"(1) current zoning regulations and prospective zoning requirements and objectives for such property when it is unzoned; and

"(2) current availability to such property of streets, sidewalks, sewers, water, street lights, and other service facilities and prospective availability of such services if such property is included in comprehensive planning.

"ACQUISITION OR CHANGE OF USE OF REAL PROPERTY

"SEC. 804. (a) To the extent practicable, prior to a commitment to acquire any real property situated in an urban area, the Administrator shall notify the unit of general local government exercising zoning and land-use jurisdiction over the land proposed to be purchased of his intent to acquire such land and the proposed use of the property. In the event that the Administrator determines that such advance notice would have an adverse impact on the proposed purchase, he shall, upon conclusion of the acquisition, immediately notify such local government of the acquisition and the proposed use of the property.

"(b) In the acquisition or change of use of any real property situated in an urban area as a site for public building, the Administrator shall, to the extent he determines practicable—

"(1) consider all objections made to any such acquisition or change of use by such unit of government upon the ground that the proposed acquisition or change of use conflicts or would conflict with the zoning regulations or planning objectives of such unit; and

"(2) comply with and conform to such regulations of the unit of general local government having jurisdiction with respect to the area within which such property is situated and the planning and development objectives of such local government.

"SEC. 805. The procedures prescribed in sections 803 and 804 may be waived during any period of national emergency proclaimed by the President.

"DEFINITIONS

"SEC. 806. As used in this title—

"(a) 'Unit of general local government' means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

"(b) 'Urban area' means—

"(1) any geographical area within the jurisdiction of any incorporated city, town, borough, village, or other unit of general local government, except county or parish, having a population of ten thousand or more inhabitants;

"(2) that portion of the geographical area within the jurisdiction of any county, town, township, or similar governmental entity which contains no incorporated unit of general local government but has a population density equal to or exceeding one thousand five hundred inhabitants per square mile; and

"(3) that portion of any geographical area having a population density equal to or exceeding one thousand five hundred inhabitants per square mile and situated adjacent to the boundary of any incorporated unit of general local government which has a population of ten thousand or more inhabitants.

"(c) 'Comprehensive planning' includes the following, to the extent directly related to the needs of a unit of general local government:

"(1) Preparation, as a guide for governmental policies and action, of general plans with respect to (A) the pattern and intensity of land use, (B) the provision of public facilities (including transportation facilities) and other governmental services, and (C) the effective development and utilization of human and natural resources;

"(2) Long-range physical and fiscal plans for such action;

"(3) Programing of capital improvements and other major expenditures, based on a determination of relative urgency, together with definitive financing plans for such expenditures in the earlier years of the program;

"(4) Coordination of all related plans and activities of the State and local governments and agencies concerned; and

"(5) Preparation of regulatory and administrative measures in support of the foregoing."

Mr. LONG of Louisiana. Mr. President, on behalf of the junior Senator from Maine [Mr. MUSKIE], I move that the Senate disagree to the amendment to S. 698 adopted by the House, and request a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. MUSKIE, Mr. ERVIN, Mr. METCALF, Mr. HANSEN, and Mr. BAKER the conferees on the part of the Senate.

RECESS UNTIL 10 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, if no other Senators desire to make statements at this time, I move, pursuant to the order previously entered, that the Senate stand in recess until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 25 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, September 18, 1968, at 10 o'clock a.m.

CONFIRMATION

Executive nomination confirmed by the Senate September 17, 1968:

MISSISSIPPI RIVER COMMISSION

Subject to qualifications provided by law, the following for appointment as a member of the Mississippi River Commission: Don A. Jones, rear admiral, USESSA.

HOUSE OF REPRESENTATIVES—*Tuesday, September 17, 1968*

The House met at 12 o'clock noon.

Rev. Silas Harrington, chaplain, East Mississippi State Hospital, Meridian, Miss., offered the following prayer:

O, God, our Heavenly Father, hallowed be Thy name. From everlasting to everlasting Thou art God. Thou has been our dwelling place for all generations. May we never forsake Thee. We thank Thee for Thy past guidance in our governmental life which sustains a body of free men like these; who represent and deliberate the dreams, hopes, and needs of the citizens of these matchless United States. We pray that each of them shall be keenly conscious of his privilege and responsibility in this capacity. May it please Thee to grant to them good health, alert minds, understanding hearts, and breadth of vision, and the result of their counsel strengthening the very foundations of our Nation. For it is in Thy name we pray. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

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

H.R. 5754. An act to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package.

The message also announced that Mr. COTTON was appointed a conferee on the bill (H.R. 17023) entitled "An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1969, and for other purposes," and that Mrs. SMITH was excused as a conferee on the foregoing bill.

The message also announced that the Vice President, pursuant to Public Law 90–301, appointed Mr. MCINTYRE and Mr. BROOKE to serve on the Commission on Mortgage Insurance Rates.

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

S. 345. An act for the relief of Dr. Benito V. Odulio;

S. 2189. An act for the relief of Stella Dribensky;

S. 2271. An act for the relief of Domingo Lamadriz;

S. 2405. An act for the relief of Ming Chang;

S. 2642. An act for the relief of Ngo Thi Hong Hao (Lynch) and minor child, Sein (Lynch);

S. 2909. An act for the relief of Charles Richard Scott;

S. 3040. An act for the relief of Dr. Jose E. Naranjo;

S. 3080. An act for the relief of Ernesto Julio D'Escoubet Blanco;

S. 3172. An act for the relief of Dr. George Alfonso Hernandez Canizares;

S. 3181. An act for the relief of Dr. Mete V. Altug;

S. 3223. An act for the relief of Dr. Juan Alfredo Milera;

S. 3226. An act for the relief of Yuka Awamura;

S. 3239. An act for the relief of Dr. Jorge P. Garcia;

S. 3280. An act for the relief of Dr. Jose M. Leon;

S. 3285. An act for the relief of Fausto Soler-Amor;

S. 3308. An act for the relief of Jose C. Favio Hidalgo;

S. 3324. An act for the relief of Dr. Juan F. Hernandez;

S. 3355. An act for the relief of Dr. Emilio Ambrosio Trujillo;

S. 3356. An act to confer U.S. citizenship posthumously upon Lance Corporal Theodore Daniel Van Staveren;

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

S. 3369. An act for the relief of Dr. Israel Castellanos Gonzalez;

S. 3398. An act for the relief of Cheng-huai Li;

S. 3441. An act for the relief of Dr. Fermin Ferro;

S. 3455. An act for the relief of Dr. Miguel Angel Garcia Plasencia;

S. 3493. An act for the relief of Dr. Laureano S. Falla (also known as Severinto Laureano Falla-Alvarez);

S. 3526. An act for the relief of Marie-Louise (Mary Louise) Pierce;

S. 3568. An act for the relief of Jack Edward Cooley;

S. 3572. An act for the relief of Dr. Renee Diez de Force; and

S.J. Res. 185. Joint resolution to grant the status of permanent residence to Maria Mercede Riewerts.

THE LATE HONORABLE JOHN S. WOOD

The SPEAKER. The Chair recognizes the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. 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 Georgia?

There was no objection.

Mr. LANDRUM. Mr. Speaker, I have the unhappy responsibility of announcing to the House of Representatives that a former Member of this body, my predecessor as Representative from the Ninth District of Georgia, the Honorable John S. Wood, has died at the age of 83.

He served from 1930 to 1934 and again from 1944 to 1952, when he retired.

Mr. Wood was a graduate of Mercer University, my own alma mater. He served in the Army Air Corps in World War I and later practiced law in Jasper, Ga., my hometown today, and then practiced in Canton, Ga., where he became one of Georgia's most successful and most prominent attorneys. He served as solicitor of the superior court of the Blue Ridge circuit and also served as judge of that superior court circuit with extreme distinction.

Between these periods he was also elected to the Congress, as I have announced. Several months after winning reelection to the House, in 1944, he was appointed chairman of the House Un-American Activities Committee. In this capacity as chairman of that important committee he was noted particularly for his fairness. In the words of a September 15 memorial by the Gainesville Daily Times:

> Judge Wood ran the committee effectively but reasonably.

The Times editorial stated—and I could not agree more—that Mr. Wood served with distinction, and that his memory will long be honored in the Ninth Congressional District by his services to that area, to Georgia, and to the Nation.

I might add that, in addition to his excellent record as a Member of the Congress from the Ninth District, John Wood was probably the best all-round advocate north Georgia ever developed at the bar. I never saw his superior in the courtroom or in the law office. He was honorable in every respect, admired by all who knew him, and as a personal friend one of the best it has ever been my privilege to have.

I know that Members of the House who recall his presence here will join me in expressing to his widow, Mrs. Louise Jones Wood, and to his three lovely daughters, our genuine sympathy at his passing.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 18785, MILITARY CONSTRUCTION APPROPRIATIONS, 1969

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on H.R. 18785, an act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 17324, AMENDING RENEGOTIATION ACT OF 1951

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17324) to extend and amend the Renegotiation Act of 1951, with Senate amendments thereto, disagree to the Senate amendments and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. MILLS, BOGGS, KARSTEN, BYRNES of Wisconsin, and CURTIS.

APPOINTMENT OF CONFEREES ON H.R. 17104, SUSPENSION OF DUTY ON ELECTRODES FOR USE IN PRODUCING ALUMINUM UNTIL JULY 15, 1969

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17104) to extend until July 15, 1969, the suspension of duty on electrodes for use in producing aluminum, with Senate amendments thereto, disagree to the Senate amendments and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. MILLS, BOGGS, KARSTEN, BYRNES of Wisconsin, and CURTIS.

SPEAK UP, MR. NIXON

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

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

There was no objection.

Mr. WOLFF. Mr. Speaker, several months ago the Republican presidential nominee said he had some secret plan certain to bring peace to Vietnam. Yes, Nixon's the one. He has repeated his promise time and again; he says he knows how to end the war promptly and honorably.

More than 4,000 American soldiers have died in Vietnam since June 1, and Mr. Nixon travels around the country claiming he knows how to end the American involvement in Vietnam. Well, Mr. Nixon, if you do know how to end the bloodshed, then you must carry the burden for the deaths of thousands of American servicemen.

I hope our Nation has not fallen to the point where the lives of American soldiers are exploited for political gain. Yet this appears to be the case.

If Mr. Nixon is telling the truth, if he has some secret path out of Vietnam, then let him speak up.

Otherwise let us dispense with idle, cruel promises.

GOVERNOR AGNEW OWES AN APOLOGY

Mr. DINGELL. 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 Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, the other day 6 million Americans of Polish descent were grossly and gravely insulted by one who seeks their vote. I refer to the Governor of the State of Maryland, who appeared on a television program in the city of Chicago and said that, when he addressed a political gathering, he did not look over the crowd to see how many Negroes or Italians or "Polacks" were there.

For the benefit of the Governor of the State of Maryland, it should be known that Americans of Polish descent deeply and gravely resent the term "Polack." It is an affront, and it is one which arouses the ire of anyone who happens to be descended from the great Polish Nation and the great Polish race.

Mr. Agnew has again demonstrated his unfitness for the high office which he seeks, when he so lightly refers to other Americans of other racial origins as "Polacks" and lumps them together with other racial groups in what appears to be a derogatory address to the three groups mentioned. He clearly is not deserving of the high office of Vice President of the United States.

It becomes very plain to me that Mr. Agnew owes to Italians and to Poles and to Negroes and to others a sincere and well-deserved apology, because the affront which he has given is not one which can be easily forgiven.

LEGISLATIVE REORGANIZATION ACT OF 1967 AND ELECTION REFORM ACT OF 1968

Mr. RAILSBACK. 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 to the request of the gentleman from Illinois?

There was no objection.

Mr. RAILSBACK. Mr. Speaker, the Legislative Reorganization Act of 1967 and the Election Reform Act of 1968, two of the most important bills to be introduced in this Congress, are tied up in the House Rules Committee, where they have been since last year. Mr. Speaker, it is absolutely essential that these two bills be reported out and brought to the floor for consideration before final adjournment.

Since the 90th Congress convened in January of last year, almost 22,000 bills and resolutions have been introduced in the House of Representatives. As Members of Congress, it is impossible for us to have a thorough knowledge and understanding of the content and implications of all of these measures which are introduced each year, or, for that matter, even most of them. Mr. Speaker, the Legislative Reorganization Act would not completely solve this problem, but it would certainly be a step in the right direction and would significantly help us, the Members of Congress, do a more efficient, knowledgeable job in the field of legislation.

Also, Mr. Speaker, the Election Reform Act of 1968, would not solve all of the problems associated with campaign financing and expenditures. However, it would provide for full disclosure, which is something the American public have the right to know, and make it enforceable.

Mr. Speaker, both of these measures are not panaceas in and of themselves, rather they are steps, and big steps at that, in the right direction. I respectfully but strongly urge that these measures be brought to the floor before final adjournment.

TRIBUTE TO THE LATE HONORABLE JOHN VORYS

Mrs. BOLTON. 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 gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, regardless of the certainty one has that life is a continuing stream and that we who are but sojourners here, coming out of unconscious perfection, are all on the long trek to perfected consciousness, when a longtime friend and companion steps across the threshold we cannot help feeling a deep sadness, a loneliness, a yearning for contact. For me, and I am sure for many other House Members, the passing of John Vorys brings a sense of loss that time alone will assuage.

John was a man held in high esteem by all. His sincerity, his loyalty, his patriotism drew one to him. His quiet, effective, consecrated service to his country was an example to each and all.

I was privileged indeed when John became a member of the House Committee on Foreign Affairs, for I sat next to him—which made possible little interchanges of thought and feeling that built a rare friendship between us. His mind was always alert and keen. Disagreements came and went, but never a sharpness nor a bitterness at any point. And how he did his homework. His value to the committee and so to the House was truly great.

One knew, of course, that he was a flier, indeed, he was one of the first pilots in the U.S. naval air service—and when another war came he was one of those who took his turn flying over various areas to protect his own country.

We grieved when he decided to leave his work here "for personal reasons," though we knew he suffered a miserable lung ailment. For me his absence has continued to give a sense of loneliness, of loss, which I know will be mine as long as I am privileged to serve here.

His family was close to his heart and he took great pride in his children. And what a joy it is to know that his last summer was a happy one that gave him some days on their precious island where he fished to his heart's content.

Mr. Speaker, our good friend John has left us a wonderful example of what it is to be a dedicated American. May we be earnestly grateful as we move ever onward in the hope that our contribution may give to others some of the inspiration our friend and colleague has given us.

To his lovely Lois, and their fine children, go my prayers that the Infinite may give them comfort in these first days and renewed assurance of His love and understanding throughout their lives.

CONSTITUTION WEEK

Mr. BERRY. 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 South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, today is an important day in the history of America. It is a day that has been set aside for the observance of Constitution Week, which extends from September 17 to September 23.

The Daughters of the American Revolution, one of the great organizations of America today, are urging that everyone observe this week by displaying the American flag, reminding citizens of what the fundamental law of this Nation has meant to us, the freedom it has brought, and the human values that have resulted from this basic fundamental charter.

It is especially important during this critical national period to stimulate interest among the general public in observing the anniversay of the ratification of this great document and to call attention once more to the fact that our cherished freedoms are due to, and guaranteed by, the Constitution as it was originally written.

THE DISTRICT OF COLUMBIA RECEIVING HOME

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. GUDE. Mr. Speaker, one of the most important items in the proposed budget for the District of Columbia government concerns the District of Columbia Receiving Home. Statistics released in the beginning of this month in the FBI annual report on crime show that in 1967 nationally, one out of every two persons arrested for such crimes as murder, rape, robbery, assault, and larceny was under 18, and one out of every four was under 15 years of age. And when 70 percent of all adult offenders in the District have a juvenile record, we should well be concerned that the Receiving Home seems to be the weakest link in the chain of juvenile rehabilitation.

The length of time between arraignment of a juvenile and his trial is spent in the Receiving Home. When one considers that the home is the first contact of an alleged delinquent with the juvenile court system, and that his attitude toward the whole legal systems may well be shaped by the character of that initial contact, it is clear that the proper administration of the Receiving Home is a matter of utmost public importance.

The present overcrowded conditions have been well known for some time and were reflected in the District of Columbia Crime Commission Report. Several of my colleagues on the District of Columbia Committee and I have expressed our concern over these conditions at the home—the McGee report also deals with the improvement of that facility.

Last year Congress provided funds for planning a new facility—and now we have a request for construction funds. In light of this fiscal interest of Congress and the alarming national and local statistics on juvenile recidivism, attention to the Receiving Home and the other juvenile rehabilitation facilities should be given top priority by the District government and by Congress.

CALL OF THE HOUSE

Mr. ARENDS. 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. 331]

Adams	Cabell	Esch
Anderson, Tenn.	Celler	Fisher
Ashley	Clawson, Del	Fuqua
Ashmore	Conte	Gallagher
Battin	Conyers	Gardner
Boggs	Dawson	Gettys
Boland	Donohue	Giaimo
Brown, Calif.	Dulski	Gubser
Bush	Eckhardt	Gurney
	Eilberg	Hansen, Idaho

Hébert	Morse, Mass.	Satterfield
Henderson	Morton	Schweiker
Herlong	Olsen	Sisk
Hicks	Patten	Skubitz
Jonas	Pepper	Smith, Okla.
Jones, Ala.	Pettis	Steed
Karsten	Philbin	Stephens
Karth	Pickle	Stratton
King, Calif.	Pike	Taft
King, N.Y.	Podell	Tuck
Kupferman	Pryor	Utt
Leggett	Rarick	Vanik
Lloyd	Rees	Watts
Long, La.	Resnick	Whitener
McEwen	Rhodes, Ariz.	Widnall
Macdonald, Mass.	Rivers	Wiggins
	Roudebush	Willis
Mathias, Md.	Roybal	Wilson, Bob
Miller, Calif	Sandman	Wright

The SPEAKER. On this rollcall 346 Members have answered to their names, a quorum.

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

APPOINTMENT OF CONFEREES ON H.R. 18037, DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1969

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? The Chair hears none, and appoints the following conferees: Messrs. FLOOD, NATCHER, SMITH of Iowa, HULL, CASEY, MAHON, LAIRD, MICHEL, SHRIVER, and BOW.

CORRECTION OF VOTE

Mr. FULTON of Pennsylvania. Mr. Speaker, on rollcall No. 327 I am recorded as not voting. I was present and voted "nay." I ask unanimous consent that the permanent RECORD and Journal be corrected accordingly.

On Monday, September 16, 1968, I was present on the floor and answered "present" on two quorums, rollcalls Nos. 322 and 325. Also, I voted on seven rollcall votes on legislation—rollcalls Nos. 323, 324, 326, 327, 328, 329, and 330.

I remember distinctly discussing with my longtime friend the gentleman from Pennsylvania, Congressman HERMAN SCHNEEBELI, his vote of "nay" on rollcall No. 327, for final passage of S. 3030, a bill to authorize reduction of the number of fish concentrate plants, and commenting that his reasons sounded excellent to me, I then voted the same way.

On rollcall No. 327 in the RECORD on page 26998 I am recorded as "not voting." Therefore, Mr. Speaker, I ask unanimous consent that the permanent RECORD be corrected to show my vote on rollcall No. 327 as "nay."

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

There was no objection.

PRIVATE CALENDAR

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

SUNDRY CLAIMANTS

The Clerk called the bill (H.R. 16187) for the relief of sundry claimants and for other purposes.

The SPEAKER. The Clerk will read the bill by title for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Title I (H.R. 1596. For the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras).) By Mrs. Green of Oregon.

That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Demetrios Konstantinos Georgaras (also known as James K. Georgaras), of Portland, Oregon, the sum of $5,000 in full settlement of all his claims against the United States for refund of a departure bond posted by him and declared forfeited on January 17, 1961, as a result of his failure to depart on January 16, 1961. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

COMMITTEE AMENDMENT

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 3, strike out "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The Clerk read as follows:

Title II—(H.R. 1629. For the relief of Mrs. Raisla Stein and her two minor children.) By Mrs. Kelly.

That, for purposes of determining the entitlement of Mrs. Raisla Stein and her two minor children to monthly insurance benefits under section 202 of the Social Security Act on the basis of the wages and self-employment income of her deceased husband Wolf Stein (social security account numbered 436-44-4769) for months after the month in which this Act is enacted, the income received by the said Wolf Stein on account of services rendered as a ritual slaughterer in New Orleans, Louisiana, during the years 1951 and 1952 shall be included as a part of his gross income in computing his net earnings from self-employment for such years under section 211 of the Social Security Act, if within six months after the date of the enactment of this Act the said Mrs. Raisla Stein pays to the Secretary of the Treasury, for deposit in the Federal Old-Age and Survivors Insurance Trust Fund, an amount equal (as determined by the Secretary) to the total of the taxes which the said Wolf Stein should have paid with respect to such services under section 480 of the Internal Revenue Code of 1939: *Provided*, That any fee received by any agent or attorney on account of services rendered in connection with this Act shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

MOTION OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GROSS moves to strike title II of the bill H.R. 16187, including all of lines 11 through 25 on page 2 and all of lines 1 through 12 on page 3.

Mr. GROSS. Mr. Speaker, I believe I should call the attention of the House to the fact that this is the first time since 1953 this method of operation, an omnibus private bill, has been invoked in the House of Representatives.

Since I have only 5 minutes, I cannot enlarge upon that.

In this case, a man by the name of Wolf Stein was a ritual butcher in New Orleans. He was self-employed. He paid no social security taxes during the years 1951 and 1952 when he was self-employed and he paid no income taxes to the Federal Government, according to the report of the Department of Health, Education, and Welfare. In 1953 he died. His widow had 3 years, 3 months and 15 days to seek social security benefits. She did nothing until 1962, according to the HEW report. Then at Mrs. Stein's request a hearing was held before a hearing examiner of the Bureau of Hearings and Appeals of the Social Security Administration. She was represented by counsel, and the examiner determined there was no way under the law to change Mr. Stein's earnings record or to pay benefits on the basis of that record as it stood. The examiner's decision was reviewed by the Appeals Council in 1963. After a complete review of Mrs. Stein's request the council determined there was no way in which she could qualify for social security benefits based on her deceased husband's earnings.

I say again that according to the report of the Department Mr. Stein did not file Federal tax returns or pay a dime of social security taxes on his earnings.

The Department says that this bill would provide an exception to the provision in the Social Security Act that after the expiration of 3 years, 3 months, and 15 days following any year, corrections may not be made in the self-employment income report for that year. This statute of limitations is intended to prevent the possibility of a self-employed person making self-serving changes in his tax reports after many years have passed and reliable evidence might no longer be available. If self-employment taxes could be paid for back years without restriction, says the Department, a person could intentionally avoid paying these when they were due and make the payments only if and when it would be to his advantage to do so. Moreover, the statute of limitations provides for orderliness and finality in the administration of the social security program. In a program covering almost all of the work force it would not be feasible, says the Department, to keep millions of earnings records open to correction indefinitely and subject to un-

limited challenge either by workers or the Government.

Mr. Speaker, I submit that this bill ought to be stricken from the calendar. It has no business on the Private Calendar, and it certainly has no business in an omnibus private bill such as is being offered here today.

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

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

Mr. HALL. I appreciate the gentleman yielding.

I will not say anything either for or against this technique of the Private Calendar bypassing the House system of objectors, who are not obstructionists but who simply do their homework. I will merely ask are there any estimates given of the total cost to the Government in the event this bill were allowed?

Mr. GROSS. As far as I know, there is no estimate.

Mr. HALL. I find none in the report.

Mr. GROSS. I know of none.

Mr. HALL. I would like to underline the fact that no advantage has been taken by the applicant through due process of the methods available. The total earnings of Mr. Stein are not stated, nor is there a means of deferred payment, nor is there any evidence that they were willing to pay up or had adopted the correct number of satisfactory earnings quarters to qualify in the first place.

I thank the gentleman.

Mr. GROSS. Let me say that if you approve this sort of legislation, you will have opened a Pandora's box. How, then, would it be possible to stop anyone else who had not paid a dime into the social security fund from coming in to grab benefits under the same circumstances? How with any consistency would you deny them? I ask you to defeat title II of this bill.

Mr. HUNGATE. Mr. Speaker, I rise in opposition to the motion.

Mr. Speaker, I point out from the committee report and hearings the fact that this was a refugee family which had survived a Nazi concentration camp and when she and her husband came to this country, they settled in New Orleans, La., where he worked for a time as an employee in an Army-Navy store, the kind of work which was offered him. It appears to the committee that in the interest of equity and justice and the necessity for relief that this was a case where his employment would have given rise to entitlement, and the committee feels that this is a proper case for legislative relief.

Mr. Speaker, I remind this Congress that we are the same ones who provided an income tax benefit of some $20 million to the American Motors Co.

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

Mr. HUNGATE. I am happy to yield to the distinguished gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY. Mr. Speaker, I thank the gentleman from Missouri for yielding to me at this point. I must admit that the statement made by the gentleman from Iowa is correct. However, I must disclaim any part in the method of procedure by which this omnibus bill was brought to the floor. That is the decision of the Committee on the Judiciary. I defend H.R. 1945 which I introduce for the relief of Mrs. Raisla Stein.

Mrs. Raisla Stein, who was the only child of a large family to survive a Nazi concentration camp, came to the United States as an immigrant in 1949. She and her husband, Mr. Wolf Stein, settled in New Orleans, La., where he was offered an opportunity to become a shochet—ritual slaughterer—for the Jewish community. The incumbent ritual slaughterer who Mr. Stein was to replace was old and wished to retire. Mr. Stein served as an apprentice in order to study and qualify until May 1950. The fees earned by the wage earner slaughtering for three firms; a poultry market, a meat market, and a kosher food store, instead of being paid to him directly, were paid to a neutral agency set up by the various synagogues, which in turn paid Mr. Stein on a weekly basis. It was agreed by all the parties concerned that the wage earner was not actually employed by the neutral agency because none of the factors of an employer-employee relationship existed between him and the agency. In other words, he was not actually employed as he was not subject to any control, or direction either in the hours of work, the number of days, or any other factors of employer-employee relations. I am given to understand that the social security hearing examiner conceded that the above-named would be entitled to benefits were it not for the statute of limitation.

Mr. Stein died suddenly on January 6, 1953, and Mrs. Stein was left almost penniless with two small children. Although she had been on relief, it was not until 1962 that she learned that she might be eligible for social security benefits when a New York City Welfare Department investigator, formerly with the social security agency, advised her of her possible rights. She immediately filed an application for mother's insurance benefits and for child's insurance benefits on behalf of her two minor children on March 7, 1962.

Only two quarters of coverage are credited to Mr. Stein's earnings record, four quarters less than he needed to be insured—six quarters altogether. If his earnings as a ritual slaughterer from 1951 to 1952 were credited to his earnings record, he would have been covered at the time of his death. Mrs. Stein was advised that since her husband lacked the necessary quarters of coverage to be either fully or currently insured, no benefits were payable. At Mrs. Stein's request a hearing was then held, but the examiner determined there was no way under the law to change Mr. Stein's earnings record or to pay benefits on the basis of that record as it stood. The examiner's decision was reviewed by an appeals council in 1963 and was disapproved.

The reason for Mrs. Stein's delay in filing is important to know. Mrs. Stein was an immigrant who had been in the United States only 4 years when her husband Wolf Stein died. At the time of her husband's death she understood little English and did not speak the language. She was unaware of her rights under the Social Security Act. Not having enough money to support herself and children she applied for welfare but it was not until 1962 that it was brought to her attention that she might be eligible for social security benefits.

However, I feel this bill is just and urge it be favorably enacted.

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

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

Mr. HALL. Did the gentleman from Missouri see the opinion of the Secretary of the Department of Health, Education, and Welfare handling social security with regard to this? If he does not have it readily available, the gentleman will find on page 7 of the report the following statement:

> We believe that special legislation permitted one person to receive an advantage under conditions identical to those in which others are denied that advantage is undesirable, and we therefore recommend against the enactment of the bill.

I think it ought to be brought out that according to the criteria there were departmental objections.

Mr. HUNGATE. I thank the gentleman. I think there are also problems involved and I would say that in my opinion the committee regards this as a matter of equity and we are willing to let the Members act upon it and then we would be perfectly satisfied with their judgment.

The SPEAKER. The question is on the motion offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 49, noes 32.

So the motion was agreed to.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

> Title III—(H.R. 1885. For the relief of Patterson, Eagle, Greenough and Day, Esquires.) By Mr. Tenzer.
>
> That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the firm of Patterson, Eagle, Greenough and Day, Esquires, the sum of $16,872.87, to compensate said firm for the amount paid to the beneficiary of a last will and testament in connection with the compromise of an alleged gift tax liability arising out of the transfer of certain funds by the beneficiary to carry out the intent of the testatrix of the last will and testament: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of the Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not exceeding $1,000.

MOTION OFFERED BY MR. EDWARDS OF ALABAMA

Mr. EDWARDS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. EDWARDS of Alabama moves to strike title III beginning on line 13, page 3, and ending at line 6 on page 4.

Mr. EDWARDS of Alabama. Mr. Speaker, this is a bill that provides that the law firm of Patterson, Eagle, Green-

ough & Day will be reimbursed $16,872.87. The basis of the claim of this law firm is that in drafting the will of Mrs. Elizabeth L. Armstrong an error was made in the draftsmanship in that a paragraph was left out, and the net result was that the whole proceeds, or substantially the whole proceeds, went to Mrs. Armstrong's daughter.

The law firm contends that in fact it should have been split between her daughter and her son. The children then tried to carry out what they understood to be the intention of the testatrix, and in the process incurred a gift tax from the Federal Government of some $16,000.

The Government was actually claiming about $50,000 in taxes. The law firm compromised the claim in representing the children, and paid the claim itself in the amount of some $16,000. The law firm had no malpractice insurance, and had really no excuse except that one of their secretaries omitted what they said was a paragraph that was intended to be in the will.

Those Members of the House who are lawyers know as well as I do that a law firm is responsible for those documents that go out of its office. Whether you blame it on your secretary or whether you blame it on anybody else, the simple truth of the matter is that you have to stand behind your work.

Now the law firm comes here and in a private bill says that because of this mistake, and however it was made it was still a mistake of the law firm, that they now want the taxpayers of this country to pay back to the law firm this $16,000 or more that they paid on behalf of their client.

My colleagues, I think as lawyers, those of us who are lawyers, it must make our blood boil to see this kind of bill come before this body.

Let me refer, if I may, to the report of the Treasury Department and refer to just two small quotes from that report:

> It is not a proper function of the Government to act as guarantor of the correctness of private business transactions.

If ever a bureaucrat wrote a correct statement, I think that is a correct statement.

Also the report of the Department says, and I quote:

> We understand from the law firm that it deducted the payment on its income tax return as an ordinary and necessary business expense and the deduction was allowed.

Mr. Speaker, I think this body should turn down overwhelmingly this very unusual and very uncalled-for request for reimbursement of this law firm.

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

Mr. EDWARDS of Alabama. I yield to the gentleman.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's statement and I want to associate myself with his remarks.

I think it is unfortunate that the naive attorneys who allege malfeasance on the part of an employee did not protect themselves with malpractice insurance.

Is there any question in the gentleman's mind but that through correspondence and personal visits these attorneys have admitted responsibility for this error?

Mr. EDWARDS of Alabama. That is a correct statement. May I say to the gentleman, I do not know of any case that I have been involved in on the Private Calendar which has been more thoroughly studied by the committee of objectors and others than this case. We have all the correspondence and the personal interviews with the attorneys involved and, as you say, they have admitted that this was an error of the firm.

Mr. HALL. Is it not true also that they have admitted receiving fair pay for drawing the will, plus $3,500 for handling the tax case?

Mr. EDWARDS of Alabama. That is a correct statement also.

Mr. HALL. Where would the reimbursement by the taxpayers ever stop, if we once open up this Pandora's box for malpractice cases?

Mr. EDWARDS of Alabama. I cannot answer that question for the gentleman because I do not think there would be an end to this type of bill if we ever open the door to such claims.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I hope this bill is soundly defeated.

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

Mr. EDWARDS of Alabama. I yield to the gentleman.

Mr. TALCOTT. It occurs to me that there are probably thousands of attorneys in the United States who have made errors of judgment of one kind or another that have resulted in their clients having a tax responsibility and liability.

Are there any other cases or precedents permitting such attorneys who may have made mistakes which have resulted in their clients being required to pay taxes coming to the Congress and obtaining relief from their errors or mistakes?

Mr. EDWARDS of Alabama. I would say to the gentleman that I know of no precedents and in the Treasury Department report this was the great fear expressed by the Treasury Department that this would be setting a precedent and in the future they may be swamped with additional claims of this type.

The SPEAKER. The time of the gentleman has expired.

Mr. TENZER. Mr. Speaker, I rise in opposition to the motion.

Mr. Speaker, at the outset I would like to say in answer to the questions that have been raised about the legislative procedure that is being employed here today that this is not an attempt to bypass the rules of the House. Rather it is a method of using the rules of the House in a proper way.

There is available to every Member on the floor a copy of the Private Calendar and of the calendar for the day. It contains the clear statement that after the consideration of a Private Calendar bill, which has been passed over and referred back to the committee, that under such circumstances the only method by which it can be considered by the House so that the House may work its will on the legislation is through the established rules of the House; namely the method of the omnibus bill.

Second, I would like to say that what we have here is not a case of asking the Federal Government to be a guarantor for a law firm, but rather a case where the Federal Government was unjustly enriched to the extent of $16,872.87 extracted from a taxpayer which the Government had no right to collect in the first place.

The facts in this case are not disputed.

The claim is for reimbursement of the sum of $16,872.87 paid to the U.S. Government as a result of a gift tax imposed by the Internal Revenue Service on a distribution of funds to correct an omissive error in the will of Mrs. Elizabeth L. Armstrong, a client of the said law firm.

The claim arises out of the exercise of the power of appointment over the appointive fund which was the subject of the second clause of Mrs. Armstrong's will dated May 1, 1952, which fund's assets amounted to approximately $385,000. The fund was created by the will of her deceased husband. Inadvertently a subparagraph was omitted from the will by a stenographer and the error was not discovered until after the death of the testatrix on October 5, 1953. As typed, Mrs. Armstrong's daughter Elizabeth would receive $360,000 of the appointive fund rather than sharing this amount equally with her brother Vincent as intended by the testatrix.

