the United States," Mr. Garner replied solemnly. "You'd better stick around here a while—you might pick up some new ideas."

When Mr. Garner, at the age of 72, retired to his house in Uvalde, set among live oaks and pecan trees, he said that he wanted to live in quiet until he was 93. If he attained that age, he explained, he could say that he had spent half his life in public office and half as a private citizen.

TENDED TO FINANCES

He passed much of his time looking after his ranch holdings, real estate and banking interests.

He rejected offers for his memoirs, and, it was said, he burned his letters and other material bearing on his service in Washington.

When his wife died in 1948, he moved out of the main house into a smaller frame building nearby. He was generally known among his neighbors as Judge Garner, the title he had held in his first office. He read a bit, mostly history, and celebrated his birthdays with a special cake and a modest party.

Several years ago he gave up whisky on his physician's suggestion and cut down smoking the strong Mexican cigars, to which he had been addicted for scores of years.

Starting in 1961, he made gifts that eventually totaled $1-million to Southwest Texas Junior College, an institution on the outskirts of Uvalde. Pressed as to the reasons for his philanthropy, he said:

"I don't want these kids around here to have to suck on the hind teat when it comes to getting a good education. I can't explain my time schedule on what I've given to the college except to say that when you get in your nineties you can't afford to be a manaña man."

Although Mr. Garner only dressed in what he called his "store clothes" for such occasions as his birthday, he was the object of some attention and curiosity by visitors to Uvalde.

"People come by here to see me," he once explained. "They want to see what a former Vice President looks like. They expect to see some big imposing man, and it's me. I'm just a little old Democrat."

[From the New York Times, Nov. 8, 1967]

JOHNSON LEADS TRIBUTES

WASHINGTON, November 7.—President Johnson paid tribute today to former Vice President Garner as a man who inspired many generations of Americans.

In a statement issued by the White House, the President said:

"John Nance Garner would have been 99 years old on the 22d of this month.

"Few are given so long a time, and fewer still have used their years to such advantage. Few men in history had more experience in government nor more respect from his colleagues during his long career in public service.

The nation joins with the people of his beloved Uvalde in mourning the loss of one whose determination and joy of life were an inspiration to so many generations f Americans."

Former President Harry S. Truman described Mr. Garner as "a vital force for several generations on the American political scene as Speaker of the House and Vice President."

Informed of Mr. Garner's death at his home in Independence, Mo., Mr. Truman said:

"He enjoyed the respect of all Americans as the spokesman for the rugged and practical individualism that played such an important role in the building and growth of this nation.

"He was my friend and I was his. Mrs. Truman joins me in sincere sympathy to his family."

James A. Farley, Postmaster General during Mr. Garner's terms as Vice President, said, in part: "The passing of former Vice President John Nance Garner marks the end of one of the greatest eras in the history of this country. I know of no man who made a greater contribution to his country."

John L. Lewis, the old labor leader who was Mr. Garner's adversary in the nineteen-thirties, was asked to comment but declined.

[From the San Antonio Light, Nov. 10, 1967]

HUSHED UVALDE BURIES GARNER—MANY FRIENDS AND RELATIVES

(By Tom McGowan)

John Nance Garner, who rose from humble Texas origins to sit in the seats of the nation's mighty, Friday slept beneath a spreading mimosa tree on a hillside in the Uvalde city cemetery.

His body was committed to the grave as more than 500 of his fellow townsmen stood hushed and quiet under threatening skies.

Garner, a former speaker of the U.S. House of Representatives and a former vice president of the United States, was buried with simple, almost austere ceremony.

"Dear God, unto Thy tender keeping
We commend Thy servant, sleeping . . ."

Thus intoned Rev. Romilly Timmins, rector of St. Philip's Episcopal Church, in a brief service at the grave.

The six-minute graveside rite was taken from the Episcopal service for the dead as members of the former vice president's immediate family and close friends sat clustered under a canopy.

Standing shoulder-to-shoulder behind the family were Vice President Hubert Humphrey and U.S. Sen. Ralph Yarborough.

Humphrey was the representative of President Lyndon Johnson.

The graveside service followed a simple ceremony held in the chapel of the Frazar Funeral Home in downtown Uvalde.

This ceremony was delayed for 40 minutes as the family members awaited the arrival of the vice president's party, which was flown to the southwest Texas town by military helicopter from San Antonio.

Many of the Uvalde business houses were closed out of respect for the former statesman, and throughout the downtown section U.S. flags in sidewalk standards hung at half-staff in the gray mist.

At the funeral home, only a few blocks from the Garner homestead, an overflow crowd stood outside the chapel to hear the service.

Red-robed choirboys bearing a U.S. and Texas flag first entered and stood at attention at the rear of the chapel.

The service opened with a muted organ playing softly the traditional hymns, "Rock of Ages" and "Jesus Is Calling."

Timmins read scripture to the sorrowing audience, and outlined the former vice president's biography.

The Episcopal priest read from the 23rd and 121st Psalms, from the Gospel of St. John and from First Thessalonians.

". . . Let not your heart be troubled. . . "

At the conclusion of the chapel service, Timmins said:

"Death is only another horizon," and added the simple blessing, "and now John Nance Garner, may the Lord bless you and make His countenance to shine upon you."

Across the street from the funeral chapel and in the hearing of mourners standing outside, a crowd of youths who had come as spectators, laughed loudly and engaged in horseplay.

Their laughter overrode the words of the minister inside.

The ceremony at the chapel lasted for 18 minutes, and then the funeral procession formed up for the short ride to the cemetery three miles west of Uvalde on old road to the Mexican border.

Along the main street, hundreds of people stood with heads bared as the funeral procession passed. Several hundred more waited at the cemetery.

The former vice president's grave lies beside that of his wife, on the slope of a hillside overlooking the southwest Texas brush country that he had come to love.

Garner's silver-gray casket was draped with blood-red carnations and flowers heaped the gravesite.

Ten pallbearers, all friends and close associates of the former vice president, carried the casket from the chapel at the funeral home and from the hearse to the grave.

At the close of the service at the grave, Timmins recited:

". . . In the midst of life we are in death . . . and now we commend the soul of our brother departed unto Thee, O Lord . . . Earth to earth, ashes to ashes and dust to dust . . ."

The Lord's Prayer was then recited.

Garner died early Tuesday, 15 days before his 99th birthday. He had been looking forward to his 99th anniversary on Nov. 22. He passed quietly and without apparent pain at his home following a coronary attack.

Garner, who was called "Cactus Jack" by political writers of his era, served two terms as vice president in the administration of Franklin D. Roosevelt, but broke with FDR over the issue of Roosevelt's third term in the White House.

He left Washington in 1941, vowing he would never return to the nation's capital. He never did.

The former vice president's body lay in state at the funeral home Wednesday so that Uvalde residents might pay their respects.

The casket, however, was closed during Thursday's brief funeral ceremony.

[From the San Antonio (Tex.) Light, Nov. 10, 1967]

"GREAT AMERICAN," YARBOROUGH SAYS OF GARNER

U.S. Senator Ralph Yarborough, who with Vice President Hubert Humphrey flew to Texas to pay their final respects to the "Old Warrior" John Nance Garner, lauded the former vice president in the Roosevelt administration as a "great American."

Yarborough stood side-by-side with Vice President Humphrey as Garner's funeral service was read at the Uvalde city cemetery.

The senator and the vice president were among hundreds of greats and near-greats who came to the small southwest Texas city to help commit Garner to his final rest.

GREAT AMERICAN

Yarborough said, following the service, that he felt "Mr. Garner was one of the truly great Americans."

"He was one of the nation's great men and his career will stand as an inspiration for future generations.

"He came to Uvalde as a young man seeking health from Red River County, and through his hard work and his devotion, he grew in stature."

The senator outlined Garner's public and private career, and added that it was John Nance Garner who first brought the state of Texas into national prominence.

FIRST AS SPEAKER

"Mr. Garner was the first Texan ever to serve as Speaker of the House and he was the first Texan ever to become vice president of the United States.

"Through his personal integrity, his perseverance, his force of character he lifted himself and his state to a place of national prominence," Yarborough added.

And finally, Yarborough declared, "Mr. Garner was a self-made man in the finest sense of the term."

Vice President Humphrey also praised Garner in a graveside statement made to reporters.

"Mr. Garner," Humphrey declared, "represented the rugged American spirit. His death is a great loss to this country."

HEMISFAIR, 1968—SAN ANTONIO, TEX.

Mr. GONZALEZ. Mr. Speaker, the second portion of my special order has to do with an event that is not only national but international in scope. It is the HemisFair, 1968, which will take place beginning April 6, 1968, in my own native city of San Antonio, Tex.

This will be a special sixth category world exposition which has the sanction and approval of the Bureau of International Expositions headquartered in Paris.

This approval was not granted to other world fairs such as the recent New York World's Fair and it is the only exposition of its kind recognized by this national body for the year 1968.

It has become a reality because it is the realization of a long-dreamed-of and long-hoped-for event.

Here in San Antonio where for centuries the city has been astride what used to be known as the Camino Real—or the Royal Highway—over 400 years ago the Emperor of Spain decreed that a royal road be constructed from South America to North America. It seemed like an empty dream until the 19th century when the Pan American Highway was visualized—and after the formation of the Pan American Union this began as a real objective, to be accomplished, and which today is actually fulfilled.

Mr. Speaker, San Antonio is a gateway to the south and is a cultural blending area in which the two cultures that have traditionally shared this part of the world in the northern part of the hemisphere have coexisted and have contributed so richly to civilization in this part of the world. The local people, the private sector of San Antonio, first showed its support and it became a communitywide effort. Over $7.5 million was raised privately by the business and the private sector of the city.

Subsequently, the city council of the city of San Antonio authorized, and the voters voted favorably, for a $30 million bond issue predicated on the theme of a HemisFair.

Then the State Legislature of Texas appropriated $10 million for this purpose.

I am proud to say that the U.S. Congress recognized the national interest, and in 1965, thanks to the help of many of my colleagues, more particularly the illustrious gentleman from Illinois, BARRATT O'HARA, who was a member of the committee that had jurisdiction and gave us some valuable help, the United States made its contribution.

At this time I yield to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, I well remember the day that the House voted recognition and help to this great fair to take place in San Antonio next

year. Mr. Speaker, that action was a dramatic exhibition of the popularity of one man in the House of Representatives. I saw my colleagues going around soliciting votes. Always they were saying, "We have to help HENRY GONZALEZ." I do not think that any Member of this body ever enjoyed a larger measure of personal popularity than the gentleman from Texas who is now in the well.

I would say, Mr. Speaker, that in large measure, while there was general recognition of the worthwhileness of an exposition of this sort—and we were about to have one in Canada as well as one in Texas that appealed to us—there was the matter of money and precedent. I doubt, despite the great worthiness of the project, whether it would have received the backing of this body had it not been for the great popularity of the gentleman now in the well.

Mr. Speaker, I think it is a wonderful thing that next year we are to have this world fair. I remember when I was a boy we had a world fair in Chicago. That first world fair we had is still remembered affectionately by people of my age. We have had later fairs, most recently the fair in Canada.

I think that under the hypnotic influence of HENRY GONZALEZ and what this fair stands for, the fair in San Antonio next year will go down as one of the great expositions in all the history of this world of ours.

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

Mr. GONZALEZ. I am delighted to yield to the distinguished gentleman from Florida.

Mr. FASCELL. Mr. Speaker, I wish to add my commendation to that expressed by the distinguished gentleman from Illinois to the speaker in the well, the gentleman from Texas. We congratulate San Antonio and Texas for having a HemisFair in 1968, and we look forward with great anticipation for this outstanding exposition to take place. I am delighted for many reasons that we in the United States continue our interest in these international events because of the many reasons which are obvious—trade and cultural exchanges and the benefits, economic and otherwise, which flow from such fairs, particularly so with respect to an exposition in San Antonio.

As I recall, this is the first time in the Southwest where we have had an international exposition which has been sanctioned by BIE, and it is the first time we have had one which was of international or worldwide significance. I congratulate San Antonio, Tex., for this great event which will take place in 1968. But I must place in the RECORD the commendation which is due the distinguished gentleman from Texas, who was the original author and sponsor of this bill.

The gentleman displayed the finest capability and traits, not only as a Member of Congress, but as a citizen in developing the local interest and State interest in getting his legislation through this Congress.

I speak with knowledge, because as chairman of the Subcommittee on International Organization and Movements, we have had the responsibility of reviewing all of the requests—and there are many of them—which come before this body with respect to U.S. participation in trade fairs or world fairs or international expositions of one kind or another.

It is not easy to get approval of the committee. There are many more requests than there are those which can be granted. It is difficult to make a choice. It has to be done on merit.

I must say there was and has been no stronger advocate since I have been in the Congress of the United States than the distinguished gentleman in the well, the gentleman from Texas [Mr. GONZALEZ], in advocating his own case. He was thorough, he was knowledgeable, and, of course, he has a great personal charisma which helps him tremendously in getting this matter approved, not only by the subcommittee, but by the full committee unanimously, and then getting it through the House of Representatives.

I daresay, and I might as well put it on the record, for the people of Texas and the people of San Antonio—there would have been no HemisFair in 1968 had it not been for HENRY GONZALEZ.

Mr. GONZALEZ. Mr. Speaker, from the bottom of my heart I wish to thank the distinguished chairman of the subcommittee who made it possible for us to get the bill. Without his help, I can truthfully say there would not have in reality been a HemisFair. As I said earlier about the remarks of our generous and distinguished colleague from Illinois, BARRATT O'HARA, I only hope I am indeed worthy of the kind words of these two revered and distinguished colleagues in the House.

Mr. Speaker, I yield now to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, I am delighted to join my colleagues this afternoon in hailing this great event which will open next April in San Antonio.

I think all of us are indebted to the distinguished Congressman from San Antonio, our beloved colleague, HENRY GONZALEZ, for having made us aware of the potential of San Antonio for this international exposition.

New York City recently experienced a great world's fair, and one in Montreal was just concluded. I am sure that San Antonio's will be in the same tradition, reflecting great credit upon our colleague, HENRY GONZALEZ, whose vision and hard work have made HemisFair, 1968, a reality. Nearly 6 years ago, in February 1962, he first proposed that San Antonio celebrate its 250th anniversary with a "Fair of the Americas."

Our colleague is now the honorary chairman of HemisFair, 1968, which begins on April 6, 1968. HemisFair represents the first international exposition in the southwestern part of the United States. Its theme, "The Confluence of Civilizations in the Americas," is especially appropriate to the State of Texas. The cross-fertilization of the North and Latin American civilizations is well represented in San Antonio.

Most of the Latin American nations will have exhibits at HemisFair. The United States pavilion will introduce the "Confluence Theater," which employs a revolutionary cinema concept utilizing a belt of expanding screens.

Following the close of the fair, the 92-acre site will become an educational, recreational, and municipal center for the citizens of San Antonio.

What better way to recognize the anniversary of a city's founding than to pay homage to the two great civilizations that have contributed to its lifeblood in a living memorial to these traditions. HemisFair 1968 represents the ideal of United States-Latin American cooperation and understanding. Let us wish San Antonio and her Congressman success in their anniversary celebration.

Mr. GONZALEZ. Mr. Speaker, I thank the gentleman from New York [Mr. RYAN], my wonderful friend, for his very generous remarks.

I have no doubt that HemisFair will prove a remarkable exhibition to all who attend, for HemisFair has already been proven successful to the spirit of San Antonio. Hemisfair is at once a proud reminder of the bicultural and bilingual traditions of my home city, and a monument to San Antonio's position as the cultural and commercial gateway to Latin America, and a microcosm of the ties between North and South America. By emphasizing the Mexican, Spanish, Anglo, cowboy, and German cultures which moved Will Rogers to call San Antonio one of the three most unique and distinct of American cities, San Antonio places herself confidently at the forefront of hemispheric growth.

The construction of the theme buildings of HemisFair are generally progressing very well. Even the unexpected, such as the setback of several days when construction cables on the Tower of the Americas snapped during the high winds of Hurricane Beulah, has not upset the schedule. Already about 1,500 spectators a week gather to watch HemisFair in progress.

The Tower of the Americas, the theme piece of HemisFair, has been constructed to a height of 602 feet. It is already higher than the Seattle Space Needle and the Washington Monument. At its full height of 622 feet, it will be the tallest observation tower in the Western Hemisphere. The tower will be topped with a revolving restaurant and two observation levels, with visibility up to 100 miles. Three glass-sided elevators will take passengers to the top along the outside of this slip-form concrete structure.

The walls of the three-building convention center complex are all up. This includes a theater of 2,800 seats, a 7,320-square-foot stage and an orchestra pit for 85 musicians; a convention hall seating 10,500 under a 10-story high acoustical ceiling, and an exposition building of 50,000 square feet. The mural for the exposition building, measuring 34 by 46 feet, has been completed by the famous Guatemalan artist Carlos Merida. The mural for the theater, designed by the Mexican artist Juan O'Gorman in native Mexican stone, is two-thirds complete.

The extension of the San Antonio River is well underway. It will be one of the major entrances of HemisFair, and will provide a delightful way to view much of the fair.

The Tower of the Americas should cost $5.5 million, and along with $10.5 million for the convention center complex, has been financed by the city.

The construction on the U.S. pavilion is on schedule. It will contain an exhibit hall, with education displays, photomurals, paintings, and narrations, and the Confluence Theater. The theater will be a circular structure 70 feet high, utilizing a revolutionary cinema concept of disappearing interior walls and expanding screens. It will feature a three-part documentary motion picture produced by Academy Award Winner Francis Thompson around the fair's theme of "The Confluence of Civilization."

The Federal appropriation is $6.75 million, and it is estimated that the HemisFair will result in a credit to U.S. balance of payments in the amount of $39 million.

The Texas pavilion, with its Institute of Texan Cultures, is also on schedule. Texas is expending $10 million on this largest exhibit of the fair, and it is estimated she will receive $12 million in increased tax revenues alone from the HemisFair.

The woman's pavilion is well underway. This unique exhibit which will depict the contribution of women to the development of the Western Hemisphere is the result of nationwide efforts. After the fair, this exhibit is expected to become the Inter-American Education Center.

Similarly, construction has begun on the minimonorail and the sky ride. The minimonorail will be one and a half miles long, at a distance of 12 to 18 feet off the ground and with three central stations. The sky ride originates at one of the entrances and floats visitors one-fourth of a mile to a central point within. At a height of 82 feet, it will provide a gliding panorama of the fair. There will be gondolas, flower boats, and paddle boats on the canals and river extension, as well as tree-shaded walkways. At any point, the visitor can expect to meet with one of the planned groups of wandering entertainers.

A whole host of foreign countries and private companies are preparing exhibits at HemisFair. From Latin America, the exhibitors are Bolivia, Colombia, El Salvador, Honduras, Mexico, Nicaragua, Panama, Peru, and Venezuela. Others include Belgium, Canada, the Republic of China, France, Germany and Berlin, Italy, Korea, Portugal, the Philippines, Spain, Switzerland, Thailand, and Tunisia.

The private exhibitors to date include the Coca-Cola Co., Eastman Kodak, Ford Motor Co., General Electric, General Motors, Gulf Insurance Group, Humble Oil, IBM, Lone Star Brewery, Mormon Church, Pepsi Co., Pearl Brewing Co., Southwestern Bell Telephone, and American Telephone & Telegraph Co.

San Antonio loves her annual fiesta, and in 1911 even held a fair billed as "international." But the germ of the present fair developed in the late 1950's among several businessmen, notably Jerome Harris. Early in 1962, shortly after my first election, I made the inter-American fair a major plank of my "20th Century Program for the 20th District." A $7,500 feasibility study showed that a fair in San Antonio could expect 7,200,000 visitors. This estimate has since risen to as high as 11 million visitors.

The HemisFair name was born, to be held in 1968 in conjunction with the 250th birthday of San Antonio. Happily, HemisFair just precedes the 1968 Olympics in Mexico City.

I assisted in getting a $30 million local bond election passed in San Antonio for the fair. In 1965, Congress approved my resolution, calling for Federal sanction and participation in HemisFair, and authorizing the President through the Secretary of State to issue invitations to foreign countries. Passage of this measure was essential to getting approval of the Bureau of International Expositions in Paris for HemisFair as a special category theme-controlled world's fair similar to the successful Seattle fair. BIE sanction is usually the guiding light in whether a foreign power decides to participate in the world's fair of another country.

In 1966, I authored a bill which gave authorization for the Federal exhibit at HemisFair, based upon a Department of Commerce study. This became Public Law 89–685, and later in the year $6.75 million was appropriated for the Federal pavilion. In the meanwhile, the Texas Legislature has appropriated $10 million for the State exhibit.

In 1966, I also introduced a successful bill to authorize the Secretary of the Treasury to strike and furnish commemorative medals for the 250th anniversary of the founding of San Antonio, at no cost to the Government. The bound copies of my bills relative to HemisFair, and the reports and studies thereto, make a volume which is an inch thick.

As honorary cochairman of the HemisFair, and as San Antonio's Representative in Congress, I have, of course, continued my active interest in the progress of the fair, undertaking many liaison functions in behalf of HemisFair.

Mr. Speaker, I have been emphasizing the new, the commercial, the spectacular, the firsts—all important items to a carnival atmosphere. But also important to any visitor is the fun built into HemisFair, the largely free entertainment and exhibits, and the provisions made for a visitor's convenience and comfort. Journalist Bill Helmer has stated it well:

HemisFair is designed to be, first of all, *fun*. It will open in conjunction with the city's annual April frolic, Fiesta San Antonio—a week of parades, parties, bands, balls, street-dancing, and general hell-raising. It will be convenient, both in size and location: small enough to be toured in one day, located in the downtown area, and easily accessible by car, by foot, and by boat. It will also be comfortable: careful planning has been done to eliminate the long lines that traditionally exhaust fair-goers, and if visitors have to do any waiting at all it will be in air-conditioned comfort with some form of entertainment to pass the time.

For entertainment is perhaps the fair's greatest attraction. In addition to the city's plethora of Mariachi bands, parades, fireworks, and so forth, HemisFair—living up to its name—is scouring the hemisphere for talent thinly disguised as "cultural projects": open-air band and orchestra concerts, musical productions, ballet, a cinema arts festival, and a six-month-long folk festival of dancers, singers, and story-tellers.

But that peculiar alchemy which I am certain will make HemisFair a delight to visitors is a result of the community involvement in the fair. San Antonio is enthusiastic about its fair. San Antonio loves a fiesta, and HemisFair will start off in April with the traditional Fiesta San Antonio, celebrated in La Villita, the little Spanish town which we have cherished and preserved in the heart of the city. San Antonio still practices Southwest hospitality, with an ability to enjoy a community celebration which harkens back to her free-wheeling days as a railroad and cow town. San Antonio is proud of the aviators her air bases have trained. San Antonio is proud of her quiet tradition of support for both the performing and the fine arts. She is proud of her fine restaurants, notably Mexican, but wide in variety; a lot of them have become community gathering places. And San Antonio is proud of her mixed and varied background and her ability to accept and enjoy the best of the contributions of her cowboy, Mexican and Spanish, German, and Anglo settlers.

The support of San Antonio citizens has its dollar-and-cents side. A total of 480 San Antonians—representative of the professional, business and labor interests—have underwritten the fair to the extent of $8 million. They thereby guarantee the success of the fair, for if it does not break even, they lose. On the other hand, if HemisFair is a financial success, it is the city government of San Antonio which will directly profit.

HemisFair holds a fruitful legacy for San Antonio. There will be 92 acres of urban renewal land, containing a convention center complex, a Federal structure, a State educational building, the Tower of the Americas, and about 20 restored buildings of historic importance. But the greatest legacy is not material. It is the legacy of accomplishment, the proof of what community vision, enthusiasm, participation and sense of tradition can build. The 622-foot Tower of the Americas, rising from downtown San Antonio and standing at the edge of the south Texas hills, will become a symbol and a promise of the stature which San Antonio can assume in hemispheric culture and prosperity.

Mr. Speaker, with unanimous consent to revise and extend my remarks, I include here an excellent article by Bill Helmer from the current issue of Cavalier, entitled "San Antonio and HemisFair, 1968":

SAN ANTONIO AND HEMISFAIR, 1968

(By Bill Helmer)

Legend has it that when Santa Anna withdrew from San Antonio in 1836 he told the townspeople, "Don't do anything until I get back," and they didn't. This is just one of the local tales that presume to explain why San Antonio is unique among cities in the United States. Another is that the town was originally laid out by a drunken Indian on a blind burro in a sand storm.

As both stories suggest, San Antonio has long been a monument to city non-planning and civic non-progress. Two-hundred and fifty years old, it was founded more or less by accident, and through no one's efforts has grown into a sprawling metropolitan area of nearly 800,000. It still clings to its old customs, traditions, and cultural heritage with a tenacity that makes it in some ways almost an independent city-state. In the old and fashionable King William district, a few crooked blocks from the downtown skyscrapers, residents still wake up mornings to the crow of roosters.

To put it simply, San Antonio has not been progressive enough to turn its historical buildings and plazas into parking lots, office buildings, shopping centers, and high-rise apartments. La Villita, the city's old quarter, still has little shops and houses dating back to the eighteenth century, and in and around the city are several well-preserved Spanish missions, including the famous Alamo, built in the early 1700s. On the edge of the downtown business district the old Spanish Governor's Palace, decorated with the Hapsburg coat of arms, still faces on the Military Plaza where the flags of six nations have flown since its construction in 1749.

Having apparently abandoned their expectations of Santa Anna's return, San Antonians lately have begun to move in a direction that might be called progress: the development of business and tourism, the building of expressways and swimming-pooled apartment complexes. But at the same time the city has discovered itself in such a way that "Growing San Antonio" is not only demolishing and building, but preserving and restoring. Both the symbol and the substance of this dual approach to civic progress is an ambitious, rather exciting, somewhat controversial project soon to be unveiled to the country and to much of the world as Hemisfair '68.

As the name is intended to suggest, HemisFair will attempt to distill the character and accomplishments of the New World into some ninety acres of concentrated glitter that constitutes the pure essence of the Americas. The project is original and quite official, properly credentialed as a world's fair by the outfit in Paris that tends to such things.

HemisFair is appropriately located, San Antonio being the most bi-lingual and bi-cultural of U.S. cities. It is nicely timed to coincide with San Antonio's 250th anniversary celebration, and to run contiguously with the 1968 Olympics in Mexico City. To judge it by the plans of its mortal parents, HemisFair is going to be not only the most worthwhile exposition in recent history, but also the most fun-loving—a notion that is both rare and thrillingly risky in these days of commercial expositions manufactured by professionals and untouched by human hands.

For HemisFair is the brainchild of amateurs who have more dreams and enthusiasm than experience, a combination that may well produce an exposition that is refreshingly different. Like any brainchild, it tends to dominate its household, and its household does not always agree with regard to its proper upbringing. But in any case it is a labor of love for the city of San Antonio, whose parental character will doubtless do much to shape the personality of the finished fair when it begins its six months' run on April 6, 1968.

William Manchester described San Antonio as "drab." John Kenneth Galbraith, the famous Harvard economist and former U.S. Ambassador to India, found the city otherwise when he went there on a speaking engagement last year. After strolling through La Villita and along the public pathway lining the San Antonio River that winds through the downtown district, he said to a government professor who was with him, "My goodness! I had no idea a place like this existed in America."

He meant it as a compliment partly to the town's colorfulness, and partly to what might be called its public way of life: people outdoors enjoying the miniature river's parks, scenic walkways, open-air restaurants, and little paddle-boats; wandering in and out of tiny abode shops and attending outdoor plays and concerts.

More than any city in Texas, and possibly the country, San Antonio is geared to a leisurely kind of living. It is a New Orleans without the honky-tonks and tourist traps, and with a life style that is Mexican instead of French—in fact, more Mexican in many ways than American. Instead of a Mardi Gras it has fiestas, some providing cultural and popular entertainment of the organized sort, some that mostly just "suspend law and order" to permit wild nights of downtown dancing, singing, and general carousing. While Dallas and Houston sold their civic souls and toiled in search of wealth, San Antonio, relatively speaking, relaxed in the sun and danced in the streets.

Throughout much of its 250-year history San Antonio was the state's largest and most important city, mostly by default. Established as a Spanish expedition's campsite in 1691, founded in 1718 as a mission and military *presidio*, the settlement grew chiefly because it afforded the Spanish a defensible military position against French incursions from the east.

Throughout the eighteenth and early nineteenth centuries San Antonio was more battleground than city, which was never good for business. (Periodically it was attacked by Comanche Indians and the Mexican Army. It solved its Indian problem in 1840 by the expedient of luring twelve tribal chiefs into town for a pow-wow and then shooting them.) In 1877 the railroad came to town and helped turn it into a brawling frontier center of cowboy vice and violence that inspired a visiting revivalist to write off San Antonio as "the most wicked city in the United States except for Washington, D.C., which is the most evil place outside of Hell." It also brought people and prosperity.

But once the state began to urbanize and industrialize, San Antoino found itself lagging further and further behind. As late as the 1920s it was still a center of regional commerce and of Mexican tourism and revolutionary activity, and in the Forties it enjoyed a modest boom owing to year-around good flying weather. Virtually every Army Air Corps flier in World War II went through one of the city's air training bases. After that, the only thing anyone ever heard of the town was a nickel's worth of Bob Wills' "San Antonio Rose."

Situated "deep in the heart of Texas," but no longer an important center of anything, San Antonio has grown up more or less independent of the rest of the state. It has always been the principal shopping center for South Texas and for Mexican tourists visiting the U.S. during holidays, but its once-famous Joske's of Texas has been long since overshadowed by Dallas' Nieman-Marcus. Nor, since the building of an expressway, do its difficult streets even tempt Mexico-bound tourists to stop over for an hour or two of shopping and sight-seeing. Conseqently, it has remained relatively insulated, retaining its old customs and traditions and developing a way of life that is indigenous to the city. Its aristocracy predates oil, its poverty predates industry. In general, its people—many of them—predate the state and even the United States, and constitute a cultural menagerie that has made San Antonio one of the most tolerant and cosmopolitan cities in the country.

The population is about fifty-five percent "native white" of German, French, and cowboy descent; about thirty-five percent Latin, which includes Mexican-American "Latinos" plus the remnants of the original Spanish culture. The remainder are Negroes, pacified Comanches, and Orientals who either came with the railroads or with Black Jack Pershing as political refugees from Mexico when he returned from chasing Pancho Villa in 1916–17.

This ethnic mixture makes San Antonio sometimes a carnival of coalition politics, but one that is racially integrated and unusually liberal. Unlike Houston and especially Dallas, San Antonio has virtually no lunatic fringe of political hate groups. As elsewhere in the state, the city is controlled by conservative business interests, but in an enlightened manner. In fact the San Antonio power elite stays in power (and infuriates liberal reform groups) by running minority-group candidates, adopting liberal programs, and generally doing a sound job of running civic affairs.

Culture—in the fine art sense—is another aspect of San Antonio that sets it apart from the rest of the state. Since its rowdy frontier days, the city has been a center for both the performing and fine arts, without ever advertising the fact. That the *nouvoil riche* of Dallas and Houston compete to make their cities the "Culture Capital of Texas," is something San Antonians consider poor in taste, if not altogether vulgar.