When the error was discovered, brother and sister, both aware of their mother's intent, agreed that the mistake should be rectified by a distribution of $180,000 to each of them instead of the entire amount to Elizabeth. This distribution by the executor was disclosed by Elizabeth on her gift tax return and declared as a nontaxable transfer. Admitting that the error was theirs, the law firm had indemnified Elizabeth in writing so that in the unlikely event that a gift tax were imposed, she would not have to bear the payment.

Despite the agreement between the parties as to the facts surrounding the will, the Internal Revenue Service took the position that the transaction was a taxable "gift" from Elizabeth to Vincent.

I submit that the U.S. Government was unjustly enriched at the expense of the claimant law firm since at most, the beneficiary, Elizabeth, sought only to correct an error, to rectify a mistake, which if left uncorrected would have violated the clear and undisputed intent of the testatrix and would have unjustly enriched her solely because of the extraneous fact of the scrivener's error.

The law firm was desirous of contesting the IRS claim. However, when the Internal Revenue Service offered to comprise its tax claim from an amount of between $50,000 and $55,000 for the sum of $16,872.87, the attorneys presented this offer of compromise to the parties with the following results.

Elizabeth wanted to be relieved of the worry of litigation; her brother likewise did not want to become involved in litigation and, since the law firm had already agreed to indemnify Elizabeth, they approved the compromise and recommended the acceptance thereof. The law firm in view of their indemnity agreement was faced with a possible claim of between $50,000 and $55,000 with interest accru-

ing at the rate of $3,000 plus per annum, wanted to limit its liability and accordingly advised Elizabeth to pay the claim and the law firm reimbursed her as the evidence to be presented today will show.

The question before the House is not whether the law firm should have agreed to the compromise but rather, whether the U.S. Government should be allowed to be "unjustly enriched," by retaining this payment at the expense of this claimant.

The Subcommittee on Claims of the House Judiciary Committee held a public hearing and heard testimony and considered numerous documents. I urge you to weigh the equities in the matter of this claim and conclude that the equities rest with the beneficiaries and not with the U.S. Government. This is precisely what the subcommittee concluded and what the full Judiciary Committee concluded.

I respectfully call to the attention of my colleagues that the definition of the word "equity" to be found in Black's Law Dictionary, fourth edition, 1957, states in part:

> It is therefore the synonym of natural right or justice. But in this sense its obligation is ethical rather than jural, and its discussion belongs to the sphere of morals.

The act of the claimant in this case falls within the definition of equity because the act was morally right and the penalty imposed was unjust.

I urge you to confirm the action of the committee on the basis of an ethical—a moral—and in an equitable sense rather than strictly in a jural sense.

Simply restated we have here a case of a woman who had three children. She left her estate to the three children. Upon the death of one of the children, she asked her attorney to revise the will leaving 50 percent to each of her two remaining children. In redrafting the will, a sentence was left out which had the effect of leaving the entire estate to only one of the children.

After the death of the testator, at the reading of the will the brother and sister were shocked to hear that the entire estate was left to only one of the two children. The sister objected immediately because it was not the intention of the testator that she get the whole estate. Her brother was to share equally.

Tax returns were filed and taxes were paid on the estate, the Internal Revenue Service levied a gift tax on the share of the estate which the sister gave to her brother.

There was no relief available to the attorneys in the surrogate's court of New York, because the surrogate's court holds that there is no relief for the correction of an omission. They can correct a patent mistake, but not an omission.

Thus the proper procedure is to look to the intention of the testator, and this is precisely what was done: In this case the brother and sister were penalized by their Government because of their honesty in carrying out the intention of the testator. Why should the Federal Government have been willing to settle the claim of $50,000 to $55,000 for only $16,872? There was enough money in the estate to pay the entire $55,000. Why did they not collect it? They accepted a settlement of $16,872, because they knew they were wrong in levying a gift tax. The parties did not want to wait 3 to 5 years and go through the courts. They wanted to help correct the situation.

The Claims Committee is the highest court of equity in the land. This is a case in equity. It cries out for equitable relief.

We granted equitable relief only after a long hearing and testimony taken, both of the testator's attorneys and of the departments involved. Then after that we had to defend it before the full Judiciary Committee. There were only two objections in the full Judiciary Committee. I say to the gentleman that it would be a mistake for the Congress of the United States not to recognize a situation such as this where the Government levies a tax wrongfully against a citizen. This was an unfair and unjust tax and it should be corrected.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama [Mr. EDWARDS].

The question was taken; and on a division (demanded by Mr. EDWARDS of Alabama) there were—ayes 30, noes 29.

The SPEAKER. With the Chair voting "no," there are 30 in the negative.

Mr. EDWARDS of Alabama. 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 276, nays 67, not voting 88, as follows:

[Roll No. 332]

YEAS—276

Abbitt	Cederberg	Frelinghuysen
Abernethy	Chamberlain	Fulton, Pa.
Adair	Clancy	Fulton, Tenn.
Anderson, Ill.	Clausen, Don H.	Fuqua
Anderson, Tenn.	Cleveland	Galifianakis
Andrews, Ala.	Collier	Gathings
Andrews, N. Dak.	Collins	Gibbons
Annunzio	Colmer	Goodling
Arends	Conable	Green, Oreg.
Ashbrook	Corbett	Green, Pa.
Aspinall	Cowger	Griffiths
Ayres	Cramer	Gross
Baring	Culver	Gubser
Barrett	Cunningham	Hagan
Bates	Curtis	Haley
Belcher	Daddario	Hall
Bell	Daniels	Halleck
Bennett	Davis, Ga.	Halpern
Berry	Davis, Wis.	Hamilton
Betts	Delaney	Hammer-schmidt
Bevill	Dellenback	Hanley
Biester	Derwinski	Hardy
Blackburn	Devine	Harrison
Blatnik	Dickinson	Harsha
Bolton	Diggs	Harvey
Brademas	Dingell	Hathaway
Bray	Dole	Hechler, W. Va.
Brinkley	Dorn	Heckler, Mass.
Brock	Downing	Helstoski
Brooks	Duncan	Herlong
Broomfield	Dwyer	Holifield
Brotzman	Edwards, Ala.	Hosmer
Brown, Mich.	Edwards, La.	Howard
Brown, Ohio	Erlenborn	Hull
Broyhill, N.C.	Eshleman	Hunt
Burke, Fla.	Evans, Colo.	Hutchinson
Burleson	Everett	Ichord
Burton, Utah	Findley	Irwin
Byrne, Pa.	Flood	Jacobs
Byrnes, Wis.	Flynt	Jarman
Cahill	Foley	Joelson
Carey	Ford, Gerald R.	Johnson, Calif.
Carter	Ford, William D.	Jones, Ala.
Casey	Fountain	Jones, Mo.
Karth	Moorhead	Saylor
Kazen	Morgan	Schadeberg
Keith	Morris, N. Mex.	Scherle
Kelly	Morse, Mass.	Scheuer
King, N.Y.	Mosher	Schneebeli
Kirwan	Moss	Schwengel
Kleppe	Murphy, Ill.	Selden
Kluczynski	Murphy, N.Y.	Shipley
Kornegay	Nedzi	Shriver
Kuykendall	Nelsen	Sikes
Kyl	Nichols	Smith, Calif.
Kyros	O'Konski	Smith, Iowa
Laird	O'Neal, Ga.	Smith, N.Y.
Langen	Ottinger	Snyder
Latta	Passman	Springer
Lennon	Pelly	Stafford
Lipscomb	Pike	Stanton
Long, Md.	Pirnie	Steiger, Ariz.
Lukens	Poage	Steiger, Wis.
McClory	Poff	Stuckey
McCloskey	Pollock	Sullivan
McClure	Price, Ill.	Taft
McCulloch	Price, Tex.	Talcott
McDade	Pryor	Taylor
McDonald, Mich.	Pucinski	Teague, Calif.
McEwen	Purcell	Thompson, Ga.
McMillan	Quie	Thomson, Wis.
MacGregor	Quillen	Tiernan
Machen	Railsback	Tuck
Madden	Randall	Tunney
Mahon	Reid, Ill.	Udall
Marsh	Reid, N.Y.	Ullman
Martin	Reinecke	Vander Jagt
Mathias, Calif.	Riegle	Waggonner
Matsunaga	Roberts	Wampler
May	Robison	Watkins
Mayne	Rogers, Fla.	Watson
Meeds	Ronan	Whalley
Michel	Rooney, N.Y.	Whitten
Miller, Ohio	Rooney, Pa.	Williams, Pa.
Mills	Rosenthal	Willis
Minish	Rostenkowski	Winn
Mink	Roth	Wyatt
Mize	Roush	Wylie
Monagan	Rumsfeld	Wyman
Montgomery	Ruppe	Yates
Moore	Ryan	Zion
	St Germain	Zwach

NAYS—67

Albert	Friedel	Patten
Bingham	Garmatz	Perkins
Blanton	Gonzalez	Reifel
Bolling	Griffin	Reuss
Burke, Mass.	Grover	Rhodes, Pa.
Burton, Calif.	Gude	Rogers, Colo.
Button	Hanna	Roybal
Cohelan	Hawkins	St. Onge
Corman	Hays	Slack
de la Garza	Horton	Staggers
Denney	Hungate	Stubblefield
Dent	Johnson, Pa.	Tenzer
Dow	Kastenmeier	Van Deerlin
Dowdy	Kee	Waldie
Edmondson	Long, La.	Walker
Eilberg	McFall	Whalen
Evins, Tenn.	Meskill	White
Fallon	Myers	Wolff
Farbstein	Natcher	Wydler
Fascell	Nix	Young
Feighan	O'Hara, Ill.	Zablocki
Fino	O'Neill, Mass.	
Fraser	Patman	

NOT VOTING—88

Adams	Gilbert	Rarick
Addabbo	Gray	Rees
Ashley	Gurney	Resnick
Ashmore	Hansen, Idaho	Rhodes, Ariz.
Battin	Hansen, Wash.	Rivers
Boggs	Hébert	Rodino
Boland	Henderson	Roudebush
Bow	Hicks	Sandman
Brasco	Jonas	Satterfield
Brown, Calif.	Karsten	Schweiker
Broyhill, Va.	King, Calif.	Scott
Buchanan	Kupferman	Sisk
Bush	Landrum	Skubitz
Cabell	Leggett	Smith, Okla.
Celler	Lloyd	Steed
Clark	McCarthy	Stephens
Clawson, Del	Macdonald, Mass.	Stratton
Conte	Mailliard	Teague, Tex.
Conyers	Mathias, Md.	Thompson, N.J.
Dawson	Miller, Calif.	Utt
Donohue	Minshall	Vanik
Dulski	Morton	Vigorito
Eckhardt	O'Hara, Mich.	Watts
Edwards, Calif.	Olsen	Whitener
Esch	Pepper	Widnall
Fisher	Pettis	Wiggins
Gallagher	Philbin	Wilson, Bob
Gardner	Pickle	Wilson, Charles H.
Gettys	Podell	Wright
Giaimo		

So the motion was agreed to.

Mr. O'NEILL of Massachusetts changed his vote from "yea" to "nay."

Mr. DANIELS, Mr. DELANEY, Mr. HOLIFIELD, Mr. ULLMAN, Mr. ABERNETHY, Mr. PASSMAN, and Mr. HOSMER changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will read.

The Clerk read as follows:

Title IV—(H.R. 2288. For the relief of Charles B. Franklin.) By Mr. Williams of Mississippi.

That the Administrator of Veterans' Affairs shall pay, out of current appropriations for the payment of compensation for service-connected disabilities, to Charles B. Franklin (Veterans' Administration Claim Numbered C13937766) the sum of $4,655.50. Such sum represents the amount owed to the said Charles B. Franklin as compensation for service-connected disability, but not paid to him between November 1, 1951, and July 14, 1963, by reason of the inability of the Veterans' Administration to locate him. No part of the amount paid pursuant to this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

COMMITTEE AMENDMENTS

The SPEAKER pro tempore. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: On page 4, lines 14 and 15, strike "$4,655.50. Such sum represents the amount owed to the said Charles B. Franklin as" and insert "$3,346.50 in full settlement of his claims against the United States for".

On page 4, line 16, strike "but" and "between".

On page 4, line 17, strike "November 1, 1951, and July 14, 1963, by reason of" and insert "from August 30, 1951, through November 30, 1962, due to".

On page 4, lines 19 and 20, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

MOTION OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GROSS moves to strike title IV of the bill H.R. 16187, including all of lines 7 through 25 on page 4 and all of lines 1 and 2 on page 5.

Mr. GROSS. Mr. Speaker, this motion would affect only title IV of the bill. This is the case of Charles B. Franklin, a former serviceman, who on July 7, 1948, was admitted to the Veterans' Administration Hospital, Gulfport, Miss., having been brought to that neuropsychiatric institution by police, following his arrest in Forest, Miss.

This is the statement of the Veterans' Administration in part:

When discharged from that hospital on August 17, 1948, as having obtained maximum hospital benefits, the major diagnosis was paranoid personality, manifested by resentment, hostility to authority, antisocial behavior, hoboism, and paranoid ideas, competent. During the course of his hospital care, because of back complaints, X-rays were taken of his lumbar spine and sacroiliac, the results of which were negative.

He was also hospitalized on July 13, 1948. Mr. Franklin was admitted to the Veterans' Hospital, Houston, Tex., on August 30, 1951, because of alleged recurrent low back pain. He was given a leave of absence on September 20, 1951. When he failed to return, he was discharged as absent without leave on October 18, 1951. He was rated as 20 percent disabled from August 30, 1951.

The statement goes on to say:

A letter advising him of the award of disability compensation was mailed on November 16 1951, to his most recent address of record, i.e., Antlers Hotel, Houston, Tex., and a copy was sent to the Veterans of Foreign Wars, his duly authorized service representative. The letter to the veteran as well as two disability compensation checks were returned by the Post Office Department as unclaimed. In response to a further inquiry by the Veterans' Administration, the postmaster at Houston advised that he did not have a forwarding address for Mr. Franklin. Accordingly, payments of disability compensation were stopped because the veteran's whereabouts was unknown.

From this time until 1963, a period of approximately 12 years, Mr. Franklin made no inquiry of the Veterans' Administration concerning the status of his claim for disability compensation. In a statement of July 15, 1963, he asked that his claim for compensation be reconsidered.

He was awarded disability compensation of $38 monthly beginning July 15, 1963.

The Veterans' Administration says if this bill is enacted, it would direct the Veterans' Administration to pay Mr. Franklin an amount reported to be the amount of compensation owed him for the period November 1, 1951, to July 14, 1963. The Veterans' Administration says:

It is our belief that the veteran has received the disability compensation to which he is entitled. His nomadic tendencies and his failure to make a single inquiry as to the status of his claim for disability compensation for nearly 12 years clearly support the conclusion that he abandoned that claim.

The Veterans' Administration goes on to say:

The facts of this case have been very carefully considered. We are not aware of any reason why Mr. Franklin's case should be singled out for special legislative treatment. To do so would be discriminatory and precedential.

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

Mr. GROSS. I yield to my friend, the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I associate myself with the gentleman from Iowa, in opposition to the passage of this bill, because it is obviously a case of medical decision and, of course, lower back pain and mild arthritis are two of the most commonly used and most difficult to ascertain conditions that we have.

Furthermore, is it not true that the Veterans' Administration is not only opposed to this bill, but they also say it would open up a Pandora's box so far as future claims are concerned, because, in fact, we would be overriding the route of appeal of any veteran with service-connected or without service-connected disability? In other words, there is no judicial appeal for a claim to veterans' benefits. Benefits are just what that name implies: the benefits of a grateful Government, and the last appeal is to the Administrator of Veterans' Affairs. This would override that concept with all veterans. Being a veteran myself, like the gentleman in the well, I am ordinarily for them, but this title for an individual should be defeated out of hand.

Mr. GROSS. I thank the gentleman from Missouri for his statement, and I ask that the House support this motion to strike this title.

Mr. HUNGATE. Mr. Speaker, I rise in opposition to the motion offered by the gentleman from Iowa.

Mr. Speaker, we are, of course, all concerned with economy, and this committee likewise believes in equity. I suggest one outstanding point of economy could be made if we choose to let final decisions on these matters be made by the Department of Health, Education, and Welfare, and by the Veterans' Administration and by the Treasury Department, and then we really would not need a Congress at all on these things, and we would not need a committee to sit as a conscience on equity, seeking to do justice and equity in all cases. We realize these cases do occur from time to time where the law affords no remedy.

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

Mr. HUNGATE. Mr. Speaker, I yield to the gentleman from Mississippi to explain this.

Mr. GRIFFIN. Mr. Speaker, this is a very simple issue involved. The veteran was awarded disability in 1951. He contends he left a permanent address as well as a temporary forwarding address. The Veterans' Administration sent his notice of award to his temporary address and sent two checks.

Thereafter no effort was made to contact the veteran again. During this period of 12 years he was in the Veterans' Administration Hospital on two occasions. He applied for hospitalization on other occasions.

It is the contention of the Veterans' Administration that the veteran abandoned his claim. It is my contention that the Veterans' Administration abandoned the veteran.

I urge defeat of the motion.

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

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

Mr. GROSS. Exactly how could the Veterans' Administration contact this man, whose whereabouts were unknown to them for a period of 12 years?

Mr. HUNGATE. I yield to the gentleman from Mississippi for a response.

Mr. GRIFFIN. He was in the veterans hospital on two occasions. His records should have caught up with him somewhere. He should have been notified he was the recipient of a disability award.

Mr. HUNGATE. Is it your position, I ask the gentleman from Mississippi [Mr. GRIFFIN], that the man, being ill and

disabled, actually submitted himself to the VA hospital, yet they did not know where he was?

Mr. GRIFFIN. That is the situation.

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

Mr. HUNGATE. I yield.

Mr. GROSS. The postmaster at Houston, Tex., says he left no forwarding address. I know of no record of his hospitalization between 1951 and 1963, the 12 years he was somewhere, no one seemed to know where.

Mr. HUNGATE. I yield to the gentleman from Mississippi, if he has a further statement.

Mr. GRIFFIN. This veteran was an oil field worker. He worked all over the State of Texas and the Southwest.

Mr. BELCHER. Do I correctly understand the Veterans' Administration could not find a man who was in a veterans hospital?

Mr. GRIFFIN. Precisely.

Mr. GROSS. That is not right. He was out on leave.

Mr. HUNGATE. Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. GROSS].

The question was taken: and on a division (demanded by Mr. GROSS) there were—ayes 32, noes 41.

Mr. GROSS. 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 pro tempore. 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 39, nays 303, not voting 90, as follows:

[Roll No. 333]

YEAS—39

Andrews, N. Dak.	Conable	Lennon
Arends	Cowger	Lukens
Ashbrook	Curtis	McClure
Bates	Davis, Wis.	McCulloch
Bennett	Dellenback	Martin
Bolton	Denney	May
Brock	Erlenborn	Nelsen
Brown, Mich.	Ford, Gerald R.	Pollock
Burke, Fla.	Gross	Reinecke
Byrnes, Wis.	Gubser	Rumsfeld
Cederberg	Hall	Talcott
Chamberlain	Halleck	Thomson, Wis.
Collins	King, N.Y.	
	Laird	

NAYS—303

Abbitt	Brinkley	Daddario
Abernethy	Brooks	Daniels
Adair	Broomfield	Davis, Ga.
Albert	Brotzman	de la Garza
Anderson, Ill.	Brown, Ohio	Delaney
Anderson, Tenn.	Broyhill, N.C.	Dent
Andrews, Ala.	Burke, Mass.	Derwinski
Annunzio	Burleson	Devine
Aspinall	Burton, Calif.	Dickinson
Ayres	Button	Diggs
Barrett	Byrne, Pa.	Dingell
Battin	Cahill	Dole
Belcher	Carter	Dorn
Berry	Casey	Dow
Betts	Clancy	Dowdy
Bevill	Clark	Downing
Biester	Cleveland	Duncan
Bingham	Cohelan	Dwyer
Blanton	Collier	Edmondson
Blatnik	Colmer	Edwards, Ala.
Boggs	Corbett	Edwards, Calif.
Bolling	Corman	Edwards, La.
Brademas	Cramer	Eilberg
Bray	Culver	Eshleman
	Cunningham	Evans, Colo.
Everett	Kyl	Roberts
Evins, Tenn.	Kyros	Robison
Fallon	Langen	Rogers, Colo.
Farbstein	Latta	Rogers, Fla.
Fascell	Lipscomb	Ronan
Feighan	Long, La.	Rooney, N.Y.
Findley	Long, Md.	Rooney, Pa.
Fino	McCloskey	Rosenthal
Flood	McDade	Rostenkowski
Flynt	McDonald, Mich.	Roth
Foley	McEwen	Roush
Ford, William D.	McFall	Roybal
Fountain	McMillan	Ruppe
Fraser	MacGregor	Ryan
Frelinghuysen	Machen	St Germain
Friedel	Madden	St. Onge
Fulton, Pa.	Mahon	Saylor
Fulton, Tenn.	Mailliard	Schadeberg
Fuqua	Marsh	Scherle
Galifianakis	Mathias, Calif.	Scheuer
Garmatz	Matsunaga	Schneebeli
Gathings	Mayne	Schwengel
Gibbons	Meeds	Selden
Gonzalez	Meskill	Shipley
Goodling	Michel	Shriver
Green, Oreg.	Miller, Ohio	Sikes
Green, Pa.	Mills	Slack
Griffin	Minish	Smith, Iowa
Griffiths	Mink	Smith, N.Y.
Grover	Mize	Snyder
Gude	Monagan	Springer
Hagan	Montgomery	Stafford
Haley	Moore	Staggers
Hamilton	Moorhead	Stanton
Hammer-schmidt	Morgan	Steiger, Ariz.
Hanley	Morris, N. Mex.	Steiger, Wis.
Hanna	Morse, Mass.	Stubblefield
Hardy	Mosher	Sullivan
Harrison	Moss	Taft
Harsha	Murphy, Ill.	Taylor
Harvey	Murphy, N.Y.	Teague, Calif.
Hathaway	Myers	Teague, Tex.
Hawkins	Natcher	Tenzer
Hays	Nedzi	Thompson, Ga.
Hechler, W. Va.	Nichols	Thompson, N.J.
Heckler, Mass.	Nix	Tiernan
Helstoski	O'Hara, Ill.	Tuck
Herlong	O'Hara, Mich.	Tunney
Holifield	O'Konski	Udall
Horton	O'Neal, Ga.	Ullman
Hosmer	O'Neill, Mass.	Van Deerlin
Howard	Ottinger	Vander Jagt
Hull	Passman	Vigorito
Hungate	Patman	Waggonner
Hunt	Patten	Waldie
Hutchinson	Pelly	Walker
Ichord	Perkins	Wampler
Irwin	Pickle	Watkins
Jacobs	Pike	Watson
Jarman	Pirnie	Whalen
Joelson	Poage	Whalley
Johnson, Calif.	Poff	White
Johnson, Pa.	Price, Ill.	Whitten
Jones, Ala.	Price, Tex.	Williams, Pa.
Jones, Mo.	Pryor	Wilson, Charles H.
Jones, N.C.	Pucinski	Winn
Karth	Purcell	Wolff
Kastenmeier	Quie	Wyatt
Kazen	Quillen	Wydler
Kee	Railsback	Wylie
Keith	Randall	Wyman
Kelly	Reid, Ill.	Yates
Kirwan	Reid, N.Y.	Young
Kleppe	Reifel	Zablocki
Kluczynski	Reuss	Zion
Kuykendall	Rhodes, Pa.	Zwach
	Riegle	

NOT VOTING—90

Adams	Donohue	Leggett
Addabbo	Dulski	Lloyd
Ashley	Eckhardt	McCarthy
Ashmore	Esch	McClory
Baring	Fisher	Macdonald, Mass.
Bell	Gallagher	Mathias, Md.
Blackburn	Gardner	Miller, Calif.
Boland	Gettys	Minshall
Bow	Giaimo	Morton
Brasco	Gilbert	Olsen
Brown, Calif.	Gray	Pepper
Broyhill, Va.	Gurney	Pettis
Buchanan	Halpern	Philbin
Burton, Utah	Hansen, Idaho	Podell
Bush	Hansen, Wash.	Rarick
Cabell	Hébert	Rees
Carey	Henderson	Resnick
Celler	Hicks	Rhodes, Ariz.
Clausen, Don H.	Jonas	Rivers
Clawson, Del	Karsten	Rodino
Conte	King, Calif.	Roudebush
Conyers	Kornegay	Sandman
Dawson	Kupferman	Satterfield
	Landrum	Schweiker
	Stephens	Widnall
	Scott	Stratton
	Wiggins	
	Sisk	Stuckey
	Willis	
	Skubitz	Utt
	Wilson, Bob	
	Smith, Calif.	Vanik
	Wright	
	Smith, Okla.	Watts
	Steed	Whitener

So the motion was rejected.

Mr. RHODES of Pennsylvania, Mr. BETTS, Mr. LANGEN, Mr. HUTCHINSON, Mr. CLANCY, Mr. DOLE, and Mr. FINO changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

Title V—(H.R. 2661. For the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Ford.) by Mr. Dowdy.

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. F. Fort, of Beaumont, Texas, to Cora Lee Fort Corbett, of Lake Wales, Florida, and to W. R. Fort, of Palestine, Texas, the sum of $4,000 in full settlement of their claims against the United States for payment for land formerly owned by them and taken by the United States located in the west half of the northeast quarter of section 34, township 39 south, range 42 east, of the Tallahassee meridian, county of Martin, State of Florida, and known as tract numbered 131, Camp Murphy, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

COMMITTEE AMENDMENT

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 5, line 18, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

MOTION OFFERED BY MR. HALL

Mr. HALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HALL moves to strike out all of title V beginning on page 5, line 3, and ending on line 25.

Mr. HALL. Mr. Speaker, this motion would simply strike the title V (H.R. 2261) of the omnibus bill. It is for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort, et al., a bill to bring relief and pay $4,000 to the beneficiaries in full settlement of their claims against the United States for land in Florida taken by the United States in 1942 for a campsite and for other purposes.

The objection to this bill at the time it was passed over on the Private Calendar, Mr. Speaker, was simply that appeal should have been taken in 1944 and was never taken.

Also, there has been ample judicial process. I believe the word is "res judicata," but at any rate, an award was made by the highest courts in the land on

the basis of $1 an acre instead of the contract fee of 50 cents an acre, and no appeal was ever taken.

The Department of Justice is unalterably opposed and has been opposed every time this Private Calendar bill has been before the House on the basis that overturning an award some 19 years later would discriminate against other claimants who are required to litigate their claims in court and abide by the verdict.

The Department of the Army is likewise unalterably opposed because this would cast doubt on the validity and probity of the judicial process.

Mr. Speaker, I know of no reason why these particular people—E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort—could not and should not have taken their appeal in due time. They had adequate reason.

They have had every consideration.

The claimants assert that their father paid $20 an acre for the land in 1919. They have submitted an appraisal for $200 an acre in 1927. Every other appraiser was told that the average value of the land in 1940 and 1942 was $50 an acre, and the market was then the lowest in many years.

They returned the payment check and offered to allow the Government free use of the land.

Then they offered as an alternative to repurchase it after the war. For legal reasons this offer was rejected, and they took no further action after consulting an attorney in Texas, where I believe they now live.

They hoped they would be able to repurchase the property after the war. When the property eventually was declared surplus by GSA, in accordance with our established procedures, the offer to repurchase was rejected. The Fort family learned the State of Florida had priority rights, which it exercised in order to acquire the land. I am sure we all understand that.

The Department of the Army has an adverse report, because this was just a part-time Camp Murphy as an Army Signal Corps Technical School during World War II.

The Government leased another 3,350 acres of land next to this, and the land was owned by William and Letitia Fort, some of whom are now deceased; and the Government filed a separate declaration of taking in condemnation proceedings in the Federal district court.

As much as I think the land acquisition law needs to be improved, I do not think that we want to act hastily. Indeed, the Committee on Public Works is now holding hearings on new land acquisition laws.

Second, we passed a bill yesterday, from the Committee on Government Operations, title V of which deals with land acquisition, albeit largely limited to urban areas.

An offer of $64,000 for this property was reportedly rejected at one time.

The land was valued for agricultural purposes at $150 an acre.

The differential and disagreement here is in the amount, neglect, and due process. The latter has certainly been had.

When the verdict was awarded there was adequate time for due process. They received a check for $82.75, and it was returned with the offer to permit the Government to use the land without charge.

I say there is no substance in this claim and that my proposal to strike this title should be supported.

Mr. HUNGATE. Mr. Speaker, I rise in opposition to the motion.

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

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

Mr. DOWDY. I thank the gentleman for yielding.

I wish to say that I served for a good while on the Claims Subcommittee of the Judiciary Committee, and it has a difficult job in deciding the equities in these bills.

The Forts, the people for whom I introduced this bill, are aged. They are around 80 years old now. They are not learned in the law. They are not learned in the ways of government. I would say probably their biggest fault was that they trusted their Government and did not think it would cheat them.

They came to me. I do not know exactly when. It was after I was elected to Congress. They presented their problem of the 80 acres their father had bought in 1919 before land became so valuable in Florida, and paid $20 an acre for. Their father always told them to keep the land, that it would be of great value.

As my esteemed colleague, the gentleman from Missouri [Mr. HALL] has recited, they were made offers for their land. In 1942 or about then the Government decided it wanted some land down in Florida and filed a sort of class action to condemn a tremendous acreage of land.

These people were not advised of it. As I said, they were not learned and did not know what the Government was doing to them. Later on the condemnation suit was tried, apparently without the Forts having notice, or knowing anything about it, and got a check for $82 in full payment for their land. They returned the check, as has been cited, and offered the Government the land to use for as long as it was wanted in this camp here. It could be returned to them after the Government was through with it and the war was over. This was apparently turned down. But these people, as I said, were not learned. They trusted their Government; they were led to believe that after the war was over they could buy the land back for $1 an acre, which was all they were offered for it. However, this was denied them; when the land was not used by the Federal Government, it was transferred to the State of Florida.

When Mr. Fort talked to me about it I worked on his claim for several years with the departments trying in every administrative way I could to get some action on this. He felt that the land was worth $500 an acre, and I understand that if it were in private hands today, it would probably bring $1,000 or $2,000 an acre. However, I told him I was going to get in touch with some real estate people in Florida to find out just how much that land was worth in 1942. In talking to one of my then colleagues from Florida I was advised the name of a real estate dealer there who told me that these 80 acres were worth $50 an acre at that time, in 1942. He knew where the land was. However, that was the lowest price for land in that area since the time that the old man, the father of these people who are now old themselves, bought it for $20 an acre.

After that I introduced this bill. This calls for $4,000 to be paid for the land, which is what it was worth back in 1942. These people have not received one penny yet. They are old and if they do not get something pretty soon, they will not get anything, because they will be dead. They feel they have been cheated. However, they trust and love their Government. I cannot conceive of this House turning down this equitable claim of these old people, and I would certainly appreciate your voting down the motion to strike this title from the bill. The Forts were misled, by the representation they could rebuy the land, and are entitled to this small relief.

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

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

Mr. HALL. I appreciate the gentleman yielding to me and I appreciate the pathos with which the gentleman from Texas has spoken. I just wonder, though, if it is not true, as reported by the Attorney General under date of July 22, that the value of tract 131, which is the land in question here, was considered by a jury of local peers and equivalents and a decision rendered. Had the claimants been dissatisfied with the jury's award, then an avenue of appeal was open. Also, in view of the foregoing, the Department of Justice as well as the Department of the Army have recommended against the enactment of this bill. Do we want to here by "a stroke of the pen" and by legislative action do away with these recommendations? Of course, it is our function, but it is also our function to object over this expenditure of taxpayers moneys.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. HALL].

The question was taken; and on a division (demanded by Mr. HALL) there were—ayes 21, noes 58.

So the motion was rejected.

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will read.

The Clerk read as follows:

Title VI—(H.R. 3715. For the relief of Charles J. Arnold.) By Mr. Mathias of Maryland

That Charles J. Arnold of Washington, District of Columbia, is relieved of liability to the United States in the amount of $212.08, representing his liability of the certification of payment by him (in his capacity as certifying officer of the Civil War Centennial Commission) of disbursement vouchers numbered 76CW–135 and 76CW–136, January 1962, for the purchase of greeting cards for such Commission. The Comptroller General is authorized and directed to credit the accounts of said Charles J. Arnold, as certifying officer, with the sum of $212.08.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out any

money in the Treasury not otherwise appropriated, to Charles J. Arnold an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

COMMITTEE AMENDMENT

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 6, line 23, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

MOTION OFFERED BY MR. TALCOTT

Mr. TALCOTT. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TALCOTT moves to strike out all of Title VI including lines 1 through 4 on page 7.

Mr. TALCOTT. Mr. Speaker, the amount of money involved in this particular case is very small but the principle is very great.

The situation is that the claimant, a resident of Washington, D.C., is seeking relief from liability to the U.S. Government in the sum of only $212. The bill is based upon his certification of two disbursement vouchers in 1962 for the purchase of Christmas greeting cards for the Civil War Centennial Commission.

Mr. Speaker, the Comptroller General in his report states that the General Accounting Office would not object to relief in this case.

Mr. Arnold, as the certifying officer of the Civil War Centennial Commission, was held responsible for these payments, and in the absence of legislative relief would be required to pay this amount to the United States. He made an appeal and his exception was sustained. The General Accounting Office held that the certifying officer is fully bonded against errors of this type. However, he is not bonded against errors of judgment in his capacity as certifying officer of the Civil War Centennial Commission.

Under the law the certifying officer is held responsible for the legality of payments and is held accountable and required to make good to the U.S. Government the amount certified that was prohibited by law. This amount of payment was prohibited by law. The General Accounting Office took this action because it held that the cost of Christmas cards is considered to be a personal expense and not chargeable against public moneys. As the certifying officer of the Civil War Centennial Commission, Mr. Arnold was held responsible for these payments and in the absence of legislative relief would be required to pay this amount to the United States. As is noted in the Comptroller General's report, there is no present statutory authority for relieving Mr. Arnold under these particular circumstances; however, the report of that Office indicates that its investigation discloses that Mr. Arnold was in no way personally benefited by the expenditure. The sponsor of this legislation has advised the committee concerning the circumstances which further point out the authority that in his regular Government position, Mr. Arnold is a certifying officer and is fully bonded against errors of this type. However, he is not bonded against errors of judgment in his capacity as a certifying officer of the Civil War Centennial Commission.