Despite its growing tourist trade and sizeable military population, San Antonio is relatively underdeveloped with regard to wild night life. Except for a few dives downtown and a few 'tonks on the outskirts, the city is given more to good restaurants and posh clubs, many of them "private." The private club is the Texas technique for circumventing state laws against selling liquor by the drink. The clubs require membership, but special guest cards are about as hard to come by as Mexican lottery tickets, and many hotels supply them automatically.

One reason for San Antonio's sparsity of nightclubs is its proximity to Mexico, a quick two-and-a-half-hour drive to the south. Another is that the city's restaurants provide enough in the way of set-ups, entertainment, and decor to serve nicely as social gathering places. San Antonio dining runs to the foreign, especially Mexican, both in food and atmosphere, and both are notably good. Even at the obvious "tourist" restaurants located strategically along exotic Paseo del Rio, the river walkway, one can get a good to excellent Mexican dinner, plus the free trimmings (tostadas, tortillas, Mariachi singers), for two dollars a person or even less.

Along with dining out and the usual kinds of popular and cultural entertainment, a favorite social activity in San Antonio is the houseparty. These usually bear little resemblance to cocktail parties in the *New Yorker* cartoon tradition, where pretension and painful decorum prevail until, at last, alcohol unleases the beast within. Even in the state's more civilized circles, Texans seem to have enough of the cowboy left in them to do their drinking less for social and professional reasons than for the old-fashioned purpose of getting a little drunk and raising a little hell.

Between the weekend houseparty and the weeknight activities around the picturesque river, San Antonio is a lively town. The Washington press corps that regularly trails President Johnson on his trips to the LBJ Ranch used to put up in Austin, the state capital. Bored with the city and unhappy with their accommodations, they wangled an invitation to try out San Antonio, some eighty miles to the south but still convenient to Johnson City. In San Antonio an eager Chamber of Commerce greeted them with a Mariachi band, Margarita cocktails, and modern swimming-pooled hotel, and they have now made San Antonio their home away from home.

But if San Antonio is a lively town, it is also a pleasantly lazy town that has always

run on what the natives call "Mexican Standard Time." Complains a teacher at one of the city's several small universities, "If people here were as late to work as they are to my appointments and my parties, nothing would ever get done. And they usually are."

To a great extent, though, it is this easy-goingness that has preserved San Antonio from *self*-destruction; that makes San Antonio today the "Fiesta City" instead of an insurance or a ball-bearing capital.

Now the idea of civic progress has come even to San Antonio. But like the farmer who is surprised to discover that his mint-condition Model T is worth more than a 1967 Ford, the city has come to realize what a unique thing it has not only in its ancient structures but in its bi-cultural way of life. And everyone is excited about it.

It is against this background that HemisFair was conceived and now is growing. As a purely home-made product it is bound to inherit and reflect San Antonio character, for it is conspicuously the project of enthusiastic amateurs whose hearts are as deeply committed as their pocketbooks. New York's fair was the Edsel of expositions—commercially motivated by marketing conditions instead of utility; fabricated by professionals according to formula. By contrast, HemisFair is a labor of love and of rather lofty ideals. Too lofty, fear those who see it as more of an adventure than a venture, inspired more from the heart than from the head.

The idea of such a fair has been kicking around San Antonio since 1958, when it was first suggested by a local department store executive. The idea was as original as it was natural: a New-World's fair emphasizing the great interchange and confluence of culture, history, and technology between North and South America. And San Antonio, America's most bi-cultural city, was the natural location. In 1962 San Antonio's U.S. Congressman Henry Gonzalez picked up the ball and passed it to a group of local businessmen who have been running with it since.

Using the same analogy, the fair has been something of a political football ever since in a contest between the state's conservative Democrats led by Governor John Connally and its liberal Democrats led by Gonzalez and U.S. Senator Ralph Yarborough, both playing quarterback. Both sides have helped the fair financially by securing state and federal funds, as well as state and federal exhibition commitments, and both sides would like to benefit from the influence the fair's top men can have on the local power structure.

None of which game-playing will have much effect on the finished product. But it does illustrate the importance that Texans and especially San Antonians attach to the fair—something the New York fair never really enjoyed.

Probably the first task of any exposition is to convince the public that a need for it exists; that it will serve some higher purpose than to fatten civic coffers and line investors' pockets. HemisFair has done this, to a great extent, without straining. As the first world's fair ever to be held in the Southwest, it will be a new and different experience for millions of people from that section of the United States and from Mexico. Moreover, its pan-American theme is one that has been obviously neglected and is unquestionably worthwhile. It is as propitiously timed as was Chicago's famous Century of Progress exposition that did so much to bolster national morale in the depths of the depression. HemisFair will be performing a happier function, of course: to exhibit the fruits of history rather than gloss over its disasters.

Nor can the fair's motives be labeled grossly materialistic. In fact, skeptics accuse its underwriters more of naivete—of succumbing to the temptation to perform a magnanimous, soul-satisfying work of civic charity that could flop and cost them a fortune. HemisFair is not intended at all to be a work of charity, of course. If estimates are correct, HemisFair could bring San Antonio as much as $275 million in retail and wholesale trade (including the money spent on its construction), bring the state a similar amount, and benefit the U.S. balance of trade something like $39 million.

The only thing conspicuously charitable about HemisFair is the one-sided gamble its 480 local underwriters are taking. They have committed themselves to the extent of about $8 million should the fair not break even, with no means of profiting from the fair except indirectly, as a result of increased local trade. Any profits from the fair go to the city, which in addition gets a permanent civic center, a spectacular observation tower, and restoration of part of its old quarter as a permanent tourist attraction.

This apparent altruism on the part of some businessmen quickly aroused the suspicious of local journalists who have been sniffing around ever since for secret real estate or construction deals. (Texas being famous for its slant oil well drillers, Billie Sol Estes, and now the Medders family.) They soon turned up the fact that the fair's original president had owned a four-story commercial building for which he was paid nearly $400,000 by the San Antonio urban renewal agency which has spent $12.5 million in public funds to buy the property that the city is leasing to the fair. The rumor soon spread that the president earlier had valued the same building, for tax reasons, at one-quarter of what he got by selling it for HemisFair. However, the rumor checked out to be false, and continuing efforts to uncover financial hanky-panky have only shown that the fair's underwriters are, if anything, sticking their financial necks out.

This in itself creates certain problems, of course. The community's deep involvement and high financial stake in the fair make it something of a sacred cow—a cause so holy that any dissent or even constructive criticism is regarded as treason. Some San Antonians, especially the intellectual and professional element, tend to resent this. As early supporters of the fair, they would like to participate in its creation by contributing ideas, which are frequently ignored or even automatically rejected. They worry that HemisFair has ceased to be a part of San Antonio; that the city is becoming merely an appendage to an in-group project so economically important to the community that its leaders will become virtually dictators of city politics.

Politics notwithstanding, it is the community's sense of involvement that gives HemisFair its most precious assets: enthusiasm and imagination. Even the fair's staff exhibits a degree of dedication that no pay check alone ever bought. Being mostly amateurs at designing, planning, and promoting an exposition, they are not hide-bound by traditions or by the professional habits that doom so many projects to uninspired mediocrity. A San Antonio lawyer observed approvingly, "It's like a bunch of cowboys building themselves an airplane; however it comes out, it's got to be quite a show."

Which is close to the philosophy that prevails among the fair's staff and throughout San Antonio generally. The fair's intellectual objectives are lofty enough: exhibits and pavilions and performances that demonstrate the history, technology, folk art, painting, crafts, sculpture, religion, music, and generally the "confluence of civilizations in the Americas."

HemisFair is designed to be, first of all, *fun*. It will open in conjunction with the city's annual April frolic, Fiesta San Antonio—a week of parades, parties, bands, balls, street-dancing, and general hell-raising. It will be convenient, both in size and location: small enough to be toured in one day, located in the downtown area, and easily accessible by car, by foot, and by boat. It will also be comfortable: careful planning has been done to eliminate the long lines that traditionally exhaust fair-goers, and if visitors have to do any waiting at all it will be in air-conditioned comfort wth some form of entertainment to pass the time.

For entertainment is perhaps the fair's greatest attraction. In addition to the city's plethora of Mariachi bands, parades, fireworks, and so forth, HemisFair—living up to its name—is scouring the hemisphere for talent thinly disguised as "cultural projects": open-air band and orchestra concerts, musical productions, ballet, a cinema arts festival, and a six-month-long folk festival of dancers, singers, and story-tellers.

Also for the sake of entertainment, the trade aspect of the fair is being played down by emphasizing national exhibits (foreign government space is rent-free, with about thirty countries expected), and by encouraging corporate exhibitors to blend their commerce with art. For example, one leading aluminum manufacturer has commissioned, as its exhibit, a garden of aluminum sculpture.

As any fair must, HemisFair has its share of spectacular curios: a one-and-one-half mile mini-monorail of fiberglass and aluminum, a quarter-mile skyride, eighty-two feet high, and a 662-foot Tower of the Americas with a revolving restaurant on top and observation platform affording a view of up to one hundred miles. (In West Texas, some claim, one can see that far any time just by looking out the car window. However, San Antonio is on the edge of Central Texas' lush and scenic hill country, described in local beer advertising as "the land of eleven hundred springs." It is a little like "the land of sky-blue waters," except that the mountains and lakes are little ones.)

In addition the fair is diverting part of the San Antonio River so that it will make a U-shaped loop through the grounds, creating a picturesque waterway by which gondolas, flowerboats, and paddleboats can reach the fair from the downtown area. The island formed by this interior waterway will hold the fair's tower, Folklore Garden, and most of the fair's amusements, concessions, and rides.

In addition to the fair's efforts to assure the comfort of its visitors, another admirable feature is its strict no-scalping policies. Most entertainment will be free, as will most exhibits, and the cost of food, souvenirs, etc., will not be allowed to exceed the prices charged elsewhere in the city. The general admission fee will be a modest two dollars for adults, and a dollar for children three to twelve.

With the Olympics in Mexico, the city's 250th anniversary celebration, plus a flock of state and national conventions coming to San Antonio for the occasion, HemisFair officials are anticipating between seven and eleven million visitors during the fair's six-month run. San Antonio, at long last, is courting the rest of the country. The squadrons of homesick Air Force trainees who have for so long trod in ancient streets wishing they were lined with something wilder than history, next year will have HemisFair. As will several million other people.

And San Antonio and HemisFair together are busting a civic gut not only to bring them in, but to make sure they go away happy. After the New York fiasco and Montreal's multi-billion-dollar success, HemisFair has one bad precedent to overcome and one hard act to follow. But if San Antonio's project lives up to its plans and expectations, it is going to be something of an embarrassment of the professionals, and a lesson as to what a world's fair really ought to be.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I am delighted to yield to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker,

our colleague, the gentleman from Indiana [Mr. MADDEN], was unable to be here today, but before he left, he came into my office and left a tribute to our colleague from Texas, and the gentleman from Indiana asked me to obtain unanimous consent to include it in the RECORD at this point.

Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. MADDEN] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. MADDEN. Mr. Speaker, I am delighted to join my colleague, the gentleman from Texas, HENRY GONZALEZ, in speaking in behalf of HemisFair, 1968, which opens in San Antonio on April 6, 1968.

Many of my constituents in the First Congressional District of Indiana do not know much about the city in the deep Southwest called San Antonio. To most of us it is a place very far away.

However, there are many of my constituents in Gary, and East Chicago, visited by Congressman GONZALEZ more than once, who originally came from southwest Texas, but know little about San Antonio.

Since HENRY GONZALEZ has been in Congress our interest in San Antonio has been greatly increased. Travel by jet is easy and feasible and I am sure that many of us want to go to the "Fair of the Americas" next year.

In any event, there will be a great many people from Indiana who will find it possible to go to the historic Alamo City for HemisFair, 1968, where recreation will be in abundance.

It is a special theme world's fair in that its emphasis is on the "Confluence of Civilizations"—the peoples who migrated to the shores of this hemisphere.

Mr. Speaker, I take this opportunity to commend and praise our fellow colleague, HENRY GONZALEZ, for his vision and good work in making HemisFair a reality. Without the legislation which he sponsored in getting U.S. recognition and participation in HemisFair, it would not have been possible for this worthy project to receive the approval of our Government and Nation.

South American and European countries cooperating and participating in sending delegations and exhibitions will depict the progress of civilization from two continents.

Visit San Antonio, Tex., next year and witness in person HemisFair, 1968.

Mr. GONZALEZ. Mr. Speaker, once again, I thank the gentleman from Illinois.

Mr. Speaker, I have no doubt HemisFair will prove a remarkable exhibition to all who attend. HemisFair has already proved successful to the people of San Antonio.

But at this particular time when the world is in travail, when even in the Western Hemisphere we read of the disturbing ills of the present and a future fraught with danger, I think it is inspiring to see that here, born of hope, is an effort of an entire community, at a critical time in our development in history, that the HemisFair will prove beneficial from a national standpoint. It will help to reverse the imbalance in trade from an international standpoint.

Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the day is fast approaching when the vision of our distinguished colleague and my good friend, the gentleman from Texas, HENRY GONZALEZ, becomes a reality. I refer, of course, to the opening of HemisFair in San Antonio, Tex., on April 6. No proposal for an international exposition to be held in the United States has ever been presented to Congress with as much preparation and support on the local and State level, and with as much study and research on the Federal level. History has had many visionaries, but few who have ever achieved the stature of GONZALEZ, of Texas.

Once the dream of HemisFair caught the imagination of San Antonio, Tex., the Nation, and our Latin American friends, HENRY, with his characteristic vigor literally rolled up his sleeves and led local, State, Federal, and Latin American efforts responsible for making HemisFair more than a dream, but a highly significant reality.

Many a visionary has been content to receive deserved acclaim for a dream, but few have had the courage to accept the responsibility for working out the thousands of details with the innumerable practicalities and balancing of interests that great projects always require. With rare patience, consummate skill, and scholarly knowledge in both legislative and administrative matters, HENRY has preserved and protected his dream for the Americas so that all of us who have been privileged to lend a helping hand can today with great pride see the months of preparation nearing an end and can look with great anticipation to the opening on April 6 of the first international exposition ever held in the southern half of the United States.

From the earliest days in history, beginning in ancient Egypt, men and women have assembled at fairs originally bound to the life of the nation by the three ties of religion, trade, and pleasure. In these days of rapid transportation, television, and other forms of modern communication, it has been said that the world is growing smaller every day, but have we drawn closer together in terms of mutual understanding, respect, and appreciation for each other's contributions to our civilization? Have we learned to share each other's aspirations for the future and to provide mutual assistance? The theme for HemisFair, "The Confluence of Civilizations in the Americas," affords a golden opportunity to reflect on the meaning of our past, to appraise our existing accomplishments and to contemplate a future of infinite possibilities, all in the fiesta, frontier, and pioneer atmosphere of one of America's most dramatic cities, San Antonio.

The Congress and every President, beginning with Franklin Roosevelt, have recognized the need for a permanent cultural and exposition center as an essential instrument of American diplomacy. HENRY, I predict, that the electrifying success of HemisFair, which you have never doubted for a moment, may well at long last lead to such a permanent center and possibly further expositions on a regular basis in each of the South and Central American nations.

Mr. Speaker, we can all be thankful for this vision which has come into being through the efforts of HENRY GONZALEZ. He is rapidly approaching the heroic stature of those great and legendary American statesmen who stand as symbols of all that is finest in the course of our country's history. As we visit and enjoy HemisFair's many attractions and reflect back on our stay, we will be even more aware of the deep currents of humanity in our remarkable colleague who is greatly responsible for this strengthening and enrichment of our many varied relationships with all of our Latin American neighbors.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BURLESON] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. BURLESON. Mr. Speaker, it is a privilege and a pleasure to join my able colleague, the gentleman from Texas [Mr. GONZALEZ] in conveying to our colleagues of the Congress the tremendous implications of HemisFair 1968 in San Antonio, Tex.

First, let me say to my colleague that those of us here who have been rather close to this development recognize his very diligent leadership in efforts to establish and make possible HemisFair from the standpoint of the Federal Government's participation. I am certain the people of San Antonio are also aware of his great influence in this undertaking.

HemisFair is going to be meaningful and important to our entire Nation and to our neighbors in Mexico. As has been pointed out on other occasions, it is the gateway to the Olympic Games in Mexico City and great benefit will accrue from this strategic fact.

From all indications, HemisFair will be unparalleled in scope and intent. From all indications there has never been anything like its planners envision, and I should add that it is being planned expertly and will be something of which the entire Nation can be justly proud.

I pledge to my colleague and others interested in the promotion of this great enterprise, my continued cooperation in making it everything it is intended to be.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WHITE. Mr. Speaker, my distin-

guished fellow Texan, the Congressman from San Antonio, is realizing the fulfillment of a dream of many years in the opening of the HemisFair in the Alamo City next April.

The HemisFair will be more than a great exposition. It is an exposition devoted especially to the Western Hemisphere. It is the World's Fair of 1968, the only one sanctioned for next year by the Bureau of International Expositions in Paris. It will be an opportunity, then, for the old world of Europe, and the still older world of Asia, to view the great achievements and the sparkling promise of the New World, the Western Hemisphere.

It will be an occasion to celebrate and magnify the prospering relations between ourselves and our good neighbors to the south and the north as well. Like my own city, El Paso, San Antonio has built a fine reputation for cordial relations with Mexico and is extending these cordial relations to other parts of our western world.

All of Texas will benefit from the pioneering work of my distinguished colleague, the gentleman from Texas [Mr. GONZALEZ], who has worked for the past 5 years to realize the fulfillment, next year, of his HemisFair dream. This Nation and its western neighbors will mark 1968 as a landmark year in commercial and cultural progress and international good will.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, I am pleased to join our distinguished colleague from San Antonio, the Honorable HENRY B. GONZALEZ, in support of HemisFair 1968 opening April 6, 1968.

Representing, as I do, the 17th Congressional District in the heart of Manhattan, the tourist capital of the world where, among other things, one finds the main office of ASTA, the American Society of Travel Agents, I want not only to urge my colleagues as well as my constituents to attend, if they can, this colorful inter-American fair, but also to urge all Americans to take advantage of this opportunity.

Congressman GONZALEZ, with whom I have discussed plans for HemisFair for well over a year now, inaugurated the first program of my radio show "New York on the Potomac" on New York City's Municipal Broadcasting System—WNYC—on Thursday, September 21, by discussing this fair. If the fair is successful, and I hope that it is, having been approved as the only 1968 official fair by the Bureau of International Expositions—BIE—in Paris, it will be, in no small measure, due to the energy and resourcefulness of Congressman GONZALEZ since his original sponsorship of the proposal, which passed the House in 1966.

With the balance-of-payments problem, which concerns all of my colleagues, one way to enjoy a vacation and stay in the United States is to visit San Antonio, Tex., for the fair. Further, the fair will attract foreign tourists to our shore during this international travel year to which I have adverted in previous discussions in the House. See, for example, daily CONGRESSIONAL RECORD of October 11, 1967, page A5014, regarding the U.S. Travel Service's contribution to encouraging foreign visitors.

Congressman GONZALEZ is to be commended for his efforts in this direction.

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. YOUNG] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. YOUNG. Mr. Speaker, HemisFair 1968 brings to our part of the world, our Nation and our State a rare combination of the new and the old. Here will be a Pan-American world's fair of gigantic proportions, as modern as tomorrow and as old as history—certainly as old as American history.

Gems of great technological advancement in aerospace, astronomics and space medicine will present a streamlined, aerodynamic pageant with a futuristic luster in a setting as old as the white man's acquaintance with the Americas. There will be abundant evidence everywhere, above and all around San Antonio, of our silvered, shiny samples of advanced scientific technology; but the sombre shadows of the venerable Alamo and the nearby missions of the Spanish padres will recount the distant past—a past that makes even the missions and the Alamo seem less ancient.

Not far from the Alamo in Corpus Christi Bay, named after the Catholic feast of Corpus Christi, the Spaniards brought all that they had and knew of their day to the New World. In the year 1519 Spaniards landed on Padre Island near Corpus Christi, nearly 100 years before the Pilgrims set foot on the American continent. With the coming of the Spaniards, came a new colonization. It was not a soft or easy system because such could not survive. But it was a new system in which the colonizer brought all his science of that day, his religion, and every accomplishment of his society and introduced it into the New World. In addition to this the Spanish conquistador gave himself as well. The Spanish colonist, unlike his competitors, gave his own blood in intermarriage with the people of the New World. From this came a proud, spirited, and sensitive people, well equipped to carry forth a proud heritage dating back to the European's very beginning in America. Near Brownsville was established the first city government, with a mayor and a council; near Mexico City was the first university in the Americas—all of this about a century before Plymouth Rock.

So, Mr. Speaker, HemisFair 1968 will indeed be a place to see and visit. The lucky ones will go there by the hundreds of thousands, and they will never forget it. The impression will be lasting because they will have an opportunity to see and learn what the world is all about now, as well as what it was from the time that civilization, as we know it, first set foot on this continent.

This will be a magnificent achievement, Mr. Speaker, and I want to commend my distinguished colleagues from Texas, and especially my friend, Congressman HENRY GONZALEZ, for the great leadership he is giving this matter here in Washington.

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. ZABLOCKI] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I wish to identify myself with the remarks which have been made in commendation of our colleague, the distinguished gentleman from Texas, the Honorable HENRY B. GONZALEZ.

As a member of the House Foreign Affairs Committee which considered the legislation providing for Federal participation in HemisFair, 1968, I can attest that Congressman GONZALEZ was instrumental in securing its approval in committee and its ultimate passage in the House of Representatives.

His knowledge of, and enthusiasm for, the project were very, very persuasive to members of the Foreign Affairs Committee interested in promoting better relations and closer cooperation among the nations of the Western Hemisphere.

I, for one, am confident that HemisFair, 1968 will be a successful demonstration of good neighbor solidarity which will benefit not only our own Nation, but all the Republics of the Americas.

The people of San Antonio—and indeed of the entire State of Texas—can be proud of the fine job which HENRY GONZALEZ has done for HemisFair, 1968. They are indeed fortunate to have a man of his vision and energy working for them in the Congress.

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROYBAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ROYBAL. Mr. Speaker, I want to take this opportunity to add a personal note of congratulations to my good friend and colleague from the State of Texas, U.S. Representative HENRY B. GONZALEZ, on the achievement of his magnificent dream of HemisFair, 1968, San Antonio's international exposition due to open next April 6.

Originally proposed by HENRY GONZALEZ in 1962 to celebrate the 250th anniversary of the founding of San Antonio, HemisFair, 1968, will carry out the theme: "The Confluence of Civilizations in the Americas"—a unique and distinctive world's fair keyed to telling the hemispheric story of our heritage of freedom and dignity.

As a member of the House Committee

on Foreign Affairs, I had the honor of supporting the resolution authorizing HemisFair, 1968, both in committee and when it came before the House for consideration.

Under the dynamic leadership provided by Congressman GONZALEZ, this proposal was endorsed by the Congress as a showcase of the diversified cultures of Pan America—history, art, industry, commerce, and economic development of each of the nations of this hemisphere, and the significant contributions to its development from Europe, Asia, and Africa.

I believe, Mr. Speaker, that President Johnson caught much of the meaning and spirit behind HENRY GONZALEZ' dream project when he stated:

> The New World nations are brothers in history, friends in commerce, and partners in aspiration. San Antonio's "Fair of the America's", HemisFair 1968, will celebrate this partnership. Dedicated to the advancement of the social, economic, and cultural well-being of all peoples of the Americas, it will be a living example of our nation's policy of Inter-American cooperation.

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. REUSS. Mr. Speaker, I take great pleasure in commending our colleague, the gentleman from Texas [Mr. GONZALEZ] for his outstanding vision and vigor in bringing to reality HemisFair, 1968.

I know how hard HENRY GONZALEZ has worked for the legislation and all the other steps necessary to keep such a vast and complicated project moving forward.

I know it has been a long and arduous road from his promotion of a dream during his first visit with then Secretary of Commerce Luther Hodges, 5 years ago, to the steel and concrete structures arising today on the 93-acre fair site.

But it was a road well worth traveling because we have a great deal to look forward to during the 184 days of HemisFair, 1968. This exposition will, of course, be a great boon to San Antonio and a fitting commemoration of the city's 250th anniversary. And for all of us, HemisFair, 1968 promises to be one of the finest, most appealing expositions held in this country.

The fair's emphasis on the confluence of the civilizations in the Americas, the rich historical and cultural heritage of the city and its environs, San Antonio's location at the gateway to Mexico, and the fine bicultural atmosphere make it clear that HENRY GONZALEZ was right on target when he put his skill and zeal behind this event.

A large number of private and governmental exhibitions at the fair will compete with the Alamo, the Paseo del Rio, La Villita, and other historic and scenic spots in the city for the interest of visitors. With the extension of the San Antonio River into the fair complex, fair-goers will enjoy easy and picturesque travel between the fair site and downtown by gondola or boat.

Many aspects of the cultures of Texas are to be presented in the huge Texas Pavilion and in features of the fair. As a Milwaukean, I am happy to note that the beer gardens which were brought to San Antonio by the German settlers of the last century will be recalled in the nostalgic Pearl Palm Garden.

I believe that San Antonio and the millions who will enjoy a visit to HemisFair, 1968 can take their hats off to HENRY GONZALEZ for a job well done.

DEVALUATION OF THE BRITISH POUND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 60 minutes.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, I know the entire House, the Congress and the country are very much concerned over the developments which transpired over the weekend internationally as well as domestically. I refer, of course, to the devaluation of the British pound and the action of our Federal Reserve Board in increasing the discount rate, which in effect means probably even higher interest rates than we are presently experiencing.

I made a statement on Saturday, and issued a press release in respect to the devaluation of the British pound, which I will include in the RECORD at the conclusion of my remarks.

Mr. Speaker, I have since made other observations in respect to the reaction of the U.S. Government, at least of the Federal Reserve Board, in increasing the discount rate to counteract the other action taken on the part of the British Government—namely, increasing their interest rate to 8 percent—as a means of preventing some of the capital flow that otherwise would go out of the United States to Britain.

I believe it behooves all of us in the House of Representatives to recognize the difficulty that Great Britain found herself in, where the British Government, although promising for the past 3 years—and I believe meaning it—that they were not going to devalue the pound, has now been brought to the position where it has had to devalue the pound. As a matter of fact, one of the first things the British Labor Government did when they came into power was to withdraw a very easy budget expenditure program that they had been suggesting in their campaigning to the British people.

In its stead they submitted an austere budget. This was done because of the circumstances Great Britain found itself in internationally. The United States can find itself in a similar situation if we are not careful. Of course, we have a great deal more economic strength than Great Britain and the dollar is certainly much stronger. On the other hand, the dollar is the essential medium of international exchange. In effect, we are the world's banker and we have added responsibilities inasmuch as we are in this position. The fact that we have today in the United States the highest interest rate since the Civil War ought to be viewed as an alarming symptom of something radically wrong with the fiscal policies of this administration, particularly in light of the fact that the administration has talked for years of being in favor of low interest rates. Let me commend them for their rhetoric. There is no question but what low interest rates mean a more equitable distribution of goods and services within the economy among the people. On the other hand, high interest rates mean that the low-income groups pay the most. Those who are on pensions and fixed incomes bear the brunt of the high interest rates. High interest rates also do undermine economic growth. Conversely, as the administration has said, low interest rates promote economic growth. Yet, to repeat, this administration is carrying on in such a way that the highest interest rates since the Civil War are now upon us.

The Federal Reserve Board action is only a response, I might say, to a situation and not the cause of it. I know my good friend Congressman PATMAN, the chairman of the Committee on Banking and Currency, has already sought to blame, as he usually does, the Federal Reserve for high interest rates. As a matter of fact, all the Federal Reserve System is doing is reacting to the economic situation. The tragedy is that the fiscal policy of this administration has been such that all the burden for maintaining low interest rates and containing inflation have been placed on monetary policy. This is because accompanying this high interest rate, we have been experiencing in addition for at least 2 years also a rapid increase in inflation and in the cost of living. This, too, has its source in poor fiscal policy. We have reached the point in our monetary policy where we are beginning to act like the banana republics, in other words, where interest rates reach a point where increasing the supply of money and credit in the society actually aggravates and increases further rather than decreases interest rates. Normally when you have high interest rates, it is a result of tight money. By increasing the amount of money and credit in the society you can lower the interest rates. This is what the Federal Reserve, of course, has been engaged in over a period of years. It is a perfectly logical action. Still when you reach a point where inflation is anticipated, those who lend money will build into the interest rates the amount of inflation they anticipate. You can put it this way: If a person is to lend $1,000 to another person to be repaid within a year and that person anticipates 10 percent inflation, he is going to have to demand a 10 percent interest rate simply to get his money back before he even begins to put on how much he wants to charge for the use of the money.

And, Mr. Speaker, this is why I re-

ferred to the "banana republics" financing where you have this kind of inflation built upon itself and where you find these high interest rates that are so exorbitant.

So, Mr. Speaker, the Federal Reserve is in a situation where, having increased money and credit in 1966 in an easy fashion—it was not tight money last year but yet we still had high interest rates—it is not in a position of actually lowering interest rates, by increasing the money and amount of credit in the society.

So, Mr. Speaker, among the dangers from high interest rates, of course, arises the question whether it is leading to recession and economic downturn.

Mr. Speaker, the home building industry of last year is illustrative of what can happen to an industry through high interest rates. We had what can probably be described as a depression in the entire homebuilding industry in the year 1966, brought about by the high interest rates. When you multiply this across the society, of course, it can bring about a serious and abrupt slowdown in economic activity. Of course, it seems, as I pointed out, that the increased rate of inflation is the result of cost push as economist after economist has pointed out. This is what is called cost-push inflation, resulting from the fact that we are increasing prices ahead of our productivity increases, resulting from wage increases beyond productivity increases. Interest rates are built into these costs and also taxes, because taxes represent a cost to business and will be passed on to the consumer in the price that industry charges for goods and services.

Mr. Speaker, this is where the administration's single-minded proposal of a tax increase runs counter to the economic realities.

The tax increase is proposed on the assumption of demand-pull inflation. A tax rate increase is designed to cut down upon the amount of consumer purchasing power in the society, based upon the theory that there are too many dollars chasing too few goods.

Mr. Speaker, when we see a decline in the percentage usage of our plant facilities, where instead of 91 percent usage, it has declined to 83 percent and to 81 percent and when we see unemployment up from the 3.8 level to the level of 4.3 percent, this clearly indicates the fact that there is not very much of a demand-pull but, rather, a cost-push inflation.

However, this is not the sole reason that led the Committee on Ways and Means to be reluctant about increasing tax rates. Increasing tax rates can aggravate the problem of cost-push inflation; that is, actually aggravate inflationary forces. And if this were to come about and the economic activity decline then the rate increase would result in less revenue not more revenue.