Mr. Speaker, the issue is very simple and plain. Does the Congress of the United States want to reimburse people who send out Christmas cards under the guise of the functions of a public commission? It never has been the purpose of the Government to send out Christmas cards and if this is permitted to be done now it will open up the field of the various agencies and commissions sending out Easter cards and other kinds of personal greeting cards.

Mr. Speaker, in my opinion this bill should be defeated and I suggest that the motion be sustained.

Mr. MESKILL. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I would like to call to the attention of the Members of the House the fact that the Civil War Centennial Commission in its report recommends enactment of this bill. The Comptroller General has no objection to the passage of this bill.

Mr. Speaker, when we are talking about Christmas cards, we are not talking about personal Christmas cards, but cards purchased for the Civil War Centennial Commission.

Mr. Speaker there is stated in the report the fact that Mr. Arnold was in no way personally benefited, and while the General Accounting Office cannot grant relief, it states that while Mr. Arnold is bonded, he is not bonded against errors of judgment in his capacity as a certifying officer of the Civil War Centennial Commission. At the time the vouchers in question were certified, both Mr. Arnold and the Executive Director of the Commission believed that the activity fell within the authorized activity of the Commission.

Mr. Speaker, we are talking about $212.08. I think that this bill should be passed. It received the unanimous approval of the Subcommittee on Claims, and of the entire House Committee on the Judiciary.

Mr. Speaker, I ask that the motion be defeated.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. Mr. Speaker, the thing that is disturbing about this bill, as the gentleman from California [Mr. TALCOTT] has pointed out, is not that there is much money involved, but where will this sort of thing end? What is to stop some certifying officer in the Department of Health, Education, and Welfare at some future time from approving the sending out of Christmas cards all over the country on the part of that Department? So then somebody tells him "Well, you did wrong, old buddy."

But he then has a precedent over here in the House that indicates he can be relieved, that people in his position have been relieved of their obligation under this type of thing.

Mr. Speaker, I believe is is essential that the House go on record today on this type of case to make it clear that where things such as Christmas cards are mailed out without authorization, then the person who certifies such an expense is not going to be let off the hook.

Mr. TALCOTT. Will the gentleman yield?

Mr. MESKILL. Before I yield, I would like to respond to the gentleman from Alabama by saying that there was nothing in the hearing or in the evidence to indicate that this had been called to anyone's attention previously. I certainly believe that with this incident, and the one in the title to follow, that any certifying officer will be aware of the fact that vouchers for this type of activity will not be approved, but that he is not bonded against error in judgment in this area, and that he would be aware of the situation and that he would not make the same mistake.

Again, I do not believe this sets a precedent or opens any door.

I now yield to the gentleman from California.

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

It was suggested that the Comptroller General had no objections. Of course, they may have no objection to what the Congress does by this procedure, but they are opposed to a certifying officer being excused from his liability under the law.

Mr. MESKILL. I respond to the gentleman by saying they are not opposed to the enactment of this legislation, but under the existing law they could not approve the vouchers.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. TALCOTT].

The question was taken; and the Speaker pro tempore being in doubt, the House divided, and there were—ayes 36, noes 34.

Mr. MESKILL. Mr. Speaker, I demand tellers.

Tellers were refused.

So the motion was agreed to.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

Title VII—(H.R. 3716. For the relief of Edward G. Beagle, Junior.) By Mr. Mathias of Maryland.

That Edward G. Beagle, Junior, of Silver Spring, Maryland, is relieved of liability to the United States in the amount of $337.67, representing his liability for the certification of payment by him (in his capacity as certifying officer of the Civil War Centennial Commission) of disbursement vouchers numbered 76CW-165, January 1960; 76CW-197, February 1960; and 76CW-197, January 1961; for purchases of greeting cards for such Commission. The Comptroller General

is authorized and directed to credit the accounts of said Edward G. Beagle, Junior, as certifying officer, with the sum of $337.67.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward G. Beagle, Junior, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

COMMITTEE AMENDMENT

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 8, line 2, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

MOTION OFFERED BY MR. TALCOTT

Mr. TALCOTT. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TALCOTT moves to strike all of title VII, including line 1 through line 9 on page 8.

Mr. TALCOTT. Mr. Speaker, this is almost the exact situation of the previous case.

This claimant is seeking relief from liability for the payment of $337.67 based upon his certification for payment of three disbursement vouchers for the purchase of Christmas greeting cards for the Civil War Centennial Commission.

Mr. Speaker, this second case demonstrates that if we do not stop this sort of thing, one certifying officer after another certifying officer will certify these unlawful expenditures without liability.

It is clear, I think, that we should treat this case exactly the same as we treated the previous case, it would be inequitable not to do so.

For that reason, Mr. Speaker, I yield back the balance of my time and suggest an "aye" vote.

Mr. MESKILL. Mr. Speaker, I rise in opposition to the motion.

This is identical to the prior case or the prior title, Mr. Speaker, with the exception that this covers 2 years' vouchers for the years 1960 and 1961 and the other matter for the year 1962.

I would like to point out that the fact that these are prior years should indicate that the persons involved did not know or had no reasonable way of knowing that the activity in which they were engaging was not lawfully covered and that the expenditure was not one for which vouchers would be honored.

Mr. Speaker, I can add nothing more to my statement other than what I said on the previous matter.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. TALCOTT].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

Title VIII—(H.R. 4936. For the relief of Mr. and Mrs. John F. Fuentes.) By Mr. Burton of California.

That, notwithstanding any period of limitations or lapse of time, claim for the credit or refund of any overpayment of income taxes for the taxable year 1959 and 1960 made by Mr. and Mrs. John F. Fuentes, of San Francisco, California, to the extent that such overpayment resulted from the fact that Mr. Fuentes did not prepare his income tax returns for those taxable years on the basis of his being sixty-five years of age, may be filed at any time within one year after the date of enactment of this Act. The provisions of section 6511 and 6514 of the Internal Revenue Code of 1954 shall not apply to the credit or refund of any overpayment of tax with respect to which a claim is filed pursuant to this Act within such one-year period.

MOTION OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GROSS moves to strike title VIII of the bill H.R. 16187, including all of lines 10 through 24 on page 8.

Mr. GROSS. Mr. Speaker, I can be very brief about this bill.

According to the Treasury Department, Mr. and Mrs. Fuentes filed joint income tax returns for the years 1959 and 1960. Neither return claimed an additional exemption on the basis of Mr Fuentes' being over 65. It was not until November 20, 1965, after the period for filing claims for a refund had expired that Mr. and Mrs. Fuentes filed an amended return claiming an additional exemption of $600 on the basis of Mr. Fuentes' being over 65 during the taxable years 1959 and 1960.

Evidently the Fuentes, who are natives of Puerto Rico, went to Puerto Rico after they ran into this complication and from some source dug up a baptismal certificate dated May 2, 1894, which apparently would have made Fuentes eligible for the exemption on the basis of age 65.

The statement of the Treasury Department says in part:

The Internal Revenue Code provides that claims for credit or refund must be filed within 3 years from the time the return was filed or 2 years from the time the tax was paid, whichever is later. In this case the time for filing refund claims for the 2 years involved, 1959 and 1960, expired in April of 1963 and 1964, respectively. Accordingly, the claims filed on November 20, 1965, were denied.

The statute of limitations, which Congress has incorporated in our revenue system as a matter of sound legislative policy, not only bars taxpayers from obtaining refunds after a specified period has elapsed but also prevents the Government from assessing additional taxes. Any claim for a refund on account of an overpayment of tax, including the right to an additional exemption sought by Mr. Fuentes here, requires a comprehensive examination, not only of that specific claim, but also all the other items on the tax returns involved in order to determine whether there has in fact been an overpayment. This in turn may require an investigation of subsidiary issues at a point in time when supporting records may have been lost or destroyed and witnesses are no longer available. For these and other reasons, the statute of limitations is needed to prevent stale claims and thus achieve the finality that is essential to the administration of the revenue laws.

Mr. Speaker, I ask that the motion to strike this bill from the omnibus bill be supported.

Mr. BURTON of California. Mr. Speaker, the gentleman from Iowa has stated all the essential facts. However, I am speaking in opposition to the gentleman's motion because Mr. Fuentes did not know until after the statute of limitations had run that he had reached the age of 65.

Mr. Fuentes' parents died when he was at an early age. He lived temporarily with his half-sister and then lived in an orphanage. He did not have the documentary evidence necessary to receive for 2 taxable years the $600 exemption for being over the age of 65.

Recognizing that Mr. Fuentes could not, under the law, have claimed the exemption to which he was entitled, this equitable relief, so to speak, in my opinion is justified. In the opinion of the Committee on the Judiciary it is justified because Mr. Fuentes, until after the statute had run, was unaware of, and therefore unable to obtain documentary proof that he was entitled to the over 65 years of age $600 a year exemption for 2 taxable years. In light of that I think it only proper that this very modest claim should be approved by the House.

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

Mr. BURTON of California. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Fuentes was a citizen of the United States and had resided in this country since 1913; is that not correct?

Mr. BURTON of California. That is my understanding.

Mr. Speaker, I urge a "No" vote on the motion.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 34, noes 51.

Mr. GROSS. 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 pro tempore. 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 139, nays 212, not voting 80, as follows:

[Roll No. 334]

YEAS—139

Abernethy	Bevill	Byrnes, Wis.
Andrews, Ala.	Blackburn	Cahill
Andrews, N. Dak.	Bolton	Carter
	Bow	Cederberg
Arends	Bray	Chamberlain
Ashbrook	Brinkley	Clancy
Baring	Brotzman	Cleveland
Bates	Brown, Mich.	Collins
Battin	Brown, Ohio	Colmer
Belcher	Broyhill, N.C.	Conable
Bennett	Broyhill, Va.	Corbett
Berry	Burke, Fla.	Cowger
Betts	Burton, Utah	Cramer

Curtis	Jones, N.C.	Railsback
Davis, Wis.	Keith	Randall
Denney	King, N.Y.	Reid, Ill.
Derwinski	Kleppe	Reinecke
Devine	Kuykendall	Roush
Dickinson	Kyl	Rumsfeld
Dole	Laird	Saylor
Edwards, Ala.	Langen	Schadeberg
Erlenborn	Latta	Scherle
Esch	Lipscomb	Schneebeli
Eshleman	Lukens	Schwengel
Fallon	McCloskey	Scott
Findley	McDade	Shriver
Flynt	McDonald, Mich.	Skubitz
Ford, Gerald R.	McMillan	Smith, Calif.
Fountain	MacGregor	Snyder
Frelinghuysen	Machen	Stafford
Goodling	Martin	Stanton
Gross	Mayne	Steiger, Ariz.
Grover	Michel	Steiger, Wis.
Gubser	Miller, Ohio	Taft
Haley	Mills	Teague, Calif.
Hall	Minshall	Thomson, Wis.
Halleck	Mize	Tuck
Hammer-schmidt	Moorhead	Vigorito
Harrison	Mosher	Wampler
Harsha	Myers	Watkins
Harvey	Natcher	Whalley
Hull	Nelsen	Whitten
Hunt	Pike	Williams, Pa.
Hutchinson	Pirnie	Wylie
Ichord	Poff	Wyman
Johnson, Pa.	Price, Tex.	Zwach
Jones, Mo.	Quie	

NAYS—212

Abbitt	Gonzalez	O'Neill, Mass.
Adair	Green, Oreg.	Ottinger
Addabbo	Green, Pa	Passman
Albert	Griffin	Patten
Anderson, Ill.	Griffiths	Pelly
Annunzio	Gude	Perkins
Aspinall	Hagan	Pickle
Ayres	Halpern	Poage
Barrett	Hamilton	Pollock
Biester	Hanley	Price, Ill.
Bingham	Hanna	Pryor
Blanton	Hansen, Wash.	Pucinski
Blatnik	Hardy	Purcell
Boggs	Hathaway	Quillen
Bolling	Hawkins	Reid, N.Y.
Brademas	Hays	Reifel
Brooks	Hechler, W. Va.	Reuss
Burke, Mass.	Heckler, Mass.	Rhodes, Pa.
Burleson	Helstoski	Riegle
Burton, Calif.	Holifield	Roberts
Button	Horton	Robison
Byrne, Pa.	Howard	Rodino
Casey	Hungate	Rogers, Colo.
Celler	Irwin	Rogers, Fla.
Clark	Jacobs	Ronan
Cohelan	Jarman	Rooney, N.Y.
Collier	Joelson	Rooney, Pa.
Corman	Johnson, Calif.	Rosenthal
Culver	Karth	Rostenkowski
Cunningham	Kastenmeier	Roth
Daddario	Kazen	Roybal
Daniels	Kee	Ruppe
Davis, Ga.	Kelly	Ryan
de la Garza	Kirwan	St Germain
Delaney	Kluczynski	St. Onge
Dellenback	Kornegay	Sandman
Dent	Kyros	Scheuer
Diggs	Lennon	Schweiker
Dingell	Long, Md.	Selden
Dorn	McClory	Shipley
Dow	McCulloch	Sikes
Dowdy	McEwen	Slack
Downing	McFall	Smith, Iowa
Duncan	Madden	Smith, N.Y.
Dwyer	Mahon	Springer
Edmondson	Mailliard	Staggers
Edwards, Calif.	Marsh	Stubblefield
Edwards, La.	Mathias, Calif.	Sullivan
Eilberg	Mathias, Md.	Taylor
Evans, Colo.	Matsunaga	Teague, Tex.
Everett	May	Tenzer
Farbstein	Meeds	Thompson, Ga.
Fascell	Meskill	Thompson, N.J.
Feighan	Minish	Tiernan
Flood	Mink	Tunney
Foley	Monagan	Udall
Ford, William D.	Montgomery	Ullman
	Morgan	Van Deerlin
Fraser	Morris, N. Mex.	Vander Jagt
Friedel	Morse, Mass.	Waggonner
Fulton, Pa.	Moss	Waldie
Fuqua	Murphy, Ill.	Walker
Galifianakis	Murphy, N.Y.	Watson
Gallagher	Nichols	Whalen
Garmatz	Nix	White
Gathings	O'Hara, Ill.	Willis
Giaimo	O'Hara, Mich.	Wilson, Charles H.
Gibbons	O'Konski	Winn
Gilbert	O'Neal, Ga.	Wolff
Wyatt	Yates	Zion
Wydler	Young	
	Zablocki	

NOT VOTING—80

Adams	Gardner	Patman
Anderson, Tenn.	Gettys	Pepper
	Gray	Pettis
Ashley	Gurney	Philbin
Ashmore	Hansen, Idaho	Podell
Bell	Hébert	Rarick
Boland	Henderson	Rees
Brasco	Herlong	Resnick
Brock	Hicks	Rhodes, Ariz.
Broomfield	Hosmer	Rivers
Brown, Calif.	Jonas	Roudebush
Buchanan	Jones, Ala.	Satterfield
Bush	Karsten	Sisk
Cabell	King, Calif.	Smith, Okla.
Carey	Kupferman	Steed
Clausen, Don H.	Landrum	Stephens
	Leggett	Stratton
Clawson, Del	Lloyd	Stuckey
Conte	Long, La.	Talcott
Conyers	McCarthy	Utt
Dawson	McClure	Vanik
Donohue	Macdonald, Mass.	Watts
Dulski		Whitener
Eckhardt	Miller, Calif.	Widnall
Evins, Tenn.	Moore	Wiggins
Fino	Morton	Wilson, Bob
Fisher	Nedzi	Wright
Fulton, Tenn.	Olsen	

So the motion was rejected.

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

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

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

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Title IX—(H.R. 4949. For the relief of Puget Sound Plywood, Incorporated, of Tacoma, Washington.) By Mr. Hicks. That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Puget Sound Plywood, Incorporated, of Tacoma, Washington, the sum of $44,016.62, in full satisfaction of all claims of the said Puget Sound Plywood, Incorporated, against the United States for compensation for losses incurred in connection with the performance of a timber sale contract (dated January 27, 1959, numbered 12–11–036; 37850) between the said Puget Sound Plywood, Incorporated, and the Forest Service, Department of Agriculture, the said Puget Sound Plywood, Incorporated, having failed, under the road cost amortization rates provided in the contract, to recover a substantial portion of the estimated road construction costs specified: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

COMMITTEE AMENDMENT

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 9, line 7, strike "$44,016.62" and insert "$9,593.72".

The committee amendment was agreed to.

MOTION OFFERED BY MR. HALL

Mr. HALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HALL moves to strike out all of title IX beginning on page 9, line 1.

Mr. HALL. Mr. Speaker, I personally regret the frequency of the rollcalls and the laborious process that we are going through title by title of this so-called omnibus bill. I would like to remind the Members that there is a deeper issue involved here, and that is the question of whether or not we will have, on each side of the aisle, our system of a committee of objectors which points up the right of every individual elected legislator to avoid action "without objection," or by unanimous consent. We do this under the rules of the House in order to expedite the business of the House of 434 Members. We should remember that if the objectors in fact do their homework and study the bill, as many are wont to do, whether they be individual Members or members of the appointed committee on organization day of each Congress; under the principles involved, and with the criteria that are all agreed to simultaneously, that we should not take an "end run" around such objectors.

Mr. Speaker, this particular title of this bill was originally H.R. 4949. It is known as the Puget Sound plywood bill. It would have originally paid the claimants around $93,000. That has been successively reduced to $44,000 and is now in this bill that we are considering in the sum of $9,593.72.

Mr. Speaker, I doubt very much if there has ever been a bill based on a claim of a "cooperative" wood production and plywood company—of Tacoma, Wash.—which has been as unanimously discussed and as long argued, and in which there has been as much time of the National Legislature spent.

I personally have received not only their Representative in Congress, the gentleman from Washington [Mr. HICKS], but have through the years talked to the gentlemen themselves, and corresponded with the president of the Puget Sound Plywood Corp., their attorneys, and there has been extensive correspondence, all of which I have before me. There have been representations from the other body, and it has been considered and taken off the calendar, yet it is back here today.

Essentially, the thing we must decide today is the admitted fact that the Puget Sound Plywood Corp. had its day in court. It has had full appeals to the Secretary of Agriculture. The Agriculture Department has sustained the findings. The corporation did not choose to pursue this through the Federal judiciary.

Furthermore, they quit their logging operation before section 5 had been logged off, which they admitted was the section which would have produced for them the greatest return in the logging operation.

In the beginning this corporation knew that it was dealing with the Government and knew the character of such logging contracts before they made their bid, but they did not send their own cruisers through the different sections of the timber to make estimates before they signed the bid or before they agreed to the contract. The Department of Agriculture prospectus clearly said in soliciting bids, that there was no guarantee of estimates.

Furthermore, there was a question of—

perhaps in retrospect—poor business ability when they subcontracted in a matter greater than was their income to the road contractors for the forestry trucks.

One wonders why their own counsel says they have no basis for claims and determined that they should not proceed along the legal route, yet they turn to the taxpayers' till for claimed relief.

Furthermore, one wonders if, as one of their own counsel stated, there is need for debate, why this particular bill has again and again been brought up on the Private Calendar, where no amendments are in order, where no debate can be had, and we simply put it over without objection; or, with the two objections, we sent it back to the handling committee, only to have it come out as an omnibus bill, like this.

I think the basis for the claim, as witness the frequent reductions, has been a question of saving face. I think the reduction of the claim indicates there is some question of the validity. The lack of cruising and the lack of sawing off the lumber on section 5, and certainly the lack of appeal, makes this a case that should not be handled in this manner.

I strongly urge we vote aye in favor of the motion to strike title IX from the omnibus bill.

Mr. HUNGATE. Mr. Speaker, I rise in opposition to the motion.

Mr. Speaker, insofar as the procedure employed here is concerned, I would suggest and urge to the House that it is fully as hallowed and as time revered as Calendar Wednesday, and that it is provided for in the rules of the House.

Perhaps the official objectors are not provided for in the rules of the House, although they serve a very useful function and a very worthwhile one. I think we all agree it is a necessary part of the work of the House.

The procedure now being followed is not anything except what is called for in the rules concerning the Private Calendar. The relevant portions of the rules are printed with the Private Calendar each time.

Mr. Speaker, I yield now to the gentleman from Washington [Mr. MEEDS] to explain this further.

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

Mr. Speaker, I certainly agree with the gentleman from Missouri that we ought to proceed with the type system we have, although I hope this system does not impede justice and become more form than substance.

The substance of this private bill is this. The claimant's bid was based upon an error in the Forest Service's own cruise, a very substantial error. It was bid upon the basis of 19 million board feet, 13 million of which the Forest Service said was Douglas-fir, which is substantially more costly on a board foot basis than is hemlock, and on 6 million board feet of hemlock.

The recovery cost to the claimant in this instance of the road costs are based upon the estimated cut. Therefore, the error which was originally made by the Forest Service became the error upon which the claimant here is basing his claim for road costs.

That error resulted in a loss to the claimant of $75,000.

Now, admittedly, 2 years later, upon a rate redetermination, which is provided for in the contract, the Forest Service began to recognize its error, yet it failed to recognize and failed to make provision for correcting it, even though the claimant at that time objected to the basis of its procedure.

At that time the amount of $9,593.72 would have been recoverable by the claimant, which the Forest Service itself agrees is just and equitable, and which the Forest Service agrees should be paid to the claimant.

This bill has been revised and has been amended and now seeks that exact amount. Everyone is agreed that the claimant should receive this amount of money. I see no reason why we should not approve it.

The gentleman from Missouri says that this comes in as a private bill. How else would it come in? It has to come in on the Private Calendar. There is opportunity for amendment. The gentleman has just moved to strike the entire section, and to take from the claimant what I think elemental justice certainly indicates he is entitled to.

The gentleman from Missouri says he should go ahead and log section 5. I do not know what the gentleman knows about logging, but I know that all that would happen, if he went ahead and logged section 5, is he would increase his loss. It would increase in direct proportion to the loss that has occurred at this time.

Mr. HALL. Mr. Speaker, will the gentleman yield on that point?

Mr. MEEDS. I yield on that point.

Mr. HALL. I merely want to say the report the committee has written and the statement by the corporate counsel is directed to the contrary, that the profitable part was in section 5, whether it was hemlock or fir.

Mr. MEEDS. Would the gentleman proceed on this type of contract where the error has been as manifest as it is and increase that error? I do not believe the gentleman can answer that question.

Mr. HALL. If the gentleman will yield, I will answer yes, had I executed the contract, failed in a business estimate and been so advised by my counsel.

Mr. MEEDS. I would say to the House that the justice of this case demands we give to the claimant what he is asking. Everyone involved in this agrees he is entitled to $9,593.72.

I might point out that the other body brought in a bill which would allow $44,000. They seem to believe the equities would give him that much. All we are asking is what everyone agrees is a minimal amount to which the claimant is entitled.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. HALL].

The question was taken; and on a division (demand by Mr. HALL) there were—ayes 31, noes 50.

Mr. HALL. 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 pro tempore. 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 115, nays 236, not voting 80, as follows:

[Roll No. 335]

YEAS—115

Abbitt	Duncan	Nelsen
Adair	Edwards, Ala.	O'Konski
Andrews, Ala.	Flynt	O'Neal, Ga.
Andrews, N. Dak.	Goodling	Pirnie
Ashbrook	Gray	Price, Tex.
Baring	Gross	Quillen
Bates	Grover	Randall
Battin	Gubser	Reid, Ill.
Belcher	Hagan	Rogers, Fla.
Bennett	Haley	Rumsfeld
Berry	Hall	Saylor
Betts	Harvey	Schadeberg
Bevill	Heckler, Mass.	Scherle
Blackburn	Hull	Schneebeli
Bolton	Hunt	Scott
Bow	Hutchinson	Selden
Bray	Ichord	Shriver
Brock	Jones, Mo.	Skubitz
Brown, Mich.	Jones, N.C.	Snyder
Brown, Ohio	King, N.Y.	Stafford
Broyhill, N.C.	Kleppe	Steiger, Ariz.
Burke, Fla.	Kornegay	Steiger, Wis.
Burton, Utah	Kuykendall	Stuckey
Carter	Kyl	Talcott
Cederberg	Laird	Taylor
Chamberlain	Latta	Thomson, Wis.
Clancy	Lennon	Tuck
Cleveland	Lukens	Vander Jagt
Collier	McCulloch	Wampler
Collins	McDade	Watson
Cowger	McDonald, Mich.	Whalley
Cramer	McMillan	Whitten
Curtis	MacGregor	Williams, Pa.
Denney	Martin	Winn
Derwinski	May	Wydler
Devine	Miller, Ohio	Wylie
Dickinson	Minshall	Wyman
Dole	Myers	Zion
		Zwach

NAYS—236

Abernethy	Downing	Hays
Addabbo	Dulski	Hechler, W. Va.
Albert	Dwyer	Helstoski
Anderson, Ill.	Edmondson	Herlong
Annunzio	Edwards, Calif.	Holifield
Arends	Eilberg	Horton
Aspinall	Erlenborn	Howard
Ayres	Esch	Hungate
Barrett	Eshleman	Irwin
Biester	Evans, Colo.	Jacobs
Bingham	Everett	Jarman
Blanton	Evins, Tenn.	Joelson
Blatnik	Fallon	Johnson, Calif.
Boggs	Farbstein	Johnson, Pa.
Bolling	Fascell	Jones, Ala.
Brademas	Findley	Kastenmeier
Brinkley	Flood	Kazen
Brooks	Foley	Kee
Broomfield	Ford, Gerald R.	Keith
Brotzman	Ford, William D.	Kelly
Broyhill, Va.	Fountain	Kirwan
Burke, Mass.	Fraser	Kluczynski
Burleson	Frelinghuysen	Kyros
Burton, Calif.	Friedel	Langen
Button	Fulton, Pa.	Lipscomb
Byrne, Pa.	Fuqua	Long, La.
Byrnes, Wis.	Galifianakis	Long, Md.
Cahill	Gallagher	McClory
Casey	Garmatz	McCloskey
Celler	Gathings	McEwen
Clark	Giaimo	McFall
Cohelan	Gibbons	Machen
Colmer	Gilbert	Madden
Conable	Gonzalez	Mahon
Corbett	Green, Oreg.	Mailliard
Corman	Green, Pa.	Marsh
Culver	Griffin	Mathias, Calif.
Cunningham	Gude	Mathias, Md.
Daddario	Halleck	Matsunaga
Daniels	Hamilton	Mayne
Davis, Ga.	Hammer-schmidt	Meeds
de la Garza	Hanley	Meskill
Delaney	Hanna	Michel
Dellenback	Hansen, Wash.	Mills
Dent	Harrison	Minish
Diggs	Harsha	Mink
Dingell	Hathaway	Mize
Dorn	Hawkins	Monagan
Dow		Montgomery
Dowdy		Moorhead

Morgan	Reid, N.Y.	Smith, N.Y.
Morris, N. Mex.	Reifel	Springer
Morse, Mass.	Reinecke	Staggers
Mosher	Reuss	Stanton
Moss	Rhodes, Pa.	Steed
Murphy, Ill.	Riegle	Stubblefield
Murphy, N.Y.	Roberts	Taft
Natcher	Robison	Teague, Calif.
Nedzi	Rodino	Tenzer
Nichols	Rogers, Colo.	Thompson, Ga.
Nix	Ronan	Thompson, N.J.
O'Hara, Ill.	Rooney, N.Y.	Tiernan
O'Hara, Mich.	Rooney, Pa.	Tunney
O'Neill, Mass.	Rosenthal	Udall
Ottinger	Rostenkowski	Van Deerlin
Passman	Roth	Vigorito
Patman	Roush	Waggonner
Patten	Roybal	Waldie
Pelly	Ruppe	Walker
Perkins	Ryan	Watkins
Pickle	St Germain	Whalen
Pike	St. Onge	White
Poage	Sandman	Wilson, Charles H.
Poff	Scheuer	Wolff
Price, Ill.	Schwengel	Wyatt
Pryor	Shipley	Yates
Pucinski	Sikes	Young
Purcell	Slack	Zablocki
Quie	Smith, Calif.	
Railsback	Smith, Iowa	

NOT VOTING—80

Adams	Gettys	Philbin
Anderson, Tenn.	Griffiths	Podell
Ashley	Gurney	Pollock
Ashmore	Halpern	Rarick
Bell	Hansen, Idaho	Rees
Boland	Hardy	Resnick
Brasco	Hébert	Rhodes, Ariz.
Brown, Calif.	Henderson	Rivers
Buchanan	Hicks	Roudebush
Bush	Hosmer	Satterfield
Cabell	Jonas	Schweiker
Carey	Karsten	Sisk
Clausen, Don H.	Karth	Smith, Okla.
Clawson, Del	King, Calif.	Stephens
Conte	Kupferman	Stratton
Conyers	Landrum	Sullivan
Davis, Wis.	Leggett	Teague, Tex.
Dawson	Lloyd	Ullman
Donohue	McCarthy	Utt
Eckhardt	McClure	Vanik
Edwards, La.	Macdonald, Mass.	Watts
Feighan	Miller, Calif.	Whitener
Fino	Moore	Widnall
Fisher	Morton	Wiggins
Fulton, Tenn.	Olsen	Willis
Gardner	Pepper	Wilson, Bob
	Pettis	Wright

So the motion was rejected.

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

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Title X—(H.R. 5970. For the relief of Pedro Irizarry Guido.) By Mr. Polanco-Abreu.

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pedro Irizarry Guido, of San Juan, Puerto Rico, the sum of $3,581.05 in full settlement of all his claims against the United States for additional compensation for overtime and night work during the period of July 10, 1946, to March 24, 1952, as an employee of the Department of the Army, Quartermaster Supply Office, Fort Buchanan, Puerto Rico. No part of the amount appropriated in this Act thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

MOTION OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GROSS moves to strike title X from the bill H.R. 16187, including all of lines 3 through 20 on page 10.

Mr. GROSS. Mr. Speaker, Pedro Irizarry Guido was a night checker for the Quartermaster Corps at Fort Buchanan, P.R. He worked in this job for approximately 6 years, from 1946 to 1952. Three years later, after leaving this job, he submitted a bill, and the original bill was for $24,784.82 for overtime. The Members should understand Mr. Guido was paid a night differential during the time he worked.

Guido began his work in the early evening and was furnished, from midnight until 6:30 in the morning, or approximately that time, with sleeping quarters and food. At 3 a.m. and 6 a.m. he accompanied another employee for the purpose of unlocking two cold storage warehouses. That seemed to be the extent of his labor from midnight, or approximately that, until 6 in the morning.

As I say, the original bill that was introduced carried a price tag of more than $24,000. Apparently the Army, to get rid of this claim, has agreed to pay $3,500, approximately, for overtime, despite the fact that Guido was paid a night differential and his claim to overtime is unsubstantiated.

The General Accounting Office disagrees with this claim.

The Civil Service Commission is opposed to this claim.

The Department of the Army says, in spite of its willingness to settle, that it appears from the records that all overtime reported as work by him during the period covered was duly certified and actually paid for in full, as evidenced by the photostats of individual earning records and records attached.

The Department also says that several of the employees mentioned by Mr. Guido in his correspondence in behalf of his claim were contacted in an effort to secure further information which might be used in the development of his claim. All of the employees interviewed stated that although they were aware of the fact that the claimant was assigned duties as a night-duty checker at the quartermaster supply office during the period covered by the claim they had no knowledge he was ever required to work in excess of his regularly scheduled work week of 40 hours.

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

Mr. GROSS. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Is it not true that, in addition, he was allowed to sleep and was simply a door checker, that his duty consisted of opening two doors during the so-called nightshift? Although it interrupted his sleep, the nature of his duty as described by the Army and found by the Comptroller General, was that he was awakened to do this and then returned to his slumbers.

Mr. GROSS. That is exactly right, and I thank the gentleman for calling this to the attention of the House.

The Civil Service Commission, in recommending against favorable consideration, says that there is no indication that any question about payment was made until 3 years later. By that time official time and attendance records for the period had been routinely destroyed.

Mr. Macy of the Civil Service Commission goes on to say that this type of private relief measure, involving a questionable claim, would establish a most undesirable precedent by, in effect, placing the burden of proof in such cases on the Federal agency rather than on the claimant.

Mr. Speaker, it seems to me that this comes under the general heading of a phony claim, in that this man contended he was owed some $24,784.82, and apparently is now willing to accept—although the records indicate he is entitled to nothing—some $3,500. It seems to me that this is a phony claim.

Mr. Speaker, I ask that the motion to strike this claim be approved.

Mr. SMITH of New York. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER. The gentleman from New York is recognized for 5 minutes.

Mr. SMITH of New York. Mr. Speaker, I yield to the Resident Commissioner from Puerto Rico [Mr. POLANCO-ABREU].

Mr. POLANCO-ABREU. Mr. Speaker, this is very simple legislation. The purpose of the proposed legislation is to pay Pedro Irizarry Guido $3,581.05 in full settlement of his claims for additional compensation for overtime and nightwork from July 10, 1946 to March 24, 1952.

Honestly, I believe the arguments used by our distinguished friend, the gentleman from Iowa [Mr. GROSS], are arguments in favor of approving this legislation.

The Army specifically acknowledged that Mr. Guido worked not less than 1½ hours every night at periods of time which prevented uninterrupted sleep. Mr. Guido performed all the duties through this period in a faithful and commendable manner, and available records suggest no compensation for this particular duty.

In this legislation I am not asking for privileges. I am asking for justice. This is a Puerto Rican working for the Federal Government and doing his duty in a faithful and commendable manner. Based upon the number of work days in each pay period less estimated period of leave, the Department of the Army determined that an award of $3,500 representing overtime and night differential pay would be justified to compensate Mr. Guido for the time spent in performing his additional duties. In any event, Mr. Speaker, I think this is the time to do justice to a simple, honest citizen of the United States.

I respectfully ask that this bill be approved and the motion of my distinguished friend, the gentleman from Iowa [Mr. GROSS], be dismissed.

The SPEAKER. The question is on the motion offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 24, noes 46.