Mr. Speaker, as a matter of fact in 1964 the Committee on Ways and Means and the Congress reduced the tax rate in order to increase the revenues. And, in my opinion, this was sound economic tax policy.

But it was in context—and this is what I am leading up to, and my concluding remarks will so emphasize—it was in context of expenditure control. The Federal expenditures in the year we granted the tax increase were reduced from a $97.7 billion level to a $96.5 billion level. And this must be viewed in contrast to an increased rate of $5 billion a year that had been going on so that there was actually a reduction of around $6 billion in the level of the rate of Federal spending in the administrative budget.

The spokesmen for the Committee on Ways and Means, including Chairman MILLS, have pointed out in their interrogation of the Government witnesses that appeared before us, and in speeches, that any tax increase, rate increase, to be meaningful at all, to meet the problem that we face fiscally, must be in context with expenditure control.

The administration in January said that the deficit in the budget would be $8 billion for fiscal 1968. In March the Joint Economic Committee, on which I serve, computed that it was going to be around $29 billion. The President's Chairman of Economic Advisers, Mr. Ackley, in testimony before the Joint Economic Committee in April, said that anyone who talked in terms of a deficit for fiscal 1968 beyond a $20 billion level was being irresponsible. And yet in August the President of the United States in his message to the Congress said that the deficit was going to be around $29 billion. It now looks as if that deficit is going to be over $30 billion.

The Committee on Ways and Means pointed out that expenditures must be cut if we were going to be realistic in avoiding the fiscal problem that would result in trying to manage the debt to which a $30 billion additional deficit would be added.

The administration in its rhetoric has given lipservice to expenditure control. But I want to point out the actual expenditure figures, because there is no sense in using rhetoric if the figures that are the basic facts in the case are not in accord.

In the budget message of January, the President said he was going to spend $135 billion in fiscal 1968 out of the $269 billion power to spend that the Congress had granted him; $125.6 billion from previous Congresses as well as $144 billion from this one. In August, when the Secretary of the Treasury and the Director of the Budget testified before the Committee on Ways and Means, this expenditure figure had been revised upward from $135 billion to $144 billion. And then, 2 weeks ago, when the first quarter figures for this fiscal year expenditures became available, it became clear that the rate of spending, annual rate, was now $146.8 billion.

So the President's rhetoric in talking about expenditure control is in stark contrast with the actual figures. The President has continued to increase expenditures and I might point out to the Members of the House something that of course we all know, but is too little known by the public: The President spends money, the Congress does not spend money. The Congress gives the President power to spend. The President alone sets the level of spending.

As is witnessed here, without any reference to the Congress of the United States, the President's figures on expenditures given to us in January were $135 billion, and he and he alone has increased them to $146.8 billion, as of October.

The President can cut back on the level of his expenditures in the same way that he increases them. He has a flexibility and a leeway of around $20 billion either way. In fact, I would suggest probably it is even greater than that, and particularly if he will work with the Congress to establish priorities on programs, setting aside or stretching out those of less priority under the situation we are now faced with. We could cut back at least $15 billion to $20 billion out of a projected expenditure level of $146.8 billion. A $130 billion expenditure level would still leave us with a $10 to $15 billion deficit to be financed. Some of this deficit probably could be financed efficaciously with a tax increase of around $5 to $7 billion. This would still leave serious inflationary forces, but probably forces that could be contained by monetary policy. However, this would require even greater expenditure restraint for fiscal 1969, hopefully a balanced budget, to get this country out of the fiscal jungles.

In this area of expenditure control lies the need to correct the situation we are presently experiencing in our high interest rates, our continued inflation, and the continued flow of gold out of this country. The danger in which the dollar now finds itself is aggravated. Now that the pound has been devalued all the thrust and all the attack will be against the U.S. dollar.

I will close by saying this is a strong economy. We can withstand the pressures. The dollar is strong. But until the administration begins to shape up Government fiscal policy, I am afraid there will not be the confidence in the dollar abroad that we are entitled to expect and in the long run must expect.

I urge the President to move forward and to assume fiscal responsibility, stop talking, begin to cut expenditures as of now. Get these expenditure levels down to manageable amounts so that we can indeed move our people forward in sustainable economic growth, equitably, with low interest rates and without inflation.

The statement mentioned above follows:

STATEMENT ON BRITISH POUND AND EUROPEAN FINANCIAL CRISIS BY CONGRESSMAN THOMAS B. CURTIS, MISSOURI REPUBLICAN, HOUSE OF REPRESENTATIVES TRADE NEGOTIATION DELEGATE, SENIOR REPUBLICAN HOUSE-SENATE JOINT ECONOMIC COMMITTEE, AND SECOND RANKING MEMBER, HOUSE WAYS AND MEANS COMMITTEE

The international monetary system is faced with an unusually severe strain in the present devaluation of the British pound sterling and successive devaluations in Denmark, Ireland, Israel and Hong Kong. Britain has been obliged to devalue the pound and negotiate a massive loan with the United States and leading European nations and to impose strict remedial measures on its own economy.

This is a crisis of great concern to the United States. As the other of the world's two international reserve currencies, the stability of the dollar and its role in the

world economy are seriously at stake. This stake has the following elements.

(1) International monetary cooperation, whose effectiveness has been taken for granted during several years of casual negotiation to create a stronger cooperative system, is now being shown to be seriously defective. Countries have, in the guise of informal cooperation, pursued essentially nationalist objectives.

To some extent the sense of crisis over the pound was unjustified. The chief factor, the unusually high October trade deficit, resulted from the Liverpool and London dock strike, whose effects were magnified by statistical inaccuracies. British exports are not counted as such until they are aboard ships, but imports are counted as imports while they are still aboard ships waiting in harbor. A sign of confidence only last Tuesday was the London Times industrial stock index, which showed encouraging strength due to increased production and earnings.

Thus it seems clear that the crisis had been aggravated by other means. An underlying element was the attitude of the French, who had refused to cooperate in the London gold pool, had sparked continual rumors of the pound's devaluation, and emphasized the British pound's instability as the key reason for denying British entry into the Common Market.

Behind the French position vis a vis the pound is a desire to weaken the role of the dollar. By actions to weaken the pound, the dollar is now exposed as the world's single reserve currency. The French particularly have resented this preeminence, because in part they claim they have had to finance American balance of payments deficits, which are caused partly by international military obligations. European nations thus explain that in some part they are underwriting American foreign policy objectives with which they do not agree.

(2) In its newly exposed position, the United States is faced with sobering economic imperatives. More than ever before, United States economic policy must achieve economic stability and stop the current inflation. Inflation can only have the effect, as it proved to have in 1966, of further weakening the balance of trade by encouraging imports and discouraging U.S. exports.

In part the United States itself is responsible for the present British crisis. Our increasingly higher interest rates have caused the British twice in recent weeks to raise their own bank rate in order to prevent funds from flowing out of the London financial market to our own.

Apparent United States insensitivity to the continuing, long-term demands of the international economy and to world financial stability cannot be excused by our offers—however genuine and generous—to support the pound by large loans. We too have been guilty of a nationalist bent in our international economic policy by permitting a domestic inflation which has immediate, serious effects on the balance of payments, on the U.S. gold stock and the dollar, and on our international economic partners.

Clearly the moment has come for the most earnest and exhaustive national consideration of the state of free world monetary cooperation and the international organizations to carry out that cooperation.

CONFERENCE REPORT ON H.R. 6418—PARTNERSHIP FOR HEALTH AMENDMENTS OF 1967

Mr. STAGGERS submitted conference report and statement on the bill (H.R. 6418) to amend the Public Health Service Act to extend and expand the authorization for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes.

NARCOTIC AND DRUG ABUSE MUST BE CURBED

The SPEAKER pro tempore (Mr. PRICE of Illinois). Under previous order of the House, the gentleman from Kansas [Mr. DOLE] is recognized for 30 minutes.

Mr. DOLE. Mr. Speaker, I have introduced legislation today which could, if enacted, contribute to the health, welfare, moral fiber, and strength of our society. My proposal provides that any person found in possession of depressant, stimulant, or hallucinogenic drugs—such as barbiturates, amphetamines or LSD—without a valid doctor's prescription will be subject to imprisonment of up to 1 year and to a fine of up to $1,000. For a second or subsequent offense, a person would be subject to imprisonment of up to 3 years and a fine of up to $10,000. In addition, my bill provides significantly increased penalties for the manufacture, sale, distribution of, or possession with intent to sell these classes of dangerous drugs. For first offenses, the penalty would be up to 3 years in prison and up to $10,000 in fine, while for second and subsequent offenses the penalty would be up to 6 years in prison and up to $15,000 in fine.

During the past few years, the country has been caught in a wave of drug abuse, especially among juveniles. Originally, the illicit use of dangerous and narcotic drugs was generally confined to those ensnared in the despair of ghettoism. As sad and disheartening as this was, however, the belief always existed that as we proceeded to lift persons out of poverty, the incidence of drug abuse would decline. This has not occurred. Instead, we have recently witnessed the rising use of drugs by individuals in the middle and upper strata of society.

Instead of masking the despair of dead-end poverty in the euphoria of drugs, we now are finding that affluence seems to be breeding the desire for thrills and for escape from the problems that inevitably face a prosperous and powerful nation. Since the United States is growing in wealth and since, as the leader of nations, these problems will long remain with us, the threat of ever-increasing drug abuse is frightening.

LOOK ABOUT YOU

The drug wave is by no means the only potentially destructive force operating in our society. Crimes of violence, crimes of wanton destruction, organized crime, riots, rowdyism, juvenile delinquency, immorality, life-draining wars, inflation, fiscal irresponsibility, bureaucratic malaise—these and many more actions are now seeking to tear apart the Nation's foundations. Yet, to my mind, there is nothing more debilitating to a people than the mind-dulling, initiative-draining, moral-destroying dependency upon drugs. We need only examine the route traveled by other societies to confirm my fear.

Naturally, many reasons contribute to our present conditions—unpopular wars, rapid technological change, expanding populations, and so forth. To my way of thinking, however, a major cause of our present unrest is the permissiveness which has crept into every phase of our life. It may have started in the realm of child psychology. It certainly expanded during the fatherless homes of World War II and Korea. It has swept through the judicial and educational systems. It is threatening every principle and aspect of our life. Where it will stop, I do not know. But, I do know that unless we begin to do some hard thinking and begin to take some rather determined action, a healthy American society is endangered. And, to those who believe I have become an alarmist all I can say is: "Look about you."

The Pentagon was placed under seige by rabble of filth. The President and other senior officials of Government are cursed at, insulted, threatened by death or physical abuse, spit at, and denied the courtesy to speak. Draft evasion, open consortium with our enemies, and blatant interferences in foreign policy are common occurrences. Military recruiters are mobbed and held captive. Manufacturers of war-needed materials are harassed. Ports of embarkation are blocked. Policemen and firemen, trying to perform dangerous duties at low pay, are brutalized and insulted.

In response, what do some so-called responsible persons do? They wring their hands. They say that all of society is to blame. They say that we have failed our youths somehow. They say someone else is to blame. They say we must not resist or we will corrode the freedom of our heritage.

FREEDOM IS NOT LICENSE

I do not believe that such freedom is a license to attack, desecrate, and destroy. I do not believe that juveniles are always the best judge of what is best for them or their society. I do not believe that academic credentials are always a sign of common sense. I do not believe that discipline, if reasonable and restrained, will warp originality or stunt intellectual development.

Permissiveness, however, if permitted to go unchecked, is a force that could destroy our civilization. It is to a society what unlimited power is to a ruler.

FDA AND MARIHUANA

I was particularly distressed, then, to read a few weeks ago that the Commissioner of the Food and Drug Administration, Dr. James Goddard, was reported to have suggested that all penalties for the use and possession of marihuana should be removed, that marihuana is no more dangerous than alcohol, and that he would no more mind his daughter smoking marihuana than drinking a cocktail if there was no legal penalty for the former.

Admittedly, during subsequent congressional hearings, Dr. Goddard seemed to back down somewhat. He now main-

tains that there really has not been sufficient scientific research to determine how dangerous marihuana may be, that he does not advocate the use or legalization of the drug, and that the chronic use of the drug may produce serious consequences.

Yet, the fact that he may have made the original statement, the fact that he questions the deterrent effect of penalties for use and possession of marihuana or, apparently, any drug, and the fact he continues to call for the review of existing penalties for use and possession has been interpreted by many persons, especially young people, as sanctioning the use of marihuana. This has occurred even though Dr. Goddard's Food and Drug Administration has no jurisdiction over marihuana and even though marihuana, in its purer form, has been found to be a most dangerous substance—one that can produce acute psychosis and psychic addiction in any individual and one that can lead to the use of even more dangerous drugs. Out of every 10 heroin addicts, nine have been found to have previously used marihuana.

DRUG ABUSE CONTROL ACT

The content of Dr. Goddard's statements, their impact upon our society, and their reinforcement of the permissive philosophy that seems so prevalent today induced me to examine more closely into Dr. Goddard's operations concerning dangerous drugs in the Food and Drug Administration.

Approximately 2 years ago, Congress enacted the Drug Abuse Control Act. This act instituted controls over the manufacture, distribution and sale of depressant, stimulant, and hallucinogenic drugs such as barbiturates, amphetamines and LSD. Penalties were established for illegal activities, and enforcement of the law was placed under the FDA. The penalties, as such, were unusually mild, however—a misdeameanor for illegal manufacture, distribution and sale—if a first offense—and no penalty at all for illegal use or possession. This is in stark contrast to the unauthorized manufacture, sale, distribution, use and possession of marihuana and opium, drugs which carry felony penalties.

Yet, by Dr. Goddard's own admission and by the reported findings of eminent medical authorities, the drugs under FDA's jurisdiction are more dangerous to human health and welfare than marihuana.

RESULTS OF DRUG ABUSES

The Medical Society of the County of New York reported in 1966 that there are 3,000 deaths annually due to accidental or intentional overdoses of barbiturates. But, even worse, according to the society, is the far more common addiction to barbiturates which may impair the intellect, produce bizarre behavior and aggressiveness, and lead to a paranoid state. Addiction to barbiturates was also found to be far more "nasty" than addiction to opiates—like heroin—and resulted in more prolonged and difficult withdrawal.

In the case of amphetamines, the society reported that the drug is dangerous and habituating and may cause intellectual impairment, aggressive behavior, and hallucinations. Amphetamines are also being implicated in increasing numbers of automobile accidents.

Potentially, an even more dangerous drug is LSD. The newness of this drug, under present conditions, has limited the knowledge concerning its dangerous properties. From what is known, however, it has produced prolonged and acute psychosis, suicidal and homicidal inclinations and possible chromosonal damage. Although its appearance among the general public is relatively recent, LSD has resulted in a fairly large number of hospitalizations, psychiatric commitments, deaths, and mental instability—frequently long after a dose has been taken.

NEED CURBS FOR MISUSE

If we are to preserve the strength and moral foundations of our country, it would seem necessary to do all we can to prevent widespread misuse of such dangerous drugs. Increased education and more dramatic warnings on the dangerous potential of drugs should help. Stepped-up enforcement of illegal manufacture, distribution and sale will undoubtedly reduce available supplies. But, the imposition of penalties for unauthorized use and possession also seems called for.

Dr. Goddard has repeatedly rejected suggestions that the Drug Abuse Control Act should be amended to include penalties for unauthorized use or possession, or to increase penalties for illegal manufacture, distribution or sale. It is Dr. Goddard's position that criminal penalties, at least for possession or use, do not constitute a deterrent to unauthorized use and possession. He believes that casting users or possessors in the role of criminals may drive them into a life of crime and into a deeper association with the drug subculture. He further believes that the existing penalties for use or possession of marihuana have failed to retard the experimentation with this drug. In this regard, Dr. Goddard estimates that there has been an explosive increase in the use of marihuana—to between 400,000 and 3 million users.

Yet, what Dr. Goddard fails to realize is that the increase could be far larger if there were no such penalties. As Mr. Giordano, Commissioner of the Bureau of Narcotics, indicated, he does not believe that penalties will ever entirely prevent the use of marihuana, but he hates to think what the problem might be in today's hedonistic society if there were no penalties. In his opinion, the results would have been disastrous—that there would be a tenfold increase in the use of marihuana. It needs also to be pointed out that, when faced with a serious threat of increased use of heroin, Congress a few years ago enacted more stringent penalties for manufacture, sale, distribution, use, or possession of opium derivatives. This was done in spite of protests that such action would not produce the desired results. Yet, as Mr. Giordano has indicated, serious heroin addiction has declined markedly in recent years.

WHY RESTRICT POSSESSION?

Individuals and, especially, young people being what they are, there is little doubt that a certain percentage will seek the thrill of the prohibited. But, many more will be encouraged to abide by law and order. The existence of a penalty will also enable many parents to disuade their children from crossing prohibited boundaries. And, although no one wants to see individuals—especially young people—involved in criminal processes, may it not be better to punish a few if that serves as a warning to many, especially since most young persons so involved are placed on probation or given a suspended sentence.

Speaking about marihuana, Mr. Giordano had this to say about the need for penalties:

> Concern for public safety, health and welfare, requires that there must be restrictions on persons to prevent them from having unauthorized possession of marihuana. Otherwise, we would be condoning potential sources of supply and proselytizing, which would defeat the very purpose of our attempts to control abuse of marihuana. We can make one generalization: marihuana spreads from person to person—the users who possess marihuana and the ones who breed new users. By restricting possession, we are better able to reduce the availability of marihuana to many persons who might otherwise come in contact with the drug through a friend or acquaintance. If there is no criminal sanction against possessing marihuana, many people will regard this as tacit approval of its use.

The same reasoning and philosophy would seem to apply and should be applied to those drugs under the jurisdiction of Dr. Goddard's FDA—drugs which are admittedly more dangerous than marihuana.

Dr. Goddard has indicated that the lack of penalties for possession and use are not a hindrance to effective enforcement. Dr. Goddard has also created the impression that the unauthorized use of marihuana has increased more rapidly than that of amphetamines, barbiturates and LSD. In fact, he has even indicated that there has been a diminution in the use of LSD due to the educational campaign of the FDA. From this he suggests that penalties for use of marihuana have had no deterrence while the educational efforts and enforcement activities of the FDA against manufacture and sale of dangerous drugs under its jurisdiction have had such a deterrent effect.

MISUSE INCREASES

But, what are the facts? Certainly, the stream of recent reports in newspapers and magazines and on television concerning increases in drug abuse—including those under FDA jurisdiction—give us no cause for self-congratulation. Mr. Giordano indicates that from his experience the increased use of marihuana, LSD and other dangerous drugs has been about the same. The Medical Society of the County of New York reported in 1966 that, of the estimated 13 billion pills and capsules of barbiturates, amphetamines and tranquilizers produced annually in the United States, approximately one-

half are diverted to illicit sale and use. And, Dr. Goddard himself, although perhaps puffing the extent of marihuana abuse while playing down the misuse of dangerous drugs under his jurisdiction, indicated that in nine out of ten cases investigated by the FDA, marihuana is being sold along with hallucinogens like LSD. Thus, if marihuana is being misused as widely as he reports, then, LSD and similar drugs must be at least as widely misused. In this regard, it should be noted that such a substance as LSD is a far newer product than marihuana and, therefore, the increase in its illegal use must be even more spectacular than marihuana, as also seems to be the case of barbiturates and amphetamines.

I believe, therefore, that much more drastic action must be taken to reduce the incidence of abuse and misuse of harmful drugs. There undoubtedly is a place for permissiveness in a society as there is within the family circle. But, such permissiveness cannot be tolerated when it may lead to the debilitation and destruction of an entire society.

For these reasons, Mr. Speaker, I have introduced legislation today to impose penalties for unauthorized use or possession of amphetamines, barbiturates and hallucinogenic drugs, like LSD, and to increase penalties for their illegal manufacture, distribution and sale.

FEDERAL INFLUENCE UPON OPERATIONS OF PRIVATE VOLUNTARY ORGANIZATIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. RUMSFELD] is recognized for 30 minutes.

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and insert various pieces of correspondence.

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

There was no objection.

Mr. RUMSFELD. Mr. Speaker, when it was revealed earlier this year that the Central Intelligence Agency had been covertly subsidizing a number of supposedly independent student, labor, and educational organizations, many in the United States expressed concern.

As a result of the CIA disclosures, the President of the United States appointed a Special Commission to examine the relationships of the Central Intelligence Agency to private organizations and to recommend means of improving these relationships. Included among the Commission's recommendations was the immediate termination of secret government subsidies. The Commission stated:

> It should be the policy of the United States Government that no Federal Agency shall provide any covert financial assistance or support, direct or indirect, to any of the Nation's educational or private voluntary organizations.

Joining Chairman Nicholas Katzenbach in signing the Commission's report were its other members, John W. Gardner, Secretary of Health, Education, and Welfare, and Richard Helms, Director of the CIA.

Because of the recommendations of the President's Special Commission, and because of the logical assumption that the executive branch had taken the Commission's recommendations to heart, it came as a surprise to me to learn recently that apparently not all agencies of the Federal Government have been abiding by the Commission's recommendations.

On April 5, 1967, I received a letter from a constituent in Illinois' 13th Congressional District asking for an explanation of the "unusual relationship" between the U.S. Office of Education, Department of Health, Education, and Welfare, and the Future Farmers of America Foundation, Inc., an organization incorporated under the laws of the District of Columbia on March 29, 1944 to raise funds for "a program of incentive awards that encourage rural boys to develop their proficiency in agriculture." The 13th District correspondent wrote:

> I would like to ask your consideration of a situation which has come to my attention and causes me some concern.
>
> The situation is in regards to the Future Farmers of America Foundation, Inc., which seems to enjoy an unusual relationship with the Department of Health, Education, and Welfare. This Foundation is supported by annual contributions from approximately 500 business and industrial concerns, and from individuals. During 1966, the Foundation was budgeted to give in excess of $200,000 in awards to members of the Future Farmers of America Association.
>
> Although I am very much in favor of the work and activities of the Foundation, I find it hard to understand why it has free space within the Department of Health, Education, and Welfare. If I am correct, they are located in the Division of Vocational and Technical Education, United States Office of Education. I know the Foundation has at least one or more persons who are involved in the direct solicitation of funds from private concerns. I am not sure who pays the salaries of these solicitors, or how the secretarial support is compensated.
>
> The Foundation is normally thought of as an arm of the Future Farmers of America Association which has its national headquarters on a 34-acre site in Mt. Vernon, Virginia. This property is, I understand, valued at over one and one-half million dollars, and I believe they are in the process of even further expanding their offices and facilities on this property.
>
> The FFA is supported both by donations and the money they earn from the sale of jewelry, jackets, etc., to their thousands of members coast-to-coast. It is my understanding that their annual income exceeds their expenses by approximately $100,000.
>
> As outstanding as the activities of this group are, I cannot understand why they should be receiving free government office space. Other foundations such as the 4–H Club Foundation are not entitled to this service. I would appreciate any information you can give me on whether, in fact, this situation should be condoned.

On April 11, 1967, I sent a copy of the 13th District resident's letter to Secretary Gardner at HEW and asked for information relating to the questions raised.

Fourteen days later, on April 25, 1967, I received a response from Mr. Albert L. Alford, Assistant Commissioner for legislation, Office of Education, Department of Health, Education, and Welfare. Mr. Alford explained that the headquarters offices of the FFA Foundation have been located in the U.S. Office of Education since the foundation was organized in 1944, and that "there are no plans to change this arrangement." Mr. Alford cited Public Law 740, 81st Congress, second session, as authority for the Office of Education to assist the FFA Foundation.

I forwarded Mr. Alford's response to the Illinois correspondent. On June 2, 1967, my constituent wrote a second time, as follows:

> A close reading of Public Law 740 reveals no specific authority for the Office of Education to provide facilities for the fund-raising activities of the FFA Foundation. It only authorizes the FFA organization to assume the assets of the Foundation (a separate corporation) if the Foundation, as a corporate entity, were liquidated.
>
> Just because this private Foundation has been conducted as a "hip-pocket" operation by government employees in the U.S. Office of Education since 1944, this does not make it right or legal—especially with the employment of *additional* FFA staff to run the Foundation in government quarters. The hiring of professional fund-raisers to work out of government offices with unlimited phone and mail service provided by the U.S. Office of Education, is a *new* development. It is one that is an improper business/government relationship.
>
> While Public Law 740 also mentions that the FFA may publish a magazine and operate a business to sell official supplies to its members, these business ventures are not conducted on U.S. Government property. They are located in Engleside, Virginia, where they do a business in excess of two million dollars per year. These services are housed in an office building owned by the FFA. This is a much more proper arrangement for such business operations and provides an even more logical precedent for how these affairs should be conducted.
>
> I suggest that in the interests of both economy and propriety, this arrangement be discontinued and that the Office of Education concern itself with matters of more academic importance.

On June 5, 1967, I sent the substance of this second letter to Mr. Alford, requesting his comments on the new points raised. On June 29, 1967, Mr. Alford responded:

> The FFA Foundation, Inc., is not a fund-raising organization. The Foundation has an independent Sponsoring Committee, comprised of individuals elected by the donors who serve as Chairman and Vice-Chairman, and they are responsible for all solicitations of contributions. Funds which they collect are deposited in the National FFA Foundation Treasury located in Woodstock, Virginia.
>
> The FFA Foundation Sponsoring Committee has never used Federal office space, telephone, or mail service.

Mr. Alford suggested that I contact Mr. John Farrar, director of public relations for the FFA, who, he said, could explain this matter more fully.

I instructed an assistant to contact Mr. Farrar, and in a memorandum received in my office on July 12, 1967, Mr. Farrar stated:

> At the present time the FFA Foundation employs one full-time professional man as Coordinator. He does not engage in fund solicitation.

Mr. Farrar also stated:

> Even though P.L. 740 authorized the FFA to take over the functions of the Foundation, it was decided that it would be better, for accounting and administrative purposes, to maintain the two as separate corporations.

Attorneys for the Federal Security Administration (forerunner to the Department of Health, Education, and Welfare) advised that since the activities of the Foundation were authorized by Public Law 740, and since that Law also authorized the Commissioner of Education to provide, upon request, personnel, services, and facilities of the Office of Education, to administer or assist in the administration of the business and activities of the Future Farmers of America, then the Office of Education might legally also continue to assist the Future Farmers of America Foundation, Inc., in the conduct of its activities.

Mr. Speaker, I was not the least bit satisfied with the answers given by either Mr. Alford or Mr. Farrar. Therefore, I undertook to fully investigate this matter. My initial investigation uncovered these facts:

First. Public Law 740, chapter 823, section 18, authorizes the U.S. Commissioner of Education to provide Federal Government assistance to the Future Farmers of America, a national organization for students of vocational agriculture, but it in no way provides for assistance to the Future Farmers of America Foundation, Inc., an entirely separate corporation established for the sole purpose of raising and distributing funds.

Second. My constituent appeared to be correct in his belief that the FFA Foundation was enjoying an extra-legal relationship with the Office of Education.

Third. Mr. Alford's statement that the FFA Foundation "is not a fund-raising organization" appears to be in direct contradiction of the general provisions of the Certificate of Incorporation of the FFA Foundation, to claims made in various FFA Foundation publications and literature, and to the facts of actual practice within the FFA Foundation itself.

Fourth. Mr. Alford's contention that "all solicitations of contributions" for the FFA Foundation are handled by an independent sponsoring committee appears on its face to be deceptive.

Fifth. Mr. Alford's statement that the FFA Foundation sponsoring committee "has never used Federal office space, telephone, or mail service" is, I am told, inaccurate.

Sixth. Mr. Farrar's comment that the FFA Foundation coordinator "does not engage in fund solicitation" is not true.

Seventh. Despite an admission by Mr. Farrar that the FFA Foundation is a corporation separate and apart from the Future Farmers of America, the Office of Education continues to provide assistance to the foundation without authorization of any kind.

Eighth. Secretary Gardner had apparently missed the point of the Special Presidential Commission on which he served earlier this year, that point being:

No Federal Agency shall provide any covert financial assistance or support, direct or indirect, to any of the Nation's educational or private voluntary organizations.

In refutation of the claims of Mr. Alford and Mr. Farrar, I submit that the evidence is that until Tuesday, October 31, 1967, the U.S. Office of Education was illegally providing $34,743.67—General Accounting Office estimate—in assistance annually to the FFA Foundation, and that since October 31, this assistance has been increased. This assistance came in the form of free office space in the Office of Education; complete office furnishings; office supplies; telephone facilities; postage; the use of conference rooms; and the part-time services of at least four Federal Government employees—H. N. Hunsicker, V. Nicholson, C. English, and W. P. Gray.

I further submit that the evidence is that Mr. J. C. Foltz, coordinator of the FAA Foundation, is headquartered in the Office of Education and that his primary duty is to contact donors and perspective donors in order to solicit contributions for the FFA Foundation awards program. Mr. Foltz is a professional fundraiser.

I submit that the evidence is that there exists an undesirable relationship between a branch of the Federal Government—Office of Education, Department of Health, Education, and Welfare—and a private youth-education organization—FFA Foundation. Not only is this relationship undesirable, but it is also without legal justification.

During my investigation of this matter, I discovered the alarming fact that partisan political considerations sometimes influence decisions made in the U.S. Office of Education. For partisan political reasons, the Office of Education vetoed a decision of the FFA Foundation to transfer all foundation activities from the Office of Education to quarters rented with foundation funds. Upon receiving my letter of June 5, 1967, addressed to Mr. Alford, an employee in the Office of Education prepared a draft reply. This reply admitted that the FFA Foundation's full-time fundraiser, its "coordinator," was housed in the Office of Education, and indicated that "due to crowded conditions, the executive committee of the foundation decided in April 1967 that his office be transferred to rented facilities beginning in July." However, when this draft was submitted to higher Office of Education officials for approval, it was rejected on the ground that the relocation of the coordinator's office at that time would amount to prima facie evidence that the previous arrangement had been an inappropriate one. Those who vetoed the sending of this letter apparently reasoned that they could not have a member of the minority party in Congress telling them what to do. Thus, the letter was never sent to me and the decision of the FFA Foundation's executive committee to seek other quarters was nullified. Apparently, partisan considerations overcame commonsense. It is ironic that an appropriation for $2,500 for outside "office expenses and miscellaneous," remains in the FFA Foundation's 1968 budget.

On September 18, 1967, a request was made by Mr. H. N. Hunsicker, Chief of Agricultural Education, Office of Education, for additional office space at the Office of Education to accommodate a newly employed FFA program and information specialist, Mr. Coleman Harris, and a secretary. It is my understanding that this request has since been granted and that considerable additional space is being readied for FFA and FFA Foundation purposes.

It is interesting to note that Mr. Hunsicker, a full-time employee of the Office of Education, also wears five FFA and FFA Foundation titles. They include: Advisor to the national board of student officers, FFA; chairman of the National FFA board of directors; chairman of the FFA governing committee; president of the board of trustees of the FFA Foundation, Inc.; and chairman of the FFA Foundation executive committee. Obviously, one Federal Government employee is almost single-handedly running the affairs of organizations which enjoy reputations for promoting individual initiative and self-reliance on the part of their members. In view of his numerous responsibilities to the FFA and the FFA Foundation, it is difficult to understand how Mr. Hunsicker finds time to perform any duties in behalf of the Federal Government.