Mr. ASHBROOK. 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 door, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 132, nays 211, not voting 88, as follows:

[Roll No. 336]

YEAS—132

Abbitt	Fuqua	O'Konski
Abernethy	Goodling	O'Neal, Ga.
Adair	Gross	Pirnie
Anderson, Ill.	Gubser	Poage
Arends	Hagan	Poff
Ashbrook	Haley	Price, Tex.
Baring	Hall	Purcell
Battin	Hammer-schmidt	Quie
Belcher	Hardy	Quillen
Bennett	Harrison	Randall
Betts	Harsha	Reid, Ill.
Bevill	Harvey	Reinecke
Blackburn	Hull	Roberts
Bolton	Hutchinson	Rumsfeld
Bow	Ichord	Schadeberg
Bray	Jones, Mo.	Scherle
Brinkley	Jones, N.C.	Schneebeli
Brotzman	King, N.Y.	Schwengel
Brown, Mich.	Kleppe	Scott
Broyhill, N.C.	Kornegay	Shriver
Burke, Fla.	Kuykendall	Skubitz
Burleson	Kyl	Smith, Calif.
Burton, Utah	Laird	Snyder
Carter	Latta	Stanton
Chamberlain	Lennon	Steiger, Ariz.
Collier	Lipscomb	Steiger, Wis.
Collins	Lukens	Stuckey
Colmer	McClory	Taft
Conable	McCloskey	Talcott
Cowger	McCulloch	Thompson, Ga.
Cramer	McDonald, Mich.	Thomson, Wis.
Curtis	Mailliard	Tuck
Davis, Wis.	Marsh	Vander Jagt
Denney	Martin	Waggonner
Derwinski	Mathias, Calif.	Wampler
Dorn	May	Watkins
Dowdy	Michel	Watson
Downing	Miller, Ohio	Whalley
Erlenborn	Mills	Whitten
Esch	Minshall	Williams, Pa.
Eshleman	Myers	Wyatt
Everett	Nichols	Wylie
Flynt	Pelly	Zion
Ford, Gerald R.	Pettis	Zwach
Fountain	Pollock	

NAYS—211

Addabbo	Davis, Ga.	Green, Oreg.
Albert	de la Garza	Green, Pa.
Andrews, Ala.	Delaney	Griffin
Andrews, N. Dak.	Dellenback	Grover
Annunzio	Dent	Gude
Aspinall	Dickinson	Halleck
Ayres	Dingell	Halpern
Barrett	Dole	Hamilton
Bates	Dow	Hanley
Berry	Dulski	Hanna
Biester	Duncan	Hathaway
Bingham	Dwyer	Hawkins
Blanton	Edmondson	Hays
Blatnik	Edwards, Ala.	Hechler, W. Va.
Bolling	Edwards, Calif.	Helstoski
Brademas	Edwards, La.	Herlong
Brock	Eilberg	Horton
Brooks	Evans, Colo.	Howard
Broomfield	Fallon	Hunt
Brown, Ohio	Farbstein	Irwin
Broyhill, Va.	Fascell	Jacobs
Burke, Mass.	Feighan	Jarman
Burton, Calif.	Findley	Joelson
Button	Fino	Johnson, Calif.
Byrne, Pa.	Flood	Johnson, Pa.
Byrnes, Wis.	Foley	Karth
Cahill	Ford, William D.	Kastenmeier
Carey	Fraser	Kazen
Casey	Frelinghuysen	Kee
Cederberg	Friedel	Kelly
Celler	Fulton, Pa.	Kluczynski
Clancy	Galifianakis	Kyros
Clark	Gallagher	Langen
Cleveland	Garmatz	Long, La.
Cohelan	Gathings	Long, Md.
Corbett	Giaimo	McDade
Culver	Gibbons	McFall
Cunningham	Gilbert	MacGregor
Daddario	Gonzalez	Machen
Daniels	Gray	Madden
Mahon	Price, Ill.	Slack
Mathias, Md.	Pryor	Smith, Iowa
Matsunaga	Pucinski	Smith, N.Y.
Mayne	Railsback	Springer
Meeds	Reid, N.Y.	Stafford
Meskill	Reifel	Staggers
Minish	Reuss	Steed
Mink	Rhodes, Pa.	Stubblefield
Mize	Riegle	Sullivan
Monagan	Robison	Taylor
Montgomery	Rodino	Teague, Calif.
Morgan	Rogers, Colo.	Tenzer
Morris, N. Mex.	Rogers, Fla.	Tiernan
Mosher	Ronan	Tunney
Moss	Rooney, N.Y.	Udall
Murphy, Ill.	Rooney, Pa.	Van Deerlin
Murphy, N.Y.	Rosenthal	Vigorito
Natcher	Rostenkowski	Waldie
Nedzi	Roth	Walker
Nix	Roush	Whalen
O'Hara, Ill.	Roybal	White
O'Hara, Mich.	Ruppe	Wilson, Charles H.
O'Neill, Mass.	Ryan	Wolff
Ottinger	Sandman	Wydler
Passman	St Germain	Wyman
Patten	St. Onge	Yates
Pelly	Saylor	Young
Perkins	Scheuer	Zablocki
Pickle	Selden	
Pike	Shipley	
Pollock	Sikes	

NOT VOTING—88

Adams	Hansen, Idaho	Pepper
Anderson, Tenn.	Hansen, Wash.	Pettis
Ashley	Hébert	Philbin
Ashmore	Heckler, Mass.	Podell
Bell	Henderson	Rarick
Boggs	Hicks	Rees
Boland	Holifield	Resnick
Brasco	Hosmer	Rhodes, Ariz.
Brown, Calif.	Hungate	Rivers
Buchanan	Jonas	Roudebush
Bush	Jones, Ala.	Satterfield
Cabell	Karsten	Schweiker
Clausen, Don H.	Keith	Sisk
Clawson, Del	King, Calif.	Smith, Okla.
Conte	Kirwan	Stephens
Conyers	Kupferman	Stratton
Corman	Landrum	Teague, Tex.
Dawson	Leggett	Thompson, N.J.
Devine	Lloyd	Ullman
Diggs	McCarthy	Utt
Donohue	McClure	Vanik
Eckhardt	Macdonald, Mass.	Watts
Evins, Tenn.	Miller, Calif.	Whitener
Fisher	Moore	Widnall
Fulton, Tenn.	Moorhead	Wiggins
Gardner	Morse, Mass.	Willis
Gettys	Morton	Wilson, Bob
Griffiths	Nelsen	Winn
Gurney	Olsen	Wright
	Patman	

So the motion was rejected.

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

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Title XI—(H.R. 6325. For the relief of Second Lieutenant Allan L. Schooler.) By Mr. Gude.

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Second Lieutenant Allan L. Schooler (Army serial number O2325102), of Fort Irwin, California, the sum of $8,421.60 in full settlement of all his claims against the United States arising out of the destruction of his household goods on August 31, 1966, in a warehouse fire in Barstow, California. At the time of their destruction, the household goods were stored at Government expense in connection with a change of permanent station from San Antonio, Texas, to Fort Irwin, California. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary not withstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

COMMITTEE AMENDMENT

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 10, line 25, strike "Second" and insert "First".

The committee amendment was agreed to.

MOTION OFFERED BY MR. HALL

Mr. HALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HALL moves to strike out title XI, which begins on line 21, page 10, and ends on line 16, page 11.

Mr. HALL. Mr. Speaker, this is one of the "loss in transit" bills with which we deal on the Private Calendar on many occasions. This was that for a 1st Lt. Allan Schooler, about which much has been done, much studied, and much discussed.

First, I believe there is no question, in the overpayment cases and in the cases where there is loss in transit or loss from warehouse destruction, that we need overall coverage and a better system for the Department of Defense.

A badly needed overall bill has been presented by the distinguished chairman of the Subcommittee of the Judiciary Committee, the gentleman from South Carolina [Mr. ASHMORE], and has been under consideration for many years. I have submitted such a bill.

We have in the interim, in 1965, increased the settling authority of any of the armed services departments from $6,500 for such personal disasters up to $10,000. Certainly this recognizes the moral obligation on the part of the armed services, perhaps, but the question remains as to whether or not there is an individual obligation. Should personal insurance not be a personal obligation?

Why do we not insure our personal property, especially when it is in transit? Why do not the armed services require the transit or storage companies to have adequate full coverage insurance, or at least deductible insurance if a part is to be borne by the consignor?

In this particular case a tremendous inventory list was originally submitted. I must say that the Judge Advocate General's department first did a good job in paring this inventory down more nearly to reason. Even allowing for the fact that there had been a good deal of gift-giving, and that perhaps the groom or bride were very favored children; the list was, to be the very kindest, excessive. It was admitted in an interview before the committee that regardless of the list submitted there was only fabrication from vague memory in the attempts at reconstituting same. In fact, the retail cost of the gifts as listed was demanded and the list or the investment was pared down to $19,661.59 as a result of a list of household goods and personal property in a warehouse fire in Barstow, Calif., while awaiting base housing. This was reduced by the payment of $1,239.99 by the van line as its legal obligation under the contract with the Department of the Army. In addition, this was lessened by

the Department of the Army giving the full amount allowable under the new military claims law of $10,000, which leaves $8,421.60.

This question which comes before the House and the reason for the past objection on the part of the objectors with regard to the criteria of the House, arises because the Army has been in opposition. They have recognized and done what they could on the moral obligation. The question here is what is the nature of Schooler's employment and how had he gained possession of all this material, was the list in fact a prudent list, and would we establish a precedent here by voting for such a large amount in addition to the settlement already made and the relief of the moral obligation?

I urge, under these circumstances and in view of the findings and the long study of the committee of objectors as well as that of the Judge Advocate General's department and the subcommittee of the Committee on the Judiciary, that this amendment do pass.

Mr. SMITH of New York. Mr. Speaker, I rise in opposition to the amendment, and I yield such time as he may require to the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. I thank the gentleman for yielding.

Allan Schooler, who along with his wife is the subject of this bill, is a draftee who went to OCS, received a commission in the Army, and received orders to move to California. His possessions were taken there by the Army prior to his assignment overseas to Vietnam. This is a young married couple. They had been very fortunate in the wedding gifts which they received and which they had in their possession. Actually the list and inventory of their possessions were destroyed in the fire, and so they had to compile such a list by consulting those who had given the gifts. It seems to me if the Congress of the United States has an obligation to restore possessions when they are under Government control, it certainly extends to the case of this young married couple. This bill was given a favorable report by the Judiciary Committee and there was no objection raised by the Bureau of the Budget. It is not opposed by the Department of the Army who scrutinized the items very carefully and, in accordance with a depreciation procedure, reduced them to an appropriate amount which they recommended.

I certainly urge the passage of this bill as one which does justice to a young married couple.

Mr. TALCOTT. Mr. Speaker, with the gentleman yield?

Mr. SMITH of New York. I am glad to yield to the gentleman from California.

Mr. TALCOTT. Mr. Speaker, I would like to inquire of the committee or of the gentleman in the well how much insurance this couple had. According to the report they received the sum of $1,239.99 from the U.S. Van Lines, Inc., and received $10,000 from the Government. They must have had some personal insurance on their personal effects.

How much money did they receive from their personal insurance?

Mr. GUDE. I would be glad to speak to that point. I have a copy of a deposition which was made by Mrs. Schooler in regard to the question of the insurance. In the course of the time they were moving, it was suggested that additional insurance may have been preferable and the question was asked, "Did they have proper coverage?" They inquired of their insurance company with reference to the matter but the representatives of the insurance company said the goods were covered—but, they were covered in their residence but not in a warehouse. When they went to their own insurance company they found they did not have this coverage. They did honestly believe they had coverage. Also, I might say they were not aware that these items would not be covered while in storage in a warehouse.

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

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

Mr. GROSS. The truth of the matter is that they did not have any insurance on their personal account. They received the sum of $1,239.99 from the trucking company and they received $10,000 from the Federal Government, plus the fact that it is now proposed to give them here an additional $8,000; is that about right?

Mr. SMITH of New York. It is my understanding based upon the statement of the gentleman from Maryland that they thought they were covered personally. They had asked the insurance company if they were and found out later after the fire that they were not covered in a fire while their goods were in storage in a warehouse.

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

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

Mr. GROSS. Could the gentleman from Maryland [Mr. GUDE] state the occupation of this lieutenant before he went into the Army?

Mr. GUDE. I do not recall his occupation, I can say in all honesty to the gentleman from Iowa. I may have known at one time but have since forgotten.

Mr. HALL. Mr. Speaker, will the gentleman from New York yield to me at this point?

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

Mr. HALL. I think I can supply that information to the gentleman from Iowa [Mr. GROSS]. He was an insurance agent.

Mr. GUDE. I do not know what type insurance agent this gentleman was, but I would say this—that any person who realized the extent of their possessions certainly would have been assured of coverage. I do not think a case can be made that Lieutenant Schooler was trying to avoid the payment of a small premium in the hope that the warehouse would not burn down.

The SPEAKER pro tempore (Mr. YATES). The question is on the motion offered by the gentleman from Missouri [Mr. HALL].

The question was taken; and on a division (demanded by Mr. HALL) there were—ayes 46, noes 47.

Mr. HALL. 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 pro tempore. 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 127, nays 203, not voting 101, as follows:

[Roll No. 337]

YEAS—127

Abbitt	Goodling	Pryor
Abernethy	Green, Oreg.	Purcell
Andrews, Ala.	Griffin	Randall
Ashbrook	Gross	Reid, Ill.
Ayres	Gubser	Reinecke
Baring	Hagan	Riegle
Battin	Haley	Roberts
Bennett	Hall	Rumsfeld
Bevill	Hull	Ruppe
Blanton	Hunt	St Germain
Bolton	Hutchinson	Saylor
Bow	Ichord	Schadeberg
Bray	Johnson, Pa.	Scherle
Brinkley	Jones, Mo.	Scheuer
Brock	Jones, N.C.	Schneebeli
Broomfield	Kelly	Scott
Brotzman	King, N.Y.	Selden
Brown, Mich.	Kornegay	Shriver
Broyhill, N.C.	Kuykendall	Skubitz
Burke, Fla.	Kyl	Smith, Calif.
Burleson	Lennon	Snyder
Carter	Lukens	Springer
Casey	McCulloch	Stuckey
Chamberlain	McDade	Sullivan
Clancy	McDonald, Mich.	Talcott
Clausen, Don H.	McEwen	Taylor
Collier	McMillan	Teague, Calif.
Collins	Marsh	Thomson, Wis.
Colmer	Martin	Tiernan
Cowger	May	Tuck
Curtis	Miller, Ohio	Waggonner
Davis, Wis.	Mink	Walker
Denney	Minshall	Watkins
Derwinski	Montgomery	Watson
Devine	Morris, N. Mex.	Wiggins
Dorn	Myers	Williams, Pa.
Edwards, Ala.	Nedzi	Wilson, Charles H.
Eshleman	Nichols	Winn
Evans, Colo.	O'Konski	Wyatt
Flynt	O'Neal, Ga.	Zion
Fountain	Pirnie	Zwach
Fuqua	Poff	
Galifianakis	Price, Tex.	

NAYS—203

Adair	Dellenback	Halleck
Addabbo	Dent	Halpern
Albert	Dickinson	Hamilton
Andrews, N. Dak.	Diggs	Hammer-schmidt
Arends	Dole	Hanley
Ashley	Dow	Hanna
Aspinall	Dowdy	Hansen, Wash.
Barrett	Downing	Harrison
Bates	Dulski	Harsha
Belcher	Duncan	Harvey
Berry	Dwyer	Hathaway
Betts	Edmondson	Hawkins
Biester	Edwards, La.	Hays
Bingham	Eilberg	Hechler, W. Va.
Blatnik	Erlenborn	Horton
Bolling	Esch	Howard
Brademas	Everett	Irwin
Brooks	Farbstein	Jacobs
Brown, Ohio	Fascell	Jarman
Broyhill, Va.	Feighan	Joelson
Burke, Mass.	Findley	Johnson, Calif.
Burton, Calif.	Fino	Jones, Ala.
Burton, Utah	Flood	Kastenmeier
Button	Foley	Kazen
Byrne, Pa.	Ford, Gerald R.	Kee
Byrnes, Wis.	Fraser	Kleppe
Cahill	Frelinghuysen	Kluczynski
Carey	Friedel	Kyros
Clark	Fulton, Pa.	Laird
Cleveland	Gallagher	Langen
Cohelan	Garmatz	Latta
Corbett	Gathings	Long, La.
Cramer	Giaimo	Long, Md.
Culver	Gibbons	McClory
Cunningham	Gilbert	McCloskey
Daddario	Gonzalez	McFall
Daniels	Gray	Machen
Davis, Ga.	Green, Pa.	Madden
Delaney	Grover	Mahon
	Gude	

Mailliard	Poage	Smith, N.Y.
Mathias, Calif.	Price, Ill.	Stafford
Mathias, Md.	Pucinski	Stanton
Matsunaga	Quie	Steed
Mayne	Quillen	Steiger, Ariz.
Meeds	Railsback	Steiger, Wis.
Meskill	Reid, N.Y.	Stubblefield
Michel	Reifel	Taft
Mills	Reuss	Teague, Tex.
Mize	Rhodes, Pa.	Tenzer
Monagan	Robison	Thompson, Ga.
Morgan	Rodino	Thompson, N.J.
Mosher	Rogers, Colo.	Tunney
Moss	Rogers, Fla.	Udall
Murphy, Ill.	Ronan	Van Deerlin
Murphy, N.Y.	Rooney, N.Y.	Vander Jagt
Natcher	Rooney, Pa.	Vigorito
Nix	Rosenthal	Waldie
O'Hara, Ill.	Rostenkowski	Wampler
O'Hara, Mich.	Roth	Whalen
O'Neill, Mass.	Roush	Whalley
Ottinger	Roybal	White
Passman	Ryan	Wolff
Patman	St. Onge	Wydler
Patten	Sandman	Wyman
Pelly	Schwengel	Yates
Perkins	Shipley	Zablocki
Pickle	Sikes	
Pike	Smith, Iowa	

NOT VOTING—101

Adams	Gettys	Morton
Anderson, Ill.	Griffiths	Nelsen
Anderson, Tenn.	Gurney	Olsen
	Hansen, Idaho	Pepper
Annunzio	Hardy	Pettis
Ashmore	Hébert	Philbin
Bell	Heckler, Mass.	Podell
Blackburn	Helstoski	Pollock
Boggs	Henderson	Rarick
Boland	Herlong	Rees
Brasco	Hicks	Resnick
Brown, Calif.	Holifield	Rhodes, Ariz.
Buchanan	Hosmer	Rivers
Bush	Hungate	Roudebush
Cabell	Jonas	Satterfield
Cederberg	Karsten	Schweiker
Celler	Karth	Sisk
Clawson, Del	Keith	Slack
Conable	King, Calif.	Smith, Okla.
Conte	Kirwan	Staggers
Conyers	Kupferman	Stephens
Corman	Landrum	Stratton
Dawson	Leggett	Ullman
de la Garza	Lipscomb	Utt
Dingell	Lloyd	Vanik
Donohue	McCarthy	Watts
Eckhardt	McClure	Whitener
Edwards, Calif.	Macdonald, Mass.	Whitten
Evins, Tenn.		Widnall
Fallon	MacGregor	Willis
Fisher	Miller, Calif.	Wilson, Bob
Ford, William D.	Minish	Wright
	Moore	Wylie
Fulton, Tenn.	Moorhead	Young
Gardner	Morse, Mass.	

So the motion was rejected.

Messrs. COHELAN, RODINO, and SCHWENGEL changed their votes from "yea" to "nay."

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

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Title XII—(H.R. 6445. For the relief of Dino J. Caterini.) By Mr. Ashmore.

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dino J. Caterini the sum of $185.20 in full satisfaction of his claim against the United States for the loss of certain personal property by armed robbery while en route to Asmara, Ethiopia, where he was serving as United States Information Service information officer: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

MOTION OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Gross moves to strike title XII from the bill H.R. 16187, including all of lines 17 through 23 on page 11, and all of lines 1 through 10 on page 12.

The SPEAKER. The gentleman from Iowa is recognized for 5 minutes.

Mr. GROSS. Mr. Speaker, this is the case of one Dino J. Caterini and his wife, Mr. Caterini being an employee of the U.S. Information Service and stationed at the time this claim developed in Ethiopia. It seems that Mr. Caterini and his wife went on an outing with some Peace Corps people and some natives and along the way they were held up by some highwaymen and robbed of $185.20.

Despite the fact that we gave the Emperor of Ethiopia an air-conditioned yacht, complete with gold wallpaper, the Ethiopian Government cannot seem to dig up $185.20, so the taxpayers of this country through this bill are called on to cough up. All of us have constituents who come to Washington for an outing or on business and some of them are mugged, rolled, or held up and robbed yet we have no bills before the House to indemnify these citizens. There is no logic in digging into the taxpayers for $185.20 to indemnify these people who, I say again, were on an outing over in Ethiopia and neglect our own people who are robbed in the District of Columbia, the Federal City of the United States.

What kind of precedent are we setting here?

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. Would this bill, if enacted into law, set a precedent for Government employees who happen to be on Government business in Washington being mugged by some of these youths and other marauding elements of this society?

Mr. GROSS. These people were on an outing. I do not know about——

Mr. ANDREWS of Alabama. Well, I am talking about if they were on official business, walking the streets of Washington, and being mugged.

Mr. GROSS. What about the tourists who come here for an outing and get robbed?

Mr. ANDREWS of Alabama. Well, they have my sympathy. That is all I can say. I advise my constituents to stay away from the city of Washington.

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

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I think the danger involved in this particular instance is that we establish a precedent wherein we say that any Government employee at home or abroad who is assaulted or who is robbed and who suffers any loss, either going to or from work which is official and is required—this outing was not required—will place a liability upon the Federal Government to replace their loss.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield to me at this point?

Mr. GROSS. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. I think the point has been well made that this is a terrible precedent to be setting in this Government. I understand that the home of Mayor Washington was robbed this morning. I wonder if such action as is proposed to be taken here would make him subject to filing a claim for any loss?

It is my opinion that the best thing we can do is to promptly knock this section out of the bill.

Mr. GROSS. I agree with the gentleman from Alabama and I ask that the motion be supported.

Mr. SMITH of New York. Mr. Speaker, I rise in opposition to the motion.

I think, perhaps, I can shed a little light upon this claim. This claim came to the Committee on the Judiciary and to the Subcommittee on Claims as an Executive communication from the U.S. Information Agency. Mr. Catarini was on this day in April 1964 on official business of the U.S. Information Service in Ethiopia. He was on an official outing with a Peace Corps representative and a foreign national when he was robbed of his personal property and money which was determined by the Argency Claims Board to be $185.20.

Now, Mr. Speaker, in the 88th Congress, Public Law 88–558 was enacted which was effective August 31, 1964, which was after the date of this incident we are talking about. This law is commonly known as the Military Personnel and Civilian Employees Claims Act of 1964, and it grants administrative authority to heads of agencies to settle or pay those claims arising after the effective date of this act for losses of personal property incident to those employees' employment. So it was that Mr. Catarini suffered this loss in Ethiopia while he was an employee of the United States and while he was engaged in his official business, some 3 months before the effective date of the act which now allows administrative settlement of his claim with the agency.

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

Mr. SMITH of New York. I yield to the gentleman from Ohio.

Mr. HAYS. I gather that we will have a rollcall vote on this claim of $185.20. Is that the essence of it?

As chairman of the Subcommittee on Printing, I would say to the gentleman that it will cost more to print the rollcall than it will to go ahead and pay the $185.

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

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

Mr. GROSS. Does the gentleman have any definition for "an official outing"? I believe those were the words the gentleman used. What is an official outing?

Mr. SMITH of New York. I would state to the gentleman that the executive agency here, the U.S. Information Agency, stated to us in the Congress that Mr. Catarini was engaged in being

at an official outing with a member of the Peace Corps, and foreign nationals.

Mr. GROSS. I appreciate that, but what is an official outing? How would the gentleman describe it? What do they do on an official outing?

Mr. SMITH of New York. I would state to the gentleman that we did not go behind the statement of the Agency that he was engaged in an official outing, and on the business of the Agency.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. SMITH of New York. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. What is the definition of "incident to his employment"? I wonder if the gentleman could tell me that.

Mr. SMITH of New York. I believe I will have to leave that up to the gentleman to say what he might believe it to be. The Agency has stated to us that he was engaged in his employment when he suffered this loss by armed robbers.

Mr. EDWARDS of Alabama. If the gentleman will yield further, the gentleman referred to the most recent act, and stated that that act covered losses that occurred incident to one's employment, that was, as I understood, the purpose of the act, and I wonder if the gentleman said that had this event occurred 3 months later, after the act had been passed, that this man would have been covered. I am not sure I understand the definition that would have covered him.

Mr. SMITH of New York. I believe the gentleman will have to read the act to find that out.

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

The SPEAKER. The question is on the motion offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 69, noes 27.

So the motion was agreed to.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Title XIII—(H.R. 6446. For the relief of Robert M. Gilkey, Junior.) By Mr. Ashmore.

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert M. Gilkey, Junior, the sum of $971.30 in full satisfaction of his claim against the United States for loss of personal property through theft while he was performing certain official duties at the Ankara Binational Center, Ankara, Turkey: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

MOTION OFFERED BY MR. MOSS

Mr. GROSS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GROSS moves to strike title XIII from the bill H.R. 16187, including all of lines 11 through 24 on page 12, and all of lines 1 and 2 on page 13.

Mr. GROSS. Mr. Speaker, we have here another employee of the U.S. Information Agency, Robert M. Gilkey, Jr., who was in Ankara, Turkey, in 1963. It seems that his wife was late in getting to a social event of some kind at the Binational Center in Ankara.

She left a suitcase in their automobile, the car being locked on the street. The suitcase allegedly contained valuables to the total of $971.30. The car was broken into, the suitcase removed and the contents apparently never recovered.

Not so long ago a constituent from Iowa left a station wagon on the street in Washington. It contained most of the family clothing and suitcases. The car was broken into and stripped of everything of value. I am sure that has happened to other Members whose constituents have come here. But they do not come crying to a Member of the Congress for indemnification. They think this is their responsibility, and I do not know what the Gilkeys expected when they left a suitcase with $971 worth of stuff in it in a car parked on a street in Turkey. Evidently, they did not even bother to lock it up in the trunk of their car.

Mr. Speaker, on the same basis as the preceding title to the bill, this title ought to be stricken and to that end I ask that the motion be adopted.

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

Mr. GROSS. I yield to the gentleman.

Mr. DICKINSON. I was just interested in comparing what you said, thinking of what happened to my secretary, who is a Government employee. She, too, had her car parked in Washington. It was broken into. I would think, certainly, on the basis of the claim put forth here, that if these people are entitled to indemnity as Federal employees, when they are parking in a hazardous position, then my secretary who parked in Washington, D.C., certainly parked her car in just as hazardous position and even more so and she would certainly be entitled to make a claim and I will file one if this is passed.

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

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

Mr. HALEY. I thank the gentleman for yielding.

I just think if we are going to pay claims of this kind, I just wonder where we are finally going to wind up, because probably some of our striped pants boys attend some of the functions around here and they are losing things as people do here in the District of Columbia once in a while. It seems to me if we started on this kind of trend, we are going to be faced with millions and millions of dollars worth of losses with people saying they were on official business.

Mr. GROSS. Of course, we should address the question of where we are going to end up to the genial gentleman from Arkansas [Mr. MILLS] whom I see on the floor and who, I think, could tell you that if this sort of thing is persisted in and develops to the extent that it involves millions of dollars, he would probably have to come in with another tax increase.

Mr. SMITH of New York. Mr. Speaker, I rise in opposition to the motion.

Mr. Speaker, this case is very much similar to the one that has just been turned down by the House. I would say it came likewise to the Congress as an official executive communication from the U.S. Information Agency which has said, in effect, to us that these people, these employees of the United States, these employees of ours, have lost personal property while they were engaged in their official duties. Therefore, the Agency has recommended to us, to the people of the United States, that we take care of these people who are working for us and who are subjected to losing property under hard circumstances and while engaged in their official duties.

As I pointed out with respect to the other bill, there is now, as of August 31, 1964, the Military Personnel and Civilian Claims Act under which these claims for personal property lost while engaged in official employment may be settled administratively without the need to come to the Congress.

But in this case, I would say that Mr. Gilkey was assigned to the USIA service post in Ankara, Turkey, serving there as Cultural Affairs Officer and Director of the Binational Center.

In March of 1963, he and his wife were hosts at an official reception at the Center.

Mrs. Gilkey was due to arrive in Ankara on the day of the reception but her airplane was delayed due to bad weather. Her plane arrived late, about 9 o'clock in the evening. Since Mr. Gilkey had to attend the reception, another individual met Mrs. Gilkey at the airport and drove her directly to the Binational Center and she arrived about 10 o'clock and immediately assumed her duties as the hostess of the event. Her suitcase had been left in the locked car in which she arrived at the reception and later, about 11 o'clock, Mr. Gilkey transferred the suitcase to his own car which then was parked directly beneath the street light directly in front of the building. Mr. Gilkey locked the car and returned to his duties at the reception. The car was then broken into and the suitcase stolen. The theft was promptly reported to the police but the suitcase and its contents were never recovered.

Mr. Gilkey submitted a claim to the U.S. Information Agency in accordance with that Agency's regulations and the claim was considered by the Agency Claims Board. After a careful review of the claim, the Board approved it in the amount of $971.30, based on the standards of depreciation utilized by the military services. The Board recommended that the claim be submitted to Congress for its consideration.

As I have said, since August 31, 1964, these claims can now be settled administratively, but these two could not be. It does seem to me that these employees of the United States lost their personal property during times when they were officially engaged in their official duties and that it ought to be the part of this country and this Congress to make it good to them.

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

Mr. SMITH of New York. I am happy to yield to the gentleman from Louisiana.

Mr. WAGGONNER. If the gentleman's last statement is true with respect to employees of the Government losing property while engaged in official duties, would it not equally be so that if the employee suffered some loss during the daytime at home or around the premises of the home of personal property while the employee was away at work, would he believe that the Federal Government was liable for that loss?

Mr. SMITH of New York. This is now covered under the act which covers the loss of personal property incident to employment, and it would be up to the agency or the administrative board to say whether this was incident to the employment or not. In the case we have before us it seems clear that the loss was incident to the employment because they were engaged as official hosts as part of their duties.

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

Mr. SMITH of New York. Yes; I am glad to yield to the gentleman from Alabama.

Mr. DICKINSON. Could the gentleman tell me what would be the difference in principle if I sent my secretary downtown on an errand for me during business hours, and she locked her car; it was broken into and whatever valuables she had were stolen: Do you think under the same principle that she would be entitled to be compensated by the Federal Government because the car was broken into in Washington, D.C.?

Mr. SMITH of New York. I can think, I say to the gentleman from Alabama [Mr. DICKINSON], of some circumstances where she might be entitled to compensation; for instance, if she had no chance to take care of her property properly before she had to go downtown. Whether she could come under this administrative act, the Military Personnel and Civilian Employees Claims Act, I would not know.

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

Mr. SMITH of New York. Yes, I am happy to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding. I know that being the distinguished barrister that he is, he would not want to establish a legislative record in relation to the Military Personnel and Civilian Employees Act of 1964, known as Public Law 88–558, that provides that any administrator can settle claims of employees under his administrative authority as long as the loss occurs incident to their employment. Both the legislative record at the time of the passage of that act and, indeed, the law and implementing regulations establish that it must be under such conditions as transit and storage or an act of God, et cetera, et cetera, and only in such cases can they themselves settle it up to the limit of $10,000. Is that not correct, and does not the gentleman want to leave that impression, rather than that just out of hand any director of any agency could settle any claim?

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

The question is on the motion offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 70, noes 32.

So the motion was agreed to.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Title XIV—(H.R. 7210. For the relief of the Rochester Iron and Metal Company.) By Mr. Horton.

That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Rochester Iron and Metal Company, of Rochester, New York, the sum of $117,913.20 in full settlement of its claims against the United States for amounts paid to the Government for 1,940 tons of steel never received by the company due to a shortage in the amount estimated by the Government to be included in a quantity of steel at the Philadelphia Ordnance District, Philadelphia, Pennsylvania, purchased by the Rochester Iron and Metal Company in accordance with the terms of Contract Numbered DA–(S)–36–034–ORD–1. This claim was the subject of the congressional reference case, Rochester Iron and Metal Company against the United States, Congress 1–59, decided by the United States Court of Claims on December 11, 1964.

No part of the amount appropriated in this Act in excess of 20 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

MOTION OFFERED BY MR. TALCOTT

Mr. TALCOTT. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TALCOTT moves to strike all of title XIV, including all of lines 1 through 4 on page 14.

Mr. TALCOTT. Mr. Speaker, I appreciate that the time is getting late, and we have had some small bills and some large bills, but right now this is a very large bill in amount of money, and a very large bill in principle. Perhaps the rest of the Private Calendar may be put over so that we might consider this bill adequately.

This bill would provide for payment to Rochester Iron & Metal Co. a sum of $117,913.20 in full settlement of its claims against the United States for money paid under contract, a contract dated June 5, 1953.

During February and March 1952, seven ships brought from Europe a large quantity of lend-lease steel and returned it to Philadelphia. This was removed from the ship through railroad cars and when placed in storage it was considerably mixed up. There were three lots consisting of mixed steel. In early 1953 the Federal Government decided it was not usable for steel in the Korean war and decided to sell it. They tried to sort it and identify it, but it was almost impossible, so they decided to sell it by specific invitation to bid. The record shows the invitation for bids was dated April 27, 1953. The Government offered for sale steel in three lots. The invitation expressly stated that the property was offered for sale on an "as is, where is" basis without recourse against the Government and it was advertised in approximately 95 papers throughout the area. The invitation also provided that no representation, guarantee, or warranty, express or implied, was made by the Government as to quantity and condition or kind of property offered for sale. The invitation gave purchasers the right to adjustment based on the weight of steel provided the claim was made on or before August 17, 1953, and by actual presentation of weight certificates.

Then, on June 5, 1953, the Government accepted the bid of Rochester Iron & Metal Co., as to lots 1 and 3. They accepted, they won the bid with the highest offer, and the steel became theirs. Later they discovered what they considered to be a shortage, and this was a shortage computed to be worth $117,913.20, according to the bid price. A claim for this was rejected by the Comptroller General of the United States, because it was sold "as is" and the Government had fully complied with all of the terms of the contract.

The case was taken to the U.S. Court of Claims and was rejected on December 11, 1964, by the Court of Claims. There simply was not a legal basis for this claim. The Government had complied in all respects. The company, as a matter of fact, knowingly declined to proceed further under the contract because the price "fill out" and the market declined. They decided they did not want to make a claim at the time for economic, personal economic reasons.

Everybody who has heard the claim except the committee here has agreed that the company is not entitled to any payment.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. As I understand this, the Congress sent the case to the Court of Claims as a reference case to make a determination, and the court came back with a decision they were not entitled either in equity or in law to the relief they sought. There would be no point in referring it to the Court of Claims if now we were to say, "We do not care what the court said."

Mr. TALCOTT. The gentleman is absolutely correct. That is the situation in a nutshell. The contract is clear and fair. It has been reviewed and reviewed. The courts have rejected the claim. The 85th and 86th Congresses considered it and rejected it.

I believe we should continue to reject it on the basis of law and equity.

Mr. SMITH of New York. Mr. Speaker, I rise in opposition to the motion, and I yield to the gentleman from New York [Mr. HORTON].

Mr. HORTON. I thank the gentleman for yielding.

Many of the facts are as stated by the gentleman from California, but there is some information which I believe should be passed along for the edification of the

Members of the House before they vote on this bill.

It is true there is a large amount of money involved, almost $118,000. This represents 1,940 tons of steel which the Rochester Iron & Metal Co. paid for but did not receive.

This was lend-lease steel sent back to the United States and ultimately put up for bid. When it was taken off the ship it was not stored according to the size and shape of the steel. It was stored in mixed lots.

They had some 27 stacks of this particular steel in what they call squares and rounds. Each square and round was anywhere from 9 feet to 20 feet long and about 3 to 4 inches a round or square, weighing about 1 ton each.

The Government estimate was about 20 percent off. One of the concurring judges in his opinion said that a 20-percent shortage in the weight of the steel sold to the plaintiff hardly makes the Government's estimated weight approximate.

A bill was introduced by my predecessor in Congress, Mr. Keating, later Senator Keating. It was referred by the Senate to the Court of Claims for decision.

This was not a clear-cut decision. There were five judges on the Court of Claims. Two judges concurred in the majority opinion. One concurred in the decision, but took exception to the reasoning of the opinion, and two other judges dissented. So there was quite a difference in the opinions of the five Court of Claims judges.

The bill was then sent back. I presented this bill in the 89th Congress. There were hearings held by the committee. The bill was reported out. We did not have enough time in the 89th Congress to have the bill considered by the House. This year again there was a hearing by the committee.

In addition to that, my constituents came down and talked with representatives from the Judiciary Committee. They also spent many hours with the gentleman from New York [Mr. TENZER] talking about this particular problem.

There is no question that my constituents did not get 1,940 tons of steel.

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

Mr. HORTON. I am glad to yield to the gentleman from New York.

Mr. TENZER. I read from the decision of the Court of Claims Commissioner:

> Accordingly, it is found that plaintiff—
>
> Rochester Iron & Metal Co.—
>
> paid defendant—
>
> The United States—
>
> at a purchase price rate of $60.78 per ton, the sum of $117,913.20 for 1,940 tons of steel which was not delivered to plaintiff.

The opponent of the measure recited here that there was a right of weighing it at the time it was taken out, because it was not possible to weigh it before.

Mr. HORTON. I want to mention that. It was imposible to weigh this steel. It was scattered out all over the yard, over several acres. It was impossible to weigh it until sold. The bottom fell out of the price on steel. My constituent was unable to do anything with the steel in question until 1955 or 1956. Thus, it was at least 2 years before they could weigh this steel out.

Someone made reference to the fact that the company was supposed to notify the Government if the weight was not accurate. They purchased the steel, in June of 1953, and were given only a month and a half until August 17, 1953, to make any revision in the Government's estimated weight.

My constituent did write to the Federal Government and asked for an extension because they could not weigh the steel. They had no way to weigh it until they actually took it out as it was sold. The extension was refused. This was one of the points in contention at the hearing. It seems to me equitable that this constituent who paid for steel should be reimbursed for the steel it did not receive.

Another very important point. This matter has gone to the court. They spent a lot of time on it. It was a divided court when the decision was rendered.

All my constituents asked for is the amount of money they paid to the Federal Government, without interest, $118-,000, representing the shortage of steel which they did not receive.

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

Mr. HORTON. I yield to the gentleman.

Mr. TENZER. Did you not testify before the Judiciary Committee on this case of injustice on the part of the U.S. Government which received $117,-000 for steel which it failed to deliver to your constituent?

Mr. HORTON. Yes.

Mr. SMITH of New York. Mr. Speaker, will the gentleman yield?

Mr. HORTON. I yield to the gentleman.

Mr. SMITH of New York. Does the gentleman say that the contract did provide for an adjustment if the Federal Government were notified by a certain date?

Mr. HORTON. That is right.

Mr. SMITH of New York. And the claimant here did write the Government and ask for an extension of time because of the great amount of steel, 1,800 tons or more, to be weighed and the Government refused to grant such an extension?

Mr. HORTON. That is right. There was no reason to go further, since the Government refused to give them an extension of time. There was nothing they could do about it.

The bottom fell out of the steel market, and it was impossible for them to go out and sell it. To pick it up and weigh it some place else was prohibitive. It was only possible to weigh it when it was sold.

The SPEAKER. The question is on the motion offered by the gentleman from California [Mr. TALCOTT].

The question was taken; and on a division (demanded by Mr. TALCOTT) there were—ayes 65, noes 33.

Mr. HORTON. Mr. Speaker, I object to the the vote on the grounds 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 224, nays 100, not voting 107, as follows:

[Roll No. 338]

YEAS—224

Abbitt	Ford, Gerald R.	Murphy, N.Y.
Abernethy	Fountain	Myers
Adair	Fuqua	Nedzi
Addabbo	Galifianakis	Nichols
Anderson, Ill.	Gallagher	O'Konski
Andrews, Ala.	Gathings	O'Neal, Ga.
Arends	Gibbons	Passman
Ashbrook	Goodling	Pelly
Ashley	Gray	Pickle
Ayres	Green, Oreg.	Pike
Baring	Green, Pa.	Poff
Bates	Griffin	Price, Tex.
Battin	Gross	Pryor
Belcher	Grover	Purcell
Bennett	Hagan	Quie
Betts	Haley	Quillen
Bevill	Hall	Railsback
Biester	Halpern	Randall
Blanton	Hamilton	Reid, Ill.
Boggs	Hammer-schmidt	Reinecke
Bolton	Hanna	Roberts
Bow	Hardy	Rodino
Brademas	Harrison	Rogers, Fla.
Bray	Harsha	Rooney, N.Y.
Brinkley	Hathaway	Rosenthal
Brock	Hechler, W. Va.	Roush
Brown, Mich.	Howard	Rumsfeld
Brown, Ohio	Hull	Ruppe
Broyhill, N.C.	Hunt	St Germain
Burke, Fla.	Hutchinson	Saylor
Burke, Mass.	Ichord	Schadeberg
Burleson	Jacobs	Scherle
Byrnes, Wis.	Jarman	Schneebeli
Carey	Joelson	Scott
Carter	Johnson, Calif.	Selden
Casey	Johnson, Pa.	Sikes
Chamberlain	Jones, Ala.	Skubitz
Clancy	Jones, Mo.	Snyder
Clausen, Don H.	Jones, N.C.	Springer
Cleveland	Karth	Stanton
Cohelan	Kastenmeier	Steed
Collier	Kazen	Steiger, Ariz.
Collins	Kelly	Steiger, Wis.
Colmer	King, N.Y.	Stubblefield
Cowger	Kleppe	Stuckey
Cramer	Kornegay	Sullivan
Culver	Kuykendall	Taft
Cunningham	Kyl	Talcott
Curtis	Kyros	Taylor
Daniels	Laird	Teague, Calif.
Davis, Ga.	Latta	Teague, Tex.
Davis, Wis.	Lipscomb	Thompson, Ga.
de la Garza	Long, Md.	Thomson, Wis.
Delaney	Lukens	Tiernan
Dellenback	McCulloch	Tuck
Denney	McDonald, Mich.	Tunney
Dent	McMillan	Udall
Derwinski	Machen	Van Deerlin
Devine	Mahon	Waggonner
Dickinson	Mailliard	Waldie
Dole	Marsh	Walker
Dorn	Martin	Wampler
Downing	Mathias, Calif.	Watkins
Dulski	May	Watson
Dwyer	Mayne	Whalley
Edmondson	Meeds	Whitten
Edwards, Ala.	Michel	Williams, Pa.
Edwards, La.	Miller, Ohio	Wilson, Charles H.
Erlenborn	Mills	Winn
Eshleman	Mink	Wolff
Everett	Mize	Wyatt
Findley	Montgomery	Wydler
Flood	Morris, N. Mex.	Yates
Flynt	Moss	Zion
Foley		Zwach

NAYS—100

Albert	Burton, Calif.	Duncan
Andrews, N. Dak.	Button	Eilberg
Aspinall	Byrne, Pa.	Esch
Barrett	Cahill	Evans, Colo.
Berry	Cederberg	Farbstein
Bingham	Clark	Fascell
Blatnik	Conable	Feighan
Bolling	Corbett	Fino
Brooks	Daddario	Fraser
Brotzman	Diggs	Frelinghuysen
Broyhill, Va.	Dow	Friedel
	Dowdy	Fulton, Pa.

Gilbert	Mosher	Rooney, Pa.
Gonzalez	Murphy, Ill.	Rostenkowski
Gude	Natcher	Roth
Halleck	Nix	Roybal
Hanley	O'Hara, Ill.	Ryan
Harvey	O'Hara, Mich.	Sandman
Hays	O'Neill, Mass.	St. Onge
Horton	Ottinger	Scheuer
Irwin	Patten	Schwengel
Kee	Perkins	Shipley
Kluczynski	Pirnie	Shriver
Langen	Poage	Slack
McClory	Price, Ill.	Smith, Iowa
McCloskey	Pucinski	Smith, N.Y.
McDade	Reid, N.Y.	Tenzer
McEwen	Reifel	Thompson, N.J.
McFall	Reuss	Vigorito
Madden	Rhodes, Pa.	Whalen
Mathias, Md.	Riegle	White
Matsunaga	Robison	Wyman
Meskill	Rogers, Colo.	Zablocki
Morgan	Ronan	

NOT VOTING—107

Adams	Gurney	Nelsen
Anderson, Tenn.	Hansen, Idaho	Olsen
Annunzio	Hansen, Wash.	Patman
Ashmore	Hawkins	Pepper
Bell	Hébert	Pettis
Blackburn	Heckler, Mass.	Philbin
Boland	Helstoski	Podell
Brasco	Henderson	Pollock
Broomfield	Herlong	Rarick
Brown, Calif.	Hicks	Rees
Buchanan	Holifield	Resnick
Burton, Utah	Hosmer	Rhodes, Ariz.
Bush	Hungate	Rivers
Cabell	Jonas	Roudebush
Celler	Karsten	Satterfield
Clawson, Del	Keith	Schweiker
Conte	King, Calif.	Sisk
Conyers	Kirwan	Smith, Calif.
Corman	Kupferman	Smith, Okla.
Dawson	Landrum	Stafford
Dingell	Leggett	Staggers
Donohue	Lennon	Stephens
Eckhardt	Lloyd	Stratton
Edwards, Calif.	Long, La.	Ullman
Evins, Tenn.	McCarthy	Utt
Fallon	McClure	Vander Jagt
Fisher	Macdonald, Mass.	Vanik
Ford, William D.	MacGregor	Watts
Fulton, Tenn.	Miller, Calif.	Whitener
Gardner	Minish	Widnall
Garmatz	Minshall	Wiggins
Gettys	Monagan	Willis
Giaimo	Moore	Wilson, Bob
Griffiths	Moorhead	Wright
Gubser	Morse, Mass.	Wylie
	Morton	Young

So the motion was agreed to.

Mr. RODINO, Mr. NEDZI, and Mr. QUIE changed their votes from "nay" to "yea."

Mr. THOMPSON of New Jersey changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Title XV—(H.R. 8091. For the relief of Charles Waverly Watson, Junior.) By Mr. Downing.

That the Secretary of the Treasury is hereby authorized and directed to pay out of any money in the Treasury not otherwise appropriated, the sum of $15,000 to Charles Waverly Watson, Junior, of Hampton, Virginia, in full settlement of his claims against the United States based upon the injuries he suffered on April 13, 1958, in the explosion of an aerial bomb on Plumbtree Island, York County, Virginia, and the resulting permanent disabilities and medical expenses attributable to that explosion. This claim is not cognizable under the tort claims provisions of title 28 of the United States Code because it is subject to the exception contained in subsection (a) of section 2680 of that title relating to discretionary functions of the Government: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

MOTION OFFERED BY MR. HALL

Mr. HALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HALL moves to strike out title XV, which begins on line 5, page 14, and ends on line 4 of page 15.

Mr. HALL. Mr. Speaker, this is probably one of the most unhappy amendments of all the omnibus bill, made palatable only because first, it is the last one of the list and, second, because there is a matter of principle and precedent involved.

This title of the omnibus bill, formerly H.R. 8091, is familiar to the House. It would pay the claimant, one Charles Waverly Watson, Jr., about $15,000 in settlement of claims against the United States arising out of injuries that he suffered in April of 1958 as a result of kicking an aerial practice bomb while he and two companions were visiting a forbidden marshy peninsula set aside as a military reservation for aerial gunnery and bombing practice, in the Commonwealth of Virginia in order to gather machinegun bullets.

Having landed by their boat or canoe, they assumed, since it was Sunday, that in spite of signs posted on the wharf adjacent to the island entitled "Warning—Danger Area—Bombing Range—No Trespassing—U.S. Government Property," that there was no danger on that day. They landed and walked down the beach of the island and passed another warning sign which, as nearly as could be determined, was similar to the first. They proceeded inland and observed bombs scattered about the grounds. One of the boys, named Sorokin, states, "they started messing with the bombs." On their return to their boat young Hastings' foot accidentally kicked the fin of a practice bomb which was rusted out on one side. It had not exploded on impact, but, paradoxically enough, it exploded and required only this motion to set it off. Young Watson received the full effect of the blast.

Mr. Speaker, I know we all regret this. Having repaired many such injuries and amputated many such legs as the left one which he lost, I am filled with compassion about it. He was mangled; he was temporarily blinded; and he was miraculously rescued. The amputation was a midthigh amputation. Young Watson did receive $10,000 from an insurance company representing a settlement of his claim against young Hastings who was the one who had inadvertently jarred the bomb.

Incidentally, Mr. Speaker, the report on page 2 erroneously indicates Robert Hastings received the full force of the blast. It was not. It was Watson.

The Department of the Air Force states if the administrative claim had been filed within the 2-year statutory period, it would have been cognizable under the Military Claims Act but that favorable consideration would not have been given even under that event, as the facts clearly establish the case of the claimant's contributory negligence. The claim, of course, is now barred by the statute of limitations.

The Department of the Air Force has been opposed to this every time it has been submitted. There was no objection to consideration on the part of some of the other departments. It was submitted in the 87th Congress and passed over by the House, with no action in the Senate. It was passed over without prejudice in the 88th Congress. It has been passed over throughout the 89th, and was finally objected to in this Congress simply without prejudice in order to get it off the calendar. It has been previously acted on. There is a dangerous question of establishing precedent. There is a matter of principle involved. I know that the same thing has happened on the bomb range in many other areas. The least that the Government can do in such a situation is to post adequate warning signs, which no one has gainsayed in this case, and given the best possible attention at the time in the hope that people who are in such an area can and will heed the signs.

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

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

Mr. GROSS. I thank the gentleman for yielding. I think it should be made clear that this young man was 18 years old at the time of this accident, and that he well knew that he was going onto a range which was used for aerial bombing purposes and for aerial gunnery and had gone to the island for the purpose of gathering machinegun bullets and casings.

Mr. HALL. That is right. This is not a case of weapons of that kind being brought onto the mainland and then put within reach of a child or something like that.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Missouri has expired.

Mr. TENZER. Mr. Speaker, I rise in opposition to the motion.

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

Mr. TENZER. I yield to the gentleman from Virginia [Mr. DOWNING].

Mr. DOWNING. Mr. Speaker, this is a particularly compelling case and this House has passed this bill twice, once in the 87th Congress and once in the 88th Congress.

The facts as recited by my friend, the gentleman from Missouri [Mr. HALL] are absolutely correct. Plum Tree Island is a little island located 3 or 4 miles from Langley Air Force Base. The Air Force and the Army had formerly used it for a target range and a bombing range extending back ever since World War I and World War II.

Mr. Speaker, as a youngster, I knew of Plum Tree Island and I was tempted to go onto this island to get little articles, unexpended shells and other materials, but I did not, either because of my wisdom or lack of courage, but I suspect it was lack of courage.

But Plum Tree Island was in essence an attractive nuisance. These three

young people went over there and at that time Charles Waverly Watson was 18 years old, one of the boys was 17, and one was 16. They went on Sunday because the Air Force would not be using the island at that time. They thought they would walk around and pick up machinegun clips and bullets. Many of the kids in the area had done that before. While they were there on the island one of the boys kicked the fin of an old bomb and it exploded, blowing Watson's leg off right at the midthigh as the distinguished gentleman from Missouri said. It blew it almost off. His leg was hanging just by the skin. The miracle of it all is that this boy lived to be brought back from the island, across the water to Langley Air Force Hospital where his life was saved by the doctors there. His recovery was dramatic.

Mr. Speaker, this young man now walks about on an artificial leg. The doctors say that his leg will continue to drain probably for the balance of his life and that he will suffer from abscesses. This is primarily why I am so anxious to ask the Congress to grant him this money. It is not compensation for his leg. My goodness, what is your leg worth? But it is to help defray the expenses for the care of his leg for the balance of his life. He is at the present time 27 years old. He is not married. He supports his mother and works for the Langley Air Force Base.

Mr. Speaker, the gentleman from Missouri [Mr. HALL] has said that there was contributory negligence involved and he is absolutely right about that. The boy should not have gone there in the first place but all of us know how much of an attractive dangerous nuisance this constitutes sitting right off the coast of Virginia. The Government must have known that it would attract youngsters.

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

Mr. DOWNING. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Can the gentleman tell the House who at that point in time had title to Plum Tree Island? This will have a direct bearing on responsibility. I support this claim.

Mr. DOWNING. It was owned by the U.S. Government and it is my opinion that the Government has a duty and an obligation to either post this island better or guard it or put a fence up around it because it is a known fact that it is going to attract young boys.

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

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

Mr. WALDIE. Mr. Speaker, I rise in support of the position of the gentleman from Virginia [Mr. DOWNING] and with reference to the question of contributory negligence, is there not an assumption that the U.S. Government was negligent here also?

Contributory negligence simply means that these young men were negligent to the degree that bars them from collecting on their claim, and barring them from collecting from the Government which was negligent. If the doctrine of the assumption of risk is followed, the risk that the boys allegedly assumed was a risk created by the Federal Government. It would seem to me to be outrageous to suggest that the Federal Government can be negligent, or can have placed before these youngsters these risks, and yet these youngsters be barred from recovery. Let the Government clean that island out. This is a pretty good argument why they should clean the island out.

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

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

Mr. BINGHAM. Mr. Speaker, throughout this long afternoon, the House of Representatives has been attempting to "second guess" its own Judiciary Committee on a series of complex claims, cases mostly involving relatively small sums of money.

In all of these cases the Judiciary Committee, as I understand it, has unanimously recommended that the claims be paid, sometimes in reduced amounts, after hearings and detailed consideration by its subcommittee.

I have consistently voted to support the committee's recommendations. I think it is absurd, in this day and age of vitally important problems confronting the country, for the House of Representatives to have to spend long hours on such matters and to attempt, on the basis of a written committee report and a few minutes' debate, to review and pass upon these cases.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion offered by the gentleman from Missouri [Mr. HALL].

The question was taken; and on a division (demanded by Mr. HALL) there were—ayes 3, noes 134.

So the motion was rejected.

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

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

MOTION TO RECOMMIT OFFERED BY MR. TALCOTT

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

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TALCOTT. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. TALCOTT moves to recommit the bill H.R. 16187 to the Committee on the Judiciary.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the omnibus bill.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the various titles will be amended.

There was no objection.

PUGET SOUND PLYWOOD, INC., OF TACOMA, WASH.

Mr. TENZER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 857) for the relief of the Puget Sound Plywood, Inc., of Tacoma, Wash., which is similar to title IX of the omnibus bill (H.R. 4949) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash. I shall offer an amendment to the Senate bill.

The Clerk read the title of the Senate bill.

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

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

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

Mr. HALL. Mr. Speaker, is it in order to consider an amendment by unanimous consent, or any other device, on an omnibus bill in view of the Rules of the House after the various titles have been approved, or this bill as a whole has been approved?

The SPEAKER pro tempore. The Chair will state that by unanimous consent the answer is in the affirmative.

Mr. HALL. Mr. Speaker, reserving the right to object, I will have to ask the gentleman from New York what the amendment does? What is the difference between the Senate bill that he is proposing for the recently House-passed bill?

Mr. TENZER. It is an amendment which will make the Senate bill the same as the bill passed by the House today reducing the amount from $44,016.62 to $9,593.72.

Mr. HALL. What is the purpose of using the Senate bill rather than the House bill?

Mr. TENZER. It would eliminate a conference. Both bills are identical except on that one point. This is the standard procedure where there is a Senate bill passed.

Mr. HALL. Is it not increased funding in the Senate bill?

Mr. TENZER. The Senate bill presently stands at 44 thousand and some odd dollars, that is, $44,016.22.

Mr. HALL. Does this House have the guarantee that there will be no further action on the Senate bill in this body when this has already passed?

Mr. TENZER. If this is reduced to 9 thousand and some odd dollars, as already passed by the House, then the bill would be approved by both Houses for the same amount. The Senate will have to adopt the House bill.

Mr. HALL. Mr. Speaker, in view of the gentleman's statement and his explanation, I withdraw my reservation of objection.

Mr. SNYDER. Mr. Speaker, further reserving the right to object, I just want to get this clear in my mind. We are putting in the Senate bill what the House provided for here.

Mr. TENZER. Exactly so.

Mr. SNYDER. But it is still in the House bill, in the omnibus bill, also.

Mr. TENZER. But when it goes to the Senate, it goes as a separate and individual bill under the rules.

Mr. SNYDER. The omnibus bill goes to the Senate; does it not?

Mr. TENZER. No; each bill is considered as an individual bill.

Mr. SNYDER. Then do we have your assurance that this one title will not go over to the Senate as a separate bill in addition to the Senate bill?

Mr. TENZER. You have the assurance that the Committee on the Judiciary will sustain the House action.

Mr. SNYDER. And it will just be going to the Senate as one bill?

Mr. TENZER. That is correct, and reducing the amount.

The SPEAKER pro tempore (Mr. ALBERT). 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. 857

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Puget Sound Plywood, Incorporated, of Tacoma, Washington, the sum of $44,016.62, in full satisfaction of all claims of the said Puget Sound Plywood, Incorporated, against the United States for compensation for losses incurred in connection with the performance of a timber sale contract (dated January 27, 1959, No. 12–11–036; 37850) between the said Puget Sound Plywood, Incorporated, and the Forest Service, Department of Agriculture, the said Puget Sound Plywood, Incorporated, having failed, under the road cost amortization rates provided in the contract, to recover a substantial portion of the estimated road construction costs specified: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

AMENDMENT OFFERED BY MR. TENZER

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

The Clerk read as follows:

Amendment offered by Mr. TENZER: On page 1, line 6, strike out "$44,016.62" and insert "$9,593.72".

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. 4949) was laid on the table.

GENERAL LEAVE TO EXTEND ON H.R. 16187

Mr. TENZER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on any bill included in the omnibus bill.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will call the next bill on the Private Calendar.

DR. EARL C. CHAMBERLAYNE

The Clerk called the bill (S. 747) for the relief of Dr. Earl C. Chamberlayne.

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

S. 747

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Earl C. Chamberlayne shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 9, 1952.

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.

JOHN THEODORE NELSON

The Clerk called the bill (S. 905) for the relief of John Theodore Nelson.

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

S. 905

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, John Theodore Nelson may be classified as a child within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of John Theodore Nelson by Maude V. Nelson, a citizen of the United States, pursuant to section 204 of that Act.

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.

JOSEFINA FULGUEIRA

The Clerk called the bill (H.R. 3527) for the relief of Josefina Fulgueira.

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

H.R. 3527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Josefina Fulgueria shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 14, 1960.

With the following committee amendment:

On page 1, line 4, strike out the name "Josefina Fulgueira" and substitute in lieu thereof the name "Josefina F. Viera".

The 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 for the relief of Josefina F. Viera."

A motion to reconsider was laid on the table.

AI BOK CHUN

The Clerk called the bill (H.R. 14380) for the relief of Ai Bok Chun.

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

H.R. 14380

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Ai Bok Chun may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Carl and Gertrude Eggebeen, citizens of the United States, pursuant to section 204 of the Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

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.

ZUMRUT SOOLEY

The Clerk called the bill (H.R. 14513) for the relief of Zumrut Sooley.

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

H.R. 14513

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Zumrut Sooley may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Frank N. Sooley, citizens of the United States pursuant to section 204 of the Act.

With the following committee amendment:

On page 1, line 8, after the word "Act" change the period to a colon and add the following: "*Provided,* That the brothers or sisters of the beneficiary shall not, by reason of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

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.

GEORGE TILSON WEED

The Clerk called the bill (H.R. 14276) for the relief of George Tilson Weed.

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

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

There was no objection.

DR. MARTIN ADOLFO ZALDIVAR AND MRS. JUANA MARIA HERNANDEZ DE GINER

The Clerk called the bill (H.R. 8245) for the relief of Dr. Martin Adolfo Zaldivar and Mrs. Juana Maria Hernandez de Giner.

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

H.R. 8245

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Martin Adolfo Zaldivar and Mrs. Juana Maria Hernandez de Giner shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 1, 1962.

With the following committee amendments:

On page 1, lines 4 and 5, strike out the names "Doctor Martin Adolfo Zaldivar and Mrs. Juana Maria Hernandez de Giner" and substitute in lieu thereof the name "Doctor Martin Adolfo Giner-Zaldivar".

On page 1, line 7, strike out the date "June 1, 1962." and substitute in lieu thereof the date "January 26, 1962."

The committee amendments were 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 for the relief of Dr. Martin Adolfo Giner-Zaldivar."

A motion to reconsider was laid on the table.

ANA YAP-DIANGCO

The Clerk called the bill (H.R. 13351) for the relief of Ana Yap-Diangco.

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

H.R. 13351

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Ana Yap-Diangco may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Crisanto A. Malihan, citizens of the United States, pursuant to section 204 of the Act.

With the following committee amendments:

On page 1, line 4, strike out the name "Ana Yap-Diangco" and substitute in lieu thereof the name "Ana Mae Yap-Diangco".

On page 1, lines 6 and 7, strike out the words "and Mrs.".

On page 1, line 7, strike out the word "citizens" and substitute in lieu thereof the words "a citizen".

The committee amendments were 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 for the relief of Ana Mae Yap-Diangco."

A motion to reconsider was laid on the table.

ROBERTO QUERO

The Clerk called the bill (H.R. 17222) for the relief of Robert Quero.

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

H.R. 17222

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Roberto Quero shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 29, 1961.

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.

JOSE ESTRADA

The Clerk called the bill (H.R. 15402) for the relief of Jose Estrada.

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

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

There was no objection.

COSMINA RUGGIERO

The Clerk called the bill (H.R. 14786) for the relief of Cosmina Ruggiero.

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

H.R. 14786

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Cosmina Ruggiero may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Giovanna Martinelli, a citizen of the United States, may be approved pursuant to section 204 of the Act.

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.

ANASTASIA D. MPATZIANI

The Clerk called the bill (S. 1652) for the relief of Anastasia D. Mpatziani.

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

S. 1652

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (25) of section 212(a) of the Immigration and Nationality Act, Anastasia D. Mpatziani may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act. This Act shall apply only to the grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

With the following committee amendment

On page 1, line 11, at the end of the bill change the period to a "colon" and add the following: *"Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act."

The committee amendment was agreed to.

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

DR. HUGO VICENTE CARTAYA

The Clerk called the bill (S. 2250) for the relief of Dr. Hugo Vicente Cartaya.

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

S. 2250

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Hugo Vicente Cartaya shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 28, 1961.

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.

DR. JULIO EPIFANIO MORERA

The Clerk called the bill (S. 2506) for the relief of Dr. Julio Epifanio Morera.

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

S. 2506

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Julio Epifanio Morera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 5, 1961.

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.

HENG LIONG THUNG

The Clerk called the bill (S. 2720) for the relief of Heng Liong Thung.

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

S. 2720

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Heng Liong Thung has resided and was physically present in the United States or any State since September 4, 1962, shall be held and considered as compliance with the residence and physical presence requirement of section 316 of said Act.

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.

MRS. BEATRICE JAFFE

The Clerk called the bill (H.R. 1722) for the relief of Mrs. Beatrice Jaffe.

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

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

There was no objection.

STEPHEN H. CLARKSON

The Clerk called the resolution (H. Res. 1216) to refer the bill (H.R. 3736) entitled "A bill for the relief of Stephen H. Clarkson" to the Chief Commissioner of the Court of Claims, pursuant to sections 1492 and 2509 of title 28, United States Code.

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

H. RES. 1216

Resolved, That the bill (H.R. 3736) entitled "A bill for the relief of Stephen H.

Clarkson", together with all accompanying papers, is hereby referred to the Chief Commissioner of the Court of Claims pursuant to sections 1942 and 2509 of title 28, United States Code, for further proceedings in accordance with applicable law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ESTATE OF PIERRE SAMUEL DU PONT DARDEN

The Clerk called the bill (H.R. 7502) for the relief of the estate of Pierre Samuel du Pont Darden.

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

H.R. 7502

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any period of limitations or lapse of time, claim for credit or refund of overpayment of Federal income taxes made by the late Pierre Samuel du Pont Darden for the taxable year 1959 may be filed by his administrator at any time within one year after the date of enactment of this Act. Sections 6511 and 6514 of the Internal Revenue Code of 1954 shall not apply to the credit or refund of any overpayment of tax with respect to which a claim is filed pursuant to this Act within such one-year period.

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.

BEASLEY ENGINEERING CO., INC

The Clerk called the bill (H.R. 8588) for the relief of the Beasley Engineering Co., Inc.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

REFERENCE OF H.R. 9826—BRANKA MARDESSICH AND SONIA S. SILVANI

The Clerk called the resolution (H. Res. 743) to refer the bill (H.R. 9826) entitled "A bill for the relief of Branka Mardessich and Sonia S. Silvani" to the Chief Commissioner of the Court of Claims, pursuant to sections 1492 and 2509 of title 28, United States Code.

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

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

There was no objection.

REFERENCE OF H.R. 13642—JESUS J. RODRIGUEZ

The Clerk called the resolution (H. Res. 954) referring the bill (H.R. 13642) to the Chief Commissioner of the Court of Claims.

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

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

There was no objection.

MR. AND MRS. JOSEPH E. BEGNOCHE

The Clerk called the bill (H.R. 1756) for the relief of Mr. and Mrs. Joseph E. Begnoche.

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

The SPEAKER pro tempore. It there objection to the request of the gentleman from Missouri?

There was no objection.

WALTER A. RADELOFF

The Clerk called the bill (H.R. 3472) for the relief of Walter A. Radeloff.

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

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

There was no objection.

NOEL S. MARSTON

The Clerk called the bill (H.R. 9567) for the relief of Noel S. Marston.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

FIRST SGT. PATRICK MARRATTO

The Clerk called the bill (H.R. 13374) for the relief of 1st Sgt. Patrick Marratto, U.S. Army (retired).

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

H.R. 13374

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Sergeant First Class Patrick Marratto, United States Army (retired), of Springfield, Massachusetts, is hereby relieved of liability to the United States in the amount of $786.46, the amount of an overpayment of compensation as a member of the United States Army in the period beginning June 1, 1950, and ending May 24, 1964, because of an administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sergeant First Class Patrick Marratto, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated by this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike "$786.46" and insert "$786.20".

Page 1, line 8, strike "May 24, 1964" and insert "January 31, 1967".

The committee amendments were 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.

JOHN THOMAS COSBY, JR.

The Clerk called the bill (H.R. 14467) for the relief of John Thomas Cosby, Jr.

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

H.R. 14467

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legally appointed guardian of John Thomas Cosby, Junior, a minor, the sum of $10,000 in full settlement of the claims of the said John Thomas Cosby, Junior, of Prattville, Alabama, based upon the injuries and disabilities suffered in an accident which occurred on October 28, 1955, in Birmingham, Alabama, when he was struck by a wheel which had come off a post office truck.

No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be determined guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

This claim is not cognizable under the tort claims procedure as provided in title 28, United States Code.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That notwithstanding the provisions of section 2401 of title 28 or any other statute of limitations or delay or laches or any prior release, jurisdiction is hereby conferred upon the United States District Court for the Southern Division of the Northern District of Alabama to hear, determine, and render judgment on the claim of John Thomas Cosby, Jr., of Prattville, Alabama, based upon the injuries and disabilities suffered in an accident which occurred on or about October 28, 1955, in Birmingham, Alabama, when he was struck by a wheel which allegedly had come off a United States Post Office truck. The action provided for in this Act shall be instituted within one year of the effective date of this Act."

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.

HENRY E. DOOLEY

The Clerk called the bill (H.R. 17109) for the relief of Henry E. Dooley.

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

H.R. 17109

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. Henry E. Dooley, Mount View Terrace, Manchester Center, Vermont 05255, the sum of $394.49, in full satisfaction of his claim against the United States for reimbursement of the cost of transportation of the privately owned automobile of his son, Lieutenant (junior grade) James E. Dooley, United States Navy, from San Francisco, California, to Manchester Center, Vermont, the said Henry E. Dooley having transported such automobile at his own expense upon the receipt of official notification that his son was missing in action in Vietnam. No part of the amount appropriated in ths Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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.

IDA GROUP OF MINING CLAIMS IN JOSEPHINE COUNTY, OREG.

The Clerk called the bill (S. 1470) for the relief of the Ida group of mining claims in Josephine County, Oreg.