Mr. Speaker, I have high regard and admiration for the Future Farmers of America. However, because I am interested in the FFA remaining strong and free and independent, I am airing this matter today. I have reason to believe that, rather than aiding the objectives of the FFA and the FFA Foundation, the close involvement of the Federal Government is making it more difficult for their worthy objectives to be attained. In at least one instance recently, a prospective donor to the FFA Foundation refused to make a contribution because of what that donor felt was an unwholesome relationship between this Foundation and the Federal Government.

Another agricultural organization for young people, the national 4–H Clubs, at one time had a relationship with the Federal Government similar to that of the FFA Foundation. The 4–H Foundation was located in the offices of the Department of Agriculture. However, the 4–H leadership recognized that its relationship with the Federal Government was impeding progress in fundraising and in other areas, too. Thus, the 4–H Foundation moved out of the Department of Agriculture and into what is now the national 4–H headquarters in northwest Washington. Since this move was made, the 4–H Foundation has experienced a substantial increase in contributions and in its general well-being.

The housing of the FFA Foundation operations in Federal Government office space is a mistake for legal and philosophical reasons. It is also a mistake for a quite practical reason—the FAA owns and operates some $500,000 worth of buildings on 35 acres near Mount Vernon, Va., and there is no legitimate reason why the foundation could not also occupy these buildings. The National FAA Supply Service and the National Future Farmer magazine have been appropriately headquartered at the Mount Vernon property since the end of World War II. Plans are even now being made to expand these facilities into a multimillion-dollar complex. Surely, the FFA and FFA Foundation, with a combined total net worth of $2,060,599.33 as of June 30, 1967, can afford to provide a headquarters for their own fundraising apparatus. The transfer of foundation activities to the Mount Vernon site or to other nongovernmental facilities would apparently result in the Federal Gov-

ernment's saving an estimated $50,000 annually.

Mr. Speaker, this is not the first time that Federal Government bureaucrats have attempted to establish and perpetuate a fiefdom at the expense of the taxpayers. While this situation is not unique, it is not less inexcusable. The octopus of the bureaucracy has so far been successful in encircling the FFA and FFA Foundation. This hold will be loosed only as a result of public exposure and of a concerted effort on the victim's part.

I have in my possession hard evidence and generous documentation to substantiate everything I have said here today, let there be no doubt about that. I am reluctant to spread on the record every detail of the Office of Education's program of controlling the affairs of the FFA and FFA Foundation, and hope that it will not be necessary.

If there are any who doubt the existence of a "credibility gap" in this administration, they need only examine the erroneous and misleading statements made to me by a representative of the Federal Government. If there are any who doubt the designs of some Government bureaucrats to expand the limits of their influence into the private sector, they need only study the history of the Federal Government-FFA relationship of recent years. If any doubt there is waste and inefficiency in the use of public funds, they need only consider the expenditures of the Office of Education in behalf of the FFA Foundation.

In the interest of correcting this regrettable situation, I have these specific recommendations:

First, the FFA Foundation should immediately extricate itself from Office of Education facilities.

Second, the leaders of the FFA and FFA Foundation should thoroughly reassess every aspect of their association with the Office of Education and with the Federal Government.

Third, Secretary Gardner should conduct an investigation into the facts, in this case, and report his findings to Congress and to the people.

Fourth, the more than 400 donors who support the foundation should withhold any further contributions until they are convinced that this situation has been rectified.

Fifth, in the event the executive branch fails to take prompt action to resolve this matter, the Committee on Government Operations of the U.S. House of Representatives should initiate steps to conduct full-scale hearings.

Finally, this situation should serve as a lesson to others in the Federal Government who may seek to improperly or illegally influence the operations of private voluntary organizations.

DEVALUATION OF CURRENCY BY BRITAIN, IRELAND, DENMARK, SPAIN, ISRAEL, HONG KONG, AND OTHER COUNTRIES MAKES SHAMBLES OF KENNEDY ROUND OF TARIFF AGREEMENTS

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. VANIK. Mr. Speaker, the devaluation of the British pound followed by currency devaluations by Ireland, Denmark, Spain, Israel, Hong Kong, and other countries has made a shambles of the Kennedy round of tariff and trade agreements.

I am shocked to learn that our trade negotiations did not anticipate the effect of currency devaluations on trade agreements.

What good are such agreements if they can be substantially nullified by devaluation designed to provide trade advantages.

Three years of strenuous negotiation has been washed out by this development.

Under these circumstances, the trade negotiators should be immediately reconvened to deal specifically with this problem and endeavor to rebalance world trade.

CURRENCY DEVALUATIONS AND U.S. TRADE RESTRICTIONS

Mr. McDONALD of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have addressed myself elsewhere during debate today on the effects of the devaluation of the British pound, and nine other currencies, on the U.S. economy.

There is another important aspect of this question that I would also like to discuss. This is the effect of currency devaluations on U.S. import and export trade with other nations, including those whose currencies are devalued.

One of the effects of currency devaluation by other countries is that U.S. exports with the countries which have devalued tend to become more expensive in relation to their own economies. At the same time, the goods the devalued countries sell us—and the many other trading countries which have not devalued—will become proportionately cheaper by the amount of the devaluation, or by about 14 percent. Thus, our imports from the devalued currency countries may tend to increase.

Devaluation of any currency is a serious step—the British did not devalue the pound because of a calculated desire just to be able to export more goods to the United States.

Devaluation was a sign of serious economic disequilibrium between the British economy and that of the international trading world, as well as a sign of domestic British economic difficulties. Our responsibility as a leading world economic power is to help Britain to adjust to these new trade conditions. British devaluation, and any increase of U.S. imports that may result, should not be an excuse for hasty reflex action to withdraw trade concessions made reciprocally with other countries, or to add new tariff or quota restrictions on imports from the countries which have devalued.

Devaluation of a major currency does have its effects on world trade. But devaluation is essentially a problem of world monetary policy. This is the area in which we must take immediate corrective steps. Clearly, the international monetary adjustment mechanism does not function as well as many of us have been assured that it does. We must now look closely at this mechanism to see where it can be improved.

CONSUMERS WILL BE PROTECTED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, this morning I had the privilege of witnessing a ceremony in the White House at which President Johnson signed the joint resolution to establish a National Commission on Product Safety. I am proud to identify myself with this Commission since it follows the principles embodied in my own identical resolution, House Joint Resolution 869, which I introduced earlier this year.

When this measure passed the House 2 weeks ago, I described it as a "just and major step in the direction of protecting our Nation's consumers." These thoughts were emphasized by the President today when he signed the joint resolution. American industry has developed many marvels in the form of products that enrich our lives. But some of these products have the potential for danger to life and limb. Americans are entitled to protection against unreasonable risk of bodily harm in their enjoyment of household products. At the same time, manufacturers are entitled to consistency and fairness in the regulations they must abide by in the production and sale of their products. The National Commission on Product Safety is charged with considering both of these important interests. When the Commission has completed a thorough study of the problem of product safety, it will submit a report to the President and to the Congress, including any recommendations that may seem to be warranted. I will await the report of the Commission, and I can assure you that I will be prepared at that time to support any appropriate action that is necessary to provide our citizens with the peace of mind that comes from having confidence in the safe use of the products of modern technology.

COMMENTATOR CITES PRESIDENT'S CONSISTENCY ON VIETNAM POLICY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOLIFIELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, an excellent article by Ted Lewis in the New York Daily News clearly shows that Presi-

dent Johnson's Vietnam policy today is precisely what he promised the Nation it would be in 1964—measured military might to stop aggression.

Those critics who charge that President Johnson has reneged on his promises to the Nation will find that the record refutes their accusations.

As Mr. Lewis notes, President Johnson then—as well as now—has sought to fully modernize and employ the Army of South Vietnam. Then—as now—the President has followed the same middle course between unilateral withdrawal and senseless escalation. And in 1964—as now in 1967—the United States has fought a limited war consistent with our limited objectives.

Our purpose in Vietnam has remained to convince Hanoi and Peking that aggression in Southeast Asia can never pay. As the President said in 1964:

We are trying somehow to evolve a way, as we have in some other places, where the Vietnamese and the Chinese Communists will finally, after getting worn down, conclude that they will leave their neighbors alone.

As Mr. Lewis concludes, President Johnson has been true to his faith and his trust by showing "consistency on the Viet policy issue."

Mr. Speaker, I insert into the RECORD Mr. Lewis' article appearing in the New York Daily News:

WHAT L. B. J. SAID IN 1964 ON VIET STANDS UP NOW

(By Ted Lewis)

WASHINGTON, November 2.—Some of President Johnson's critics on the Viet war have from time to time made biting references to how in the 1964 campaign he was opposed to having American boys "do the fighting for Asian boys" in Vietnam.

The President has now tried to put those quotes in perspective. He was asked about them at a press conference yesterday. He said the quotation needed to be examined in the context of a speech "that contained (many) other sentences and many paragraphs."

Now Johnson said so many other things at the press briefing, about his Viet war critics and his troubles with Congress, that a determination as to the soundness of his case concerning who should do the fighting was today's chore on a hindsight, check-up basis.

The people have a right to the truth about what LBJ said in 1964. Especially since the 1968 election year political sniping has already begun.

Even, it might be added, involving some sneaky attempts to make it appear that what Johnson said about American boys in 1964 was just about what FDR said before Pearl Harbor when he pledged "again and again and again" never to send American boys to fight in a foreign war.

The 1964 LBJ speech in question was delivered in Manchester, N.H., on Sept. 28, five weeks before he defeated Barry Goldwater for the presidency.

The text of that address, as now examined, shows that Johnson was absolutely on sound ground in issuing yesterday's challenge to examine his remarks in context.

Here are the two pertinent paragraphs which put the reference to who should do the fighting in perspective:

"As far as I am concerned, I want to be very cautious and careful, and use it only as a last resort when I start dropping bombs around that are likely to involve American boys in a war in Asia with 700 million Chinese.

"So just for a moment I have not thought that we were ready for American boys to do the fighting for Asian boys. What I have been trying to do, with the situation that I found, was to get the boys in Vietnam to do their own fighting with our advice and with our equipment. That is the course we are following. So we are not going north and drop bombs at this stage of the game, and we are not going south and run out and leave it for the Communists to take over."

Occasionally, it pays to rake up the past if by doing so it provides a more objective look at the present. For that reason, there are other pertinent parts of Johnson's New Hampshire speech of three years ago that deserve being recalled.

THEY SHOW HIS CONSISTENCY ON VIET POLICY

For in that one politically tuned address, Johnson said many things about Vietnam which, when examined in hindsight, show his consistency on the Viet policy issue.

Especially this paragraph: "So we are trying somehow to evolve a way, as we have in some other places, where the Vietnamese and the Chinese Communist will finally, after getting worn down, conclude that they will leave their neighbors alone. And if they do, we will come home tomorrow."

Johnson, in 1964, made it clear he was determined to limit the war, if at all possible. His policy thus is now the same as then, even if our military commitment has become immense and the bombing he then hoped to avoid has become unavoidable.

On that September day three years ago, however, only 190 uniformed Americans had lost their lives in Vietnam. Johnson, at the time, referred to that total as about the same number of lives lost in Texas "on the Fourth of July in wrecks."

"But," he added, "I often wake up in the night and think about how many I could lose if I made a misstep."

And, he concluded in connection with casualties at that time, "We think that losing 190 lives in the period that we have been out there is bad. But it is not like 190,000 that we might lose the first month if we escalated that war."

AN EXAGGERATED FIGURE, BUT POLITICALLY FAIR

That was an exaggerated figure, but politically fair in a national campaign, for in the same speech he put the tag of war escalators on Nixon, Rockefeller and Scranton as well as Goldwater. All four, he said, had at one time or other "suggested the possible wisdom of going north in Vietnam."

It was an exaggerated figure because Johnson himself has escalated the war. And to date, 14,266 Americans have been killed, 90,417 wounded and 589 are missing.

But one statement that Johnson made that day in New Hampshire stands up as pertaining exactly to the present controversy over war policy.

LBJ told his political audience in 1964 that "every day someone jumps up and shouts and says, 'tell us what is happening in Vietnam and why are we in Vietnam and how did you get us into Vietnam'?"

Johnson's reply to the question he posed was: "I didn't get you into Vietnam. You have been in Vietnam 10 years." And he then referred to President Eisenhower's promises of "help" in 1954.

We won't further rake up the past in connection with Ike except to mention a most prophetic statement by the general in October last year. "We must do whatever is necessary," Ike told Marvin Arrowsmith of the Associated Press, "to win as soon as possible. If not, the war will grow in costs, both in money and lives, and the nation's morale will be lowered."

INCREASE TAXES NOW

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MULTER. Mr. Speaker, the President is right in wanting congressional action now on the surtax proposal. Next year may be too late. A little now will save a lot later.

Mr. Speaker, the wire services report that the House minority leader criticized President Johnson today, with an invidious reference to bankruptcy.

The minority leader apparently was stung by the President's statement at his news conference today that he is wrong in opposing the administration's tax surcharge proposal.

Well, the minority leader is wrong; and, President Johnson is right in saying so.

Somehow, Mr. Speaker, I trust the judgment of a President who has brought us 81 consecutive months of economic expansion over a leader of a party which brought this Nation no less than three economic recessions of major proportions during the 8 years when they ran the country.

If there is to be bankruptcy, Mr. Speaker, it will not be the President who leads us down the terrible road, it will be the opposition party, which is apparently content to allow the American people to endure the hardships and burdens of inflation and tight money that is sure to occur if this surcharge proposal is not enacted.

The Republicans are talking out of both sides of their mouths on this issue, and their leaders know it. They cannot remain blind to the facts that our economy will soon be overheated to the point where soaring inflation becomes a fact of life.

They must know that the President's proposal is the right remedy at the right time in this situation. Yet the minority leader is content to follow a blindly partisan path of opposition for opposition's sake.

The President today acknowledged that passing the surtax proposal will take political courage. Tax increases—no matter how small—are not popular, but the Congress has the duty to do what is right. And clearly, this proposal is right for America.

ADDRESS OF MR. THOMAS S. GATES BEFORE THE BUSINESS COUNCIL, OCTOBER 20, 1967

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MULTER. Mr. Speaker, for the past 3 months we have heard time and again from economists, both in and out of the administration, that we need the surcharge to help finance essential Gov-

ernment expenses and the subsequent deficit as a result of those expenses, whether they are for prudent domestic programs or support of our war efforts in South Vietnam.

A few weeks ago, Thomas S. Gates, a former Secretary of Defense and now president of the Morgan Guaranty Trust Co. of New York, one of the Nation's largest banking institutions, told the blue-ribbon Business Council at its fall meeting that, and I quote:

> We need at least a 10-percent surcharge to cover only a part of the expenses we have already incurred—but have not truly financed.

I commend your attention to Mr. Gates' thought-provoking remarks to the Business Council, as follows:

REMARKS OF MR. THOMAS S. GATES BEFORE THE BUSINESS COUNCIL AT HOT SPRINGS, OCTOBER 20, 1967

So far as I know, no one has suggested as yet that the enactment of a tax surcharge will wipe out the common cold, and no one has predicted that failure to pass the Administration's Bill will lead to the collapse of Boulder Dam. But just about every other benefit or disaster one can imagine has been associated with the proposal one way or the other.

One could easily get the impression that a vote in favor of the bill amounts to approving an amendment to the constitutional balance of power between the Congress and the Executive, or that a vote against it will bring an early end to the war in Viet Nam. Action on it is even related to how much—or how little—federal aid will be available to urban areas, and even more remote problems such as the future of the pound sterling.

It seems to me that, while all these issues are affected, in varying degrees, the emphasis that has been placed on them has directed attention away from the basic problem.

I understand that these other issues are important—many of them much more important than whether we get the surcharge or not—but they are really separate questions that should be worked on and decided on their own merits. Most of us have every sympathy with those who are striving to hold down the rate of growth in government spending, but I hope we will not allow our proper zeal for fiscal responsibility in expenditures to get in the way of fiscal responsibility in revenues.

Nor does it seem to me that the need for a tax increase rests on a forecast of things to come. It stems from things that have already been done—from expenditures that have already been made or committed and from inflationary pressures and credit market pressures that are already apparent.

Between June 30th and the end of this calendar year, that is, in the first half of the 1968 fiscal year, the federal government will have spent roughly $20 billion more than it has taken in, regardless of what either the President or the Congress does to cut spending in the future. A good part of this has been temporarily financed by the sale of so-called tax anticipation bills that fall due in the second half of the fiscal year and would normally be redeemed out of the surplus receipts in that period. This time there will be virtually no surplus. We need at least a 10% surcharge to cover only a part of the expenses we have already incurred but have not truly financed. The need is so obvious and so urgent, I must assume that common sense will prevail and that we will have a surtax.

This assumption has the incidental advantage of keeping my observations on the impact on business of the Administration's surtax proposals from becoming obsolete before they are uttered. Many reports from Washington would indicate that the impact of the Administration's proposals would be zero because they will never get beyond the proposal stage.

I prefer, for many reasons, not the least of which is the problems that would confront the banking system if we don't get better fiscal balance, to assume that we will have a 10% across-the-board surcharge in effect during most, if not all, of 1968.

Forecasting—crystal balling, if you like—is hazardous for many reasons, but one of the major hazards is that it involves guessing how the "other fellow" will react to the developments you foresee. The most difficult part of measuring the impact of a surtax in 1968 is guessing what the realistic alternative is. Is it an economy in which unrestrained inflation is permitted? Or is it one in which monetary policy is again called upon to provide the major restraining hand? Or is it, perhaps, one harnessed by direct controls? I was disturbed to see in a newspaper this week the results of a public opinion poll which reported that direct controls on prices and wages were preferred to higher taxes as a way to restrain inflationary pressures.

Some of us may be tempted to think that in the free-for-all of a pronounced inflationary environment we should be capable of doing somewhat better than "the other fellow" and that hence our self-interest would be served if the tax surcharge were not enacted. Admittedly, if the assumption is made that inflation, however pronounced, would be allowed to run its course, a "pie in the sky" model of the economy can be constructed. In this model, prices move up more rapidly than costs, and profits soar. One of the troubles with this is that it is unrealistic to imagine that price behavior of this kind would be permitted. All of you know the sort of pressures against raising prices Washington can apply. If that doesn't work, the chances are that, by administrative decision and by popular demand, the OPA would be back in business pretty quickly.

No one can guarantee that paring the administrative budget deficit down to the vicinity of $20 billion is going to be enough to keep us out of trouble. But it is an important and visible step in the right direction. Psychologically, it probably would have salutary consequences out of proportion to the magnitudes involved. If the surtax were accompanied by a really meaningful and visible slowdown in the rise of federal expenditures, the psychological effect would increase. To foreign holders of dollars, certainly, such a demonstration of discipline would be reassuring. In our own money and credit markets, influenced by expectations and supply and demand factors that set and adjust the interest rates, such action could be meaningful and constructive. It is possible that at least in some small measure the course of wage negotiations could be favorably influenced by responsible fiscal behavior in Washington. Wage costs seem headed upward in the year ahead whether we tighten the budget up or not. However, the size of settlements will have a better chance of being held within reason if our national leadership is exercising the kind of discipline in the conduct of its own affairs that it is asking of industry and labor.

With a tax increase and accompanying spending restraint of several billion dollars, we would greatly better the odds that we will get throughout 1968 without another credit crunch and without direct controls. We would minimize the risk that economic distortions will grow and spread. We would reduce the danger of having to go through a jarring future readjustment. And, as far as I am able to judge, on the basis of the analytical work that specialists in our bank have done, it seems unlikely that 1968 would be what you could honestly call a bad year for business.

The increase in gross national product, we think, will be between 7% and 8%, carrying the total for the year to somewhere around $845 billion. Assuming that the tax increase and other measures would keep prices from running away on the up side, some 4½% to 5% of this increase in GNP would be real—a good gain, even by the standards of the earlier 1960s. While admittedly spotty and varying between industries, the prospects seem to be for an increase of about 10% in pre-tax profits, which would imply a year to year gain of 3% or 4% after taxes.

This sort of gain in after-tax-profits, which would just about match the decline that seems in the cards for 1967, is far from spectacular, but neither is it all that grim. The important thing is that this sort of profit performance is more likely to be consistent with a general economic environment from which we can make a constructive transition to the normalcy which we all hope will come with the cessation of hostilities in Viet Nam.

Frankly, it is hard for me to see how anyone can oppose the surtax for its economic effects. Even those who may have a considerably less optimistic view of business prospects than I do will agree, I think, that the size of the deficit we are heading for without a tax increase is of grave concern. Most of the flak that is being thrown against the surtax is really meant for other targets. The tax proposal has gotten scrambled in with the hottest, most controversial issues that are troubling the country.

This is bad economics. It delays a fiscal action which, in my judgment, is inevitable. It is also bad politics. It clouds public thinking, and official thinking too, on the big issues like Viet Nam, big government, Congressional prerogatives, urban problems and others.

The tax question is a right-now question, a short range, tactical question. These other issues are long range, continuing questions. They're going to be with us a long time. I doubt that very many in this room will see them ended during their active business careers.

Southeast Asia will not go off the American agenda the day we get a negotiated peace in Viet Nam, regardless of how satisfactory the terms may be. There is a long job ahead there. We can, and do, hope that the shooting will stop soon, but our economic and politcal involvement and commitments are long term, and I believe properly so.

The debate about size and power of government will go on, too. Notwithstanding this, government will continue to grow. Businessmen and other citizens must continue to watchdog government. They must always work for wider understanding of the vital role tax reduction can play, under the appropriate circumstances, in stimulating economic growth by encouraging private investment. They must try to guide government's growth, try to keep it out of the fields where it doesn't belong, and in the ones where it does.

The problems of the cities are not going to go away, whether we have a tax increase or not. There are deep down bedrock problems crying for solution. Many billions of dollars will be devoted to our social reforms for many years to come. What will be done will have profound effects on business. Government and business must become partners in this most serious of our priorities.

Certainly national defense needs and will get a thorough review, both in strategy and in economics. The space program is due for a stocktaking.

In closing, I might add a note of concern. A great moral fatigue has enveloped our people. We have become too skilled at compromising principles. We have lost our capacity for shame. We are being too good to ourselves. It is too easy. This new laxity affects our national policies.

Some of the resistance to a tax increase, I think, comes from the spirit of selfishness which has grown stronger among us. It is not the main reason, but still it is there. I don't like to get economics mixed up with moral values, but for me this makes one more point in favor of raising taxes now. It would be a reminder that we have to pay our bills. It might wake us up. That we need, and need badly.

INSURANCE FOR GHETTO

Mr. MONTGOMERY. 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 pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BINGHAM. Mr. Speaker, one of the major problems involved in revitalizing the ghetto areas which have suffered or may suffer riots is the virtual impossibility of obtaining insurance at reasonable rates. The problem is as serious for owners of residential buildings as for owners of commercial and industrial properties. The legislation I am introducing today is intended to remedy this situation by providing insurance protection through a program in which full use would be made of the joint efforts and cooperation of both private industry and Government.

In principle, my bill is similar to the flood insurance legislation which has already been approved by both Houses of Congress. Under its provisions, those facing the hazards of floods would for the first time be able to purchase reasonable below-cost insurance with a pool of insurance companies bearing the forseeable financial risks, and the Federal Government bearing the burden of extraordinarily high losses. If the Federal Government can be called upon to help provide protection for flood victims, who suffer great losses from natural disasters, it can and should be willing to do the same for those in riot-prone areas or those who might be induced to locate there if they had assurances that reasonable insurance was available.

The insurance story in the riot-torn areas has now become painfully familiar. Policies are not renewed, or else premiums become prohibitively high, liability limits are set, and requirements are imposed for installation of expensive protection systems.

For example, after $40 million was paid for claims arising out of destruction in the Watts uprising, five insurance companies raised their rates three to five times their previous levels; maximum amounts for insurance on a single piece of property were set at $150,000; and no policies were being written for theft, vandalism, and malicious mischief. With such conditions, it was only natural for many businessmen to find it impossible to reopen their establishments and for potential investors to refuse to even consider the Watts area as a possibility. With losses estimated, very roughly, at close to $250 million from the devastation in Newark and Detroit this summer, we can hardly expect private insurance companies to altruistically liberalize their requirements and maintain or lower their premiums.

The legislation I am introducing today will, I think, go a long way toward providing insurance, on reasonable terms, for any businessman or homeowner seeking its protection. First, let me emphasize, this bill contemplates that the insurance industry will be the first and primary supplier of insurance. Its performance of this function would be assisted by the availability of reinsurance contracts with the Federal Government. When by these means adequate insurance coverage cannot be obtained on reasonable terms in certain areas, the Secretary of Housing and Urban Development is authorized to establish a direct insurance program. In any of the "qualified urban areas" in which private insurance is unobtainable, the Secretary shall, in his discretion, after consultation with his nine-member Urban Insurance Advisory Commission, set eligibility standards on coverage for the types of business concerns, the location of properties, the types of personal injuries, as well as the nature and limits of loss to be covered.

In determining premium rates, the Secretary, after consultation with this Advisory Commission and representatives of the industry, shall establish a schedule of "estimated rates" which would be adequate to pay all claims on probable losses over a reasonable period of time. Since these "estimated rates" will presumably be prohibitively expensive for the average businessman or homeowner, the Secretary may then set the actual premium rate to be paid by the public at a figure 25 percent lower than the exact actuarial cost of this insurance. In this way, the property owner will be able to obtain much more reasonably priced insurance coverage than private insurers are able to offer. Experience with the program may require at a future date some adjustment in this differential and issuance of insurance at lower rates.

The total amount of insurance and reinsurance which the Secretary may issue is limited to $2 billion under this bill and the Secretary may borrow up to this amount from the Treasury in order to finance the program. The Secretary is directed to establish an urban insurance fund and an urban reinsurance fund which shall contain all premiums collected by the Secretary in issuing policies under this act, all moneys borrowed from the Treasury, and amounts equal to the difference in actual premiums charged for insurance policies and the "estimated rates" which would have fully covered all probable losses.

Mr. Speaker, I think that the legislation I am offering today will make maximum use of the private insurance sector—giving it clear priority as the primary supplier of insurance in this country—as well as involve the Federal Government to the extent that the private sector is unable to meet the needs of our citizens in urban areas. By providing such insurance, at reasonable rates, we will contribute to the continuing stability and future growth of inner city core areas which must—at any and all costs—be revitalized if this country is to survive.

THE PRESIDENT'S PRESS CONFERENCE: A MAJOR DOCUMENT

Mr. MONTGOMERY. 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 pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PEPPER. Mr. Speaker, I have the pleasure of introducing into the RECORD one of the major documents of the Johnson administration: the transcript of the President's press conference of last Friday.

I use the word "major" advisedly. This transcript reveals no new programs; it requests no startlingly new legislation; it does not even release any dramatic item of news. And yet I believe it marks a turning point in the affairs of our day.

In simple but forceful language, the President has succeeded in defining the issues for the entire Nation.

He spelled out the nature of our involvement in Vietnam in terms that no one could fail to understand.

He went past the headlines of the day to place Presidential criticism into a clear historical perspective.

He defined the crucial differences between honest dissent and ill-mannered rowdyism.

He reviewed the great accomplishments of his administration and gave us a glimpse of his hopes for the future.

In all, Mr. Speaker, it was a remarkable performance—one that is not likely to be soon forgotten.

I have been proud to serve President Johnson since the day he took office. But I was never prouder of him than I was last Friday morning.

Under unanimous consent I place the text of his historic press conference in the RECORD at this point:

PRESS CONFERENCE OF THE PRESIDENT OF THE UNITED STATES, NOVEMBER 17, 1967

The PRESIDENT. Good morning, ladies and gentlemen.

I will be glad to take your questions. Mr. Smith? Mr. Cormier?

Question. Do you think that at this point our force levels in Vietnam will begin to level off in authorized strength, or do you think more troops may be needed in the future?

The PRESIDENT. We have previously considered and approved the recommendations of the Joint Chiefs of Staff for the force level.

General Westmoreland discussed this at some length with me last night and this morning. He anticipates no increase in that level.

Mr. Smith?

Question. Mr. President, we are getting close to the end of your fourth year in office. You have been subjected to a great deal of personal criticism, ranging from a Senator in your own party planning to run——

The PRESIDENT. I am generally familiar with that.

Question. —to the preacher in Williamsburg. I wonder how you appraise this personally?

The PRESIDENT. It is not a surprise. I am

aware that this has happened to the 35 Presidents who preceded me. No public official, certainly not one who has been in public life 35 years as I have been, would fail to expect criticism.

There is a different type of criticism. There is a difference between constructive dissent and storm-trooper bullying, howling, and taking the law into their own hands.

The President must expect that those in the other party will frequently find it necessary to find fault and to complain—to attempt to picture to the people that the President should be replaced.

It is also true in all parties that there are divisions. We don't all think alike. If we did, one man would be doing all the thinking.

So you have divisions in parties. We have perhaps more than our share sometimes. But I am sure the Republicans think that, too.

When you get into a political year, with the help and advice and abetting that the press can do, and the assistance that the opposing party can do—because it is to their interest to try to destroy you in order to have a place for themselves—and you take the divisions in your own party, and they concentrate, then it does seem to mount up and at times occupy a great deal of public attention.

But I don't think it is unusual for a President to be criticized. That seems to be one of the things that goes with the job.

Not many of us want to say "I failed," or "I made a mistake," or "We shouldn't have done that," or "This shouldn't have happened."

It is always easier to say that someone over there is wrong. The President is more or less a lightning rod. At least I have seen that in this country.

I remember, to take one or two illustrations, when President Truman very courageously and, I believe, very wisely went into Korea.

One of our pollsters dashed out with a poll—Dr. Gallup—and found that that position was approved by about 81 percent. Six months later, when the sacrifices were evident and the problems began to appear, the same pollster, talking to the same people, found that this had dropped from 81 to 26 percent.

Those things have happened in all of our crises—economic, domestic, and international. A President learns to expect them and learns to live with them.

The important thing for every man who occupies this place is to search as best he can to get the right answer; to try to find out what is right; and then do it without regard to polls and without regard to criticism.

Mr. Scherer?

Question. Mr. President, a good many Americans have said that a stop to the bombing would result in a response by North Vietnam.

The PRESIDENT. North Vietnam has responded. Their statement this week in the Hanoi newspaper in response to my statement from the Enterprise is very clear and very compelling. It should answer any person in this country who has ever felt that stopping the bombing alone would bring us to the negotiating table.

Hanoi made it very clear in response to my appeal from the Enterprise that their position, in effect, was the same as it has always been. It was the same as enunciated in Ho Chi Minh's letter to me which Ho Chi Minh made public.

There are some hopeful people and there are some naive people in this country—and there are some political people.

But anyone who really wants to know what the position of North Vietnam is should read what the spokesmen of North Vietnam say.

That is best summarized in Mr. Ho Chi Minh's letter to the President that he made public, that is on the record, that he has never changed.

So all of these hopes, dreams, and idealistic people going around are misleading and confusing and weakening our position.

Mr. Boyd.

Question. Do you have any evidence that the Viet Cong might be moving toward the position of wanting to negotiate separate from Hanoi and, if so, what would be your attitude toward negotiating with them?

The PRESIDENT. I would prefer to handle our negotiations through diplomatic channels with whomsoever we may negotiate.

I don't think this is the place to do our negotiating, Mr. Boyd. We are very anxious to find a solution that will bring an end to the war.

As we have stated many times, we are ready to meet and discuss that with the officials of Hanoi and the Viet Cong will have no problem in having their voice fully heard and considered.

But I think that it would be better if we would wait until opportunity develops along that line and then do it through our trained diplomats.

Mr. Davis.

Question. Mr. President, a minute ago you talked about the job of being President. This Wednesday you are going to complete four years in the Office of President. I wonder if you could reflect for a moment on the Presidency and what have been your greatest satisfactions and what are your greatest disappointments.

The PRESIDENT. I think we had better do that a little later. I can't tell all the good things that have happened or the bad ones, either, in these four years in a 30-minute press conference. I would be charged with filibustering.

But we primarily want to think of the future—not the past.

It has been almost two centuries since our revolution and since we won our freedom. We have come a long way during that period. But we have much further to go, as you can see from our education and health and city statistics, and farm statistics.

As long as there are four people out of every ten in the world who can't spell "cat," or can't write "dog," we have much to do.

I am particularly proud of what we have done in education—from Head Start to adult education, where men and women past 70 are learning to read and write for the first time.

I am very pleased, for instance, that we have raised our contributions from the Federal Government to higher education from 16 percent to 24 percent in the last four years. The States have remained practically static.

We have made revolutionary strides in education, in health, in conservation, where we are probably taking in as much land in the public domain for the first time in years as we are letting out.

We feel that we have brought a degree of stability into our international relations to this Hemisphere through the Alliance for Progress and our meetings at Punta del Este.

Working with other nations, we have made material advances in helping underdeveloped nations in Africa.

We are very pleased with what has come out of our meetings with the Germans and with the British in connection with our trilateral talks; what has come out of our Kennedy Round meetings; the several treaties that we have negotiated with the Soviet Union, and the one that we are working on so hard now—the nonproliferation treaty.

We are happy that 9 million more people have good-paying jobs today than had them when I came into this office.

But these are things of the past, and we should accept. They are here. We want to preserve them.

But the important problems are ahead. What is the next century going to be like? What is the third century going to be like?

As long as the ancient enemies are rampant in the world—illiteracy, ignorance, disease, poverty, and war—there is much for government to do.

We are working on that now. We will be talking more to you about that, Mr. Davis, in the months ahead.

Mr. Horner?

Question. Mr. President, in view of your talks this week with General Westmoreland, Ambassador Bunker and others, what is your present assessment of our progress and prospects in Vietnam?

The PRESIDENT. I will repeat to you their assessment, because they are the ones who are in the best position to judge things locally. I will give you my evaluation of what they have said.

First, I think every American's heart should swell with pride at the competence and capacity of our leadership in Vietnam.

I believe, and our allied people believe, that we have a superior leadership. It is the best that the United States of America can produce—in experience, in judgment, in training, in general competence.

I have had three meetings with Ambassador Bunker and three with General Westmoreland. I had coffee with him at length this morning, just before I came here.

Our American people, when we get in a contest of any kind—whether it is in a war, an election, a football game, or whatever it is—want it decided and decided quickly; get in or get out.

They like that curve to rise like this (indicating a sharp rise) and they like the opposition to go down like this (indicating a sharply declining line.)

That is not the kind of war we are fighting in Vietnam.

We made our statement to the world of what we would do if we had Communist aggression in that part of the world in 1954.

We said we would stand with those people in the face of common danger.

The time came when we had to put up or shut up. We put up. We are there. We don't march out and have a big battle each day in a guerrilla war. It is a new kind of war for us. So it doesn't move that fast.

Summarizing and trying to be fully responsive to your question in the time allotted, we are moving more like this (indicating gradual rise). They are moving more like this (indicating decline), instead of straight up and straight down.

We are making progress. We are pleased with the results that we are getting.

We are inflicting greater losses than we are taking.

Amidst the horrors of war—and more people have been killed trying to vote in South Vietnam than have been killed by bombs in North Vietnam, according to the North Vietnam figures—in the midst of all the horrors of war, in guerrilla fighting in South Vietnam, we have had five elections in a period of a little over 14 months.

There was great doubt whether we could have any. It took us from 1776 to 1789—not 13 months but 13 years—to get a Constitution with our Anglo-Saxon background and all the training we had.

To think that here in the midst of war, when the grenades are popping like firecrackers all around you, that two-thirds or three-fourths of the people would register and vote, and have five elections in 13 months—and through the democratic process select people at the local level, a Constituent Assembly, a House of Representatives, a Senate, a President and a Vice President—that is encouraging.

The fact that the population under free control has constantly risen, and that under Communist control has constantly gone down, is a very encouraging sign.

The improvement that has been made by

the South Vietnamese themselves in putting in reforms, announcing other programs, and in improving their own Army, is a matter of great satisfaction to Ambassador Bunker and to General Westmoreland.

We have a lot to do yet. A great many mistakes have been made. We take two steps forward and slip back one. It is not all perfect by any means.

There are a good many days when we get a C minus instead of an A plus.

But overall, we are making progress. We are satisfied with that progress. Our allies are pleased with that progress. Every country that I know in that area that is familiar with what is happening thinks it is absolutely essential that Uncle Sam keep his word and stay there until we can find an honorable peace.

If they have any doubts about it, Mr. Ho Chi Minh—who reads our papers and who listens to our radio, who looks at our television—if he has any doubts about it, I want to disillusion him this morning.

We keep our commitments. Our people are going to support the men who are there. The men there are going to bring us an honorable peace.

Mr. Reynolds.

Question. Mr. President, Hanoi may be interpreting current public opinion polls to indicate that you will be replaced next year. How should this affect the campaign in this country?

The PRESIDENT. I don't know how it will affect the campaign in this country. Whatever interpretation Hanoi might make that would lead them to believe that Uncle Sam—whoever may be President—is going to pull out and it will be easier for them to make an inside deal with another President, then they will make a serious misjudgment.

Mr. Rather.

Question. Are you going to run next year?

The PRESIDENT. I will cross that bridge when I get to it, as I have told you so many times, Mr. Rather.

Question. Mr. President, there are increasing statements from Capitol Hill that say your tax bill is dead for this Session of Congress. Is there any plan on the part of your Administration to try and revive this before Congress leaves; and secondly, if not, what plans might you have next year to avert this inflationary trend that we are told will be coming?

The PRESIDENT. We want very much to have a tax bill just as quickly as we can get it. We think the sound, prudent, fiscal policy requires it. We are going to do everything that the President and the Administration can do to get that tax bill.

I would be less than frank if I didn't tell you that I have no indication whatever that Mr. Mills or Mr. Byrnes or the Ways and Means Committee is likely to report a tax bill before they adjourn.

I feel that one of our failures in the Administration has been our inability to convince the Congress of the wisdom of fiscal responsibility and the necessity of passing a tax bill not only for the effect it will have on the inflationary developments, but the effect it will have on the huge deficit that we are running.

I think one of the great mistakes that the Congress will make is that Mr. Ford and Mr. Mills have taken this position that they cannot have any tax bill now. They will live to regret the day when they made that decision. Because it is a dangerous decision. It is an unwise decision.

I think that the people of America—none of whom want to pay taxes—any pollster can walk out and say: "Do you want to pay more tax?" Of course you will say, "No, I don't want to pay tax."

But if you ask him if he wants inflation; do you want prices to increase five or six percent; do you want a deficit of $30 or $35 billion; do you want to spend $35 billion more than you are taking in? I think the average citizen would say: "No."

Here at the height of our prosperity when our Gross National Product is going to run at $850 billion, when we look at the precedents of what we have done in past wars—in Korea when President Truman asked for a tax increase, people supported it.

This request has been before the Congress since last January. They have finished most of the appropriations bills. I read the story this morning. It looks like out of $145 billion they will roughly cut a billion dollars in expenditures.

But they will cut several billion from revenues because of inaction, because people don't like to stand up and do the unpopular thing of assuming responsibility that men in public life are required to do sometime.

I know it doesn't add to your polls and your popularity to say we have to have additional taxes to fight this war abroad and fight the problems in our cities at home. But we can do it with the Gross National Product we have. We should do it. And I think when the American people and the Congress get the full story they will do it.

We have failed up to now to be able to convince them. But we are going to continue to try in every way that is proper.

Miss Means.

Question. Senator McCarthy has said he is considering opposing you in the Presidential primaries because he believes it would be a healthy thing to debate Vietnam in the primaries, for the party and for the country, too. Do you agree with him? What effect do you think this would have on your own candidacy?

The PRESIDENT. I don't know how I am going to be, after all this opposition develops, so far as my state of health is concerned. But I am very healthy today. I don't know whether this criticism has contributed to my good health or not.

I don't know what Senator McCarthy is going to do. I am not sure that he knows what he plans to do. We had better just wait and see, until there is something definite there, and meet it when it is necessary.

Miss Hanschman?

Question. Why do you think there is so much confusion, frustration, and difference of opinion in this country about the war in Vietnam?

The PRESIDENT. There has always been confusion, frustration, and difference of opinion when there is a war going on.

There was in the Revolutionary War when only about a third of the people thought that was a wise move. A third of them opposed it, and a third were on the sideline.

That was true when all of New England came down to secede in Madison's administration in the War of 1812, and stopped in Baltimore. They didn't quite make it because Andrew Jackson's results in New Orleans came in.

They were having a party there that night. The next morning they came and told the President they wanted to congratulate him—that they thought he was right all along, although they had come from Boston to Baltimore in a secessionist move.

That was true in the Mexican War when the Congress overwhelmingly voted to go in and later passed a resolution that had grave doubts about it. Some of the most bitter speeches were made. They were so bitter they couldn't be published. They had to hold up publication of them for 100 years.

I don't have to remind you of what happened in the Civil War. People were here in the White House begging Lincoln to concede and work out a deal with the Confederacy when word came to him of his victories. They told him that Pennsylvania was gone; that Illinois had no chance.

Those pressures come to a President.

You know what President Roosevelt went through, and President Wilson in World War I. He had some Senators from certain areas then that gave him very serious problems until victory was assured.

Now, when you look back upon it, there are very few people who would think that Wilson, Roosevelt, or Truman were in error.

We are going to have this criticism. We are going to have these differences.

No one likes war. All people love peace. But you can't have freedom, Miss Hanschman, without defending it.

QUESTION. Mr. President, the foreign aid authorization has been cut back nearly a third from what you requested. What is the impact of this economy?

The PRESIDENT. At a time when the richest nation in the world is enjoying more prosperity than it has ever had before, when we carefully tailor our requests to the very minimum that we think is essential—the lowest request that we have had in years—and then Congress cuts it 33⅓ percent, I think it is a mistake. It is a serious mistake.

When you consider that $1 billion that we are attempting to save there, out of the $850 billion that we will produce, we ought to reconsider that decision. What we are doing with that money not only can give great help to underdeveloped nations; but that, in itself, can prevent the things that cause war where you are required to spend billions to win it.

I would rather have a little preventive medicine. Every dollar that we spend in our foreign assistance, trying to help poor people help themselves, is money well spent.

I don't think we overdid it. I don't think we went too far. But I think the Congress has, in the reductions it has made.

Again, it is popular to go back home and say, "Look what I did for you. I cut out all these foreign expenditures."

But when the trouble develops—the people who are starving, the people who are ignorant, illiterate, with disease—and wars spring up and we have to go in, we will spend much more than we would if we had taken an ounce of prevention.

Mr. Morgan?

QUESTION. Mr. President, some people on the air and in print accuse you of trying to label all criticism of your Vietnam policy as unpatriotic. Could you tell us whether you have guidelines in which you are enabled to separate conscientious dissent from irresponsible dissension?

The PRESIDENT. No. I haven't called anyone unpatriotic. I haven't said anything that would indicate that.

The wicked fleeth when no one pursueth, sometimes.

I do think that some people are irresponsible, make untrue statements, and ought to be cautious and careful when they are dealing with the problem involving their men at the front.

There is a great deal of difference, as I said a moment ago, between criticism, indifference, and responsible dissent—all of which we insist on and all of which we protect—and storm-trooper bullying, throwing yourself down in the road, smashing windows, rowdyism, and every time a person attempts to speak to try to drown him out.

We believe very strongly in preserving the right to differ in this country, and the right to dissent. If I have done a good job of anything since I have been President, it is to insure that there are plenty of dissenters.

There is not a person in this press corps that can't write what he wants to write. Most of them do write what they want to. I say "want" advisedly. I want to protect that. Our Congress wants to protect it.

But if I, by chance, should say, "I am not sure you saw all the cables on this and you are exactly right; let me explain the other side of it," I would hope that you wouldn't say I am lambasting my critics, or that I am assailing someone.

What I am trying to do is to preserve my right to give the other side. I don't think one side ought to dominate the whole picture.

So what I would say is, let's realize that we are in the midst of a war. Let's realize that there are 500,000 of our boys out there who are risking their lives to win that war. Let's ask ourselves what it is we can do to help.

If you think you can make a contribution and help them by expressing your opinion and dissenting, then do it.

But then if the Secretary of State starts to explain his viewpoint, don't send out instructions all over the country and say, "When he starts to talk and says 'Mr. Chairman,' stamp your feet. When he comes to the end of a sentence, all of you do this, and at the third sentence, all of you boo."

I am amazed that the press in this country, who insist on the right to live by the First Amendment, and to be protected by it, doesn't insist that these stormtrooper tactics live by the First Amendment, too, and that they be wiped out.

I think the time has come when it would be good for all of us to take a new, fresh look at dissent.

We welcome responsible dissent. But there is a great deal of difference between responsible dissent and some of the things that are taking place in this country which I consider to be extremely dangerous to our national interest, and I consider not very helpful to the men who are fighting the war for us.

Everyone must make that judgment for himself.

I have never said anyone was unpatriotic. I don't question these people's motives. I do question their judgment.

I can't say that this dissent has contributed much to any victories we have had.

I can't say that these various proposals that range from a Senator to a County Commissioner to a Mayor of a city have really changed General Westmoreland's plan much, or Ambassador Bunker's approach. The papers are filled with it every day.

So I think you have to consider it for what you think it is worth and make your own judgment.

That is the theory of the First Amendment.

We don't stop the publication of any papers. We don't fine anyone for something they say. We just appeal to them to remember that they don't have the privilege at the moment of being out there fighting.

Please count to ten before you say something that hurts instead of helps.

We know that most people's intentions are good. We don't question their motives. We have never said they are unpatriotic, although they say some pretty ugly things about us.

People who live in glass houses shouldn't be too anxious to throw stones.

Question. Mr. President, is your aim in Vietnam to win the war or to seek a compromised, negotiated solution?

The PRESIDENT. I think our aims in Vietnam have been very clear from the beginning. They are consistent with the SEATO Treaty, with the Atlantic Charter, and with the many statements that we have made to the Congress in connection with the Tonkin Gulf Resolution. The Secretary of State has made this clear dozens and dozens of times—and I made it enough that I thought even all the preachers in the country had heard about it.

That is, namely, to protect the security of the United States. We think the security of the United States is definitely tied in with the security of Southeast Asia.

Secondly, to resist aggression. When we are a party to a treaty that says we will do it, then we carry it out.

I think if you saw a little child in this room who was trying to waddle across the floor and some big bully came along and grabbed it by the hair and started stomping it, I think you would do something about it.

I think that we thought we made a mistake when we saw Hitler moving across the landscape of Europe. The concessions that were made by the men carrying umbrellas at that time—I think in retrospect we thought that was a mistake.

So as a consequence, in 1954 under the leadership of President Eisenhower and Secretary Dulles, we had a SEATO Treaty.

It was debated, it was considered and it was gone into thoroughly by the Senate. The men who presented that Treaty then said, "This is dangerous. The time may come when we may have to put up or shut up."

But we ought to serve notice in Asia now as we refused to serve notice in Europe a few years ago that we will resist aggression—that we will stand against someone who seeks to gobble up little countries, if those little countries call upon us for our help.

I didn't vote for that Treaty. I was in the hospital. Senator Kennedy didn't vote for it—the late President—he was in the hospital. Senator Dirksen didn't vote for it. But 82 Senators did vote for it. They knew what was in that Treaty.

The time came when we had to decide whether we meant what we said when we said our security was tied in to their security and that we would stand in unison in the face of danger.

We are doing that. We are doing it against whomever combines out there to promote aggression. We are going to do whatever we think is necessary to protect the security of South Vietnam—and let those people determine for themselves what kind of a government they have.

We think they are moving along very quickly in that direction to developing a democratic procedure.

Third, we are going to do whatever it is necessary to do to see that the aggressor does not succeed.

Those are our purposes. Those are our goals. We are going to get a lot of advice to do this or to do that. We are going to consider it all. But for years West Point (and the other Service Academies) has been turning out the best military men produced anywhere in the world.

For years we have had in our foreign service trained and specialized people. We have in 110 capitals today the best trained we can select.

Under Constitutional arrangements the President must look to his Secretary of State, to his foreign policy, to his ambassadors, to the cables and views that they express, to his leaders like the Joint Chiefs of Staff, and to General Westmoreland and others—and carefully consider everything they say and then do what he thinks is right.

That is not always going to please a county commissioner, nor a mayor, nor a member of a legislature. It never has in any war we have ever been in been a favorite of the Senate.

The leaders on the military committees and the leaders in other posts have frequently opposed it.

Champ Clark, the Speaker of the House, opposed the draft in Woodrow Wilson's Administration. The Chairman of the Foreign Relations Committee—with the exception of Senator Vandenberg—almost invariably has found a great deal wrong with the Executive in the field of foreign policy.

There is a division there. There is some frustration there.

Those men express it and they have a right to. They have a duty to do it.

But it is also the President's duty to look and see what substance they have presented, how much they thought it out, what information they have, how much knowledge they have received from General Westmoreland or Ambassador Bunker, whoever it is; how familiar they are with what is going on; and whether you really think you ought to follow their judgment or follow the judgment of the other people.

I do that every day. Some days I have to say to our people: "Let us try this plan that Senator X has suggested." And we do.

We are doing that with the United Nations resolution. We have tried several times to get the United Nations to play a part in trying to bring peace in Vietnam.

The Senate thinks that this is the way to do it. More than 50 of them have signed a resolution.

The Senate Foreign Relations Committee had a big day yesterday. They reported two resolutions in one day.

I have my views. I have my views about really what those resolutions will achieve. But I also have an obligation to seriously and carefully consider the judgments of the other Branch of the Government. And we are going to do it.

Even though we may have some doubts about what will be accomplished, that they think may be accomplished, if it is a close question we will bend to try to meet their views because we think that is important.

We have already tried the United Nations before, but we may try it again because they have hopes and they believe that this is the answer. We will do everything that we can to make it the answer.

I don't want to hurt its chances by giving any predictions at this moment.

We will consider the views that everyone suggests.

The PRESS. Thank you, Mr. President.

A-PLUS FOR THE PRESIDENT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. YOUNG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. YOUNG. Mr. Speaker, last Friday, at his televised press conference, President Johnson flashed the old form that has made him one of the most effective and persuasive officials in Washington for more than 30 years.

What the entire Nation saw was not just Lyndon Johnson at his best. It was Lyndon Johnson—period: Compelling, humorous, believable, animated, articulate, and, above all, totally committed to the cause of progress at home and peace abroad.

To those of us who have had the privilege of working with President Johnson through the years, this side of his personality was nothing new. But to millions of others, who know him only through their television receivers, this "breakthrough in communication" must have been startling indeed.

It is not easy for a man to adapt himself to the demands of television. But last week, Lyndon Johnson bridged the gap—not as an actor, but as himself.

It was an A-plus performance, and I hope we will be treated to many repeats in the months ahead.

ANOTHER WHACK FOR NATO

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point

in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONAGAN. Mr. Speaker, as one who strongly believes in the value of the North Atlantic Treaty Organization and its role in the security of the free world, I find it disturbing to consider the effects of a recent decision by the United States. This is the way in which we have planned and announced a "thin" antiballistic missile system. By failing to consult with other members of the NATO Nuclear Planning Group before announcing the decision to develop an ABM system, we have seriously shaken the confidence of our allies—and this at a time when the recent withdrawal of France from NATO's military arm and a euphoria about the extent of the détente with the East has had seriously disturbing effects on the operations and the outlook of the alliance.

On this topic I commend to my colleagues' attention an appraisal which appeared in the New York Times on November 12, 1967, entitled "Europe Worries About 'Fortress America' ":

EUROPE WORRIES ABOUT "FORTRESS AMERICA"

Secretary of Defense Robert McNamara's statement that the Soviet Union may be developing a fractional orbital bombardment system has fed European fears about the American state of mind on the nuclear arms race.

The concern has been evident in London since the great McNamara démarche of last Sept. 18—his speech in San Francisco announcing that the United States would build a "light" antiballistic missile (ABM) system to defend against a possible nuclear attack by Communist China.

As it happened, Mr. McNamara had assured the other members of the NATO Nuclear Planning Group in Washington last April that he would keep the European allies completely informed on American ABM plans. The allies were delighted and reassured by this pledge.

SHOCK TO ALLIES

The shock was all the worse, then, when the news of the American decision burst upon the allies just before the next meeting of the planning group, in Ankara. The lack of consultation made everyone, as one mild-spoken source put it, "very unhappy."

The major fear is that the move represents a step toward a "Fortress America" philosophy—the belief that the United States can find sanctuary behind an ABM Maginot Line. Mr. McNamara's friends in London and Bonn and elsewhere in Europe have not the slightest idea that he has such thoughts, but the decision inevitably has revived that kind of worry about American purposes.

The security of Western Europe and the Atlantic Alliance has rested for two decades on one pillar: the American nuclear deterrent. The total commitment of the United States to regard any Soviet attack on her allies as one on herself, and to reply against Russia is at the heart of the alliance.

Anything that may make Americans feel more protected against nuclear assault on their own territory may logically be seen as threatening the commitment to Europe. The nightmare of any good ally in Europe is that, some day, an American Government will lose interest in Europe and decide its strategic defenses can begin in the Atlantic.

In Germany there is a general worry that the cost of the ABM system—$5-billion by Mr. McNamara's estimate, but probably pointing upward from there—may tend to produce cuts elsewhere, perhaps in American soldiers on the ground in Germany.

The decision is also regretted because of the pressure it produces for Europe to have its own ABM system. The European military experts who have been studying the matter—and a study had to be undertaken after the American move—have all reported so far that such a continental system would make no sense.

One reason is that, according to the experts, no number of ABM's could prevent millions of casualties in Europe from a major nuclear attack.

A second reason is that any ABM system would be an overpowering financial burden on the already overstrained European defense budgets. Moreover, if NATO were seriously to go for a defensive strategy instead of the deterrent, it should logically spend billions on civil defense and on conventional defenses against low-flying planes. That kind of money for defense is not politically imaginable.

Third, the decision on whether to fire off an ABM would have to be taken in seconds. So, in a meaningful system, the power to let the nuclear warheads go would have to be delegated to military commanders. Yet, such delegation raises grave political problems whose solution cannot be envisaged.

POLITICALLY IMPOSSIBLE

What is significant is that, despite all those powerful negatives, no major European power has formally foresworn the idea of an ABM system. The feeling at the Ankara meetings in September was that it was not politically possible to do so.

What his European audience liked about Mr. McNamara's San Francisco speech was his warning against "the mad momentum intrinsic to the development of all new nulear weaponry." There was agreement, too, when he said, "The danger in deploying this relatively light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system."

What thoughtful persons in Europe, as in the United States, would question is whether Mr. McNamara can appease the forces favoring all-out ABM spending by his grudging acceptance of a "light" anti-Chinese system. The Congressional reaction to his disclosure and attempted playing-down of the factional orbital weapon increases those doubts.

The gloomier critics see, therefore, terrible possibilities of another major spiral in the arms race, with the Soviet Union reacting to American reactions, with the hope of nuclear arms limitation waning, with vast resources once again being withheld from civil needs.

PRESIDENT JOHNSON TEACHES LESSON OF RESPONSIBILITY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. JOHNSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, Friday, morning at his press conference, President Johnson clearly demonstrated his talents as a teacher.

He taught all of us a valuable lesson about the difference between responsibility and irresponsibility in the exercise of our basic right of free speech when he said:

There is a difference between constructive dissent and storm-trooper bullying, howling, and taking the law into their own hands.

Further along in the press conference, the President went on to say:

There is a great deal of difference, as I said a moment ago, between criticism, indifference, and responsible dissent—all of which we insist on and all of which we protect—and storm-trooper bullying, throwing yourself down in the road, smashing windows, rowdyism, and every time a person attempts to speak to try to drown him out.

We believe very strongly in preserving the right to differ in this country, and the right to dissent.

All of us should follow the President's leadership, whether we agree or disagree on a particular matter of policy, in getting the word to the people back home that Americans must once again return to their traditional ways of criticizing constructively.

We must bring to a halt here and now the disruptive street brawling tactics of a well-organized minority which seeks to stifle the right that all of us enjoy, the right to free speech.

We do not demand that members of this rowdy minority listen to their fellow citizens, but we do demand that they do nothing to interfere with the right of their fellow citizens to speak out.

We all owe Lyndon Johnson a debt for issuing a call for the return to the traditional American way of insuring fair play in the marketplace of ideas.

PRAISE FOR THE PRESIDENT'S PRESS CONFERENCE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PICKLE. Mr. Speaker, Friday, November 17, 1967, was a great day for all Americans. President Johnson on that day spoke directly to the hearts and minds of the American people through his press conference, and the people all over the country have responded.

Phone calls, letters, and telegrams all evidence the responsive chord struck by President Lyndon Johnson when he spoke directly to the people.

Some journalists and the commentators have hailed the "new" Lyndon Baines Johnson. But you and I know that the man who spoke for all of us on Friday was not a new Lyndon Johnson. For 30 years the people of central Texas, particularly the 10th District, which he represented in Congress so long, knew the Lyndon Johnson who is best when he is in a smaller group or when he can talk "heart to heart" with his constituents. The people saw and heard the real Lyndon Johnson exercising his leadership so that this Nation may go forward in strength to insure lasting peace and prosperity at home and abroad.

All of us can draw inspiration from

many of the wise things said by the President. I for one approach the future with renewed confidence that the people of this country will continue to recognize that America's future and security are insured as long as Lyndon Johnson is President of the United States.

Mr. Speaker, the Dallas Morning News published an editorial Saturday morning following this news interview, and I am happy to include it, as follows:

LOUD AND CLEAR

In one of the most animated and spontaneously eloquent press conferences of his career, President Johnson yesterday addressed himself to the nation's people and his own critics, including "all the preachers across the country."

"I thought I'd explained the reasons for the war," he said, but just in case someone had not heard them before, he explained them again. They are, first, "to protect the security of the United States," and, second, "to resist aggression."

"When we're party to a treaty that says we'll do it (resist aggression) then we'll carry it out."

Progress toward our goals in that war is encouraging and "we're pleased with that progress," he said. Though there are no sudden and decisive victories that allow the U.S. to get it over quickly, the President pointed to the positive achievements of the U.S. and its allies in both the military and nation-building aspects of the war.

Despite the progress, however, there has been growing dissent, criticism and dissatisfaction and the President took a philosophical view of this. Noting the problems of past wartime presidents, he declared that "No one likes war. All people love peace. But you can't have freedom without defending it."

He hotly denied any implication that he has tried to squash dissent. Fact is, he quipped, "If I've done a good job of anything since I've been President, it's to assure that there are plenty of dissenters."

The President made a distinction on several occasions between honest, constructive dissent "and stormtrooper bullying, howling, and taking the law into your own hands."

He sternly reproached those who resort to such tactics as "throwing yourself down in the road, and smashing windows and shouting down people when they try to speak."

"Let's realize we're in a war," he said. "We have 500,000 of our boys risking their lives in it."

He urged critics to think before they speak whether what they are going to say is likely to contribute to a solution of the problems the nation faces.

"Let's ask ourselves what we can do to help," suggested the President. It does not seem too much to ask of the people of a nation fighting a war.

This was a good, tough, straight-from-the-shoulder discussion of the national issues by the President. The press conference was free of the public-relations glossiness and oratorical gimcrackery of past occasions. The President may not have sounded like the kindly old shepherd of consensus, but he left no doubts as to his meaning. He came across loud and clear with some statements of national resolution that are long overdue.

Let him continue in this vein and the credibility gap that has plagued him will not be long for this world.

A GREAT RECEPTION FOR A GREAT PRESIDENTIAL PERFORMANCE

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HANLEY. Mr. Speaker, last Friday, the real Lyndon B. Johnson stood up. Americans watching on television saw the President as he really is—sincere, articulate, persuasive, and forceful in his convictions.

As the Washington Evening Star notes:

All this came through to the TV viewer with striking forcefulness. It was a memorable performance.

Indeed, it was. And I, for one, believe that if President Johnson continues to address the American people the way he did on Friday, he will win reelection by an even greater margin than he did in 1964.

Under unanimous consent I insert in the RECORD the excellent editorial from the Washington Evening Star which is appropriately entitled "The President at His Best":

THE PRESIDENT AT HIS BEST

It is difficult to recall any White House news conference more impressive than the one staged yesterday by President Johnson. The TV cameras covered him from better angles than usual, and a "necklace" microphone let him move about freely, away from the pulpit-like podium. He spoke without notes, in good, strong, simple English.

His defense of American policy in Vietnam was masterful and eloquent. His recollection of the faultfinding, backbiting and censorious attacks suffered by many of his predecessors were instructive. So was his own Lincolnesque comment on the White House: "The important thing for every man who occupies this place is to . . . try to find out what is right and then do it without regard to polls and criticisms."

Polls, Mr. Johnson made clear, do not make him feel faint of heart, for they merely reflect public moods that are as fickle as the wind. Ask Harry Truman. As for the critics, the President was relaxed, good-tempered, but devastating in what he had to say in distinguishing between the honest ones and those who claim to be peace demonstrators but whose outrageous conduct—like that displayed against Secretary Rusk the other night—amounts to something more like hoodlumism. It is "stormtrooper bullying and howling and taking the law into their own hands"—an "extremely dangerous" sort of thing that is "not very helpful to the men who are fighting the war for us."

All this came through to the TV viewer with striking forcefulness. It was a memorable performance. Some people keep saying that the President has a serious communication problem with the general public, and especially with the so-called liberal community. If so, he should be pretty well able to solve it by resorting more often to the kind of discourse he has just given.

THE REAL PRESIDENT JOHNSON

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, our President has been the target lately of much abusive criticism from savants who insist he is not leveling with the public.

Last Friday, at his televised press conference, Mr. Johnson effectively demolished his critics. We were privileged to see the real L. B. J. in action, a Chief Executive who is firm, forceful, and in full command of his facts.

His masterful performance showed the world that our President means what he says about the massive problems confronting our Nation at home and abroad.