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

S. 1470

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That failure of the claimants to comply with the labor and improvement requirements of section 2324 of the Revised Statutes, as amended (30 U.S.C. 28) upon the Ida group of mining claims in Josephine County, Oregon, shall not, during the pendency of the case of C. F. Pruess, Sr., Executor et al., against Stewart L. Udall (civil numbered 1331–62, in the United States District Court for the District of Columbia) and for six months after final decision in any subsequent court action involving that suit, open such claims to relocation or otherwise jeopardize whatever rights the claimants may have in the claims.

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.

GRANTING THE STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Clerk called the joint resolution (H.J. Res. 1034) granting the status of permanent residence to certain aliens.

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

Mr. HALL and Mr. GROSS objected, and, under the rule, the joint resolution was recommitted to the Committee on the Judiciary.

GRANTING COASTWISE PRIVILEGES TO THE VESSEL "MARPOLE"

The Clerk called the bill (H.R. 12766) to permit the vessel *Marpole* to be documented for use in the coastwise trade.

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

H.R. 12766

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), the vessel known as the Marpole, official number CF4754CN, owned by (Mrs.) Jean C. Rowe, 334 25th Street, Santa Monica, California, 90402, area code 213, telephone EX 5–3034, shall be entitled to be documented to engage in the fisheries and the coastwise trade upon compliance with the usual requirements, so long as such vessel is, from the date of enactment of this Act, continuously owned by a citizen of the United States. For the purpose of this Act, the term "citizen of the United States" includes corporations, partnerships, and associations, but only those which are citizens of the United States within the meaning of section 2 of the Shipping Act, 1916 (46 U.S.C. 802).

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.

YUNG RAN KIM

The Clerk called the bill (S. 2706) for the relief of Yung Ran Kim.

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

S. 2706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, section 204(c), relating to the number of petitions which may be approved in behalf of adopted children, shall be inapplicable in the case of a petition filed in behalf of Yung Ran Kim by Mr. and Mrs. Charles R. Kiner, Junior, citizens of the United States: *Provided,* That no brothers or sisters of the beneficiary shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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.

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON S. SGT. IVAN CLAUS KING

The Clerk called the bill (S. 2759) conferring U.S. citizenship posthumously upon S. Sgt. Ivan Claus King.

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

S. 2759

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Staff Sergeant Ivan Claus King, a native of Germany, who served honorably in the United States Army from May 12, 1965, until his death on October 2, 1967, shall be held and considered to have been a citizen of the United States at the time of his death.

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.

JAMES T. O'BRIEN

The Clerk called the bill (S. 2897) for the relief of James T. O'Brien.

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

S. 2897

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, James T. O'Brien shall, be held and considered to have been lawfully admitted to the United States for permanent residence as of June 30, 1927, upon payment of the required visa fee.

With the following committee amendments:

On page 1, line 4, after the word "shall" insert the following: ", upon his admission for permanent residence,".

On page 1, line 6, after the date "June 30, 1927" change the comma to a period and strike out the remainder of the bill.

The committee amendments were agreed to.

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

RICHARD SMITH (NOBORU KAWANO)

The Clerk called the bill (S. 3024) for the relief of Richard Smith (Noboru Kawano).

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

S. 3024

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Richard Smith (Noboru Kawano) may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Technical Sergeant Robert E. Smith, a citizen of the United States, pursuant to section 204 of the Act: *Provided,* That no brothers or sisters of the beneficiary shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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.

DR. DARIO DUQUE

The Clerk called the bill (H.R. 7957) for the relief of Dr. Dario Duque.

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

H.R. 7957

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Dario Duque shall be held and considered to have satisfied the requirements of section 316 of the Immigration and Nationality Act relating to required periods of residence and physical presence within the United States and, notwithstanding the provisions of section 310(d) of that Act, he may be naturalized at any time after the date of enactment of this Act if he is otherwise eligible for

naturalization under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That, for the purposes of the Immigration and Nationality Act, Doctor Dario Duque shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 27, 1956, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act."

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.

DR. ERDOGAN Y. BAYSAL

The Clerk called the bill (H.R. 14389) for the relief of Dr. Erdogan Y. Baysal.

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

H.R. 14389

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Erdogan Y. Baysal shall be held and considered to have been lawfully admitted to the United States on July 1, 1957.

With the following committee amendment:

On page 1, line 6, strike out the date "July 1, 1957." and substitute in lieu thereof the following: "June 27, 1957, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act."

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.

DR. JAIME E. LAZARO

The Clerk called the bill (H.R. 15060) for the relief of Dr. Jaime E. Lazaro.

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

H.R. 15060

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jaime E. Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 29, 1957.

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.

DR. LYDIA L. LAZARO

The Clerk called the bill (H.R. 15061) for the relief of Dr. Lydia L. Lazaro.

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

H.R. 15061

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Lydia L. Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 25, 1958.

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.

PVT. WILLY R. MICHALIK, [redacted]

The Clerk called the bill (H.R. 17022) for the relief of Pvt. Willy R. Michalik, [redacted].

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

H.R. 17022

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Private Willy Michalik, a native of Germany, who served honorably in the United States Army from April 21, 1966, until his death on April 10, 1968, shall be held and considered to have been a citizen of the United States at the time of his death.

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.

DR. MANUEL E. TAYKO

The Clerk called the bill (H.R. 18274) for the relief of Dr. Manuel E. Tayko.

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

H.R. 18274

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Doctor Manuel E. Tayko shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 26, 1958.

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.

DR. ESTEBAN G. FRIERA

The Clerk called the bill (H.R. 18316) for the relief of Dr. Esteban G. Friera.

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

H.R. 18316

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Esteban G. Friera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 8, 1959.

With the following committee amendment:

On page 1, line 6, strike out the date, "July 8, 1959." and substitute in lieu thereof the date "July 9, 1959.

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.

GRANTING THE STATUS OF PERMANENT RESIDENCE TO MARIA MERCEDES RIEWERTS

The Clerk called the joint resolution (H.J. Res. 1287) granting the status of permanent residence to Maria Mercedes Riewerts.

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

H.J. RES. 1287

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in the case of Maria Mercedes Riewerts, in whose case deportation was suspended in accordance with the provisions of section 19(c) of the Immigration Act of February 5, 1917, as amended (39 Stat. 889; 54 Stat. 672–673), the Commissioner of Immigration and Naturalization is authorized and directed to cancel deportation proceedings and, in accordance with the provisions of said section 19(c) of said Act, to record the alien's lawful admission for permanent residence as of August 3, 1925, upon payment of a fee of $18 to the Commissioner.

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that a similar Senate joint resolution (S.J. Res. 185) be considered in lieu of the House joint resolution.

The Clerk read the title of the Senate joint resolution.

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

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

S.J. RES 185

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the case of Maria Mercedes Riewerts, in whose case deportation was suspended in accordance with the provisions of section 19(c) of the Immigration Act of February 5, 1917, as amended (39 Stat. 889; 54 Stat. 672–673), the Commissioner of Immigration and Naturalization is authorized and directed to cancel deportation proceedings and, in accordance with the provisions of the said section 19(c) of the said Act, to record the alien's lawful admission for permanent residence as of August 3, 1925, upon payment of a fee of $18 to the Commissioner.

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

A similar House joint resolution (H.J. Res. 1287) was laid on the table.

DR. GOMEZ RAFAEL PASCUAL AND HIS WIFE, SANTA MARIA DE PASCUAL YOLANDA DEL CARMEN

The Clerk called the bill (H.R. 11085) for the relief of Dr. Gomez Rafael Pascual and his wife, Santa Maria de Pascual Yolanda del Carmen.

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

H.R. 11085

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purposes of the Immigration and Nationality Act, Doctor Gomez Rafael Pascual

shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 23, 1962.

(b) For the purposes of the Immigration and Nationality Act, Santa Maria de Pascual Yolanda del Carmen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 30, 1961.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That, for the purposes of the Immigration and Nationality Act, Doctor Rafael Ramon Pascual shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 24, 1962."

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 for the relief of Dr. Rafael Ramon Pascual."

A motion to reconsider was laid on the table.

DR. JOSEPH MOUSSAKHANI

The Clerk called the bill (H.R. 11253) for the relief of Dr. Joseph Moussakhani.

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

H.R. 11253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Doctor Joseph Moussakhani shall be held and considered to have complied with the provisions of section 316 of that Act as they relate to residence and physical presence.

With the following committee amendment:

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

"That, for the purposes of the Immigration and Nationality Act, Doctor Joseph Moussakhani shall be held and considered to have been lawfully admitted to the United States for permanent residence on June 23, 1959, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act."

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.

DR. LUIS RAVENET

The Clerk called the bill (H.R. 12860) for the relief of Dr. Luis Ravenet.

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

H.R. 12860

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Luis Ravenet shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 12, 1962.

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.

DR. AUGUSTO USATEGUI

The Clerk called the bill (H.R. 14016) for the relief of Dr. Augusto Usategui.

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

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

There was no objection.

DR. ERNESTO JOSE GIRO

The Clerk called the bill (H.R. 15174) for the relief of Dr. Ernesto Jose Giro.

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

H.R. 15174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Ernesto Jose Giro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 28, 1960.

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.

DR. VIOLETA V. ORTEGA BROWN

The Clerk called the bill (S. 772) for the relief of Dr. Violeta V. Ortega Brown.

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

S. 772

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Violeta V. Ortega Brown shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 25, 1962.

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.

DR. CHUNG CHICK NAHM

The Clerk called the bill (S. 1069) for the relief of Dr. Chung Chick Nahm.

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

S. 1069

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Chung Chick Nahm shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 1, 1954.

With the following committee amendment:

On page 1, line 6, at the end of the bill, change the period to a comma and add the following: "and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act."

The committee amendment was agreed to.

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

DR. SAMAD MOMTAZEE

The Clerk called the bill (S. 1327) for the relief of Dr. Samad Momtazee.

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

S. 1327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Samad Momtazee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 4, 1962.

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.

DR. BONG OH KIM

The Clerk called the bill (S. 1354) for the relief of Dr. Bong Oh Kim.

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

S. 1354

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Bong Oh Kim shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 11, 1952.

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.

DR. HERMAN J. LOHMANN

The Clerk called the bill (S. 2371) for the relief of Dr. Herman J. Lohmann.

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

S. 2371

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Doctor Herman J. Lohmann shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 10, 1957.

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.

DR. FANG LUKE CHIU

The Clerk called the bill (S. 2477) for the relief of Dr. Fang Luke Chiu.

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

S. 2477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Fang Luke Chiu shall be held and considered to have been lawfully

admitted to the United States for permanent residence as of January 12, 1955.

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.

DR. RAMON R. AZARET

The Clerk called the bill (H.R. 15210) for the relief of Dr. Ramon R. Azaret.

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

H.R. 15210

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Ramon R. Azaret shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 6, 1962.

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.

MRS. MARJORIE J. HOTTENROTH

The Clerk called the bill (H.R. 15476) for the relief of Mrs. Marjorie J. Hottenroth.

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

H.R. 15476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Marjorie J. Hottenroth shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visa and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act.

With the following committee amendment:

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

"That in the administration of the Immigration and Nationality Act, Mrs. Marjorie J. Hottenroth, the widow of a United States citizen, shall be deemed to be an immediate relative and the provisions of section 204 of the Act shall be inapplicable in her case."

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.

DR. CARLOS M. PEREZ-ABREU

The Clerk called the bill (H.R. 15634) for the relief of Dr. Carlos M. Perez-Abreu.

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

H.R. 15634

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Carlos M. Perez-Abreu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 13. 1961.

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.

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON SP4C. KLAUS JOSEF STRAUSS

The Clerk called the bill (H.R. 15969) to confer U.S. citizenship posthumously upon Sp4c. Klaus Josef Strauss.

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

H.R. 15969

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, Specialist Four Klaus Joseph Strauss, a native of Germany, who served honorably in the United States Army from November 15, 1966, until his death on February 8, 1968, shall be held and considered to have been a citizen of the United States at the time of his death.

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.

DR. ORLANDO BALEA

The Clerk called the bill (H.R. 16238) for the relief of Dr. Orlando Balea.

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

H.R. 16238

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Orlando Balea shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 29, 1962.

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.

DR. JACQUES CHARBONNIEZ

The Clerk called the bill (H.R. 18174) for the relief of Dr. Jacques Charbonniez.

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

H.R. 18174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jacques Charbonniez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 29, 1962.

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.

REDDICK B. STILL, JR., AND RICHARD CARPENTER

The Clerk called the bill (H.R. 3193) for the relief of Reddick B. Still, Jr., and Richard Carpenter.

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

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

There was no objection.

FRANCIS M. ROGALLO AND GERTRUDE S. ROGALLO

The Clerk called the bill (H.R. 9566) for the relief of Francis M. Rogallo and Gertrude S. Rogallo.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MAE LAMA MINING CO., LTD.

The Clerk called the bill (H.R. 11255) for the relief of Mae Lama Mining Co., Ltd.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

DR. AUGUSTO USATEGUI

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Private Calendar No. 552, the bill (H.R. 14016) for the relief of Dr. Augusto Usategui.

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

Mr. TALCOTT. Mr. Speaker, reserving the right to object, I would like to state that I previously asked that the bill be passed over without prejudice.

I would now like to withdraw that request.

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

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

H.R. 14016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Augusto Usategui shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 2, 1960.

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.

APPOINTMENT OF CONFEREES ON H.R. 17126, EXTENSION OF FOOD AND AGRICULTURE ACT OF 1965

Mr. POAGE. Mr. Speaker, pursuant to rule XX of the rules of the House and at the unanimous direction of the Committee on Agriculture, I move to take from the Speaker's table the bill (H.R. 17126) to amend the Food and Agriculture Act of 1965, with Senate amend-

ments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. POAGE moves to take from the Speaker's table the bill (H.R. 17126) to amend the Food and Agriculture Act of 1965, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

Mr. FINDLEY. Mr. Speaker, a parliamentary inquiry. I could not hear the proceedings, Mr. Speaker. My question is what is the parliamentary status at this point?

The SPEAKER. The Chair is about to put the question on the motion.

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

The SPEAKER. Will the gentleman withhold that until the gentleman from Illinois has a chance to explore his parliamentary inquiry?

Mr. TALCOTT. I cannot hear the parliamentary inquiry, Mr. Speaker.

Mr. FINDLEY. Mr. Speaker, will the gentleman from Texas yield to me?

The SPEAKER. The gentleman from Texas under the rules would be entitled to 1 hour.

Mr. FINDLEY. Yes. Will the gentleman from Texas yield to me at this point?

The SPEAKER. Is the gentleman making a parliamentary inquiry?

Mr. FINDLEY. My first inquiry was as to the status of the parliamentary situation, which I understood the Chair to say that the Chair was about to call for a vote on the motion to go to conference. I understand that. My question now is whether the gentleman from Texas [Mr. POAGE] will yield to me.

Mr. POAGE. Mr. Speaker, do I have the floor?

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. FINDLEY. Will the gentleman yield?

Mr. POAGE. I yield to the gentleman for a question only.

Mr. FINDLEY. Can the gentleman give any guarantees to the Members of this body that the conferees on this bill will insist upon the provision of the bill which establishes a $20,000 limitation on payments? I ask this for the reason that the prospective conferees, as I know them to be identified, have each, with the exception of one on our side of the aisle, expressed their own personal objection to a limitation provision in the law or in the program. In the light of this objection so vehemently stated by each of them, with that one lone exception, I would like to have some assurance from the gentleman that the House conferees will, indeed, make a strenuous effort to insist on all provisions of the House measure, including the limitation on payments.

Mr. POAGE. I can answer to the gentleman it is my understanding that the rules of the House require the conferees on any bill at any time to make a serious effort to sustain the position of the House. It is my intention to seek to sustain the position of the House on this bill or any other on which I am appointed as a conferee on the conference. But it is also my understanding that the only purpose for a conference is to try to work out the differences between the two Houses which, of necessity, means that somewhere there must be some give on the part of each of the bodies. Undoubtedly that will be the case here.

I can no more predict than can the gentleman from Illinois what will finally be the result. But I do think that if we are to have any kind of orderly legislation that there must be a way whereby the representatives of this body and the representatives of the other body can meet and seek to work out their differences.

Mr. FINDLEY. Mr. Speaker, may I ask one question?

Mr. POAGE. Certainly. I yield for a question only.

Mr. FINDLEY. Can the gentleman from Texas give us assurance that the customary procedural handling of the conference papers will be adhered to?

The reason I raise that question is that there is within the rules of the House even though the Senate asks for the conference for the Senate to act first on the conference papers. In that event the Senate could accept the conference report on the part of its conferees and then the House conferees would bring the report here and then the question before the House at that point would be simply yes or no on the entire conference report. In other words, this would preclude any move to see that the $20,000 limitation is not dropped—this would preclude the House conferees from going back to conference and insisting upon that position.

I realize that the customary procedure would be for the conference papers to come first to the House.

I would like the assurance of the gentleman from Texas that that procedure will be adhered to.

Mr. POAGE. I can assure the gentleman that we are going to carry out this conference according to the rules of the House and the Senate, because I have never heard of carrying on the practice which the gentleman suggests. It may be a good one and maybe we ought to adopt it. But it has not occurred to me to engage in any chicanery that the gentleman suggests.

Mr. FINDLEY. It is entirely legal. We are following custom.

Mr. POAGE. We will follow the rules of the House and of the Senate.

Mr. FINDLEY. Is this procedure the usual procedure?

Mr. POAGE. I assume that the House procedure has been in accordance with the rules. I have never had any occasion to doubt the propriety of the procedures of the House. If the gentleman feels that the House procedures are out of order, we will try to correct them.

The SPEAKER. The question is on the motion offered by the gentleman from Texas [Mr. POAGE].

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

Mr. FINDLEY. 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 223, nays 85, not voting 123, as follows:

[Roll No. 339]

YEAS—223

Abbitt	Foley	Nedzi
Abernethy	Ford, Gerald R.	Nichols
Albert	Fountain	Nix
Andrews, Ala.	Fraser	O'Hara, Mich.
Andrews, N. Dak.	Frelinghuysen	O'Neal, Ga.
Arends	Fuqua	O'Neill, Mass.
Ashbrook	Galifianakis	Passman
Ashley	Gallagher	Patman
Aspinall	Gathings	Patten
Ayres	Gibbons	Perkins
Barrett	Gray	Pickle
Battin	Green, Oreg.	Poage
Belcher	Griffin	Poff
Bennett	Gross	Price, Ill.
Berry	Hagan	Price, Tex.
Betts	Haley	Pucinski
Bevill	Hall	Purcell
Blanton	Hamilton	Quie
Blatnik	Hammer-schmidt	Quillen
Boggs	Hanna	Randall
Bolling	Hardy	Reid, Ill.
Bow	Harsha	Reifel
Brademas	Harvey	Reuss
Brinkley	Hathaway	Rhodes, Pa.
Brock	Hays	Riegle
Brooks	Hechler, W. Va.	Roberts
Brotzman	Howard	Rogers, Colo.
Brown, Ohio	Hull	Ronan
Broyhill, N.C.	Hutchinson	Rooney, N.Y.
Broyhill, Va.	Ichord	Rooney, Pa.
Burke, Mass.	Irwin	Rosenthal
Burleson	Jarman	Rostenkowski
Burton, Calif.	Johnson, Calif.	Roush
Byrnes, Wis.	Jones, Ala.	Roybal
Carter	Jones, Mo.	Ruppe
Casey	Jones, N.C.	Schadeberg
Cederberg	Karth	Scherle
Chamberlain	Kastenmeier	Schwengel
Clausen, Don H.	Kazen	Scott
Collins	Kee	Selden
Colmer	Kleppe	Shriver
Corbett	Kornegay	Sikes
Culver	Kuykendall	Skubitz
Cunningham	Kyl	Slack
Curtis	Kyros	Smith, Iowa
Davis, Ga.	Laird	Snyder
Davis, Wis.	Langen	Springer
de la Garza	Latta	Stanton
Delaney	Lennon	Steed
Dellenback	Long, La.	Steiger, Ariz.
Denney	Lukens	Steiger, Wis.
Dickinson	McCloskey	Stubblefield
Diggs	McCulloch	Stuckey
Dole	McFall	Talcott
Dorn	McMillan	Taylor
Dow	Mahon	Tenzer
Dowdy	Marsh	Thompson, N.J.
Downing	Martin	Thomson, Wis.
Dulski	Mathias, Calif.	Tuck
Duncan	Matsunaga	Tunney
Dwyer	May	Udall
Edmondson	Mayne	Van Deerlin
Edwards, Ala.	Meeds	Vigorito
Edwards, La.	Michel	Waggonner
Eilberg	Miller, Ohio	Waldie
Erlenborn	Mills	Wampler
Esch	Mink	Watson
Eshleman	Mize	White
Evans, Colo.	Montgomery	Wilson, Charles H.
Everett	Morgan	Winn
Fascell	Morris, N. Mex.	Wyman
Feighan	Murphy, Ill.	Young
Flood	Murphy, N.Y.	Zablocki
Flynt	Myers	Zwach
	Natcher	

NAYS—85

Adair	Cahill	Daniels
Addabbo	Carey	Dent
Anderson, Ill.	Clancy	Derwinski
Baring	Clark	Devine
Bates	Cleveland	Farbstein
Biester	Cohelan	Findley
Bray	Collier	Fino
Burke, Fla.	Conable	Ford, William D.
Button	Cowger	Fulton, Pa.
Byrne, Pa.	Cramer	

Giaimo	Mailliard	St. Onge
Gonzalez	Meskill	Sandman
Goodling	Minshall	Saylor
Grover	Monagan	Scheuer
Gude	Mosher	Schneebeli
Halleck	Ottinger	Shipley
Halpern	Pelly	Smith, Calif.
Hanley	Pike	Smith, N.Y.
Horton	Pirnie	Taft
Hunt	Railsback	Teague, Calif.
Jacobs	Reid, N.Y.	Thompson, Ga.
Joelson	Reinecke	Tiernan
King, N.Y.	Robison	Watkins
Lipscomb	Rodino	Whalen
Long, Md.	Rogers, Fla.	Whalley
McClory	Roth	Wolff
McDade	Rumsfeld	Wyatt
McEwen	Ryan	Wydler
Madden	St Germain	

NOT VOTING—123

Adams	Hansen, Idaho	O'Hara, Ill.
Anderson, Tenn.	Hansen, Wash.	O'Konski
Annunzio	Harrison	Olsen
Ashmore	Hawkins	Pepper
Bell	Hébert	Pettis
Bingham	Heckler, Mass.	Philbin
Blackburn	Helstoski	Podell
Boland	Henderson	Pollock
Bolton	Herlong	Pryor
Brasco	Hicks	Rarick
Broomfield	Holifield	Rees
Brown, Calif.	Hosmer	Resnick
Brown, Mich.	Hungate	Rhodes, Ariz.
Buchanan	Johnson, Pa.	Rivers
Burton, Utah	Jonas	Roudebush
Bush	Karsten	Satterfield
Cabell	Keith	Schweiker
Celler	Kelly	Sisk
Clawson, Del	King, Calif.	Smith, Okla.
Conte	Kirwan	Stafford
Conyers	Kluczynski	Staggers
Corman	Kupferman	Stephens
Daddario	Landrum	Stratton
Dawson	Leggett	Sullivan
Dingell	Lloyd	Teague, Tex.
Donohue	McCarthy	Ullman
Eckhardt	McClure	Utt
Edwards, Calif.	McDonald, Mich.	Vander Jagt
Evins, Tenn.	Macdonald, Mass.	Vanik
Fallon	MacGregor	Walker
Fisher	Machen	Watts
Friedel	Mathias, Md.	Whitener
Fulton, Tenn.	Miller, Calif.	Whitten
Gardner	Minish	Widnall
Garmatz	Moore	Wiggins
Gettys	Moorhead	Williams, Pa.
Gilbert	Morse, Mass.	Willis
Green, Pa.	Morton	Wilson, Bob
Griffiths	Moss	Wright
Gubser	Nelsen	Wylie
Gurney		Yates
		Zion

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Conte against.

Mr. Cabell for, with Mrs. Heckler of Massachusetts against.

Mr. Brasco for, with Mr. Kupferman against.

Mr. Annunzio for, with Mr. Mathias of Maryland against.

Mr. Fisher for, with Mr. Morse of Massachusetts against.

Mr. Fulton of Tennessee for, with Mr. Widnall against.

Mr. Gettys for, with Mr. Bob Wilson against.

Mr. Jonas for, with Mr. Adams against.

Mr. Rhodes of Arizona for, with Mr. Stratton against.

Mr. Henderson for, with Mr. Broomfield against.

Mr. Holifield for, with Mr. Johnson of Pennsylvania against.

Mr. Smith of Oklahoma for, with Mr. Podell against.

Mr. Hungate for, with Mr. Utt against.

Mr. Nelsen for, with Mr. Minish against.

Mr. Kirwan for, with Mr. Williams of Pennsylvania against.

Mr. Pepper for, with Mr. Del Clawson against.

Mr. Leggett for, with Mr. Vander Jagt against.

Mr. Pryor for, with Mr. Hosmer against.

Mr. Pollock for, with Mr. Gilbert against.

Mr. Moore for, with Mr. Brown of California against.

Mr. Miller of California for, with Mr. Conyers against.

Mr. Rivers for, with Mr. Edwards of California against.

Mrs. Sullivan for, with Mr. Hawkins against.

Mr. Morton for, with Mr. Helstoski against.

Mr. Blackburn for, with Mrs. Kelly against.

Mr. Buchanan for, with Mr. McCarthy against.

Mr. Teague of Texas for, with Mr. Rees against.

Mr. Whitener for, with Mr. Resnick against.

Mr. Ashmore for, with Mr. Vanik against.

Mr. Celler for, with Mr. Yates against.

Until further notice:

Mr. Whitten with Mr. Bell.

Mr. Philbin with Mr. Gardner.

Mr. Donohue with Mr. Hansen of Idaho.

Mr. Boland with Mr. Brown of Michigan.

Mr. Macdonald of Massachusetts with Mr. Gubser.

Mr. Garmatz with Mr. Burton of Utah.

Mr. Fallon with Mr. Gurney.

Mr. Friedel with Mr. Bush.

Mr. Dingell with Mr. Harrison.

Mr. Moorhead with Mr. Keith.

Mr. Kluczynski with Mr. Lloyd.

Mr. Anderson of Tennessee with Mr. McClure.

Mr. Corman with Mr. McDonald of Michigan.

Mr. Landrum with Mr. Schweiker.

Mr. Olsen with Mr. MacGregor.

Mr. Satterfield with Mr. O'Konski.

Mr. Green of Pennsylvania with Mr. Pettis.

Mr. Staggers with Mr. Roudebush.

Mrs. Hansen of Washington with Mr. Stafford.

Mr. Hicks with Mr. Wiggins.

Mr. Sisk with Mr. Wylie.

Mr. Evins of Tennessee with Mr. Zion.

Mr. Moss with Mr. Dawson.

Mr. O'Hara of Illinois with Mr. Machen.

Mr. King of California with Mr. Ullman.

Mr. Willis with Mr. Eckhardt.

Mrs. Griffiths with Mr. Herlong.

Mr. Stephens with Mr. Rarick.

Mr. Wright with Mr. Walker.

Mr. Watts with Mr. Karsten.

Messrs. MAILLIARD, BURKE of Florida, McDADE, GUDE, LONG of Maryland, SCHEUER, DERWINSKI, CAREY, and MONAGAN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PREFERENTIAL MOTION OFFERED BY MR. MAYNE

Mr. MAYNE. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. MAYNE moves that the managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the bill H.R. 17126 be instructed to insist on the provisions of the first section of the House bill which read as follows:

"That the Food and Agriculture Act of 1965 is extended—

"(1) by striking out 'through 1969' wherever it appears and substituting 'through 1970';

"(2) by striking out '1966, 1967, 1968, and 1969' wherever it appears and substituting '1966 through 1970';

"(3) by striking out '1969' in sections 103 and 201 and substituting '1970';

"(4) by striking out '1967, 1968, and 1969' in section 402(b) and substituting '1967 through 1970';

"(5) by striking out '1970' in section 404 and substituting '1971';

"(6) by striking out '1966 through the 1969' in section 516 and substituting '1966 through the 1970';

"(7) by striking out '1968' and '1969' wherever they appear in section 602(k) and substituting '1969' and '1970', respectively; and

"(8) by striking out 'or 1969' in section 801 and substituting '1969, or 1970'."

Mr. MAYNE. Mr. Speaker, the effect of this motion is to instruct the House conferees to insist that the Food and Agriculture Act of 1965 be extended for 1 year only. This body voted for a 1-year extension when the matter came before the House on July 31 of this year. As a practical matter we all know that a 1-year extension is the only extension which would have any chance of passage in this session.

Furthermore, a 1-year extension will carry out the bipartisan agreement which was carefully worked out in the House Committee on Agriculture by Members on both sides of the aisle—Members who recognized that the terrible predicament of our farm families is far too serious to be kicked around as a political football in this election year.

A 1-year extension will give a new Congress, a new President and, hopefully, a new Secretary of Agriculture sufficient time next year to work on and to consider improved farm programs on the merits and free from the political temptations and pressures of an election year.

Therefore, Mr. Speaker, I urge all Members who are seriously interested not only in helping the American farmers, but who want to preserve and strengthen the economy of our entire Nation, to vote in favor of this motion.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. MAYNE. I am happy to yield to the distinguished minority leader for the purpose of asking a question.

Mr. GERALD R. FORD. First let me express my appreciation for the opportunity to ask a question. May I also say, however, that I approve of the course of action taken by the gentleman from Iowa. I want his reassurance, however, because the motion to instruct is highly technical, whether it is a fact that its effect is to extend the legislation now on the statute books for 1 year?

Mr. MAYNE. That is correct.

Mr. GERALD R. FORD. I thank the gentleman for yielding.

Mr. MAYNE. Mr. Speaker, I move the previous question on the preferential motion.

The previous question was ordered.

The SPEAKER. The question is on the preferential motion offered by the gentleman from Iowa [Mr. MAYNE].

The preferential motion was agreed to.

The SPEAKER. The Chair appoints the following conferees: Messrs. POAGE, GATHINGS, PURCELL, FOLEY, BELCHER, TEAGUE of California, and Mrs. MAY.

DISPENSING WITH BUSINESS IN ORDER UNDER CALENDAR WEDNESDAY RULE TOMORROW

Mr. ALBERT. Mr. Speaker, after consulting with the distinguished Members of the minority leadership, I now renew my unanimous-consent request that the business in order under the Calendar

Wednesday rule be dispensed with tomorrow.

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

Mr. RUMSFELD. Mr. Speaker, I reserve the right to object.

Mr. Speaker, the gentleman from Minnesota [Mr. MACGREGOR] objected to a similar request last week. Unfortunately, he is unavoidably absent from the Chamber this evening.

We recall that the reason for his objection last week was a sincere attempt to use the procedures of the House to bring to the floor the bill to amend the Federal election laws.

The reason for his objection was the fact that the so-called election reform legislation has not been scheduled for floor consideration during the course of this year, and the Calendar Wednesday procedure was available under the rules.

However, for this procedure to work, of course, it requires that there be some cooperation by the chairmen of the committees and the Members of the House to reach, through the call of the roll, on Calendar Wednesday, through the Committee on Agriculture, the Committee on Armed Services and the various other committees down to the Committee on House Administration so that that committee could then call up for consideration the election reform legislation.

Those of us who share the desire, to use the Calendar Wednesday procedure to gain floor consideration of the election reform bill have reviewed the number of bills that are eligible under the Calendar Wednesday procedure and it appears that the Committee on Agriculture has some eight bills that can be called up; the Committee on Armed Services has one bill; the Committee on Banking and Currency has seven bills; the Committee on the District of Columbia has five bills; the Committee on Education and Labor has nine bills; the Committee on Foreign Affairs has two bills; the Committee on Government Operations has six bills; and the Committee on House Administration has one bill in addition to the election reform legislation that that committee could call up.

It is clear that by using the Calendar Wednesday procedure, under these circumstances, with some 39 or 40 bills that could be called up tomorrow, we would not be able to achieve the goal that the gentleman from Minnesota and others of us have; namely, to bring to the floor the election reform legislation.

That being the case, and since none of us have any desire to delay the proceedings of the House or to engage in a futile act by using a procedure to attempt to bring up a bill which it is impossible for the House to have a chance to consider under that procedure—for that reason, we have no desire to continue to object.

I would like to say there still is a strong desire on the part of many Members on this side and I am sure on the part of Members on the other side for the House to have the opportunity to consider the election reform legislation this year, as well as the Legislative Reform Act.

For myself, and I know the gentleman from Minnesota, we intend to continue to use the procedures of the House and the rules of the House to see if we can bring about floor scheduling of those two bills before this House adjourns.

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

Mr. RUMSFELD. I yield to the gentleman.

Mr. PUCINSKI. Mr. Speaker, what is the status of the gentleman's discharge petition?

Mr. RUMSFELD. There is a discharge petition filed with the Committee on Rules with respect to the Legislative Reorganization Act. It is my understanding, and the gentleman asked me off the floor just before we came into the Chamber the same question and I answered him the same way that I am now answering him, that within a matter of days a discharge petition will be available for the Reorganization Act at the Clerk's desk.

With respect to a discharge petition for the election reform legislation, it was our thought that we would attempt to use the Calendar Wednesday procedure. We have attempted that. It is clear to me at least that there is no chance for the election reform legislation to be brought up under this procedure.

The gentleman is correct if he is suggesting that a next logical step is a discharge petition.

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

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

Mr. CURTIS. I am not quite sure I agree completely with what has been said. I believe I heard it said that because there are these bills that have been hoarded up in these various committees, therefore, the Calendar Wednesday procedure would not be an effective one to use.

I have no knowledge that any of the chairmen of these committees have been desirous of using Calendar Wednesday. If there were an attempt at this late date for them to use Calendar Wednesday, I would suggest that it would obviously be for other purposes; namely, to effect a delay in the consideration of the election reform bill.

I would observe further that the real problem that I think faces us, as far as having the election reform bill on the floor, is that the chairman of the House Administration Committee—and this is the word that is around and I presume it is true—would not attempt to call it up. The main thing is that Calendar Wednesday can be used if a majority so desires. But it is clear to me, at any rate—and this I do share with my friend from Illinois in respect to his views—it is clear the majority of those who control the committees have no desire to bring this matter up, and therefore Calendar Wednesday, under the circumstances, would be ineffective only because the chairman of the Committee on House Administration would not bring it up, and the possibility that the chairmen of other committees would seek to subvert the intention of the use of Calendar Wednesday.

Mr. RUMSFELD. I agree with the gentleman from Missouri, and that is my information. I would like to inquire and confirm of the majority leader, is it not a fact that chairmen of committees have indicated to you that it is their intention to use the opportunity that could conceivably come tomorrow under Calendar Wednesday to call up bills from committees other than the Committee on House Administration and, in fact, committees that would precede House Administration on the call of Calendar Wednesday?

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

Mr. RUMSFELD. I am happy to yield to the gentleman from Oklahoma.

Mr. ALBERT. The answer is "Yes." Committee chairmen have advised me that if this procedure is used, they intend to take advantage of it to call up certain bills.

Mr. RUMSFELD. I thank the gentleman for his comments, and I withdraw my reservation.

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

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. 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 Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for tomorrow as best he can foresee it at this point.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, after consulting with the distinguished chairman of the Committee on Foreign Affairs, we have put over until Thursday the calling of the conference report on the Foreign Assistance Act. We do, however, have two conference reports ready for tomorrow, one on military construction and one on national trails. There are additional bills which we have programed for the balance of the week. We would like to consult with the chairmen of the committees reporting those bills early in the morning before deciding which of them will follow the conference reports.

Mr. GERALD R. FORD. I thank the distinguished majority leader.

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

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. May I ask the distinguished majority leader whether he plans to alter the order of the bills as set forth other than as indicated in the announcement just made.

Mr. ALBERT. The gentleman will recall that when we announced the program, we were confronted with a long Private Calendar day, which we have had, and with a Calendar Wednesday program. We said at the time, in view of that, if a change occurred in the pro-

graming of either or both of those matters, there might be some changes in the order in which the other bills on the program would come up.

Mr. GROSS. Mr. Speaker, will the gentleman give us the ones he thinks will come tomorrow?

Mr. ALBERT. Mr. Speaker, I have given the gentleman the two conference reports.

There has been some request that we bring up the Federal Magistrates Act—S. 945—as soon as possible. Before answering the gentleman's question directly, I should like to consult with the chairman of the Committee on the Judiciary, as well as the chairman of the Committee on Post Office and Civil Service, as to which one of these bills might be called first tomorrow.

Mr. GROSS. Mr. Speaker, what bill did the gentleman say would come from the Post Office and Civil Service Committee?

Mr. ALBERT. There are two. First is the bill concerning additional positions in certain executive agencies—H.R. 15890; second is civil service retirement financing—H.R. 17682.

Mr. GROSS. Mr. Speaker, is that the so-called supergrades bill?

Mr. ALBERT. Mr. Speaker, the gentleman is correct. The first one is the supergrade bill. There is also S. 2484, the extension of New Senate Office Building site, from the Committee on Public Works.

Mr. GROSS. Mr. Speaker, if the gentleman will bear with me, it is not the purpose then to bring up the conference report on the foreign aid bill until Thursday?

Mr. ALBERT. Mr. Speaker, the gentleman is correct.

Mr. GROSS. And the appropriation bill, the gentleman would think, would come this week?

Mr. ALBERT. I should think that would come early next week.

PERSONAL EXPLANATION

Mr. KASTENMEIER. Mr. Speaker, on rollcall No. 329, on September 16, 1968, I am recorded as not voting. I was unavoidably absent from the Chamber. Had I been present, I would have voted "yea."

TRIBUTE TO THE MEMBERS OF THE DESOTO HISTORICAL SOCIETY OF MANATEE COUNTY, FLA.

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

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

There was no objection.

Mr. HALEY. Mr. Speaker, I have requested this time to pay tribute to a group of outstanding citizens of my congressional district, the members of the DeSoto Historical Society of Manatee County, more popularly known as the Conquistadores.

This group of business and professional men has done more to build good international relations than any single group of private citizens I have ever known.

Not only do the Conquistadores annually sponsor the DeSoto Celebration at Bradenton, Fla., reenacting the landing of Hernando DeSoto on Florida soil in 1539, but also they have an active relationship with Bradenton's sister city, Barcarrota, Spain, the birthplace of Hernando DeSoto. The Conquistadores have made three goodwill trips to Spain, visiting Barcarrota, Madrid, and other Spanish cities, strictly at their own expense. The Spanish people have reciprocated by sending descendants of Hernando DeSoto and representatives of the Spanish Government and the city of Barcarrota to the United States to participate in the annual celebration.

I include in the RECORD at this time a letter from Dr. W. D. Sugg, who has given outstanding leadership in this people-to-people program, and a translation of the article which appeared in the Sunday A.B.C. of May 14, 1967, featuring the Conquistadores and their 1967 pilgrimage to Spain. It is my understanding that A.B.C. is one of Spain's greatest weekly publications.

The letter and article follow:

BRADENTON, FLA.,
September 6, 1968.

Hon. JAMES HALEY,
House of Representatives,
Washington, D.C.

DEAR JIM: You will recall going with a group of the Conquistadores of Bradenton to see President Johnson before their making a fifteen day pilgrimage to Barcarrota, the birthplace of Hernando DeSoto, and other historic Spanish cities in 1967. You and your wonderful secretary had been largely instrumental in the arrangement of the meeting with the President. I am certain we never adequately thanked you.

We were royally received in Madrid, Seville, Granada, Cordoba, Toledo, Jerez de la Frontera, Algeciras, Barcarrota and elsewhere with receptions by officials and leading citizens, and were the object of attention by tens of thousands of people. I was told we were on national television three times and on radio, and I have a stack of Spanish newspapers several inches thick containing stories of our visit. It was the third such pilgrimage made by the Conquistadores.

I am including my rather poor translation of one article appearing in the Sunday *A.B.C.*, the leading illustrated national news medium, I believe. *Hoy*, another great national journal, also gave us a sympathetic write-up. The people of Spain seemed to regard us as a People-to-People gesture. The officials and scholars felt we were at last paying attention to the important role the Spaniards of the older days played in the exploration of North America.

The reaction of the general public was, I think, demonstrated by a charming Spanish lady whom Mrs. Sugg and I ran into in a shop in Madrid some two weeks after the main group of Conquistadores had gone home who recognized my Conquistadore blazer and asked me in somewhat British English if I were one of the Bradenton Conquistadores. She said she thought the Conquistadore pilgrimage, unofficial and representing a down-to-earth spontaneous small-town movement of people obviously not of Spanish antecedents, all paying their own way, was one of the finest things for Spanish-American relations one could dream of.

Through personal connections made with Directors of the People's Museum, the Naval Museum, the Archives of the Indes, the Spanish American Bureau of Culture, the Mayor of Seville and others, largely made possible by the Conquistador tour, and by Miss Elizabeth Sponenbarger's friendship (she accompanied us as an honorary conquistador and interpreter). Mrs. Sugg and I were able to obtain several thousand dollars worth of antiques and relics, including a marvelous facsimile of the Juan la Cosa map, all of which it has been our privilege to contribute to the South Florida Museum.

We have begun to plan a similar pilgrimage for May of 1969. We need to further plans for research of early Spanish-Florida history and we need to obtain much more material, and Spanish cooperation for the development of our museum courtyard. We have had promises of help from high Spanish officials in this development, but a vigorous follow-through is most necessary and this could best be done by the dramatic reappearance in Spain of our conquistador group. I am even trying to learn to speak a little of the Spanish language myself.

Our problem is that we do not wish to do anything unpatriotic, and a year ago Mr. Johnson discouraged travel abroad. You are close to affairs in Washington. I feel that anything we can do to build up the best of friendly relations with the Spanish people themselves may outweigh the spending of some $25,000 to $30,000 for travel expenses in Spain by our group, but we need very much to have your opinion on the subject. I feel Spanish friendship is important to our national defense, and that the continued development of the Spanish American historic facets of our museum and the Hernando DeSoto Historical Society's further researches are all of importance.

Will you please consider this problem and write me frankly about it. I think I will write Mr. Holland also. We need to start arrangements at once if we are to go.

Sincerely yours,

W. D. SUGG.

P.S.—I am hoping we can get Dan Blalock, Sr., and Gertrude, and Mr. and Mrs. Shelton Moody to accompany us this time.

[Translation taken from Sunday edition of A.B.C. of May 14, 1967]

(NOTE.—A.B.C. is a national magazine published in Madrid and I think in Seville, and the nearest equivalent of the magazine Life in this country. My translation is at best halting.)

Tomorrow at five in the afternoon, following a precise itinerary, the bus of the "Conquistadores" of Bradenton will arrive at Barcarrota, the Extremaduran town at the foot of Santa Maria Mountain. Thirty-three North Americans will live one night under the same sky and in the same rough oak-forested country where almost five centuries ago Hernando de Soto, conqueror and Adelantado of the lands of Florida, entered the world.

In this unusual tourist company the role of Hernando de Soto of 1967 will be played by the banker Richard E. Turner, "a man of medium stature, light of foot, and a skilled horseman, of joyous countenance", as the historian Ignacio de Urrutia described the Spanish Captain who landed in Florida and discovered the Mississippi, the formidable mausoleum where he was buried.

"The Conquistadores of Bradenton" have flown to Spain. With their brilliant uniforms of the soldiers of the 16th century, they are going to travel again the Route of the Conquistadores and, why not?—It is also the route of the Flamenco, of the Spanish moor, of the Toledano. Perfect visitors, "The Conquistadores" never forget their cameras, which at times shine over their gleaming breastplates.

Understanding people! They have appeared many times in newspapers, in important magazines in full color, on the screens of television. Certainly they constitute a picturesque parade, gay, very American, with the technicolor of their pennants in the wind, the cavalry plumes of their mirror-like helmets, their cloaks of purple, their impeccable neck pieces. The brave Hernando de Soto who in 1539 disembarked in the bay he called the Bay of the Sacred Spirit, now called

Tampa Bay, would have had to have little imagination to see in that spectacular troop his own men.

The Conquistadores of Bradenton are taller, have bluer eyes, are more robust than the people of Barcarrota and the Extremaduran mountaineers and peasants,—and certainly they have better costumes and finer brocades than the Conquistadores of Spain in the years of the 1500's.

The tourist folders say that Bradenton, Florida is a prosperous city, county seat of Manatee County, on the banks of the Manatee. It occupies sixteen square kilometers and only has 40,000 inhabitants. It does not take photographs to imagine a countryside of chalets in green squares, blue roads and white fences.

When Hernando de Soto arrived on the beach which today bears his name, in the inner areas he found marshes, low areas, and arrows which rose from the mangroves. Bradenton and other pioneer cities, since the middle of the last century, have transformed the land of Florida. The plains are drained, punctuated with orange groves and plantations of flowers. And in our day has been the establishment on Cape Canaveral of the principal North American rocket launching base about which rise large industrial plants.

Tourism, nevertheless continues to be the chief wealth of Bradenton. In its harbor one sees dozens and dozens of Chris Crafts, true palaces in miniature in a beehive of outboards and sloops. Sun and blue sea are always guaranteed on the beaches of Manatee.

One of the most beautiful bathing beaches, with limpid water and white sand is "DeSoto Point" on the Southern bank of the Manatee. At this spot Hernando de Soto and his men disembarked in the year 1539.

In May of 1939 was celebrated here commemorative ceremonies of the 400th anniversary of the arrival of the Spanish conqueror in Florida. A Congressional Commission after research and extensive study had selected the point as approximately that of the landing of DeSoto and decided to transform the place, swamp and mangroves into a National Monument.

The City of Bradenton, situated only eight kilometers from "DeSoto Point", from the first has taken extraordinary interest in the commemoration. And in the following year, 1940, it celebrated the first DeSoto Pageant in the football field of the High School, a local institution. The occasion, half spectacle, half commemoration, was sponsored by the Chamber of Commerce. Four hundred years after DeSoto's day, the Spanish uniforms of the 16th century came back to gleam under the Florida sun. In 1941 the celebration took a new turn. It had been a night pageant with purpose of diversion. But in that same year there was founded in Bradenton the Historic Society of Hernando de Soto, with the double purpose of commemorating the landing and accumulating funds to research DeSoto and his era.

Pearl Harbor and all that came after that for the Americans saw to it that in the following years no one had the heart in Bradenton to clothe himself in the costume of a 16th century Spanish soldier. Men wore other uniforms less spectacular.

In 1946 the ceremonies were begun again, but this time with the innovation of the celebration on DeSoto Point itself. A widened program of festivities accompanied the celebration.

Since 1948 the Hernando de Soto Celebration has grown until its fame has spread all over North America and its hemisphere. Festivities last a week. The festivities range from bridge tournaments, professional baseball games, boat races, parades, selection of a queen, dinners, dances, to an orange colored snowstorm.

Naturally the *plato fuerte* the main event of the program is the commemoration of the landing. Thirty bearded uniformed Conquistadores arrive on a boat disguised as the San Cristobal, the flagship of DeSoto.

Hundreds and hundreds of Cris-Crafts, of outboards, of boats of every description meet and guard the Conquistadores. Thousands of bathers wait on the beach. Among the Conquistadores groups of blond girls wear garlands and skirts of Spanish moss. They are "Indians". Blond youths with bare chests and bows and arrows play the parts of Timucuan Indian warriors.

Arrived on the land "Hernando de Soto" and his men kneel in prayer. Only the priest who accompanies them, in recent years always the role of Jerome Davis, remains standing with his great cross on high as he prays.

No one takes these ceremonies as a joke. Under the technicolor and spiciness of America is the emotion of a people who take pride in their early history, which is Spanish. It is the same as in the fiestas of the Moors and the Christians of our Levant, where the dialogue is never in Arabic or Romance Castillian, in Bradenton they speak English, their own idiom of the day.

Clearly in these sequences there are things which grate a little on our thinking as an old people. Without doubt for one reason or another it is good that this should be. An Imperial Roman would have smiled with indulgence before our squares of Roman soldiers of holy week. And surely to the ancient Greek it would have been the same before the copies of their festivals organized by the Romans, the Americans of classic antiquity.

The important thing is that in the smiles live more of tenderness than of irony, the emotion with which the Americans have built their own "Moors and Christians" fiesta based on those chapters of their history which they share with us of the centuries before the Mayflower.

The Conquistadores of Bradenton do not limit themselves to their costumed fiestas. The Society of Hernando de Soto has placed a monument at DeSoto Point and have encouraged historic studies relating to the Spanish Explorations of the territory of the United States.

Bradenton has also been declared a sistercity of Barcarrota. With this idea on one occasion the Conquistadores sent a check of 90,000 pesetas to the Mayor of that Spanish city. That sum, raised by popular subscription, was to assist the education of the children of the countrymen of DeSoto.

No one had asked that aid. No one records that today as in the past five hundred years Barcarrota has with its hard and mountainous surrounding country ever asked for help.

Certainly there is much emotion in this devotion for Spain arising in Bradenton without any official governmental organization. To men unselfishly interested and students as the surgeon W. D. Sugg who is presently participating in the expedition of the Conquistadores which now is visiting us, Bradenton owes its being inscribed among North American cities of more illustrious past; and in Spain that the epoch of the conquest will be admired today by uncounted people who will feel bound more closely to the more Universal chapters of our history.

The one hundred and fifty Conquistadores of Bradenton have ambitious projects. They are studying the construction of a galleon of the 16th century which could play the role of the "San Cristobal" in the ceremonies of DeSoto Point every year—helping build a South Florida Museum where an Extremaduran street will be developed reproducing the Birthplace of the Spanish Conquistador, and preserve documents and historic relics proclaiming the illustrious past of the territory and the greatness of the works of Spain.

Nor is it a wonder, perhaps, that many in old Spain will feel ourselves conquistadores through the smiling, lusty, cinemographic Conquistadores of Bradenton.

F. VILLAGRAN.

CUTBACK IN FEDERAL HIGHWAY FUNDS

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

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

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, I am dismayed and alarmed that the administration would once again attempt to hold back highway funds for the Federal-aid highway program under the guise of cutting the budget. According to the Secretary of Transportation, no new Federal-aid highway projects will be approved until December 1, 1968, in an administration effort to save $200 million toward the $6 billion budgetary slash called for by Congress.

Mr. Speaker, this action is a grave disservice to the American public. The highway trust fund, established for the sole purpose of constructing, improving, and maintaining the Interstate and ABC Federal-aid systems, is sustained by highway user taxes. It is not part of the general revenue fund of the Treasury and, for this reason, should not be diverted, suspended, or cut back to serve any other needs of the Government.

Already the completion date of the Interstate Highway System has been extended beyond its target of 1972 because of numerous delays in the construction program. The need for completion of this System at the earliest possible date is obvious. Further postponements and delays will further aggravate the accident rate and traffic congestion on the Nation's highways, increase the cost of highway contruction for mileage postponed, and disrupt planned construction projects entailing the loss of many jobs. The longer that funds are withheld, the greater the impairment to our highway program progress and to the entire economy.

The administration has ordered cutbacks on highway funds too many times already, then restored them, then cut them back again. As the American Automobile Association has aptly put it:

> If the nation's interstate highway program is ever going to be completed, it must continue in an orderly, uninterrupted fashion, free from the fiscal yo-yo tactics of the present Administration.

Use of the highway trust fund for other than specific highway purposes is not the intent of this Congress. The completion of our highway program is too vital to the safety and well being of our Nation to be toyed with and continually interrupted.

THE POLISH VESSEL "HUGO KOLLATAJ" AGAIN DOING BUSINESS IN AMERICAN PORTS

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the

House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, this morning I again observed the Polish vessel, *Hugo Kollataj*, which delivered supplies to North Vietnam in November of 1966 and which, according to information supplied me by the Department of Defense, has more than once carried its cargoes to the enemy, doing business in an American port. Last Wednesday I reported on this ship's activities in New York where I watched tons of steel stamped "Made in Poland" being unloaded on Pier 8 in Brooklyn. Last Friday it was in Philadelphia. Today the vessel is in Baltimore where it is riding high out of the water at Pier 8, Locust Point, and, as I speak to you, this vessel is taking on a cargo of earthenware destined for Holland where, I am told, Dutch designs will be painted on it. Tomorrow this same vessel is scheduled to call at Norfolk.

It has now been some 2 weeks since the *Hugo Kollataj* first entered our waters, on September 1, at Boston, and I am satisfied that the administration is fully aware of this ship's activities. It is apparent to me that the administration could not care less. The only reaction I have noted is a desire to keep the whole sordid business as quiet as possible.

This is incredible. Here is a ship, owned and operated by the Polish Government, welcomed in five American ports for business as usual, after it has helped to feed a war machine that has so far cost the lives of over 25,000 Americans. These Communists must be laughing at us all the way to the bank.

This kind of trade does not build bridges of understanding. Rather this trade builds the bridges needed for Communist expansion and aggression throughout the world, whether in Vietnam or in Czechoslovakia.

As I pointed out in my remarks last Wednesday, the *Hugo Kollataj* has been blacklisted by the Maritime Administration since January 13, 1967, from carrying U.S. Government-financed cargoes out of the United States. However, the administration for several years has firmly opposed denying such vessels the use of our ports as recommended in my bill, H.R. 365. I have recently addressed a letter to the President urging that this policy be reconsidered and I include it at this point in the RECORD for the information of my colleagues:

SEPTEMBER 14, 1968.

HON. LYNDON B. JOHNSON,
President of the United States,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: A vessel, *Hugo Kollataj*, currently "blacklisted" by the Maritime Administration for trading with North Vietnam is presently calling at American ports.

This ship was first listed by the Maritime Administration in its report No. 9 issued January 13, 1967, and classified Department of Defense information contains confirming reports as to the dates of its arrivals in North Vietnam. The *Hugo Kollataj*, owned by the Polish government, entered Boston Harbor on September 1, 1968, New York Harbor on September 8, 1968, and is scheduled to make other stops at Philadelphia, Baltimore and Norfolk. This past Wednesday morning I personally watched the unloading of tons of Polish steel from its hold onto the docks of Pier 8 in Brooklyn.

While this ship is only legally barred from carrying U.S. Government-financed cargoes out of the United States I would respectfully urge that the Government reexamine its policy and extend this prohibition to cover private trade in U.S. ports as well, as recommended in my bill, H.R. 365. Though it may be true that this commerce, in terms of tonnage and perhaps dollar value, does not amount to much, I feel very strongly that there is a deep moral question involved which compels me to ask why a vessel which has been helping to supply the enemy should be permitted to make profits in American ports on a business-as-usual basis, particularly with the present high level of American casualties in South Vietnam.

Whether or not the closing of U.S. ports to such vessels would reduce Polish trade with North Vietnam is not of controlling importance. In view of the Government's recent restraints placed on relations with Poland and other Warsaw Pact countries due to their part in the invasion and suppression of Czechoslovakia as well as the part that Poland is helping to play in the invasion and suppression of South Vietnam, I simply can see no good reason why the *Hugo Kollataj* should be welcomed in U.S. ports.

Respectfully yours,
CHARLES E. CHAMBERLAIN.

Again, Mr. Speaker, I can only ask why should a vessel which has been helping to supply the enemy be granted the privilege of making profits in American ports.

My colleagues might be further interested to know that since we do not trust these Communists with whom we are doing business, the American taxpayers must pay the bill for maintaining a 24-hour surveillance of this ship. This requires the round-the-clock presence of a Coast Guard vessel and its entire crew. The activities of the *Hugo Kollataj* are being watched along the water-side, along the dock-side, as well as by a sentry at the gangway—all at the cost of the U.S. taxpayer—and this will continue as long as this vessel is in port.

This morning I was talking to one of our young servicemen who told me of his conversation last night as he was visiting with some of the Polish sailors from the ship. They related to this chap their travels twice with the *Hugo Kollataj* to Haiphong carrying support for the war—and volunteered that some of their cargo was of Russian origin. Is it any wonder that this U.S. serviceman, who himself wears a ribbon in recognition of his year's duty in Vietnam, seemed a bit bewildered as to why our Government would welcome this ship that has helped the enemy to our ports. But I say to you—not only is this young man bewildered, I too am bewildered—and frankly I think this is something that is bewildering to the American people. This ship has B.O.—a bad odor—and as far as I am concerned, so does every other ship that is sailing to Haiphong. The administration's tolerance of such shipping is a shocking breach of faith with our troops in Vietnam.

CONGRESSIONAL REORGANIZATION AND ELECTION REFORM

Mr. MACGREGOR. 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 Minnesota?

There was no objection.

Mr. MACGREGOR. Mr. Speaker, a number of the Republicans in the House are seeking to bring the congressional reorganization bill and the election reform bill to the floor of the House so that the Members of this body might have an opportunity to work their will on these two important pieces of legislation.

We are not without allies. The Christian Science Monitor, the New York Times, and the New Republic have recently expressed themselves in support of our efforts.

The Christian Science Monitor last Friday said as follows:

The United States House of Representatives wants to reform everything except itself.

While the public is looking the other way it is quietly shelving two reform measures on which a minority has worked two years.

Both bills passed the Senate by big majorities.

One bill would tighten lobby registration laws. The Senate swept it through a year ago, 75 to 9.

Another bill would take the veil off big campaign contributors. Presidents Kennedy and Johnson have backed it * * * The Senate passed a version of the bill without a single dissenting vote, one year ago, 87 to 0.

The New Republic expresses itself as follows:

The reforms embodied in their congressional reorganization bill are pretty mild. They would take postmasters and rural mail carriers out of the patronage system, a move that would delight most Democratic House members inasmuch as post office partonage has become a major irritant; they would open committee hearings to live televising and broadcasting and open appropriations hearings to everyone; and they would require lobbyists to make a more complete disclosure of their expenditures. The last item is the one that the "power structure" dislikes most in an election year. Fund raising by the Democratic congressional leadership is closely tied to lobbying efforts on the Hill.

The election financing reform proposal is especially distasteful to the Democratic regulars. For it would repeal existing limits on contributions (they're hopelessly unrealistic) and close some loopholes. For instance, the present $5,000 limitation on individual contributions would still apply but, for the first time, in the aggregate to the candidate and supporting committees. It would no longer be legal to make $5,000 contribution to a dozen different committees for the same office-seeker.

Mr. Speaker, a number of us have sent out several signals to the Democratic leaders of the House. We are looking for some kind of a response. Almost any favorable response will do, Mr. Speaker, but before adjournment of this session we would like to have the opportunity in this body to consider under open rules the Congressional Reorganization and the Campaign Election Reform Reporting Act.

Mr. MacGREGOR. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include articles from the Christian Science Monitor, the New York Times, and the New Republic.

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

There was no objection.

[From the Christian Science Monitor, Sept. 13, 1968]

HOUSE CHEERS ON REFORM MOVES—EXCEPT FOR ITSELF

(By Richard L. Strout)

WASHINGTON.—The United States House of Representatives wants to reform everything except itself.

While the public is looking the other way it is quietly shelving two reform measures on which a minority has worked two years.

Both bills passed the Senate by big majorities; the present blockade is in the House Rules Committee.

One bill would tighten lobby registration laws. The Senate swept it through a year ago, 75 to 9.

Another bill would take the veil off big campaign contributors. Presidents Kennedy and Johnson have backed it. Mr. Johnson called the present Corrupt Practices Act "more loophole than law." The Senate passed a version of the bill without a single dissenting vote, one year ago, 87 to 0.

BOTH BILLS STALLED

Both bills are stalled in the House Rules Committee, which screens all House bills.

But now something new and dramatic has happened. A group of reform-minded Republicans have come pounding over the hill, like a Hollywood Western, to try to rescue the damsels—not one, but two—tied to the railroad ties as the adjournment train approaches.

They plan to use legislative obstructive devices to stall the House unless the Rules Committee relents.

OPEN DEBATE SOUGHT

The Rules Committee has the power to hold back legislation from the floor, or it can recommend a "closed rule" (blocking effective debate) which would be tantamount to defeating the measures.

"All we are asking is that the House be given the opportunity to express its will on both bills, under completely open rules," Rep. Donald Rumsfeld (R) of Illinois explained. A group of 16 Republicans, eight of them freshmen, launched the drive. They think they may have 30 activists on their side of the aisle, with possible recruits from the Democratic side.

The crusading Republicans may not be able to flag down the train but they hope to be able to wave, scream, and fire their six-shooters to attract public attention to the situation that has developed.

If the House doesn't vote on the bills before adjournment the tortuous process will have to begin all over again from scratch. It would mean that many of the proposals will wait at least to 1971 before they can be implemented.

Each of the two pending bills is an omnibus measure.

There is a wide sweep of congressional modernization in one, and an extensive series of proposals on publicizing campaign expenditures in the other.

BILLS WIDELY APPROVED

Both bills are watered-down versions of what political scientists have urged, but it is felt they are steps in the right direction.

The last legislative reorganization act was in 1946. Congress has lost prestige since then, many feel, as against the White House.

Many feel diminution of congressional power is because Congress won't put its own house in order. They fear Congress will continue to go down hill.

Congress, for example, can't get big appropriation bills passed in time, as the start of the new fiscal year, July 1. At present Congress is struggling with appropriations two months late, whose delay throws uncertainty and confusion over the executive departments concerned.

Theoretically "power of the purse" should make Congress equal to its two coordinate branches of government.

COMMITTEE POWER CITED

Congress however, and particularly the House, is run by entrenched chairmen of big committees, it is charged, picked by seniority.

Of the 20 House chairmen, 11 are 65 or over, and 7 are past 70.

They often come from small, rural, safe constituencies. It is charged that they lack understanding of young people, or of big cities. Their authority might decline if Congress were streamlined.

"There's a hidden power structure in the House," exclaimed Rep. Thomas B. Curtis (R) of Missouri. He charged that it led through the Democratic leadership and committee chairmen back to the White House.

ACTIVISTS CAN DO A LOT

The Republican activists can do a lot of annoying things, if they decide to.

It takes 40 minutes to complete a quorum call, for example, and a militant minority can demand almost unlimited calls.

Or they can ask a literal "reading of the journal."

Theoretically every session begins with a clerk reading yesterday's transcript. This normally is dispensed with by unanimous consent.

But one of Mr. Rumsfield's cowboys can always refuse consent.

Unlike the Senate House rules don't permit unlimited debate which sustains a filibuster. A determined House majority can crush a rebellion without much difficulty.

But it will be embarrassing for the Democratic majority if the band of angry Republicans keep on shouting and screaming.

So that's the scenario.

Here comes the adjournment train round the bend whistling and clanging; there are the hapless maidens tied to the tracks . . . here comes Rumsfield's rangers over the hill, yelling and shooting!

Result? See our next episode.

[From the New York Times, Sept. 16, 1968]

HOUSE OUT OF ORDER

Early last year the Senate approved a mild measure to streamline some of the procedures and practices of Congress. Its approval came after nearly two months in which the Senate debated and rejected much more ambitious reforms proposed by Senator Joseph Clark of Pennsylvania and other rebels against the Congressional Establishment.

If Speaker McCormack had been diligent instead of easygoing, he would have brought the reorganization bill to the floor in the House promptly and worked for its approval. But Mr. McCormack is a traditionalist who defers to the opinions of the committeemen and other senior colleagues, regardless of whether he thinks those opinions have much merits or not. Some of the committee chairmen in the House do not like the bill's strictures against transacting legislative business in closed-door session with nonrecord votes and restricting committee chairmen's use of the proxy of absent members. Others from rural districts object to the section in the bill which takes fourth-class postmasters out of the patronage system.

Because of these and other complaints, the bill has been the subject of private negotiations among House Democratic leaders for more than a year. By yielding on every disputed point, the negotiators arrived at a bill so innocuous the leadership is embarrassed to bring it to a vote. Representative Ray Madden of Indiana who, along with Senator Mike Monroney of Oklahoma, sponsored the original bill, is a loyal party man, but he has refused to lend his name to the feeble substitute.

As a result of this unnecessary dithering, the Democrats are now the target of a legitimate attack by their Republican opponents in the House. Representative Rumsfeld of Illinois and other G.O.P. members have resorted to dilatory tactics to call attention to the need for reform. Their criticism is valid, although their tactics, could be disruptive. The only responsible course is for Speaker McCormack to do now what he should have done eighteen months ago and bring the original bill to a vote.

Even the original Monroney-Madden bill would not touch the irresponsible seniority system, the swollen power of the Appropriations Committee and its subcommittee chairman, and the use of the "committee of the whole" as a master device for rewriting legislation without a roll-call vote. Since these reforms clearly require a long struggle, however, it is desirable to make the many secondary reforms and improvements which the bill would accomplish.

[From the New Republic, Sept. 21, 1968]

RESTLESS REPUBLICANS

The frustration felt by hundreds of Democrats in Chicago over the Johnson regulars' stranglehold on the political process is shared by a group of 13 "middle seniority" Republicans in the House of Representatives. The 13 have launched an open attack on the Democratic House leadership in an effort to pry loose two reform bills from the House Rules Committee—one to reorganize a few functions of Congress, the other to clamp new restrictions on campaign financing. Both bills passed the Senate in 1967.

"The power structure of the House isn't about to give us these reforms," charged Rep. Tom Curtis (R, Mo.), a man unaccustomed to radical rhetoric. Rep. Curtis identifies the "power structure" as Speaker John McCormack (he held an honorary post in Chicago), Majority Leader Carl Albert (who banged away at the podium), Majority Whip Hale Boggs (he carried out White House instructions as chairman of the platform committee), the chairman of "most of the standing committees" of the House and, as a finale, what Curtis describes as the "undercover" operation of the White House on "the Hill." In brief, the Democratic leadership that prevailed in Chicago.

How does it operate? Rep. Curtis says "they stop legislation they don't want and ram through legislation they do want."

The reforms embodied in their congressional reorganization bill are pretty mild. They would take postmasters and rural mail carriers out of the patronage system, a move that would delight most Democratic House members inasmuch as post office patronage has become a major irritant; they would open committee hearings to live televising and broadcasting and open appropriations hearings to everyone; and they would require lobbyists to make a more complete disclosure of their expenditures. The last item is the one that the "power structure" dislikes most in an election year. Fund raising by the Democratic congressional leadership is closely tied to lobbying efforts on the Hill.

The election financing reform proposal is especially distasteful to the Democratic regulars. For it would repeal existing limits on contributions (they're hopelessly unrealistic) and close some loopholes. For instance, the present $5,000 limitation on individual contributions would still apply but, for the first time, in the aggregate to the candidate and supporting committees. It would no longer be legal to make $5,000 contributions to a dozen different committees for the same

office-seeker. Comprehensive and detailed reports of campaign financing would be required and would have to be submitted to an independent body. Honorariums, a favorite device by which lobbyists slip favored candidates an extra thousand or two early in the campaign, would have to be disclosed.

This open attack on the House Democratic leadership, which a good many Democrats have shown an interest in, is a measure of the growing sense of futility many members on both sides of the aisle feel after a few terms. It is being led by Rep. Don Rumsfeld (R, Ill.), 36 years old and in his third term (Rumsfeld checked in at the Conrad Hilton in Chicago the week of the Democratic Convention to observe the scene for the GOP). One staffer goes so far as to predict a "mass exodus of middle seniority members from **both sides of the aisle" if the system by** which the Congress is run isn't reformed to allow individual members to work more effectively.

UNWARRANTED ATTACK BY JACK ANDERSON

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

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

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, Abraham Lincoln once said that you never get into a fight with a newspaper unless you own another newspaper of similar circulation in the same community.

That is as true today as it was in Lincoln's time, and for that reason I have no intention of getting into a fight with Mr. Jack Anderson, who, in a recent column, made an unwarranted attack on my integrity.

Mr. Anderson stated in his column that I have engaged in some sort of questionable activities and he used as the basis for this attack statements allegedly made to the FBI by a man named Frederick Ackerman.

The Anderson column states that Ackerman told the FBI he had contacted me by phone and tried to get me to intercede in behalf of a known hoodlum in Chicago.

Mr. Ackerman's statement—if, indeed, made to the FBI—is a complete and total falsehood.

I met Frederick Ackerman some 40 years ago when he was just a boy, and the adopted son of my neighbor.

I have not talked to Mr. Ackerman since 1928, and I have absolutely no idea what either he or Anderson is talking about.

The tragedy of this story, Mr. Speaker, is that Mr. Anderson called me and asked me about the report that he had received that Ackerman had implicated me in his statements to the FBI.