As an American and Democrat, I personally hope that Mr. Johnson will continue to confound his detractors in the election year ahead by calling news conferences on a regular basis.

They may surprise those who believe that the President and his programs are somehow under wraps, and who hope to reap political benefits thereby.

When Mr. Johnson got together with the American people Friday, he told them in clear unmistakable language what was in his heart and in his mind.

He spoke for all of us when he expressed his concern for more and better education for everyone, and for a just peace in Vietnam. He challenged us to tackle head on the great problems that must be resolved as quickly as possible.

Even more significantly, perhaps, the President promised to talk to us in the months ahead about the programs that must be undertaken to strike out illiteracy, ignorance, disease, poverty, and war.

We would all do well, I think, to listen carefully to what he has to say.

WILL THE REAL AMERICA PLEASE STAND UP

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, in recent months, we have seen an explosion of conjecture about what is wrong with America. We have read articles and heard conversations and seen television shows devoted to riots and protests and miniskirts until we almost think these are the only facts of American life. We have heard rumors of dissatisfaction and doubt and defeatism until we almost think there is a cloud of doom over our entire Nation.

And frankly, I am getting very tired of it. I think it is about time this Nation began to recognize her strengths rather than concentrating only on its weaknesses. It is time, for instance, to devote a little more thought to the fact that we are now enjoying our 81st month of economic expansion. It is time to realize that Americans today are better educated, better fed, and better paid than ever before.

In a recent speech before the U.S. In-

formation Agency, Secretary of Labor Willard Wirtz did an excellent job of reminding us of our strengths, and reaffirming our beliefs in the progess of this Nation.

Because I feel that his speech, "Will the Real America Please Stand Up," can serve as a valuable guide for all of us who are tired of hearing the negative accentuated, I am pleased to place before you Secretary Wirtz' speech, as follows:

WILL THE REAL AMERICA PLEASE STAND UP

My assigned subject on this occasion of the Eleventh Annual Award Ceremony of the United States Information Agency is *Excellence and Energy in Government Service.* Both subject and occasion are served by two items from last Wednesday's—November 8—Wall Street Journal.

First—and I quote: *"Capital Malaise.* Sagging Morale Afflicts Administration as War, Budget Woes Persist. . . . The intriguing things about folks in Lyndon Johnson's Executive branch of Government nowadays is (sic) . . . what they're suffering: Disenchantment, Exhaustion, Resentment, Listlessness. Terror, Disorientation. Suspicion. Joylessness. Hate. A sense of being misunderstood by the populace, persecuted by Congress, debauched by the White House and betrayed by colleagues."

The story goes on to explain that this "emotional diagnosis" was compiled from the detailed findings of 20 WSJ reporters who "lent sympathetic ears" to "scores of public servants, from clerks to Cabinet members." The story itself is a listing of 17 item reports: 2 on identified public statements, 2 on interviews with Washington psychiatrists, 13 on interviews with anonymous government employees. (One of these, it occurred to me on a third reading of the story—when I stumbled on six or seven familiar words out of a hundred—was the Secretary of Labor. "Lent sympathetic ears" indeed! The man's diligence should have been sufficient notice that he was there to bury truth, not appraise it.

But the Wall Street Journal is an honorable paper—especially if you were weaned on the Chicago Tribune; and so there appear in that same November 8 issue these words:

I quote again: "Under the direction of Mr. Marks, the able and dedicated staff of the USIA has become one of the most excellent and effective agencies in a Federal service which—under the 24-hour-a-day driving influence of President Lyndon Johnson—measures up increasingly to what people expect of public servants. It is entirely likely that the reading, listening citizens of other nations get a more accurate picture of America through the Government media of the USIA than the people of America get of their own Government through this country's private media, the Wall Street Journal included."

Word for word from the Wall Street Journal, November 8, 1967! Nothing added. Oh, these words didn't appear in precisely this sequence. I have done a little picking, choosing, re-arranging—a word from a paragraph here, another from there—a phrase from this story, another from that. If 20 Wall Street Journal reporters write cafeteria style—choosing whatever they want from the facts—they won't object if we read the same way. After all, the media *is* the message, the word the truth: and what's a little contextual deviationism among friends?

No complaint. Our thanks, rather, for better reason to say here today, what might otherwise have seemed too much protesting, too self-serving. So come, my disenchanted, listless, terrorized, disoriented, persecuted, debauched, betrayed friends—come let us commiserate (as Isaiah didn't quite say) together.

To pretend for a minute that day-to-day Government service is a lark (adding one more species to the city's winged population) would be to affront credibility—a capitol offense. The bureaucrat's job description requires his functioning alternately as prizefighter and punching bag. This is, furthermore, a time of unusual unrest among the tribes of the Potomac, who react occasionally with child-like instinct to little things like not having budgets until the year is half over, and pay increase bills that include petty discriminations. Nor do the vapors of foggy bottom offer any exemptive antidote to a broader unrest in the country today.

But what those 20 reporters would have found, if they had been covering their subject instead of their own story, would have been the simple but not very newsworthy fact: that an extraordinary number of people who work for the Government take their satisfactions from a broader coarse of events than their own day's almost invariably weary routine.

The most basic story—which *would* be newsworthy—is that these people find today, beneath the bramble bush of all that is irritating, an achievement in these past six years—under the leadership of two magnificent Presidents—unparalleled in the history of this or any other nation.

I know the troubles we see—the riots last summer, the differences about Viet Nam, the concern about inflation, the unrest on the campuses. I read last week's news magazine—with the nude on the cover—and its garbage collector story about the Permissive Society—the day another Surveyor landed on the moon and Saturn V rose into the sky.

I know the case for the negative. And I'm tired of it. I keep wanting to say: won't the real America please stand up.

Sure, America is still too young to ever spend much time counting its blessings—and this has been part of her strength.

But it wouldn't hurt us, or weaken our resolve to do still better, if we took counsel occasionally of our achievements as well as our shortcomings.

Let's look for a minute, for example, at this fact of our entering this month on an unprecedented 81st month of uninterrupted economic expansion.

A statistic perhaps. But what does this mean—in the human terms which statistics reflect so poorly?

It means, just to look at the area of my own official preoccupation, that there are 9 million more jobs today than there were 80 months ago. That's too big a figure to mean much to most of us. We see the clearer picture in terms of over 5,000 more people going to work every working day than went to work the day before.

A reduction in the "seasonally adjusted national unemployment rate" from almost 7% to about 4% is, again, just statistic to most people.

One smaller piece of that achievement makes it clearer: In 1961, there were three quarters of a million people in this country who had been out of work for 27 weeks or more. Now, that number is down to 155,000.

Ninety-eight out of every hundred married men, heads of families, are employed today. For the two who still have trouble finding a job, there were five in 1961.

Workers' earnings have risen even more significantly during these 80 months.

The average cash weekly earnings of manufacturing workers have increased from $89 to $117.

Although prices have gone up some, today's average weekly pay check buys the manufacturing worker and his family 17% more than it did six and a half years ago.

The "real" purchasing power of all Americans now averages 28% more than it did then; and this is after taxes and after taking account of increased costs. The increase in this figure during these past 80 months is almost three times as large as it was in the previous 80-month period.

The legal minimum wage for most workers covered by the Federal law has been raised by Congress—acting on the recommendation of President Kennedy in 1961 and President Johnson in 1965—from $1.00 an hour to $1.40, and will go to $1.60 next February. Over 10 million additional workers have been brought under the protection of that law.

Just statistics? Averages? Yes, but not to be dismissed as only that. We are inclined to *do* what we can *measure.*

Beyond this, these are the statistics of better living—fuller living—and in a real sense fuller freedom.

They are the statistics of a people's achievement in learning how to do better those things that must be done together. They are at the same time the statistics of a Presidential leadership with the courage to tell the country the truth about poverty and the right to equal opportunity—and how to make those rights real in peoples lives.

If it sometimes seems—as it does—that we aren't very much more "satisfied" than we were before—not as much as gains such as these ought to mean—then there is more to it:

We have raised our standards—not only of living but of expectation.

Just doing better than last year isn't any longer enough.

Perhaps the largest gain of all in these 80 months is in the confidence that we can do whatever we set out to do—that we are not the prisoners of laws of boom and bust—that the proper measure of accomplishment is not in a comparison with previous achievement but in the vision of the full use of the human competence.

For you in the USIA there is the additional satisfaction of being able to "tell the world" about it.

You know, in a more immediate sense, the significance of the late A. Powell Davies' saying: "The world has become too small for anything but brotherhood, and too dangerous for anything but the truth."

You know from what you are doing, more clearly than most people can, the crucial, critical significance of insisting that there be *peace with freedom* in Southeast Asia—and that neither will be worth having without the other. You know what it would mean among over 300 million people in that part of the planet if we turned away, admitting that the forces of freedom do not have the courage of the Western world's expressed conviction.

Yours is the privilege of being the voice of an America in which the rest of us can take only quieter pride.

It was a heart-warming experience to go, earlier this Fall, to Montreal, and to see there how America was made to appear in the eyes of the world as beautiful as she is in person. Hats? Sure. Movies? Yes: W. C. Fields saying how much he liked to look at women, but he wouldn't want to own one. And Bucky Fuller's geodesic dome—with all its spaciousness—and the blinds that didn't work, seeming some way to give the proper lie to technology's vaunted supremacy. And the film devoted not to America's prowess, but to her children's play.

Your assignment includes the counteracting, so far as possible, of the effect of knowledge advancing right now so much more rapidly than understanding. The largest questions before the world are how democracy is to work when a smaller and smaller number of the majority know what has to be known about the elements which are critical in crucial decision-making, how a vacuum of values is to be presented from developing in the wake of a hurricane of change, how the ever-enlarging institutions an ever-expanding population requires are to

be altered so as to give individuals the larger opportunity for participation which they—especially the younger among them—are demanding. In all of this the essential equation involves the relationship of understanding to knowledge, of social to scientific invention, of communication (which is education) to discovery.

Is this too glorified a concept of what we are doing: because it leaves out riots and slums and draft card burnings, and drugs—and the other 5% facts that get 95% of the publicity; because it seems to be about horizons and stars when our days are filled with typewriters, endless pieces of paper, and interminable talk, talk, talk?

I don't think so. Neither do you.

So look if you must, scavengers of the press, for symptoms of "terror" and "hate" and "debauchery" and "betrayal."

But ask us, too, whether we like the feeling of being, each of us, a little part of the greatest achievement in Man's eternal questing. For we do.

Ask us, after you're through talking about "debauchery by the White House," whether we're proud to work for America—under the leadership of Lyndon Johnson and Hubert Humphrey. For we are.

Ask us whether we think the future is a great, magnificent idea. For we believe greatly that it is.

THE CASE OF LT. COMDR. MARCUS ARNHEITER, U.S. NAVY

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RESNICK. Mr. Speaker, many people have expressed interest in the unusual case of Lt. Comdr. Marcus Arnheiter, U.S. Navy, and the unorthodox manner in which he was relieved of his command of a warship on active duty. I have talked to many people and done a great deal of reading in an effort to arrive at a fair judgment of the facts and have reached the conclusion that Lieutenant Commander Arnheiter, a career naval officer, has been wronged by the Navy. I am also disturbed over the fact that the Navy has not been as candid with me and with the press as it has an obligation to be. It has not always stuck to the facts in statements it has made regarding Lieutenant Commander Arnheiter.

At first, it was very difficult to find outspoken individuals who would rally to Arnheiter's support. However, because of the strange circumstances surrounding the loss of this command, and the almost bizarre parallels between this case and the fictional "Caine Mutiny," many people have now begun to express their concern of the Navy's commission of what may be a terrible injustice. We all realize it is not easy for an active officer of the line to speak up openly and criticize decisions of those on the highest levels of command. An officer will only do this when he is absolutely convinced that the cause he is speaking out for is a just one.

That is why I am so deeply impressed with the letter I have received from Capt. R. G. Alexander, who has just been selected as the commanding officer of the battleship *New Jersey*. This letter explains Captain Alexander's views in this case and is accompanied by a detailed summary of the circumstances surrounding the loss of Lieutenant Commander Arnheiter's command. Under unanimous consent, I insert excerpts of this important statement in the RECORD because I think this case can have a tremendous effect on the morale of the men who man our ships and sail the seas in defense of our country.

The material follows:

DEPARTMENT OF THE NAVY,
PHILADELPHIA NAVAL SHIPYARD,
Philadelphia, Pa., November 7, 1967.

DEAR MR. RESNICK: Sometime past you expressed an interest in the case of Lcdr Marcus Arnheiter USN, who was summarily relieved of command of USS Vance in the Pacific on 31 March 1966. I, too, have been following this case with considerable interest. By virtue of my recent assignment to the Bureau of Naval Personnel and with the approval of Admiral Semmes, I was able to fully inform myself of the details of the case pursuant to Mr. Arnheiter's request that I do so in order to advise him.

In March of this year I felt that in the absence of additional evidence or testimony supporting Mr. Arnheiter's contention that his relief was unjustified, the case against him could not be successfully challenged, and I withdrew my support. Recently however, there have come to hand sworn statements by former crew members of USS Vance which clearly point to grossly unsatisfactory disciplinary and administrative conditions in the ship at the time that Mr. Arnheiter assumed command. The statements of these crew members also confirm Mr. Arnheiter's contention that there was a deplorable conspiracy of dissident, incompetent officers to defeat his efforts to improve the ship. It is now obvious that this conspiracy caused his summary relief and the ruination of his career. In addition, testimonials from crew members are now in hand which are highly praiseworthy of the zeal, effectiveness, leadership, and professional skill of the former Captain. I therefore have now given Lcdr Arnheiter my full support in his efforts to achieve a reinvestigation of this case as a first step towards clearing his name. Lcdr Arnheiter recently wrote to the Secretary of the Navy requesting that he be permitted, together with me, to attend a review of this case which the Secretary had stated he would receive. I wrote to the Secretary informing him that Mr. Arnheiter's request was made with my knowledge and consent, and urging favorable consideration.

In preparation for this meeting, I prepared the attached statement of my views of the case, which I have given to Mr. Ignatius. Because of your interest in this matter I believe you should receive these views directly from me.

Very respectfully,

R. G. ALEXANDER,
Captain, U.S. Navy, Prospective Commanding Officer, U.S.S. New Jersey, BB–62.

STATEMENT OF CAPT. RICHARD G. ALEXANDER, U.S. NAVY TO THE SECRETARY OF THE NAVY ON BEHALF OF LT. COMDR. MARCUS A. ARNHEITER, U.S. NAVY

Mr. Secretary, this case concerning Lcdr Arnheiter is a most important and delicate one. It is important because it goes to the roots of naval discipline upon which the authority of a Commanding Officer must ultimately rest. It also goes to the roots of the Administrative authority delegated to the Chief of Naval Personnel in entrusting officers with or removing officers from positions of command. The case is delicate because of the strong positions already taken by Senior officers, because of the strong interest in the case by the officer corps of the Navy, and because of the impending treatment of the case in full by news media and others.

If Lcdr Arnheiter was in fact an incompetent Commanding Officer, the authority of the Chief of Naval Personnel to remove him, and others, from command positions for the good of the service must be sustained, regardless of all other aspects of the case.

If however Lcdr Arnheiter was in fact a competent Commanding Officer, whose relief was precipitated by the unfounded allegations of disloyal subordinates who succeeded in stampeding naval authorities into taking unjustified summary action against him, then redress is due not only to Lcdr Arnheiter, but in a larger sense to every Commanding Officer in the Service because all of them are affected by this case.

* * * * *

New evidence has arisen since the case was concluded which weighs strongly on the side of Admiral Baumberger's two endorsements favoring Lcdr Arnheiter, and against the conclusions reached by the Commander-in-Chief Pacific Fleet and the Chief of Naval Personnel.

This new evidence, in my opinion, can achieve two vital things. It can throw serious doubt on, if not destroy, the veracity of the principal complainants against Lcdr Arnheiter. In fact, it may well be prima facie evidence against several Vance officers to support Lcdr Arnheiter's previously submitted charges of nurturing collusion, false official statements and the like. In addition, this new evidence can give quite a different picture than was presented to the investigating officer of the conditions in USS Vance with which Lcdr Arnheiter was confronted, and of the relief with which his remedial efforts were greeted by many of the crew. Because of this, he requests that his case be made the subject of a Court of Inquiry in order that the full story can be brought to light under formal procedures prescribed by the Manual for Courts Martial, U.S. Navy.

I support Lcdr Arnheiter in his request, Mr. Secretary; however, I go a step further to conclude that on the basis of the material now in existence in writing concerning the case * * * the case should be thrown out, redress given to Lcdr Arnheiter, and charges preferred against those who willfully wronged him.

* * * * *

Mr. Secretary, when the conniving character, lack of veracity, deceitfulness, disloyalty, and premeditated attempts at character assassination on the part of several principal officers in USS Vance, which can be established by documentary evidence and sworn testimony, are placed on one hand; and on the other hand one places the professional ability of the Commanding Officer, his consideration for subordinates, his zeal, his determination to correct the shortcomings of his new command, all of which are also matters which can meet the most stringent rules of evidence, there is now no doubt in my mind which party in this dispute was deserving of commanding support.

* * * * *

The Executive Officer, Lt. Hardy, deflected a complaint concerning the Captain's character guidance program under General Order 21 so that the Captain never received it. Lt. Hardy advised the complaining officer, who was next senior on board, to seek help from outside the ship, thereby setting in motion the fatal cycle of clandestine complaints which eventually precipitated the Captain's relief.

* * * * *

The Operations Officer, Lt. Generous, within a month of the Captain's reporting and about one week after deploying from Hawaii to WestPAC, was violently objecting to the Captain's program under General Order 21,

and acting on the Executive Officers advice "to seek outside help anonymously", was writing hysterically to a junior Chaplain in Pearl Harbor, invoking the Nurenberg Tribunal to support his acknowledged disloyalty. The program of the Captain was later to receive the commendation of two senior 7th Fleet Chaplains and of the Navy Chief of Chaplains. Other testimony is now available from a second class petty officer that Lt. Generous spoke openly to enlisted men on watch of the log being kept by certain officers concerning the Captain and stated that it would be used against the Captain at some future time * * * In addition there have now come to light copies of counterfeit familygrams (ship's newspaper mailed to dependents) and a bogus plan-of-the-day which all evidence indicates were typed on Lt. Generous' personal typewriter, on forms normally in the custody of the Executive Officer. This familygram is utterly defamatory of the Captain in content. The plan-of-the-day is a childish attempt to ridicule the fast-paced activities of the ship.

* * * * *

Throughout the period of Lcdr Arnheiter's command, he was openly opposed by Lt Generous, who passed judgment on the Captain at every opportunity. * * * There is little doubt that this officer was instrumental in wrecking the career of a dedicated, professional officer. A senior petty officer who served in Vance at the time has written: "Generous was the senior officer aboard who headed the conspiracy against the Captain. It is remarkable, except for a few instances, that he was able to undermine the Commanding Officer so effectively".

* * * * *

One final comment, Mr. Secretary, on the veracity of certain officers in that ship. As I will mention in detail in a moment, the ship was visited by a young Chaplain sent to check on morale. This officer returned to his Commodore with six pages of hear-say complaints alleging grossly improper conduct and policies on the part of Lcdr Arnheiter. It is obvious that these distortions and falsehoods were furnished by certain Vance officers. Yet the investigation which ensued three weeks later substantiated only a few of them. Of these few, when reviewed by Rear Admiral Baumberger in the light of circumstances existing at the time, only two remained. These two Admiral Baumberger considered not significant. In my view, Mr. Secretary, this fact alone establishes that within the Vance wardroom there were, by mid-March, liars and disloyal officers bent on assassinating the Captain professionally. With this fact clear, how can the later testimony of this group be given the slightest credence?

If disloyalty and conspiracy to discredit their Captain becomes a strong suspicion in the case of at least three officers, what was the condition of the ship over which these officers had been presiding for up to a year prior to Lcdr Arnheiter's arrival? Here the facts as testified to by former enlisted crew members, are shocking, Mr. Secretary.

* * * * *

Since publicity of Lcdr Arnheiter's case on the West Coast, former crew members have come forward with sworn statements of conditions of brutal abuses of discipline, lack of officer attention to administration and other disgusting matters which vividly describe the situation which these disloyal officers were presiding over and tolerating. Several of the enlisted men's statements acknowledged that they were aware that Mr. Arnheiter's policies were temporarily successful in achieving improvement. One chief petty officer states that his tour in the ship was the worst in his 18 year service. * * *

Finally, as Lcdr Arnheiter stated in his letter to you of 1 September, when he first assumed command of USS Vance in Pearl Harbor he was vigorously instructed by the Rear Admiral commanding the Naval Base concerning the unsavory disciplinary record of his new command and the urgent need for the Captain's direct attention to the matter.

* * * * *

In contrast to this dismal picture of a wretched ship under disloyal officers, what is the true picture of Lcdr Arnheiter? The record of the investigation shows what was thought of him by disloyal liars and character assassins. Can we believe them? Should we care what they think? What did others think of him?

* * * * *

Admiral Baumberger twice recommended Arnheiter's restoration to command.

If Lcdr Arnheiter's actions did not indicate deficiencies serious enough to warrant his abrupt dismissal, what about his behavior—that is, his conduct and relations with his officers and crew. Was he a bully? Was he slovenly and unkempt? Was he a drunk, a coward, a cheat? Did he cultivate favorites? Did he by-pass the chain of command below him? Was he overly severe in meting out punishment? Did he abuse his subordinate with recriminations and reprimand? Did he demand the impossible of his men? Did he exhaust them? These are some of the unsatisfactory traits of other Commanding Officers whose behavior and attitudes have made them unfit for command even though they had professional competence. The record of this investigaition does not indicate that any of these descriptions is apt. What the record does indicate is that some of Lcdr Arnheiter's officers, being unable to attack his character or behavior, assailed his professional competence. * * * The so called "findings" of Captain Witter lie in this general area. Rear Admiral Baumberger demolishes them and other reviewing authorities have not taken issue with Admiral Baumberger's evaluation. What then, could have been bothering some of these Vance officers?

* * * * *

These officers were bothered by the fact that into their slovenly, unseamanlike lives there had arrived a new Captain whose attributes they wholly failed to understand or refused to accept. Mr. Arnheiter is an officer of great energy, ability and high standards. Bring these together in a situation offering the challenges of a "first command" and you can expect action. Make it a ship like Vance and it is obvious there will be changes!

* * * * *

Before coming to USS Vance, Lcdr Arnheiter had been Executive Officer of USS Ingersoll (DD–652). His Commanding Officer's official report of fitness is outstanding. However, the most remarkable evaluation of an officer by his subordinates that I have ever seen exists in letters written by Ingersoll officers (including the Captain) after they had heard of his relief, almost a year after he had left their ship. Their letters are part of the record of the case. Mr. Secretary, I have seen thousands of officers fitness reports. I have yet to see an officer's record which gives as clear a picture of a unique, respected, dedicated, competent, and successful officer as those letters do of Lcdr Arnheiter. I submit that your personal understanding of this case will not be complete until you have read them. They indicate not only what Mr. Arnheiter's methods and objectives were, but the reaction of his subordinates—Initial opposition, followed by acceptance and cooperation, followed by loyal support and enormous respect. This one item selected from the detailed analysis of Mr. Arnheiter drawn by Lt Forkash, MC, USNR, will illustrate the tenor of the evaluations reached by *all* of these officers:

"Of all the officers senior to me under whom I served, Lcdr Arnheiter was able to lead and inspire his subordinates to higher levels of achievement than any other officer in executive or command authority. It was the consensus of my follow junior officers that under Lcdr Arnheiter we were working for an officer whose perfomance and potential would surely bring him to flag rank."

No doubt for Ingersoll as well as for Vance the impact of Lcdr Arnheiter's drive and ability was felt with some discomfort. Here is a graphic description of this effect by one Ingersoll officer, Ltjg Novak, USNR:

"Commander Arnheiter met our ship, the U.S.S. Ingersoll (DD–852), at Kaohsiung, Formosa. He relieved Lcdr Lawler as Executive Officer and sweeping changes immediately occurred in daily routines. He vigorously attacked slovenly appearance (of officers, enlisted men and the ship), attitude and performance of duty. Duty-honor-country became words to live by. Ship's regulations, which had been conveniently overlooked, were enforced.

The obvious result of such rapid changes was a severe reduction in morale. Personally, I have never seen morale fall to such a low ebb. Men were working hard and putting in extra hours. Gripes could be heard in almost all quarters.

The officers (including myself) and chiefs objected most strenuously, as they were expected to set the example. The next loudest group was that of the lax petty officers who had spent the majority of their tours of duty on small ships. Only the new arrivals from Boot Camp, the efficient petty officers and the men who were recently transferred from large ships remained calm.

The level of morale began to rise a few months later as new standards of watch standing, personal appearance and appearance of the ship became accepted. Pride in the Navy and in the ship became very noticeable. Rated men acted more like petty officers; junior officers began to act like professionals.

During his tour on Ingersoll, the ship literally "pulled itself up by its bootstraps." The ship evolved from a scroungy "Tin Can" to a first-class fighting ship, staffed by competent and well trained men."

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Keeping in mind the evaluation of Ingersoll's officers and Lt. Novak's description of the "Arnheiter method," these evaluations by junior and senior Vance sailors are most pertinent:

Seaman Himebaugh (8 April 1966): "I felt proud when he (the Captain) held frequent inspections in order that the ship would be "more squared away" . . . We had adventures that I know I will remember for many years to come . . . No matter what happens to Capt. Arnheiter, there is no doubt in my mind that he was competent C.O. and that he deserved the respect of every crew member . . ."

Radioman Striker Burkholder (3 April 1966): "He (the Captain) promised the crew that they would see some action and he tried to do just that. He did get some enemy targets for the Vance to fire on. The men that went to the beaches are now up for commendations because the ex-Captain saw, as many others saw, that it could have been a dangerous mission even though the trip the men took was uneventful. My opinion is that the ex-Captain of the USS Vance (DER–387), Lcdr Marcus A. Arnheiter, was a Captain that looked out for the crew . . ."

Second Class Petty Officer Mathews (April 1966): "The ship was infested with roaches, the crew wore sloppy torn, and dirty uniforms. When Lcdr Arnheiter came aboard all this changed. He had the welfare and appearance of the crew as two of his main concerns. He organized and arranged for recreation for the crew. He, I feel, wanted us to do our jobs as best we could, look smart, and get us as much enjoyment out of life and the Navy as possible. . . If Lcdr Arnheiter made any mistakes, it was probably trying too hard."

Chief Yeoman Young (3 April 1966): "He instilled pride in her petty officers, conducted an effective leadership and character guidance program which included gathering the crew on the fantail to instill in them a sense of pride in themselves, their ship and their country. . . He constantly kept the crew informed on what was going on even at their G.Q. stations by use of the internal communications . . ."

* * * * *

Signalman First Class Boson (5 June 1966): "I served on board USS Vance for nearly 14 months, the last three of which were under the command of Lcdr M. A. Arnheiter, USN. During the first 9 months (before Lcdr Arnheiter assumed command) the ship was not the kind of warship you normally think of when you think of destroyers. In other words, the ship was lax. The barrier patrols lessened combat effectiveness. The ship went to GQ at the most from 4 to 8 times during all the time I was on board up to the time Lcdr Arnheiter came aboard. On the first Market Time Patrol under Lcdr Wright, the ship usually operated well out to seaward, and hardly ever came in close to shore where on this past cruise Lcdr Arnheiter took us. The great majority of Vietnamese junks and sampans operate well within three miles of the coastline. Lcdr Arnheiter took the ship there to prosecute a visit and search effort all around the clock. When he was C.O., we had more operations because there were so many junks to search and inspect, Lcdr Arnheiter would have two forward and two aft alongside all at once, at the same time having the two boats in the water also looking for VC carrying contrabrand.

"The Captain always seemed very concerned about the welfare of the crew. He talked to us at length both on the fantail, over the speaker, and individually as he walked around the ship. He was always asking for suggestions and ways to improve things. He wanted everyone to have pride in themselves and in their ship. He did so many things it was difficult for many of the officers and men to keep up with them all. *From suddenly being a ship full of people content to live quietly doing nothing and with not many requirements, the Captain changed all that to a lot of activity, something to do all the time, keeping people hopping, making them forget the boredom and making them get involved in the war effort in every way he could think of.* Some people thought he was trying to do too much, and they compared what he was doing with what the ship had done on its last cruise.

"The morale of the ship, during the period Lcdr Arnheiter was Captain, was good and getting better. The things that he did for the crew were obvious and they appreciated it, I think. The time he gave the crew the party in Guam and went from table to table offering cigars made a big hit with the men. He also learned about the ship's problems with all the fights and the lack of discipline they had in the 1st Division. He promised to do all he could to increase the authority of petty officers. One of the things the Captain did to keep morale as good as it was during his cruise was his keeping everyone informed about what was doing on, what was happening each day, before it happened and while it was happening, so the crew wouldn't think they were overworking all for nothing. The ship was full of cockroaches until Lcdr Arnheiter took over. He was a man who believed in getting things done. Once he started to do things, he never did them half-assed. He always tried to do things better and more completely than others. He did his duty. He had more junks searched, he had a better armed crew, he had a ship that fired at the enemy, he kept the ship looking more squared away than before, kept the officers and men looking better, and so on.

"In my opinion, everything the Captain did, that I could see or was aware of, that changed things in our routine or way of doing things, was for the best interest of the ship so that the ship could be more like a man of war. I believe the capability of the ship to fight, and the overall spirit of the ship as a *warship,* increased as a result of Lcdr Arnheiter's policies and actions. He kept talking about Vance being better than the rest of the ships, and he tried hard to make this so. I believe he was succeeding."

* * * * *

Where did strength and where did weakness lie in that ship? Who stood for duty, honor, country, and who was disloyal? Whose standards would you commend to a young officer today? Those of Hardy, Generous, and Belmonte? Whose efforts were deserving of command support and who should have been censured?

After this comparison of the qualities and actions of the disputants, if any doubt remains, that the full weight of command support should have been given to the Captain, one should then examine a separate but related aspect of this case—the manner in which the case was handled once credence was given to sheer rumor and heresay. Here we find actions taken which not only violate U.S. Navy Regulations, to the terrible disadvantage of the Commanding Officer, but which also violate elementary common sense in pursuing impartial justice.

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While Lcdr Arnheiter had command of USS Vance, a little over 3 months, he had received one and only one mild caution from his Squadron Commander in Pearl Harbor. This was contained in a courteous, friendly, helpful and encouraging letter, which mentioned that religious services were a sensitive area and that religion must be kept out of any "all-hands" evolution to avoid the problem of compulsory attendance at worship. This letter was received by Lcdr Arnheiter in West PAC and was responded to promptly, with assurances being given to the Commodore that the problem was recognized and that the character guidance program of the command was being conducted accordingly. Aside from this straight-forward, friendly, manly, advice from a senior, Lcdr Arnheiter received no other query or complaint regarding conditions in his ship until he received message orders on 31 March announcing his summary relief. Within twelve hours he was under guard in his cabin, having been relieved by another Escort Squadron Commander who gave no explanation. After a night under guard he was kicked off his ship. Four days later he was confronted in an investigation with an amazing chain of damning, ruinous allegations that were bewildering in scope and viciousness. Mr. Secretary, what all of your officers will demand to know is just how in hell this could happen in the United States Navy!

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Several weeks prior to the actual relief, Cdr. Milligan in Subic Bay had received a telephone call from the Vance's Squadron Commander in Pearl Harbor requesting that Milligan check on conditions in that ship since there were rumors among some dependents of a morale problem on board. Thereupon Commander Milligan arranged to have his staff Chaplain, Lt. Dando, a neophyte with less than 5 months in the Navy, visit Vance to observe conditions. Upon his return Lt. Dando submitted a six page written report alleging horrendous problems in Vance stemming from the conduct and policies of the Commanding Officer. Virtually all of these allegations were based on hearsay.

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Armed with these reports Cdr. Milligan was in Subic Bay when Vance arrived in Manila for rest and upkeep. Cdr. Milligan consulted members of the staffs of two destroyer flotilla commanders who were effecting a relief in Subic. Milligan was cautioned by a staff member to visit the ship, advise Commander Arnheiter of the allegations and check them on the spot before taking the matter to higher authority. He declined to do this, sought a hearing with the two Admirals, and persuaded them on the basis of his unverified information to obtain Bureau of Naval Personnel authority to relieve Arnheiter summarily. BuPers authority was obtained, and local orders were prepared ordering Cdr. Milligan to effect the relief and *to conduct a preliminary investigation of conditions in Vance.*

Cdr Milligan himself described his method of conducting his preliminary investigation. He placed a note in the ships' Plan-of-the Day "stating that he was available to any man who had anything to say pro or con about events in the ship since 22 December", the date of Lcdr Arnheiter's commencement in command. Under these circumstance, in which their Captain had been summarily relieved in amazing fashion, the crew of Vance was alive with rumors. Certainly Arnheiter had done something scandalous! Into Cdr Milligan's cabin came the ship's malcontents to unload their complaints. One would have expected those who respected Arnheiter to be stunned into silence. Amazingly, some brave souls came forward on his behalf. Cdr Milligan then sent a selection of statements to Capt. Witter in Subic Bay, who by then had been designated to conduct an informal, one-man investigation.

Mr. Secretary, consider Cdr Milligan's position! He had perpetrated an unheard-of relief of a Commanding Officer in violation of Article 1404 of U.S. Navy Regulations which requires that charges and complaints against an officer be given him in writing, and in violation of Article C–7801 of the BuPers Manual, which provides safeguards against the preemptory action Milligan initiated. His conduct was so unmanly as to inspire instant contempt. And now he had to justify what he had brought about. Mr. Secretary, was Cdr Milligan competent to be an impartial investigator?

Now, Sir, consider the officers in Vance who had initiated the rumor and slander against the Captain. They had exceeded beyond their wildest expectations. The Captain was gone! But the show was not over. There would be an investigation. Having lied, exaggerated and misrepresented before, could they be expected now to be objective and truthful?

Then, Mr. Secretary, consider Capt Witter. With no prior knowledge of this situation he was suddenly caught as investigating officer of an action which two flag officers in his chain of command had already perpetrated. Mr. Secretary, could Capt Witter qualify as an impartial investigating officer?

There is more, Mr. Secretary. Consider now Rear Admirals Irvine and King, the two Flotilla Commanders who jointly authorized the relief. They had done so without a shred of substantiation. They had by-passed every one of the safeguards of the BuPers Manual. They had not enforced Navy Regulations Article 1404. Mr. Secretary, as convening authority of the investigation, Admiral King was its first reviewer. Was he competent to be objective?

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Suffice it to say, Mr. Secretary, that when this fantastic fishing expedition to support an improper, cowardly, preemptory action against a Commanding Officer, which passed as an investigation, reached Rear Admiral Baumberger, he had the good sense and courage to twice recommend in effect that the whole mess be thrown out and that redress be made to Lcdr Arnheiter, if such was possible.

Again Mr. Secretary, I ask the question that your entire officer corps will soon ask.

How is such a thing possible in the U.S. Navy?

Mr. Secretary, I offer a conclusion from this for your consideration—not as my own but because you should be forewarned that it will be embraced by all but the most charitable observer. It is that *because* the case was handled so badly by authorities in Subic Bay they *had* to justify their flawed and extra legal means by demolishing Lcdr Arnheiter. The end had to be constructed to ensure acceptance of what they had done.

* * * * *

It is an easy thing for rumor and falsehood, if uncontested, to destroy a reputation anywhere. In the Navy, our vulnerability is particular and peculiar. The fruits of many years of experience, and the sense of fairplay and manliness which are inherent in the character of an officer lie behind the safeguarding regulations which were violated in this case. Only the most patent, proven dereliction on the part of the accused could justify this treatment. Far from proving this dereliction, the evidence in the case now points clearly in the opposite direction.

If I may end on a personal note: Last March, in the absence of the evidence which is now available to construct a more complete view of this episode, I concluded there was no effective way to challenge the decisions reached in the case. I withdrew my support. I went further and took a stand against Mr. Arnheiter. To have withdrawn my support was prudent. But to turn against him was pusillanimous. I hope my statement today, in addition to presenting the case for Mr. Arnheiter, will also encourage others to re-examine views and positions they have previously taken.

Thank you for the opportunity of presenting this statement.

GREECE UNDER DICTATORSHIP: ZORBA MUST RISE AGAIN

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, several days ago I placed in the RECORD a brief and moving letter to the editor of the Washington Post, superbly written by Mr. Christopher Janus, prominent Chicago investment banker and president of the Greek Heritage Foundation. The letter dealt with the inherent tragedy of the Greek nation under a military dictatorship and hinted at the implications, moral and strategic, involved in the American reaction.

Mr. Janus has now written a more extensive article on the Greek situation. It appeared in the November 12, 1967, issue of the Chicago Sun-Times. In my judgment, this is perhaps the best analysis of the Greek coup and its consequences to appear in the American press. His message, to businessmen who prefer to do business with "efficient" dictators, and to a U.S. public and Government not sufficiently aware of the destructive character of the junta, comes from a man who is an authority on modern Greece.

During World War II Christopher Janus helped organize Greek war relief and was chief of the Greek desk of the American division of the United Nations Relief and Rehabilitation Administration. After the Germans moved out, he served in Greece as chief of Balkan intelligence for UNRRA. Mr. Janus is publisher of the scholarly hard-cover quarterly, Greek Heritage, whose art work and articles by the world's greatest Greek scholars, has drawn wide critical acclaim. As President of the Greek Heritage Foundation, he annually leads an American pilgrimage to Athens for an intellectual symposium sponsored by the foundation. He is personally acquainted with the postwar leaders of Greece. The article is based on his observations during his latest trip, from which he recently returned.

I would like to make some additional observations concerning the Greek junta and the short-term and long-term consequences of its continued stay in power.

First, the junta's claim that it moved to prevent a Communist takeover is not supported by competent observers. The New York Times, which had been critical of the Papandreous, father and son, nevertheless editorialized on the day after the coup that the coup was a mistake, that there was "no clear and present danger" of a Communist takeover, and that Greece had survived even the two bloody Communist insurrections of the late 1940's without resort to dictatorship. Our own U.S. State Department concedes that there was no danger of a Communist takeover.

Second, the junta claims that it is interested only in "cleansing" Greece and restoring democracy, not in power. But as Mr. Janus suggests, the colonels are interested in power. It is generally acknowledged in the United States and Greece, that a "big junta" group existed, made up of palace, high military officers, and some members of the establishment. The takeover device was to be the NATO-approved Prometheus plan, originally devised as a means to prevent a Communist takeover.

In early 1967 this plan was dusted off by the "big junta" to use in the event of a Papandreou-Center Union victory in the scheduled May 28 elections—that is, a victory by the non-Communist left and center. The colonels stole the plan, and in their own power play beat the "big junta" to the punch. It was a power grab later excused in anti-Communist terms. A supporter of the "big junta" has ruefully described it as "the wrong people pushing the right button at the wrong time."

Third, although the coup was made by the military, to effect a change, economic considerations, as Mr. Janus pointed out, are crucial. We should not be indifferent to the leverage we can exercise via our economic power.

Fourth, American apologists for the junta usually point to the preparation of a new constitution as justification for American condonement of the junta. The truth is that the new constitution has a large element of hoax in it. The junta did not seize power because of a passion for constitutional reform. Indeed, the "new constitution" is a football, naively looked upon by some Americans as a device, a mechanism to nudge the colonels back to democracy, and looked upon cynically by the junta as a stalling device. There has never been any clear showing that the old constitution was bad. Furthermore, what comes out is likely to be far worse.

When Americans hear of a new constitution being written, they may think of something like the Maryland or New York constitutional conventions. There is no comparison. The new Greek constitution will be the product of a situation that in my judgment is indefensible. The constitutional law experts, including some appointed against their will, are merely submitting individual drafts following the guidelines laid down by the junta. There is no evidence that they have ever met in a body, either publicly or privately. When the draft is submitted on December 15, the junta will have, by its own decree, 8 months to review and rewrite it. The Greek people, then, having had no voice in choosing the people drafting the constitution, will not be allowed to publicly debate it or criticize it in the censored press. It is a sad state of affairs.

Fifth, U.S. officials frequently condone the junta on the basis of military considerations, especially citing the fact that during the Israel-Arab war, Greece provided a haven for U.S. evacuees and a staging area for U.S. military forces. This sounds persuasive until the question is asked, "Would not every other postwar Greek government have done the same thing?" The answer is a resounding "Yes." Furthermore, to those who seem to look only to military considerations and ignore moral and political considerations, I say to you that a democratic Greece will make for a healthier NATO ally than a Greece under a dictator's heel.

And now, under leave to extend my remarks, the excellent article by Mr. Janus follows:

A MESSAGE FROM GREECE

(By Christopher Janus)

George Papandreou had just been released from house arrest when I met him in Athens. And he quickly dispelled any notion that his freedom had been purchased by a promise of silence.

He had a message for the free world—which no longer includes Greece.

"Don't let up your pressure from abroad," he said. "No matter how much it hurts us here—no matter how much Greeks have to suffer—you must not let up the pressure."

The old man, former prime minister of Greece, was referring to the economic pressure that has been applied to his country since military leaders seized control of the government last April 21.

"We must get rid of the junta," he said. "And the constitution must be restored as soon as possible."

The urgency of his appeal was not overstated. There is reason to believe that a continuation of military rule could plunge Greece into a full-scale civil war.

A solution to the problem rests partly at least in the hands of businessmen outside of Greece—in America and other countries. And many of those men, unfortunately, have demonstrated a shocking disregard for the facts and morality of the Greek situation.

Greece is very efficient these days, and businessmen of course are in favor of efficiency. Just the same, I have been appalled to hear the military dictatorship supported by such prominent Americans as John Nuveen, first

chief of the Marshall Plan in Greece; Spyros Skouras, president of 20th Century Fox, and Thomas Pappas, president of Esso-Pappas in Greece.

Pappas gave our group a luncheon in Athens, at the yacht club overlooking the harbor. He stood up and proposed a toast.

"You can get things done now," he said. "Believe me, Chris. I don't have to wait six months to get a contract signed. There is stability. There is order. There is no graft."

I could not drink that toast. Order and stability are no trick, after all, when you are holding a gun to someone's head.

The gun was easily justified, of course. The military had to take over to prevent a Communist coup masterminded by Andreas Papandreou, son of the onetime prime minister.

The Reds were plotting to seize control of Greece by armed force, if necessary. Or they had infiltrated the Center Union Party of the left-wing Papandreous, and they were confident of winning power in the elections scheduled for May 28. Either way, they had to be stopped.

That was the theory. So everywhere I went in Greece I asked the same question.

Where was the evidence to substantiate that Communist plot?

"My boy," said Pappas, "there are carloads of evidence."

"Where?" I asked.

"Why do you care where it is?" he answered.

I put the question to the prime minister, Constantine Kollias.

"We have files and files of evidence," he said.

"Where?" I asked.

"For now," he said, "you'll have to take my word for it."

I asked everybody. But I never saw one piece of evidence.

Were there masses of troops on the Albanian border, ready to march in? Were there hundreds of Communists up in the mountains with grenades and guns, led by some Greek Castro?

Why in fact was the military takeover bloodless, as they boasted? Why wasn't there a shot fired?

Because there was nobody to shoot at. That's why.

As for Andreas Papandreou—who remains in prison—I have known him for 30 years. And he is not a Communist. He is a liberal, yes, but I think I would place him politically somewhere to the right of President John F. Kennedy. That opinion is shared, I might add, by every friend I have who knows Andy, including high-placed American officials.

For what it's worth, I also have my opinion of the military strongmen—of Col. George Papadopoulos and Brig. Stylianos Patakos. I have met both of them, and I do not believe for a moment that they sincerely feared a Communist plot.

The government indeed was weak and corrupt and not very efficient. They are sincere about that. From my knowledge of these men and their mentalities, however, I believe they are mainly interested in their own power.

They are power-hungry men—just as mad for power as any dictator. That is the essential fact about them, and I think their motive for taking over in Greece was just as simple as that.

Papadopoulos now is trying to maneuver King Constantine to appoint him a vice prime minister—a new title that would give him more authority and respectability, coming from the king.

That is the next move. But I do not think the king will go along with it.

The king looked awfully tired and haggard when I saw him at the palace. The last time I saw him there he was very relaxed and happy. He and the queen brought the baby out, and we talked about Mayor Daley. This time the king was serious and quiet and far more reserved than usual. He seemed to have aged a lot since April.

He has been traveling all over the country by helicopter, trying to meet as many of the people as possible. I don't think he knew in advance what the military were up to, and I believe the people are convinced that he is doing all he can to restore the constitution.

The junta, of course, has promised there will be a constitution to vote on early next year. But there is widespread pessimism about that, and the average Greek, in fact, just doesn't believe it.

A member of Parliament came to my hotel room in Athens. He was scared to death. He looked up and down the hall, and he wanted to turn on the radio, convinced as he was that the room must be bugged.

"I wouldn't be surprised," he said, "if these people stayed in for 10 years."

That's the feeling. What everybody is mainly afraid of, however, is the danger ahead of a civil war.

Said the member of Parliament:

"There is only one thing that could possibly unite all the parties and factions in Greece. And that one thing is the continuation in power of the military regime.

"Then there would be a Communist threat, because many people would want to unite with the Communists to overthrow the regime. And then after that we'd have to turn around and fight the Communists again. We'd be repeating the whole pattern of World War II."

That fear is expressed widely. And it points up the short-sightedness of the efficiency-minded businessmen.

I was surprised to find the businessman's viewpoint echoed by such a person as Gen. James Van Fleet, former United Nations commander in Korea.

Van Fleet was very enthusiastic about the junta.

"This is really all right," he assured me. "Greece has been saved from becoming another Vietnam."

Quite the contrary, it could well be argued. A prolongation of the junta's rule easily could create another Vietnam.

There isn't much organized resistance yet. There is some in Crete, and a few bombs went off in Piraeus harbor while I was in Athens. But something like 400 officers have been dismissed from the army, and they could form the nucleus for a concerted resistance movement.

Resistance to the junta certainly will increase if there is any significant deterioration of Greece's economy. And, in fact, continuation of junta rule is likely to produce a serious recession.

Tourism has been off 60 per cent. More than $100,000,000 in international loans and credits have been cancelled or postponed, and the other members of the Common Market are talking now about economic sanctions against Greece. The United States has cut some military aid and has postponed action on future aid.

Shipping is the No. 1 industry in Greece. Now there are indications that Stavros Niarchos and Aristotle Onassis have cut down their shipbuilding, waiting to see what happens.

My own firm, Bache & Co., has postponed action on a $10,000,000 long-term loan we were arranging for the Public Power & Light Corp. of Greece. And I recently had a call from Stanley Thea, executive vice president of Ruder & Finn—the firm that has handled the Greek government's public relations in this country.

He said they are dropping the account—which is $60,000 a year—because they can't stomach a dictator.

Relatives in this country and in England normally send more than $50,000,000 a year to their families in Greece, and there has been a sharp reduction now in those remittances. There also has been a 20 per cent drop in bank deposits in Greece, for the same reason. People are afraid that the drachma might be devaluated. So they are taking their money out of the banks—sending it to Switzerland and America—and that means there is much less working capital in Greece.

Greeks live in mortal fear of devaluation, remembering how it was during World War II, when they were papering their walls with drachmas—when I paid, I remember, 5,000,000 drachmas for a newspaper. So this is very close to them, and they watch. The drachma hasn't been devaluated since 1947. But the suspension of credits has the government in trouble, and it eventually could result in devaluation. Then the roof really would fall in.

This is the sort of pressure George Papandreou was talking about. Short of civil war, it represents perhaps the only practical way to dislodge the junta and restore a constitutional monarchy.

Greece up until now has been really prosperous, and I think the Greeks have gotten a little fat. They have suffered so much in the past—they are so fed up with war and misery and unhappiness—that you can't blame them if they have wanted to enjoy their recent prosperity.

A general complacency developed that made the military coup possible in the first place, and continued prosperity well might make a dictatorship at least tolerable.

Freedom and liberty are pretty abstract ideas, after all. But empty stomachs are something else again.

The military leaders understand that. They know that a sagging economy will lead almost certainly to civil war. And that is why continued economic pressure from abroad is the best and probably the only strategy that can force the junta to relinquish its power voluntarily realizing that it just can't win.

The junta's sensitivity to world opinion is reflected in the release of the elder Papandreou. And I am happy to report that I found him looking well.

He told me that he received good treatment while he was confined, and he said he had refused exile.

"I will never leave Greece," he said.

He said the junta had suggested he might leave, and he was offered a permit to do so. That he refused. He said he also was asked to sign a statement promising he would not take part in politics or agitate for a restoration of the constitution. That, too, he refused.

He was optimistic about the future.

"Don't worry too much," he said. "This cannot last forever. We are Greeks. If we survived the German occupation, we can survive this. But you must keep up the pressure."

Similar optimism was expressed to me by the Patriarch Athenagoras, leader of the Eastern Orthodox Church.

"Patience," he said. "Patience, my son. The church has survived for thousands of years. It will survive this."

I asked him if God is dead in Greece. The Patriarch smiled and said:

"God is not dead in Greece. He is just bored with some of our priests."

I'm optimistic myself. And what I'm betting on more than anything else is the individual Greek. He values his individuality above all else—by temperament, by character and by tradition.

You might knock Zorba down. But you cannot keep him down. He will get up again, somehow, and do his dance again.

He will not live under a dictatorship for very long.

SGT. CHARLES B. MORRIS AWARDED MEDAL OF HONOR

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. TUCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. TUCK. Mr. Speaker, on Thursday of last week, November 16, one of my constituents, S. Sgt. Charles B. Morris, of Galax, Va., was presented the Congressional Medal of Honor by President Johnson at a ceremony at the White House attended by a number of Members of Congress, including among others Senators BYRD and SPONG of Virginia and the following Members of the House of Representatives from our Commonwealth: Congressmen DOWNING, SATTERFIELD, POFF, MARSH, SCOTT, WAMPLER, and myself.

I was particularly proud to witness this tribute by a nation through its President to one of the outstanding heroes to emerge from the war in Vietnam. On hand for the occasion were Maj. Gen. William C. Westmoreland, the commanding general of our troops in Vietnam, and Secretary of the Army Stanley R. Resor, as well as Sergeant Morris' wife, young son, and parents, and other guests.

Sergeant Morris' feat in battle, his bravery and dogged persistence in the face of death after he had been thrice wounded, all stretching over a period of 8 hours, comprises a style of heroism that ranks with the major incidents of individual bravery, some of them almost legendary in character, which have come down to us out of the American past. For that reason, it gives me much pride to insert in the RECORD the remarks of the President at the time of the presentation, the citation, and the remarks of General Westmoreland, all of which are as follows:

REMARKS OF THE PRESIDENT AT THE CEREMONY AWARDING THE MEDAL OF HONOR TO S. SGT. CHARLES B. MORRIS, U.S. ARMY

Sergeant and Mrs. Morris, and Doug, Secretary Resor, General Johnson, General Westmoreland, distinguished members of Congress from Virginia, and other Representatives here, distinguished guests, One of America's greatest war correspondents wrote about courage—intimately and well.

He called the decorations for bravery "pinnacles of triumph" in a man's life, "that will stand out until the day he dies."

Ernie Pyle spoke for all wars—for all those moments when men must reach down into their deepest reserves of courage. He celebrated those times when men risk life for a principle—or risk life for a comrade—or risk their lives for their country.

On whatever field, on whatever day—war is an agony of spirit and flesh and mind.

After thousands of years of civilization, the saddest of human failures is this—the precious wealth of man's courage must still be spent on the battlefield.

But all the wisdom of the earth has not yet found a way to preserve freedom without defending it.

Staff Sergeant Charles Morris is one of those who defended freedom on the battlefield. He fought with dogged courage through long hours of hell. He fought far above and far beyond the call of any duty.

Just a few days ago, I returned from a journey of 33 hours and 6,000 miles, where I met thousands of Sergeant Morris' comrades.

I stood with American sailors on the deck of a mighty carrier, the Enterprise, at sea in the Pacific Ocean. I stood with our airmen under skies that were filled with American power, many of them who had just finished their 100 missions in Vietnam. I saluted the infantry, the Queen of the Battles, at Fort Benning, and Marines at El Toro and Camp Pendleton. And I ended up at Yorktown with the gallant men of the Coast Guard.

Some of the men that I saw were there just beginning their training for combat.

Some of the men I saw had just returned from combat. They wore its badges—and many of them wore its wounds.

I saw other badges, too.

I saw the white carnations that were worn by wives of the missing men.

I saw the loneliness on the faces of waiting families, and little boys and girls.

I felt so humble to be among these men and women. But I also felt a towering pride—pride in them—pride in this nation.

I realized that some good day, war was going to be only a shadowed memory.

We will labor, with all of our passion and all the strength God gives us, to quicken the coming of that day.

But until it does come, our lives, our safety and our hope of freedom's survival are in the hands of all those like Sergeant Morris, all of those who serve—here and in Vietnam.

Sergeant Charles Morris was there when America needed him.

And I am so glad that his Commander, General Westmoreland, could be here today to observe this ceremony concerning one of his very own soldiers.

Once before, I stood with General Westmoreland at a ceremony for Sergeant Morris when he enjoyed one of his "Pinnacles of triumph." It was at Cam Ranh Bay in Vietnam, just a little bit more than a year ago. Upon General Westmoreland's suggestion I awarded Sergeant Morris the Distinguished Service Cross.

Today, I am so proud to stand with him here in the East Room of the White House on a hero's very high summit—the Medal of Honor.

Sergeant Morris, I don't know anything more or anything better that I could say to you than all the American people for whom I am supposed to speak are grateful to you and appreciative that the Good Lord has given you to us and has brought you back. May God bless you.

Secretary Resor will now read the citation.

The citation as read by Secretary Resor follows:

While on a search and destroy mission in the Republic of Vietnam on 29 June 1966, Sergeant Morris was a leader of the point squad of a platoon of Company A, 2nd Battalion, 503rd Infantry. Seeing indications of the enemy's presence in the area, Sergeant Morris deployed his squad and continued forward alone to make a reconnaissance. He unknowingly crawled within 20 meters of an enemy machine gun, whereupon the gunner fired, wounding him in the chest. Sergeant Morris instantly returned the fire and killed the gunner. Continuing to crawl within a few feet of the gun, he hurled a grenade and killed the remainder of the enemy crew. Although in pain and bleeding profusely, Sergeant Morris continued his reconnaissance.

Returning to the platoon area, he reported the results of his reconnaissance to the platoon leader. As he spoke, the platoon came under heavy fire. Refusing medical attention for himself, he deployed his men in better firing positions confronting the entranched enemy to his front. Then for eight hours the platoon engaged the numerically superior enemy force. Withdrawal was impossible without abandoning many wounded and dead.

Finding the platoon medic dead, Sergeant Morris administered first aid to himself, and was returning to treat the wounded members of his squad with the medic's first aid kit when he was again wounded. Knocked down and stunned, he regained consciousness and continued to treat the wounded, reposition his men, and inspire and encourage their efforts. Wounded again when an enemy grenade shattered his left hand, nonetheless he personally took up the fight and armed and threw several grenades which killed a number of enemy soldiers.

Seeing that an enemy machine gun had maneuvered behind his platoon and was delivering fire upon his men, Sergeant Morris and another man crawled toward the gun to knock it out. His comrade was killed and Sergeant Morris sustained another wound, but firing his rifle with one hand, he silenced the enemy machine gun. Returning to the platoon, he courageously exposed himself to the devastating enemy fire to drag the wounded to a protected area, and with utter disregard for personal safety and the pain he suffered, he continued to lead and direct the efforts of his men until relief arrived.

Upon termination of the battle, important documents were found among the enemy dead revealing a planned ambush of a Republic of Vietnam battalion. Use of this information prevented the ambush and saved many lives. Sergeant Morris' conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty were instrumental in the successful defeat of the enemy, saved many lives, and were in the highest traditions of the United States Army.

After the reading of the citation, the President introduced General Westmoreland, who made the following statement:

REMARKS OF GEN. WILLIAM C. WESTMORELAND AT THE CEREMONY AWARDING THE MEDAL OF HONOR TO S. SGT. CHARLES B. MORRIS, U.S. ARMY

Mr. President, I thank you for this honor.

It so happens that I know Sergeant Morris. We are not only fellow soldiers, but we are friends. I saw him at Cam Ranh Bay when he was decorated with the Distinguished Service Cross by our Commander in Chief.

I saw him in the hospital. I saw him several times in the hospital. The indomitable spirit that he displayed on the battlefield when he earned this, our Nation's highest award, he displayed in the hospital every time I saw him—self-confidence, proud to be a soldier, proud to serve his country in their fight against Communism, proud to be an American.

I recall, Mr. President, when you honored us by coming to Cam Ranh Bay to see the troops on the battlefield in South Vietnam. I told you while trooping along that never in all history had a Commander in Chief commanded finer troops than are now commanded by President Johnson around the world, but particularly—in accordance with my personal knowledge—on the battlefield in South Vietnam.

This American fighting man is represented today by Sergeant Morris.

I am proud to be here to participate in this ceremony and to have the opportunity to see this man justly awarded and to be able to personally congratulate him.

DANGERS OF NEGATIVE INCOME TAX PROPOSALS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KORNEGAY] may extend his remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, recently my colleague, Congressman ROY TAYLOR, in addressing the student body of Montreat-Anderson College, Montreat, N.C., pointed out the dangers of

the negative income tax proposals. Congressman TAYLOR emphasized that these proposals would freeze their beneficiaries into a perpetual state of dependency, rather than to help them out of it. I recommend that attached excerpts from Congressman TAYLOR'S address for the consideration of my colleagues and the American people.

EXCERPTS FROM ADDRESS OF CONGRESSMAN ROY A. TAYLOR BEFORE MONTREAT-ANDERSON COLLEGE STUDENT BODY, NOVEMBER 10, 1967

Another change affecting our nation is the population shift from rural areas to the cities. In the decade from 1950 to 1960, 11 million people moved to urban centers so that today 71% of our citizens live on 1% of the land.

Years ago there appeared a verse which might be called the theme song of the flight to the city. We sang, "How are we going to keep them down on the farm after they've seen Paris?" Today millions of Americans have, you might say, seen Paris, the glitter and pace of the city, but we are seeing its problems too.

Years ago the federal government launched a program of public housing in cities, wherein some low income families found housing at reduced rates in publicly-owned facilities.

In recent years a rent subsidy program has been advocated and has been put into operation on a small scale. Under this program low income families rent privately-owned apartments in any approved location and the federal government pays a portion of the monthly rent. I have voted against the rent subsidy program because it discourages private home ownership, which is needed in every community, and it also discourages individual initiative and thrift.

A more far-reaching proposal and one that you asked me to discuss is the negative income tax to guarantee an annual income. Various suggestions have been made to guarantee to each family a certain level of income through the federal personal income tax machinery. Under these proposals families and individuals with insufficient income would receive a federal cash subsidy according to the number of persons in the family and the amount of income deficiency, regardless of the reason for their poverty. Instead of paying an income tax, the low income person or family would receive the difference between the actual income and a minimum standard of need for families of different sizes.

What are the arguments for this radical proposal? The proponents contend that the negative income tax is directed specifically at the problem of poverty regardless of the cause, that present programs are set up for specific categories: old age assistance, aid to dependent children, aid to disabled persons, and aid to the blind, and that a person must fit into one of these categories and prove need and inability to solve his own financial problems before receiving welfare help. These proponents contend that only about one-third of the poor families in the nation receive help because they either do not meet the means test or they were uninformed of their eligibility for aid or they were frightened by the stigma attached to welfare or they did not fit into the prescribed categories, or in some cases, were too proud to ask for help. It is expected that the negative income tax would replace the wide variety of programs now used to aid the poor and perhaps replace social security for these people.

I believe in charity toward the unfortunate, the handicapped and helpless, but I am unalterably opposed to these negative income tax proposals. Such would benefit the lazy and shiftless as much as the deserving. It would enable them to live on someone else's labors. It would guarantee to each citizen an income whether he is willing to work or not, thereby taking away the incentive for the unemployed to find work . . . it would encourage those who work today for low wages to work only part-time or to quit.

From the individual's viewpoint the receipt of a guaranteed income paid by other citizens would destroy individual dignity, weaken the capacity for growth and self-sufficiency and would perpetuate poverty as a way of life. Of course, from the point of view of a person who does not want to work, it would enable him to enjoy his poverty.

From the country's point of view it would cause severe manpower shortages, especially in low paying menial jobs. It would produce an idle class of citizens and this idleness of itself would create new social problems. Idle hands and minds are still the devil's workshop.

Summarizing, I oppose the guaranteed income proposal because it penalizes industrious citizens and encourages dishonesty, it gives people who are able to work money which they were unwilling to earn. It encourages laziness, discourages self-reliance, and is a prescription for paralysis.

Recently, an Office of Economic Opportunity grant was approved for study and research by the University of Wisconsin Institute for Research concerning the negative income tax proposal. I oppose even making a grant for this study because it would use public funds to carve a path in the wrong direction.

Education and training are the most effective ways for opening the door between poverty and a decent standard of living. Giving cash doles perpetuates the plight of the poor. The checkbook approach is not the solution to the war on poverty and on city ghettos. The most fruitful results will come from programs of manpower training. Too many of our citizens remain poor because they do not possess the learning and the job skills needed to fit into an industrial society.

A few months ago it was my privilege to speak at the graduation exercises of the Asheville-Buncombe Technical Institute which had offered some training, upgrading skills, to about 10,000 people during the year 1967. Institutions such as this show what can be accomplished. Years ago I was impressed by the statement that "if you give a man a fish, you feed him for a day, but if you teach him how to fish, you feed him for life."

POVERTY PROGRAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HUNGATE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HUNGATE. Mr. Speaker, in view of the fact that some of my colleagues may believe that duly elected officials will now exercise some direct control over the poverty program, I wish to call to their attention the following article:

[From the Washington Post, Nov. 17, 1967]

AUTONOMY SEEN HERE FOR UPO

Wiley A. Branton, executive director of the United Planning Organization, said yesterday he doubts the city government will take over UPO even if it does get the chance.

Branton said his guess was based on conversations he has had with Mayor Walter E. Washington and a majority of the City Council over the last few weeks.

The Mayor declined to discuss the matter, since Congress has not taken final action yet on the antipoverty bill.

A section added to the bill in the House would give the Nation's city halls the option of taking over local community-action programs—the largest part of the war on poverty.

The city hall section was designed to win conservative support in the House. There was no such language in the Senate bill, and the issue now has gone to conference. The city hall stipulation probably will stay in the bill in some form.

UPO has been independent up to now, and at times has feuded with the District Building.

Branton, who took over UPO last month, said he hopes that the antipoverty agency can start working more closely with the city government, and thinks there will be a great deal more cooperation now. But he does not think UPO should become a regular city agency, he said.

Under the House bill, the Mayor could either absorb the community-action program or let UPO keep running it.

Even indirect responsibility for the antipoverty program could prove a problem for the Mayor.

THE PRESIDENT'S SEARCH FOR THE RIGHT ANSWERS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. ANDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, if the American people ever needed further evidence of the courage of Lyndon Baines Johnson, they received that evidence when they watched and listened to his press conference on Friday, November 17, 1967.

President Johnson once again proved that he has the courage and the ability to do what he believes is right for all of the people. He will not be dissuaded by any mean, personal, political advantage that might be extracted from a decision taken solely for the purpose of garnering a few extra votes.

The brief popularity that might come from turning to appeasement is not the goal of President Lyndon B. Johnson. He remembers all too well what he called during the press conference "the concessions made by the men carrying umbrellas."

On Friday, President Johnson stated clearly and crisply the credo which is the hallmark of his leadership when he said:

The important thing for every man who occupies this place is to search as best he can to get the right answer; to try to find out what is right; and then do it without regard to polls and without regard to criticism.

Our job in this Congress—indeed the job of every one of us in this country—is to sustain the President while he works to provide "the right answer."

THE OTHER SIDE OF OUR CAMPUS INTELLECTUALS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentle-

man from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, whenever I read about the campus peace marches and draft card burners, I am reminded of that little man in the magazine advertisement who is screaming his head off while everyone else is reading his Philadelphia Bulletin.

The demonstrators make a lot of noise and capture a lot of headlines, but despite their notoriety, they simply are not representative of the vast majority of students. They are not even representative of the vast majority of campus intellectuals.

That lesson was driven home to me once again last week when I read an excellent column on Vietnam by David Fairbanks in the Greenville, Ill., college student newspaper, the Papyrus.

Mr. Fairbanks writes:

I've had about all I can stand of those fine, idealistic, sensitive peace demonstrators who run around asking the President of the United States how many children he has killed that day.

And in a very thought-provoking treatment of the whole area of campus dissent, he points out that, "the smug arrogance of those who would take it upon themselves to illegally disrupt the operation of a popularly elected government is not based on a genuine love of their country."

Mr. Speaker, because this column captured no headlines, because it received no attention on the TV news programs, and—most of all—because I believe it reflects the thinking of the vast majority of our young men and women in this country, I commend it to the attention of my colleagues and insert it into the RECORD:

THE AMERICAN WAY

(By Dave Fairbanks)

I've had about all I can stand of those fine, idealistic, sensitive peace demonstrators who run around asking the President of the United States how many children he has killed that day. And I'm getting pretty sick of those magnificent, high-minded, intellectual advocates of truth and justice who righteously maintain that it has been American aggression that has caused the war and that this country stands universally condemned for the criminal policy of our capitalistic, war-mongering leaders.

Now I know there are many who sincerely question the advisibility of our Vietnam policy, but I am afraid that many of the loudest protests come from those who have no real interest in the well-being of America. These vulgar and flagrantly dishonest peace publicists add only to the anguish and confusion of the war debate.

How much credence can be given to persons who accept every propaganda charge made by a government run in absolute secrecy while refusing to consider explanations made by their own government which is subject to the strictest scrutiny by a free press? Mr. Rusk, in his last press conference, explained, I believe, as clearly and honestly as he could this country's position. He reminded reporters of the SEATO treaty which states that the signers recognized their national interests to be at stake in Southeast Asia and that each of them would help defend any fellow signer victimized by aggression—a treaty which the United States has solemnly sworn to adhere to. The Secretary of State warned that if "any who would be our adversary should suppose that our treaties are a bluff, or will be abandoned if the going gets tough, the result would be catastrophe for all mankind."

Though President Johnson is a Democrat, he is not immoral or insane or idiotic. I am sure that the tragic and monumental responsibilities of fighting a war weigh far heavier on his being than they do on any of those screaming maniacs of the street. The war is not a fiendish plot thought up by Satanic elements in the Pentagon to destroy the world.

People certainly have the right to question their government's policy—they by all means should question it—but they do not have the right to blatantly proclaim the slanders and smears of the enemies of their country and purposely undermine the confidence and faith citizens have in the integrity of their government, a confidence and faith that is necessary for national survival. It is only the government that has the right to set into action a specific foreign policy. The smug arrogance of those who would take it upon themselves to illegally disrupt the operation of a popularly elected government is not based on a genuine love of their country.

Former President Eisenhower two weeks ago warned that war critics were "assuming an expertise that they do not possess" and that they should be doing "more thinking and less talking" about Vietnam. "No man is so all-seeing that he can afford to be arrogant," said the former President. "When we get into trouble abroad we've got to follow our leaders. If we do dissent, we ought to be moderate in our tone and emphasis."

Watching Huntley-Brinkley or reading Time Magazine doesn't give anyone enough background to decide on a Vietnam solution. We should constantly be on guard against those who give simple explanations and simple answers. And while we should never blindly accept everything our government tells us, we had better admit that in something like Vietnam we are going to have to trust someone quite a bit.

And I find it much easier to believe in the integrity of Secretary Rusk than I do that of H. Rapp Brown. Sen. Dirksen's arguments impress me far more than do the obscenities of Norman Mailer. And there is no question in my mind but that Robert McNamara is more qualified to run the defense department than Benjamin Spock, whatever the latter knows about babies. I would even trust the judgment of Ambassadors Lodge and Bunker over that of respected political theorists Hans Morgenthau and Arthur Schlesinger, Jr. Though his faults are many, I infinitely prefer placing my country's destiny and the world's in the hands of Lyndon Baines Johnson than I do in handing it over to those Americans who parrot the words of Ho Chi Minh.

FOREIGN AID PROGRAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. REES. Mr. Speaker, last Friday I very reluctantly voted for the Foreign Assistance and Related Agencies Appropriation Act, 1968. Practically the only reason I could think of for voting for this emasculated appropriation bill is that some vehicle is necessary to keep a concept of foreign aid alive. The bill represents a drastic and dangerous $1 billion cut from recommendations made by the administration and is an attempt by the Appropriations Subcommittee on Foreign Operations to write policy matters which rightly should be dealt with by the Committee on Foreign Relations or the executive branch of Government.

Today we are spending nearly $30 billion a year fighting the war in Vietnam. I can think of no greater insurance policy against this type of involvement than our foreign aid program by which we hope to help the emerging nations of the world. At a time when we should be doubling our commitment, we are making shortsighted cuts. The foreign aid program has changed in scope a great deal during the past few years. The major emphasis now is in low-interest loans for such major projects as creating and conserving water resources, conservation, power development, internal communications, and food production.

Together with the loan program we also have a technical assistance program supplying brain power which these countries need to adequately develop their resources. In our own hemisphere the commitment we made for the Alliance for Progress is being watered down drastically. It is my prediction that if this trend of emasculating our foreign aid obligations continues, the problems we have in Vietnam will be multiplied throughout the underdeveloped areas of this world. The schism of the future will not be between Communist and capitalist nations, but between the developed and underdeveloped countries and, to prevent this, there must be a strong commitment from all developed nations to give basic aid to these less fortunate countries. Only in this way can we reverse this disastrous trend of the rich nations becoming richer and the poor nations becoming even poorer.

The Foreign Assistance Appropriation Act is deplorable, and in voting for this act I do so with the hope that sanity might be restored in the Senate-House conference committee.

G. D. MILLIKEN, SR.

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. NATCHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. NATCHER. Mr. Speaker, on November 10 the Commonwealth of Kentucky and my hometown of Bowling Green, lost one of our most distinguished citizens in the passing of my good friend, G. D. Milliken, Sr. He lived life to the fullest and had embraced each day of his 90 years with ardor and delight. He was recognized throughout Kentucky as one of our great lawyers and a man who loved, respected, and honored his profes-

sion. He was always a busy man and a dominant personality.

He was a successful lawyer, politician, and businessman, and his service in all of his assignments was marked by a high sense of conscience and duty. In each position which he held, either private or public, he achieved distinction. His concept of public trust was without parallel and never did he hesitate to speak out against any proposal which he felt was not sound and not to the best interest of our people.

From time to time giants walk the earth and history will record the fact that G. D. Milliken, Sr., was indeed one of this group. He was a leader of men and his strong character and outlook on life made an indelible impression upon everyone with whom he came in contact. His influence will be felt for generations yet to come because the efforts and examples of men of his caliber are not quickly forgotten.

Words are inadequate to fully appraise Judge Milliken's tremendous capacity for loyalty and love of his country, and he will forever have a high place in the history of the Commonwealth of Kentucky and in the hearts of his countrymen.

G. D. Milliken, Sr., was a friend of mine. I respected him for his outstanding abilities as a lawyer and admired him for his dedication to his chosen profession. I have lost a true friend and the Commonwealth of Kentucky has been deprived of a great statesman and brilliant jurist. May God let the light of His countenance shine upon him and give him peace.

U.S. SPACE INVESTMENT PAYS LARGE DIVIDENDS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. CABELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. CABELL. Mr. Speaker, around the country many perceptive people have realized the significance of the Saturn V launch conducted by NASA on November 9 and have taken the occasion of recognizing that feat to point out the basic importance of the national space program to our economy and our welfare. An article in the Wichita Eagle for November 11, 1967, is an example of this viewpoint, and points out the contributions that this program makes to world peace, to education, to solving social problems, to scientific and technical innovation, and to our national security. The article follows:

[From the Wichita (Kans.) Eagle, Nov. 11, 1967]

U.S. SPACE INVESTMENT PAYS LARGE DIVIDENDS

The United States hurled an unmanned moonship 11,234 miles into space Thursday and put this country back into the race to the moon.

The virtually perfect Saturn V flight and an equally successful soft landing on the moon by Surveyor 6, a picture taking satellite, restored confidence in the U.S. space program among many who had been discouraged by recent Russian space docking triumphs.

Though the American feat was cheered by technicians of the National Aeronautics and Space Administration, it was mostly taken in stride by the rest of the populace. Spectacular space achievements do not provide the excitement they once did, and many Americans now are convinced that space exploration is not worth the money spent on it.

Congress has reflected this position by slicing NASA funds. The battle cry of NASA critics has been, "why spend all that money to get to the moon, when we can't solve the problems we have here on earth?"

This is short sighted. The benefits of space exploration are many, far exceeding the mere satisfaction of setting foot on Moon's surface. Space exploration has a beneficial effect on many of the terrestrial problems alluded to by the critics.

They include:

Economic significance—Money for space programs is paid out in wages, salaries and profits, most of it in the U.S. in 1966, sales of aerospace industries totaled $24-billion and employment at the end of the year exceeded 1,300,000 persons.

The space program also develops methods, techniques and procedures which increase the efficiency of much of the nation's business.

Medical benefits—Instrumentation, improved as a result of electronic applications from the space program may revolutionize equipment in clinics and hospitals. Research on the effects of space travel on astronauts is being applied elsewhere.

National security—Though space weapons are possible, most of the benefit from space technology has been in improved communications, better weather information, more accurate navigation data and precise maps.

Innovation—The rate of invention has been stepped up and the quality of goods has been improved. Among the innovations are wideband transoceanic communications, global weather forecasting, better forest fire detection, improved metals, alloys and plastics, new ceramics, new power sources and more effective miniaturization of electronic devices.

Social problems—New techniques in management and systems engineering can be applied to solving such problems as community planning, education, crime prevention. cargo handling, water and air pollution.

Education—Additions have been made to the total available knowledge of man. And interest in education has been stimulated by the competitive aspects of space exploration.

Peace—Aerospace achievements show people throughout the world that the most successful nation is one which offers freedom, encourages private enterprise and serves the people.

The aerospace program is an invaluable information device which gives others an accurate picture of the United States. Space activities can be a substitute for aggression.

The nation's investment in space is paying large dividends in human welfare.

FRIEDEL ANNOUNCES AIRLINE SAFETY INITIATIVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, as chairman of the Subcommittee on Transportation and Aeronautics of the House Interstate and Foreign Commerce Committee, I have a keen and vital concern for air safety. It is particularly gratifying to know that the airlines are taking the initiative and investing their funds to improve air safety. But I would like to share with my colleagues today a press release recently issued by Pan American World Airways regarding flight testing of an experimental clear air turbulence detection system on the Boeing 707–321B jet clipper.

We are all concerned with air safety and this is only one phase of the clinical work Pan Am is doing to make safe flying even safer. It deals with the most common passenger complaint—turbulence. The device scans the atmosphere 60 miles ahead of the aircraft to search for changes in temperature and radiation. The pilot then has up to 4 minutes to change the course of the aircraft or to alert passengers by lighting the "Fasten Seatbelts" sign.

I insert the press release in the RECORD at this point:

PAN AM RESUMES FLIGHT TESTING CLEAR AIR TURBULENCE DETECTION SYSTEM

Pan American World Airways has resumed inflight evaluation of an experimental Clear Air Turbulence detection system on a Boeing 707–321B jet Clipper.

The CAT detection device, developed and built by Autonetics, a Division of North American Rockwell Corporation, of Anaheim, California, was initially flight tested by Pan Am between May 24 and June 14, 1967. Following those tests, the equipment was returned to Autonetics for modifications.

The Modified CAT gear, designed to give pilots up to four minutes warning of possible turbulence ahead of the aircraft, was reinstalled aboard the same jet Clipper.

Ben F. McLeod, Pan Am's Director of Electronic Engineering, said the Phase II evaluation period would probably run through February, 1968.

Mr. McLeod said the CAT equipped aircraft will be routinely scheduled for normal passenger operations. "No special effort will be made to schedule the aircraft on particular routes for the sake of testing the CAT equipment," he said. However, Mr. McLeod added that during many flights, electronics engineers will be aboard to observe and evaluate the modified CAT detection equipment.

Basically, the CAT detection system utilizes an infrared sensor which scans an area some 60 miles ahead of the aircraft to search for changes in temperature and radiation. Such changes are believed to be associated with clear air turbulence.

Once these changes are detected, the pilot can alter the course of the aircraft to avoid suspected turbulence, or, alert the passengers by lighting the "Fasten Seat Belts" sign.

WARM PRAISE FOR PRESIDENT'S NEWS CONFERENCE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, President Johnson's "defense of American policy in Vietnam was masterful and eloquent."

This is the editorial judgment of the Washington Evening Star, which goes on to note that the President did a masterful job in clearly and fairly explaining our policies in Vietnam. And the Star singles out for special praise, the President's remark that—

> The important thing for every man who occupies this place is to . . . try to find out what is right and then do it without regard to polls and criticisms.

This is the essence of what the Presidency is all about. And I am glad that the President spelled this out so clearly.

I agree wholeheartedly with the Star's assessment that—

> It is difficult to recall any White House news conference more impressive than the one staged yesterday by President Johnson.

I insert into the RECORD this excellent editorial from the Evening Star:

THE PRESIDENT AT HIS BEST

It is difficult to recall any White House news conference more impressive than the one staged yesterday by President Johnson. The TV cameras covered him from better angles than usual, and a "necklace" microphone let him move about freely, away from the pulpit-like podium. He spoke without notes, in good, strong, simple English.

His defense of American policy in Vietnam was masterful and eloquent. His recollection of the faultfinding, backbiting and censorious attacks suffered by many of his predecessors was instructive. So was his own Lincolnesque comment on the White House: "The important thing for every man who occupies this place is to . . . try to find out what is right and then do it without regard to polls and criticisms."

Polls, Mr. Johnson made clear, do not make him feel faint of heart, for they merely reflect public moods that are as fickle as the wind. Ask Harry Truman. As for the critics, the President was relaxed, good-tempered, but devastating in what he had to say in distinguishing between the honest ones and those who claim to be peace demonstrators but whose outrageous conduct—like that displayed against Secretary Rusk the other night—amounts to something more like hoodlumism. It is "stormtrooper bullying and howling and taking the law into their own hands"—an "extremely dangerous" sort of thing that is "not very helpful to the men who are fighting the war for us."

All this came through to the TV viewer with striking forcefulness. It was a memorable performance. Some people keep saying that the President has a serious communication problem with the general public, and especially with the so-called liberal community. If so, he should be pretty well able to solve it by resorting more often to the kind of discourse he has just given.

POUND DEVALUATION

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MCCARTHY. Mr. Speaker, the shock waves from Britain's devaluation of the pound are being felt around the world:

Spain devaluated her currency.

The Bank of Canada raised its interest rate.

The U.S. Federal Reserve System increased its discount rate.

In New York the stock market slumped in heavy trading.

This Nation clearly faces a most serious situation. The strength of the U.S. dollar has been threatened. And since the dollar is so central, international financial stability has also been threatened.

Mr. Speaker, I believe stern measures are called for by our Government. The executive branch should move to curtail any possible flight of capital from our shores and exert much greater efforts to reduce nonessential Federal spending.

The Senate should match the House's $6 billion cut in appropriations, and both Houses should move now on fiscal measures to curb inflation, including the President's proposal for a 10-percent surcharge on corporate and individual income taxes.

My mail is running heavily against the surcharge. But I believe the responsible thing for Congress to do is to enact the surcharge. It will average out to only a 1-percent increase in personal income taxes. This would be the lesser evil. The combination of inflation and a weakened U.S. dollar would be much more inimical to our people.

I believe the time to act is now, and that Congress should remain in session until we enact the surcharge even if that means staying here until Christmas Eve.

AN OUTSTANDING PRESIDENT DEFENDS AN OUTSTANDING RECORD

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HOWARD. Mr. Speaker, with letters and telegrams pouring into the White House last week congratulating him on a most effective presentation, President Lyndon B. Johnson may take much pride in the fact that when the American people are presented with the truth in a straightforward manner, they respond with strong support and overwhelming support.

Last Friday the President defended his administration's accomplishments before the eyes and ears of America, the press corps, and the world. By all observations—hostile and friendly—he received an A-plus for his efforts.

Rarely have we seen a President give us a synopsis of 4 years of national accomplishments, foreign and domestic, in 30 minutes. And rarely have I seen the White House press corps so enthralled and attentive to each of his answers.

The President was effective because he was simply restating his record of accomplishment. The Congress knows that record. The people know that record.

This one President has done more for the older citizen than any previous President—with medicare and the Older Citizens Act.

The President has done more for the Negro citizen than any previous President, with the Civil Rights Acts of 1964, 1965, and the war against poverty.

This President has done more for the education of the schoolchild, the college student, the older illiterate citizen than anyone before him.

Indeed, Lyndon Johnson has done more for conservation of land and recreation and the enjoyment of the arts than any of his predecessors.

He has done more to protect the consumer from fraud and against unwholesome or dangerous products.

He has fought the good fight against water and air pollution.

He has become our first "urban President," and has established landmark programs to help the cities which have become monuments to his understanding and compassion—model cities and rent supplements.

With his eye on the future, President Johnson said:

> The important problems are ahead; what's the next century going to be like?

I salute the President for an effective and lucid exposition of the accomplishments of this administration—accomplishments unparalleled in the recent history of the country.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BROOKS, for November 20 through November 22, on account of official business.

Mr. WIGGINS (at the request of Mr. GERALD R. FORD), for today and tomorrow, on account of illness.

Mr. FLYNT (at the request of Mr. O'NEAL of Georgia), for Monday, November 20, 1967, on account of official business.

Mr. MCCULLOCH (at the request of Mr. GERALD R. FORD), for today, on account of official business—National Advisory Committee on Civil Disorders.

Mr. ANNUNZIO (at the request of Mr. ALBERT), for the balance of the month, on account of illness.

Mr. OLSEN (at the request of Mr. ALBERT), for today, on account of official business.

Mr. PEPPER (at the request of Mr. ALBERT), for today, November 20, on account of official business.

Mrs. HECKLER of Massachusetts (at the request of Mr. GERALD R. FORD), through December 1, on account of injury.

Mr. HOLIFIELD, for November 20 and 21, on account of official business in district.

Mr. ASPINALL, from November 20 to November 22, 1967, both dates inclusive, on account of official business in Colorado.

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. McDONALD of Michigan) to revise and extend their remarks, and include extraneous matter:)

Mr. DOLE, for 30 minutes, today.

Mr. RUMSFELD, for 30 minutes, today.

Mr. HALPERN, for 5 minutes, today.

Mr. CURTIS, for 1 hour, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ROGERS of Florida.

(The following Members (at the request of Mr. McDONALD of Michigan) and to include extraneous matter:)

Mr. MORSE of Massachusetts.

Mr. HUNT.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mrs. KELLY.

Mr. EILBERG.

Mr. BLATNIK.

Mr. VANIK.

Mr. GREEN of Pennsylvania.

Mr. HENDERSON.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2152. An act to authorize the vessel *Orion* to engage in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

S. 2324. An act to amend the act prohibiting fishing in the territorial waters of the United States with respect to the penalties provided thereunder; to the Committee on Merchant Marine and Fisheries.

S. 2349. An act to provide for the appointment of additional circuit judges; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3474. An act to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Ike Ignac Klein against the Government of Hungary, and for other purposes.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 26. Joint resolution designating February 1968 as "American History Month."

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 46 minutes p.m.) the House adjourned until tomorrow, Tuesday, November 21, 1967, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of November 16, 1967, the following bill was reported on November 18, 1967:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. S. 1003. An act to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics; with amendment (Rept. No. 972). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted November 20, 1967*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee of conference. H.R. 162. An act to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements (Rept. No. 973). Ordered to be printed.

Mr. STAGGERS: Committee of conference. H.R. 6418. An act to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes (Rept. No. 974). Ordered to be printed.

Mr. SIKES: Committee of conference. H.R. 13606. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 975). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 14087. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 14088. A bill to establish a program of insurance against property and casualty losses, and personal injury, for urban areas where such insurance is presently unavailable; to the Committee on Banking and Currency.

By Mr. BURTON of Utah:

H.R. 14089. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 14090. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons; to the Committee on Interstate and Foreign Commerce.

H.R. 14091. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. DOLE:

H.R. 14092. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of depressant, stimulant, and hallucinogenic drugs by unauthorized persons, to increase penalties for the unauthorized sale, delivery, or disposition of such drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 14093. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. HERLONG:

H.R. 14094. A bill to require persons holding demonstrations on Federal property or in the District of Columbia to post a bond to cover certain costs of such demonstration; to the Committee on Public Works.

By Mr. KING of California:

H.R. 14095. A bill to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes; to the Committee on Ways and Means.

By Mr. ROGERS of Florida (for himself, Mr. STAGGERS, Mr. FRIEDEL, Mr. MOSS, Mr. DINGELL, Mr. KORNEGAY, Mr. DEVINE, Mr. VAN DEERLIN, Mr. PICKLE, Mr. MURPHY of New York, Mr. SATTERFIELD, Mr. RONAN, Mr. BLANTON, Mr. STUCKEY, Mr. KYROS, Mr. NELSEN, Mr. CUNNINGHAM, Mr. BROYHILL of North Carolina, Mr. HARVEY, Mr. WATSON, Mr. CARTER, Mr. WATKINS, Mr. BROWN of Ohio, Mr. KUYKENDALL, and Mr. SKUBITZ):

H.R. 14096. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons; to the Committee on Interstate and Foreign Commerce.

By Mr. VIGORITO:

H.R. 14097. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. DOWDY:

H.R. 14098. A bill to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended; to the Committee on the District of Columbia.

By Mr. HÉBERT:

H.R. 14099. A bill to amend the Merchant Marine Act of 1936, and other statutes to provide a new maritime program; to the Committee on Merchant Marine and Fisheries.

By Mr. LANGEN:

H.R. 14100. A bill to establish the calendar year as the fiscal year of the U.S. Government; to the Committee on Government Operations.

By Mr. MACHEN:

H.R. 14101. A bill to provide for withholding from the compensation of Federal employees for purposes of certain local income taxes which are administered and collected by the State; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 14102. A bill to provide for a Federal Athletic Commission to regulate organized sports when and to the extent that such regulation is in the public interest; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Massachusetts:

H.R. 14103. A bill to provide financial assistance, if needed, to close relatives of servicemen wounded in Vietnam to permit such relatives to visit those servicemen while they are hospitalized in the United States; to the Committee on Armed Services.

H.R. 14104. A bill to amend the Vocational Rehabilitation Act to eliminate economic need as an eligibility requirement for any vocational rehabilitation service; to the Committee on Education and Labor.

By Mr. WAGGONNER:

H.R. 14105. A bill to create a Commission on the Establishment of a Council of Free Nations; to the Committee on Foreign Affairs.

H.R. 14106. A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program; to the Committee on Merchant Marine and Fisheries.

By Mrs. DWYER:

H.R. 14107. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of depressant, stimulant, and hallucinogenic drugs by unauthorized persons; to increase penalties for

the unauthorized sale, delivery, or disposition of such drugs; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H. Con. Res. 587. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BOLAND:

H. Con. Res. 588. Concurrent resolution recommending sending the Vietnam question to the United Nations; to the Committee on Foreign Affairs.

By Mr. BROYHILL of Virginia:

H. Res. 984. Resolution creating a select committee to conduct an investigation and study of the employment system in the House of Representatives in order to devise a plan for the elimination of political patronage in certain categories of such employment; 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. BURTON of California:

H.R. 14108. A bill for the relief of Mrs. Arsinoi Noi Razatou (nee Christoforos); to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 14109. A bill for the relief of Joseph W. Harris; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 14110. A bill for the relief of Antonios Youssef Bou Semaan; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 14111. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain land located in the State of Florida to the record owner of the surface rights; to the Committee on Interior and Insular Affairs.

By Mr. JOELSON:

H.R. 14112. A bill for the relief of Francesco Ciarfella; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 14113. A bill for the relief of Angelita Corales; to the Committee on the Judiciary.

H.R. 14114. A bill for the relief of Georgia Rossetou; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 14115. A bill for the relief of Pui Yuen Lee aka Dario Chin; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 14116. A bill for the relief of Antonio Acupan Madrinan and Lilia Madrinan; 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:

205. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to the method of printing footnotes in Government publications; to the Committee on House Administration.

206. Also, petition of Trust Territory of the Pacific Islands, Saipan, Mariana Islands, relative to the proposed plan to reestablish military installations in Rota, Tinian, Saipan, and the Northern Islands, and urging the reintegration of these islands with the territory of Guam; to the Committee on Interior and Insular Affairs.

207. Also, petition of city of Cambridge, Mass., relative to insuring full economic and social opportunity for all Cambridge citizens; to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

The Information Gap

EXTENSION OF REMARKS

OF

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 20, 1967

Mr. MORSE of Massachusetts. Mr. Speaker, a number of Members have been concerned in recent months with the problems of obtaining accurate and consistent information from the executive branch, particularly on issues relating to the war in Vietnam. This week in his regular Capitol Comment report to his constituents, Mr. MATHIAS of Maryland, calls attention to two recent experiences of his own and suggests that "we need a new spirit and conscientious effort—at every level of Government—to halt the decline in trust and insure real communication between the people and their national leadership on the most important issues we now face."

His remarks are very timely and I include the full text of Mr. MATHIAS' statement in the RECORD at this point:

THE INFORMATION GAP

"Credibility gap" may be a somewhat tired phrase, but it has become the shorthand for one of the most serious problems plaguing American government today—a crisis of confidence. On one hand, the people are losing faith in what government spokesmen say. On the other hand, popular suspicion and mistrust are intensified every time officials refuse to make hard information available, or persist in offering only vague, generalized or contradictory statements.

To some extent these failures of candor and clarity by official spokesmen are generated by political considerations. But sometimes an official will simply withhold or distort information because releasing it would create problems of explanation which he would prefer to avoid. In either case, the American people and our entire representative system of government are hurt.

The Congress has already taken a long step toward guaranteeing that the public will have access to information about public business. The Freedom of Information Act, which went into effect on July 4th of this year, provides that only certain types of government data—such as personnel records and material classified for security reasons—may be withheld from the public and the press.

Recently the Freedom of Information Committee of the honorary journalism fraternity, Sigma Delta Chi, published a report on the operation of this Act. The report cited the progress which many agencies have made in giving the public more information than ever before. However, the committee also found that at the very highest levels of government, specifically in the White House and at the Pentagon, there is still a great reluctance to make accurate, full information available.

Recently I myself have encountered in two cases an excessive reluctance on the part of Federal officials to provide facts to me and my constituents.

In a recent speech, the President, citing signs of progress in Vietnam, declared that 65% of the South Vietnamese population was now under the control of the Saigon government. A week ago, retired General James Gavin stated that of the 12,500 hamlets in South Vietnam, only about 5000 were "in friendly hands," while some 7500 were "assumed to be" subject to the Viet Cong. These two figures—one based on population, the other on numbers of towns regardless of their size—may or may not be contradictory. But when I asked Defense Department and State Department officials whether the two measurements could indeed be reconciled, I was told that no figures beyond those used by the President were available for public discussion.

Again, last month I read a press report, based on "reliable new evidence gathered by American intelligence sources," which indicated that small numbers of North Vietnamese army regulars for the first time were being trained in Red China to fight in South Vietnam. This would be a development of some importance, so I sought to secure official comment on the reports, to be relayed to my constituents. Although the report had been publicly discussed in the first place, I was denied any quotable material to confirm, deny or qualify the statement.

These two cases are extremely discouraging. Such nervous, restrictive and defensive information policies are not only inconsistent with the spirit of the Freedom of Information Act hailed by the President last year. More basically, they are incompatible with the principles of a free government. While legitimate boundaries of national security must be respected, it is self-defeating to try to stretch the cloak of secrecy over material which it is simply not convenient or advantageous to release.

The crisis of confidence has already become so great that some Americans, unable to believe what they hear from government, have simply stopped listening. Clearly we need a new spirit and a conscientious effort—at *every* level of government—to halt the decline in trust and insure real communication between the people and their national leadership on the most important issues we now face.

A New Political Ball Game

EXTENSION OF REMARKS

OF

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 20, 1967

Mr. EILBERG. Mr. Speaker, at exactly 11 a.m. last Friday, President Johnson stepped before the television cameras at his press conference and completely rewrote the rules for next year's presidential election.

From now on, the Republicans are going to have to run against more than a man with the greatest legislative record in history. They are going to have to run against more than a man who had the courage to stop Communist aggression in its tracks.