I assured Mr. Anderson that I have not talked to Mr. Ackerman in more than 40 years, and I told him that any statement attributing to me any association with any hoodlum in Chicago was untrue, unfounded, and an irresponsible attack on my good reputation in public office.

It is true, of course, that Mr. Anderson notes in his column that I have denied the charges. But what kind of morality are we witnessing in modern American journalism when a correspondent whose column reaches out to millions of people is permitted to carry in that column a story based solely on rumor and gossip and which has no basis in fact. And furthermore, what kind of journalism are we witnessing when we see this kind of story appear in the light of my emphatic assurance to Mr. Anderson that there is no basis for Ackerman's statement.

It is not my purpose to get into a quarrel with Mr. Anderson, but I want my colleagues to know the facts, and those facts are that I have had no conversations in person or by telephone with Mr. Ackerman or anyone else of this alleged character and associations.

I include a letter from myself to the Attorney General dated September 17:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 17, 1968.

Hon. RAMSEY CLARK,
Attorney General of the United States, Department of Justice, Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Enclosed is a copy of the column "The Washington Merry-Go-Round" which appeared in *The Washington Post* on Friday, September 13, 1968. You will note the statements made in the second and fourth paragraphs with respect to Justice Department files and FBI reports. I would appreciate your providing me with the following information:

First, whether there are in fact Justice Department files which contain the allegations set forth in the second paragraph and whether there are FBI reports which contain the statements outlined; and

Second, if the files do in fact exist and do in fact contain the type of statements alleged in the column, when and upon what authority the files and reports were made available to Mr. Jack Anderson.

If such files and reports do exist, I should appreciate your making them available to me for my review.

Sincerely yours,

JOHN C. KLUCZYNSKI,
Member of Congress.

PROPOSED CONCURRENT RESOLUTION CALLING FOR ABOLISHING OF MANDATORY CONTROLS ON FOREIGN DIRECT INVESTMENT

The SPEAKER pro tempore (Mr. HECHLER of West Virginia). Under a previous order of the House, the gentleman from California [Mr. TUNNEY] is recognized for 60 minutes.

Mr. TUNNEY. 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 California?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I am delighted to be joined by so many of my colleagues in the House in sponsoring this concurrent resolution and ask, therefore, that their names and a copy of the resolution be made a part of the RECORD at this time.

The resolution calls for the abolition of the mandatory controls on foreign direct investment established by Executive order of the President on January 1 of this year. The mandatory controls came on the heels of 3 years of voluntary controls in which American investors cooperated admirably. Until very recently, these controls have been described as "temporary," but there is more than a hint of permanence in the policy of these controls.

I have been amazed at the immediate outpouring of support from all segments of American business and industry for this resolution. I have also received numerous letters of support from prominent international economists from some of our best universities—Harvard and MIT among them.

The controls were initially described as a short-term expedient during the international monetary crisis associated with the devaluation of the pound and it was said at the time of their imposition that they could be justified only as a short-term expedient.

Mr. Speaker, that short term has already expired and the controls still remain.

The controls represent an extremely shortsighted policy; foreign investments have contributed materially to the U.S. balance of payments as a result of the return flow of earnings as well as through the creation, preservation, and servicing of export markets.

Far from worsening our balance of payments, foreign investments have long been a plus factor in our balance-of-payments position. Between 1950 and 1966, for example, our private foreign investments of $39 billion returned $58 billion to the United States. A curtailment of these investments therefore has the effect of killing the goose that lays the golden egg.

Foreign investments have been a major factor in the U.S. balance of trade, since 25 percent of our exports are to U.S. overseas affiliates and subsidiaries.

Controls on free investment abroad diminish the competitiveness of American companies in the international marketplace, and have the tragic effect of depriving those developing countries whose economies have been stimulated by our private foreign investments.

An extremely inequitable aspect of the mandatory program, Mr. Speaker, is that it hurts most those companies who voluntarily cooperated with the Government in 1965–66 during the voluntary phase. The companies voluntarily sent the vast majority of their overseas profits home, often delaying or drastically curtailing needed reinvestment in plant and equipment for their foreign subsidiaries. Under the present mandatory program, 1965–66 is used as a base period to calculate allowable investment and repatriation rate of profit in the future. This program hurts most the cooperative.

Mr. Speaker, this country has worked hard to improve the conditions of commerce between nations of the world. Yet these controls jeopardize the benefits of worldwide trade and investment developed with such great difficulty by this Nation over the past 40 years.

Furthermore, by forcing partly owned American foreign subsidiaries to send a large share of its profits to the United States, we play into the hands of those who are so quick to paint the picture of

American foreign enterprise as one of exploitation of other people, in other countries. I need not point out the adverse affect this has on our foreign relations with these countries.

Furthermore, these controls were established by Executive order with no direct authorization of supervision of the Congress—even though they are as fundamentally important to our economy as are taxing policies, which require the express authorization of Congress. I think it important that Congress express its deep interest in the control program quickly before the controls become a permanent part of our international investment picture.

Now is one of those times for enlightened self-interest, when a policy or a plan becomes contraproductive—when it works against itself—good sense dictates a reappraisal at the very least. That word "mandatory" works both ways, when a program works to the detriment of the national interest then it should be mandatory to take corrective action.

Therefore, Mr. Speaker, for both humanitarian and economic reasons, I believe the mandatory controls on foreign direct investments runs counter to the national interest of the United States and through this resolution I hope my colleagues will join me in calling upon the President to eliminate them at the earliest possible moment.

Mr. Speaker, the following Members of the House of Representatives are cosponsoring this resolution: BROCK ADAMS, JOHN B. ANDERSON, W. E. BROCK, GARRY E. BROWN, DON EDWARDS, JAMES G. FULTON, ROBERT GIAIMO, SEYMOUR HALPERN, RICHARD T. HANNA, WILLIAM D. HATHAWAY, FLOYD V. HICKS, FRANK J. HORTON, ROBERT LEGGETT, DONALD E. LUKENS, F. BRADFORD MORSE, RICHARD L. OTTINGER, BENJAMIN ROSENTHAL, WILLIAM V. ROTH, JR., EDWARD ROYBAL, FRANK THOMPSON, JR., CHARLES W. WHALEN, JR., WILLIAM B. WIDNALL, LAWRENCE G. WILLIAMS, PAUL FINDLEY, JOSEPH Y. RESNICK, THEODORE Y. KUPFERMAN, EDWARD J. PATTEN, JOHN E. MOSS, BOB ECKHARDT, CARL D. PERKINS.

The text of the concurrent resolution is as follows:

H. CON. RES. 815

Concurrent resolution calling upon the President to implement the foreign economic policy of the United States by terminating controls on foreign direct investments

Whereas our foreign conomic policy is a fundamental element in our Country's international affairs; and

Whereas peace and progress in the world and fulfillment of human needs and aspirations are enhanced by economic cooperation and commerce between nations; and

Whereas the conduct of our foreign affairs is facilitated and ameliorated by the flow of trade and investment between nations; and

Whereas it has been the consistent policy of this Country to remove the barriers to friendly and beneficial intercourse between nations; and

Whereas international investment among nations serves to reinforce ties of friendly relations and has in fact been a dominant force for World prosperity and economic growth in the post-war era; and

Whereas United States private investments abroad have been economically beneficial for the United States as well as the countries whose economies have been stimulated by our foreign direct investments; and

Whereas these foreign investments have contributed materially to the United States balance of payments as a result of the return flow of earnings as well as through the creation, preservation, and servicing of export markets; and

Whereas these foreign investments have been a major factor in the U.S. balance of trade since 25 percent of our exports are to United States overseas affiliates and subsidiaries; and

Whereas foreign investment controls jeopardize the benefits of world-wide trade and investment developed with such great difficulty by this Nation over the past forty years; and

Whereas controls on free investment abroad diminish the competitiveness of American companies in the international marketplace; and

Whereas foreign investment controls can be justified only as a short-term expedient in a monetary crisis; and

Whereas that short term has already expired; and

Whereas controls on investment flows will ultimately worsen our balance of payments by reducing foreign earnings, and increasing interest payments on foreign borrowings; and

Whereas the continuation of foreign investment controls on American enterprises abroad runs counter to the long range economic and foreign policy interests of the United States; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring) that the Congress of the United States regards the continued restraints and controls on American investment abroad to be an unwise and harmful economic policy and calls upon the President of the United States to end such controls at the earliest possible date.

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

Mr. TUNNEY. I yield to the gentleman from Wisconsin.

Mr. REUSS. I commend the gentleman for bringing this resolution before the House and for his remarks here tonight.

The purpose of any sensible monetary system is to promote the great interest of free trade and free investment. Our international monetary system since Bretton Woods in 1944 has been based on rigid exchange rates and convertibility of the dollar into gold as the basis of the system. To preserve that system in the past 3 years this country has instituted counterproductive controls on U.S. investment abroad which the gentleman from California has been describing.

Here is the supreme irony the gentleman's remarks highlight: in order to preserve a system whose end is free investment we adopt means which shackle the very investment we ought to be promoting, so that the means become the end and subvert the true end of an international monetary system.

Now, the real cause of our persistent balance-of-payments deficit is our overextended U.S. position abroad, particularly in the military, an overextension which results today in balance-of-payments costs on an annual basis of a deficit of more than $4 billion. We need, of course, to rectify that deficit, but the way to rectify it is emphatically not by further shackling American investment abroad. We need, too, to make further reforms in the international monetary system which will protect the dollar and, by allowing some slightly greater flexibility in the exchange rates, permit voluntary adjustments and thus get rid of the whole paraphernalia and superstructure of controls we have unhappily built up.

The gentleman from California therefore performs a most useful public service in pointing out that these purportedly temporary controls over capital investment abroad are now truly calculated to kill the goose that laid the golden eggs. I hope the voice of the gentleman will be heard and I hope it will speed the impulse toward international monetary reform which is now a faintly glowing ember, to mix a metaphor. I hope that the gentleman's voice will focus the attention of our authorities on the real question of our balance-of-payments deficit which is swollen and overextended due to our military presence abroad. If these things are done, there is no reason under the sun why these controls on investment cannot be promptly lifted and why we cannot once again pursue the true aim of a sound international policy, which is maximum freedom for investment throughout the world.

I thank the gentleman for his great contribution.

Mr. TUNNEY. I want to thank the gentleman for his very articulate and intelligent statement.

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

Mr. TUNNEY. I am glad to yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Speaker, I would like to join the gentleman in the well in this endeavor. I cannot help but remark how ironical it is that this Nation, which is not only the most productive in the world but a nation which has always had as its fundamental philosophy that we believe in the expansion of trade and the free flow of materials as well as ideas in our attempt to expand freedom throughout the world—I cannot help but remark how ironic it is that this Nation should attempt to create controls and to limit this free flow. It has proved regressive. It was regressive at the outset, in my opinion, and shortsighted. I fully concur that they should be removed at the earliest possible moment.

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

Mr. TUNNEY. I am glad to yield to the gentleman.

Mr. CLEVELAND. I want to say that I listened with interest to the gentleman's remarks and congratulate him for making these remarks. It reminded me of the debate we had on the floor of the House not too long ago, although I have forgotten exactly when. As I recall it—and I would like to ask the gentleman if I am correct—that directly involved with what he has said is the interest equalization tax that we voted on either earlier this year or perhaps last year. Am I correct in saying that the general position he set forth would be in support of those of us who opposed the interest equalization tax for the reason we felt that tax would discourage investment abroad by the private sector of the United States?

Mr. TUNNEY. I think you have to be led to that conclusion.

Mr. CLEVELAND. I thank the gentleman for his words of approbation in favor of that vote of mine.

Mr. TUNNEY. Although I will say to the gentleman in all fairness that the interest equalization tax was once again put on for the short term to help our balance-of-payments situation for the short term. I think once any one of these palliatives becomes long term it destroys the very purpose for which they were enacted. The same thing is true with the interest equalization tax.

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

Mr. TUNNEY. I am glad to yield to the gentleman.

Mr. HATHAWAY. Mr. Speaker, I am opposed to the current mandatory controls for a number of reasons. One principal reason is because it is unrealistic and does not help the less developed countries as it is supposed to. Let me illustrate:

The mandatory program arbitrarily divides the world into three categories: Schedule A, the less developed countries; schedule B, the United Kingdom, Japan, Australia, and the Middle East oil countries; and schedule C, Western Europe.

The regulations impose a virtual moratorium on capital transfers to schedule C countries, permit capital transfers of up to 65 percent of the 1965–66 average outflow to schedule B countries; and permit transfers of up to 110 percent of the 1965–66 average for schedule A countries. It would thus appear that the investment needs of the less developed countries have been carefully considered and that U.S. direct investment in them will continue to be encouraged.

This belief is fallacious because this tripartite division of the world ignores the actualities and interconnectedness of the direct investment process abroad. The payout period of investment in the less developed countries is longer and the investment risk is greater than in the developed countries. Companies tend therefore to invest first in the developed countries and then, from the strength accumulated there, to underwrite the less attractive investment possibilities in the less developed countries. Curb investment in the developed countries and you impair the earnings base which largely makes possible investment in the less developed countries. Secondly, for many industries, investment is a global affair. You invest in a less developed country to obtain raw materials or intermediates which are processed in a more developed country and which may well be marketed in yet other countries. The whole process from extraction to final sale is an indivisible process, covering many countries in very different stages of development. It makes no business sense arbitrarily to carve a continuum into segments according to the degree of development of the countries concerned. Impair one link in the chain and you weaken the whole. Restrictions on investment in Europe will automatically lead to a slackening in investments in the less developed countries which are at the other end of the chain.

By discriminating between developed and less developed countries, it had been anticipated that investment flows would be changed in favor of the less developed countries. That this hope was illusory may be seen from the recently released Government projections of U.S. direct investment abroad. The latest official survey—June 1968—shows that U.S.-projected direct investment in Latin America has been cut back 11 percent as against the projection made in December 1967, while for Europe it had dropped by only 4 percent, and for Canada it had increased by 1 percent. Actual U.S. direct investment in Latin America in 1967 was $1,258 million. In December 1967, projected direct investment for 1968 was $1,923 million, but in the June 1968 projection, it had fallen to $1,715 million. Thus, although the absolute amount will be higher in 1968 than in 1967, it will be 11 percent less than it would have been without the mandatory program—a shortfall of $208 million. The threat of the mandatory program to investment in the less developed countries which businessmen predicted and which was denied by Government thus seems to be substantiated by the actual progress of investment.

Mr. TUNNEY. I want to thank the gentleman for his most worthy contribution.

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

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

Mr. CONABLE. I thank the gentleman for yielding.

I am very interested in these statistics that have just been presented by the gentleman from Maine [Mr. HATHAWAY]. I wonder if the gentleman would yield to the gentleman from Maine for the purpose of his describing where they were discovered and as to whether or not they were made available from the Department of the Treasury or from the Department of Commerce.

Mr. TUNNEY. I yield to the gentleman from Maine for the purpose of responding to the gentleman's interrogation.

Mr. HATHAWAY. I would say to the gentleman from New York that these were obtained by my office staff and I do not know at this moment just where they were obtained but I assume they were obtained from the Department of Commerce.

Mr. CONABLE. Mr. Speaker, if the gentleman will yield further, I wonder if the gentleman in the well has had any information as to the result of the availability of this information that the Commerce Department was going to bury these regulations in any way? Certainly, they have been strong advocates of short-term measures as being necessary at this time because of the very serious trade balance which has afflicted us since these regulations were put into effect.

Mr. TUNNEY. One of the things that Mr. Cabot, Assistant Secretary, did say in a recent speech was that business might have to live with these controls for some time.

I believe it is quite clear in my conversations with representatives of the Commerce Department that they are making no move whatsoever to reconsider or reevaluate and change controls that now are in existence. I believe that what started off as a temporary voluntary program in 1965, and which now since January of this year has become a mandatory program, is indication that it may be a permanent part of the investment picture overseas. I believe that this would be disastrous to our foreign policy interests. I believe it would be poor from the viewpoint of our traditional thinking about world trade.

I also would like to say that it runs absolutely counter to the basic administration philosophy under the Foreign Aid Act which is to try and encourage foreign investment by having foreign insurance programs, insurance against war, insurance against fire, insurance against any loss that might occur overseas, and this runs counter to this policy.

So we see the administration in a paradoxical position where under one bill, the foreign aid bill, which we brought before the House just a few weeks ago, we are encouraging foreign investment, then on the other hand under the Executive order of the President in January 1968, we are trying to stabilize private foreign investment.

Mr. CONABLE. If the gentleman will yield further, I quite agree that this kind of short-term policy is bound to be underproductive in the long term, yet I wonder if there is any alternative in the face of the apparent world trade deficit at this point?

I am somewhat shaken by the statistics presented by the gentleman from Maine [Mr. HATHAWAY] which indicate this policy just is not working. I do not believe it will work for the long term, but I do not see why it should not work for the short term to improve what has become a disastrous plight to our balance of trade.

Mr. TUNNEY. I would say to the gentleman that the picture in this last quarter shows a remarkable upswing in the movement in money, dollars, into the United States, so that now apparently our balance of payments have reached an equilibrium.

Mr. BROCK. Mr. Speaker, if the gentleman will yield further, I would like to counter on that.

I believe that the influx is late, and it was not a positive influx, we still had a deficit of some $30 million in terms of gold alone, but that influx was in large part due to a temporary crisis, the crisis facing the President of some $20 million that came from France in the form of purchases. But insofar as the remarks of the gentleman from New York, I would like to point out this: That the program has been in effect for some 3 years.

Mr. CONABLE. The mandatory program?

Mr. BROCK. Yes. Now it is the law, so it is worse, as far as I am concerned. But the point is that our investments overseas until the initiation of the voluntary program were providing the largest single input factor into our positive balance of payments, some $3.3 billion.

Second, investments made overseas generally yield a return in 3 years. So

we are already beginning to feel the negative impact of the action taken 3 years ago for certain reasons, which was in the immediate future. I think we can see a situation in which, frankly, we will have no hope for redress to a terrible difficult balance-of-payments situation within the next 2 or 3 years.

Mr. TUNNEY. I concur with the statement of the gentleman.

Mr. CONABLE. May I ask the gentleman in the well if he has any facts relative to mandatory repatriation of profits?

Mr. TUNNEY. That is a part of the whole picture, the mandatory repatriation on profits, it is part of the whole control program. I believe it is unproductive. This money should be allowed to be invested overseas so that these subsidiaries can maintain their fair share of foreign markets.

What is going to happen, in my opinion, is if you continue these controls over a period of time, and you have borrowing by the subsidiaries from foreign banks at a higher rate of interest, that then when the time comes to eliminate the controls you are going to have the Commerce Department say well, look, if we eliminate the controls then what these subsidiaries are going to do is go to an American bank and borrow the money to repay the foreign loan, and we are going to have a tremendous outpouring in dollars overseas. That is why we should keep the controls in force.

So in a sense what you are going to have the longer the controls remain on, the longer you are going to have reinforced the Commerce Department's position, which I believe is essentially wrong.

Mr. CONABLE. Let me say, the gentleman from California has made a contribution here.

I regret that we did not have this dialog at the time that these controls were being made mandatory.

I do think in the long term it is going to be counterproductive.

I do think we are going to have to watch the statistics very carefully because there is no question about it. The extent of our imbalance of payments is likely to precipitate further crises and short-term palliatives are not going to serve our national interest well if we continue them as we have in the past.

Mr. TUNNEY. I thank the gentleman.

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

Mr. TUNNEY. I yield to the gentleman.

Mr. LUKENS. Mr. Speaker, I wish to address the House in support of the House Concurrent Resolution 815 calling upon the President to terminate the controls on foreign direct investments. The voluntary balance-of-payments program initiated in 1965 was considered a temporary measure. The mandatory control program put into effect this past January was likewise called a temporary measure. By the end of this year some form of temporary controls will already have been around for 4 years.

Mr. Cadle, Deputy Director, Office of Foreign Direct Investments, stated on August 22 that—

U.S. businessmen will have to learn to live with the regulations, or some effective substitute, for at least a few years.

The significant long-term benefits of expanding trade and investment should not be further penalized by the continuance of these so-called temporary programs. Historically, the U.S. direct foreign investment income has proven to be a stable and consistently growing positive factor in the U.S. balance-of-payments picture. According to the Department of Commerce, the outflow of U.S. dollars for foreign direct investment increased from $600 million in 1960 to $3 billion in 1966, but during this period inflows resulting from these investments increased from about $1.5 billion to over $5 billion. The net favorable balance-of-payments impact in 1966 from foreign direct investments was $2 billion.

It is certainly reasonable to expect that future benefits from an expanding investment program overseas would result in even greater benefits for the future. Mortgaging future inflows from this very important source is an extremely expensive price to pay for temporary relief. Let us not kill the goose that lays the golden egg.

I support this resolution calling upon the President to implement the foreign economic policy of the United States by terminating controls on foreign direct investments.

I rise in support of your stand and the basic thrust of House Concurrent Resolution 815.

I also would like particularly to commend the gentleman from Tennessee for his remarks and the observation that the most positive aspect of the balance-of-payments problem also has been foreign overseas investment.

I think all of us in the House, and most Members, and certainly the people of America today, are concerned about the negative aspect. This has been the decrease in the balance-of-payments situation.

I would like to pose a question to the gentleman from California also in this regard.

Have you been in contact with any officials of the Department of Commerce recently?

Mr. TUNNEY. Yes.

Mr. LUKENS. Did they give any indication perhaps that this attitude would change toward a voluntary release of this restriction on foreign overseas investments?

Mr. TUNNEY. My conversations with high officials in the Department of Commerce as recently as a week ago indicate to me that there is no thought whatsoever at the present time that they are going to eliminate, curtail, or amend these controls.

Mr. LUKENS. And the gentleman feels that basically one of the only outlets that this body has is the passage of House Concurrent Resolution 815?

Mr. TUNNEY. I think it should be made very clear to the administration that it is the sense of this body that foreign direct investment controls should be eliminated as expeditiously as possible.

Mr. LUKENS. I would like to join the gentleman totally in that statement and also perhaps in saying this: That we hope better times will be upon the United States in terms of the balance-of-payments problem come January next, and we certainly look for relief in this particular area should there be a radical change, for the good, in the administration.

Mr. TUNNEY. I cannot subscribe to the gentleman's last statement nor would he expect me to, but I want to thank the gentleman for his contribution.

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

Mr. TUNNEY. I yield to the gentleman.

Mr. WHALEN. First, I want to congratulate the gentleman for taking the initiative in seeking to remove the foreign investment controls and I am certainly delighted to join with the gentleman as a cosponsor of House Concurrent Resolution 815.

I would just like to take a few seconds to express my opposition to these foreign investment controls.

I base this opposition on three factors. First of all, I do not think the control of foreign investments goes to the heart of our balance-of-payments problems. An analysis of our balance of payments will indicate that the private sector of the economy has generated a balance-of-payments surplus. The deficit has come from the governmental or public sector.

Thus, if you examine the 1966 balance-of-payments statement, you will find that the private sector created a $4.3 billion surplus. Of course, this is more than offset by the $5.6 billion deficit which was generated by the governmental sector.

Of course, this is largely due to our troop commitments of 320,000 personnel in Europe and 200,000 dependents there. This amounted alone to about a $2 billion balance-of-payments deficit.

So I will say that it would seem to me that the answer to the problem with respect to the question of the gentleman from New York [Mr. CONABLE]—the response to the question would simply be to go to the heart of the problem and this, of course, is our commitment abroad.

My second objection is, and I think this was expressed earlier by the gentleman from Wisconsin [Mr. REUSS] that in the long run these controls will dry up the other side of the balance-of-payments statement.

In 1966 the investment abroad by Americans amounted to $3.5 billion whereas the return on our investment in that year amounted to $5.5 billion.

It seems to me, if we are going to dry up the source of the return on our investment, we hurt ourselves in the long run in terms of the balance of payments.

Third and finally, I think our foreign investment controls raise serious doubts as to the credibility of our own foreign economic policy. We know, of course, the United States is taking the leadership in seeking to liberalize and free foreign trade. In 1944, for example, it was the

United States which took the leadership in establishing the International Monetary Fund. In 1947 we took the leadership in establishing the General Agreement on Tariffs and Trade. It would seem to me, therefore, that the foreign investment controls are a contradiction to this policy, and certainly would leave a great deal of doubt, I think, in the minds of foreigners with respect to our sincerity in this area. Thus I certainly join with you in the hope that those controls will be lifted within the very near future.

Mr. TUNNEY. I want to thank the gentleman from Ohio for his very knowledgeable statement. I appreciate his contribution.

Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BROWN] may revise and 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 California?

There was no objection.

Mr. BROWN of Michigan. Mr. Speaker, I was pleased to cosponsor House Concurrent Resolution 815 and I am not surprised at the support it has already generated from Members of both parties here in the House. I am particularly pleased that many minority members from the Committee on Banking and Currency have joined in sponsoring this resolution.

For several months the minority members of the Committee on Banking and Currency have publicly expressed their disagreement with President Johnson's mandatory controls on U.S. corporate investment abroad. As a matter of fact, as early as February 9 of this year, some 5 weeks after the imposition of these controls, 13 minority members of our committee expressed our opposition to controls on U.S. overseas investment in House Report 1095. At that time we said:

> The President's program of mandatory controls over direct investments dangerously underestimates the importance of emphasizing the need for increased rather than decreased U.S. direct investments abroad in the years ahead.

At this late date in second session of the 90th Congress, I see little likelihood of any hearings being scheduled on House Concurrent Resolution 815. Nevertheless, I hope as many Members of the House as possible who agree with our position will join with us in asking that the President lift these controls.

I think that this congressional effort will influence the next administration, and to the extent that we make our views known, we might see an early review of the entire balance-of-payments program. Certainly, if nothing else the performance of our seriously declining surplus on the trade account demands a complete review. No figure juggling or statistical gimmicks are going to be convincing to those monetary experts abroad whose policies and actions affect international monetary policy.

In closing let me take this opportunity to commend the gentleman from California [Mr. TUNNEY] for taking the initiative in introducing this resolution. Regardless of what happens on election day, in January I shall look forward to his continued support for an early end to these mandatory controls.

At this point in the RECORD, Mr. Speaker, I include in the body of the RECORD, following my remarks, the minority views to House Report 1095, to which I have referred earlier:

MINORITY VIEWS

INTRODUCTION

In the executive session of the Banking and Currency Committee considering this legislation, most of us abstained from voting to report the bill. We did so for two reasons. In the first place, only 20 minutes of the committee's time was devoted to considering the reporting of this bill which is of such far-reaching importance. In the second place, it seemed to many of us that the committee was acting prematurely.

The Ways and Means Committee is in the process of conducting balance-of-payments hearings and that information certainly is most pertinent to this legislation because it is the continuing balance-of-payments deficit which, from time to time, gives rise to drains on our gold stock. Further, while it is clear that we suffered a massive balance-of-payments deficit in the fourth quarter of last year, we do not yet have knowledge of the components of that deficit. These figures will not become available until about the middle of April.

The time schedule on this legislation certainly is not so critical that consideration of it could not be postponed for another couple of months. A look at the record is revealing.

FROM THE RECORD

In his February 6, 1961, balance-of-payments message, President Kennedy stated "* * * the United States must in the decades ahead, much more than at any time in the past, take its balance of payments into account when formulating its economic policies and conducting its economic affairs." Further, "Thanks to our international reserves we have time, if we use it wisely, in which to strengthen our domestic economy and make it fully competitive with that of other nations. Our situation is one that justifies concern but not panic or alarm." In commenting on basic factors in our monetary and financial position he pointed out "Our gold reserve now stands at $17.5 billion. This is more than 1½ times foreign official dollar holdings and more than 90 percent of all foreign dollar holdings. It is some two-fifths of the gold stock of the entire free world."

What is our situation today?

Our gold reserve now stands at $12 billion. It is approximately three-fourths of foreign official dollar holdings of $16 billion. Our gold stock is less than 40 percent of all foreign dollar holdings approximating $32 billion. It is less than 30 percent of the gold stock of the entire free world.

Have we used the time wisely since President Kennedy's 1961 declaration? The record clearly says no. Despite many actions that have been taken since 1961, on the record we simply have not solved our basic balance-of-payments problem and time is running out.

Nearly 3 years ago, we urged prompt, meaningful balance-of-payments action. In our April 1, 1965, minority views on legislation increasing the U.S. International Monetary Fund quota, we stated:

"Our chronic deficits in balance of payments have occurred in a period of general price stability and comparative cost and trade advantage vis-a-vis most of our trading partners. If inflationary pressures were to mount in the period ahead, the effects on world trade and free capital movement could be disastrous. This possibility appears more imminent today than in previous years as the Nation nears productive capacity. Under such conditions deficit financing can have a more dramatic and direct effect upon our prices, thereby further weakening our international competitive ability.

"Clearly, the time for meaningful action is now. We can no longer afford the luxury of hiding behind a series of delaying tactics constructed on a foundation of subterfuges and quiet financial maneuverings. Nor can we afford to scrap our tradition of free capital movements on the altar of wishful thinking, wasteful foreign aid, and restrictive controls on a free economy."

We have followed a guns and butter policy in our international as well as our domestic accounts. Under Secretary Barr submitted a table for the record showing that in the 21-year period, 1946–66, the private sector showed a net surplus in our balance-of-payments accounts of about $84 billion while for the 21-year period the Government sector showed a net deficit of about $115 billion. This suggests the need for altering our guns and butter international account policy and the setting of priorities in the government account. I also suggest the need of other free world countries assuming more of the burden of patron and protector of nations emerging from the dismantling of colonialism. Many of the balance-of-payments measures that have been taken by the administration have been palliative in nature. Upon each presentation of year-end figures, they have made the then current balance-of-payments figures look better than they actually were.

This was recognized in President Kennedy's balance-of-payments message to the Congress of July 18, 1963. He stated, "A significant portion of our progress so far has been due to special agreements with free foreign countries—for debt prepayments, advance payments for military equipment, and U.S. borrowings abroad. While similar arrangements may once again prove capable of covering a substantial amount of the gross deficit in 1963, such special transactions cannot be relied upon for the indefinite future." The palliative approach has continued right up to the present time including the statement of President Johnson in his January 1, 1968, message to the Nation on the balance of payments in which he advised, "I have directed the Secretary of the Treasury to explore with the chairmen of the House Ways and Means Committee and Senate Finance Committee legislative proposals to induce or encourage the repatriation of accumulated earnings by U.S.-owned foreign businesses."

While on the subject of President Kennedy's July 18, 1963, balance-of-payments message, we call attention to a statement that is of current interest. He said: "That is why early enactment of the comprehensive *tax reduction and revision* program previously submitted is the single most important step that can be taken to achieve balance abroad as well as growth here at home." In President Johnson's February 10, 1965, message to the Congress reviewing the international balance of payments and our gold position he observed: "Tax cuts and other measures to increase output, stimulate cost-cutting investment and holding prices steady have made U.S. products far more competitive in world markets." Then in his January 1, 1968, balance-of-payments message he stated: "No business before the returning Congress will be more urgent than this: To enact the anti-inflation tax which I have sought for almost a year." So, pay your money and take your choice.

A further review of the record is of interest. In his July 18, 1963, balance-of-payments message President Kennedy commenting on the need for further action on the balance-of-payments problem stated "Although there is urgent need for further effort I want to make it clear that, in solving its international payments problem, this Nation will continue

to adhere to its historic advocacy of freer trade and capital movements, and it will continue to honor its obligation to carry a fair share of the defense and development of the free world." On October 25, 1964, there was a Presidential statement on economic issues. This White House release advises in a series of White House statements over the next few days the President would outline his position on some of the most important economic issues before the country. No. 3 of that series of press releases dealt with "Strengthening our Balance of Payments" and included therein is a statement "Moreover, we have refused to seek 'easy' and fast solution to our balance-of-payments problem through damaging controls and restrictions that would have curbed economic freedom, hurt our domestic prosperity, or damaged other countries' trade."

Then in President Johnson's February 10, 1965, message on balance of payments after outlining measures to further deal with the balance-of-payments problem, he stated, "These measures are designed to serve our balance-of-payments objectives without imposing direct controls on American business abroad. *We seek to preserve the freedom of the marketplace.*" But in the President's January 1, 1968, balance-of-payments statement we find that historic policy was reversed. Invoking authority of section 5(b) of the Trading With the Enemy Act of October 6, 1917, activated by the continued existence of the national emergency declared by Proclamation No. 2914 of December 16, 1950, the President subjected overseas investment by American firms to mandatory controls. In the opinion of many, this reversal of our historic policy is a cause of grave concern.

BALANCE OF PAYMENTS

We regard the balance-of-payments program announced by the President on New Year's Day as the latest in a long series of programs aimed at papering over the cracks in our international payments crisis. We will not embark upon a long and detailed discussion of the dangers inherent in a balance-of-payments program that asks the business and banking communities to withhold profitable overseas investments in order to attempt to achieve a short-run favorable impact on our payments deficit. Instead, we urge the House to read carefully the testimony of the witnesses who appeared before our committe during the brief hearings on this measure. We would, however, like to take this opportunity to make a few broad observations.

Based upon recent experience, can one be faulted for having little confidence in promises that the January program of mandatory controls on direct investments are temporary? Hasn't every other balance-of-payments program in recent years held out the promise of "temporary" duration? Moreover, to the extent that the latest controls over free capital movement and direct investment achieve their goals, won't their very "success" *insure* their permanence? In short, to the extent that decreased U.S. investments and capital outflows reduce next year's balance-of-payments deficit, won't this relieve pressure on this or future administrations to tackle the real problems that have caused our chronic payments deficits?

We are genuinely concerned that the priorities established by President Johnson in his January 1 balance-of-payments message seem to have been, to a large extent, suggested by those in Europe and elsewhere who for several years actively have campaigned against increased U.S. investments and so-called U.S. exported inflation. Can anyone seriously doubt that the crackdown on U.S. direct investments in Western Europe represented a notable victory for the policies of President de Gaulle? Disestablishment of U.S. investments is, unfortunately, a political obective in a growing number of areas around the world.

Keep in mind the President's program sets a savings target of only $500 million on Government programs which have been for many years showing a persistent deficit of several billions of dollars. In contrast, the private sector, which has consistently shown large payments surpluses, has a target of saving under the program of $2.5 billion. We are reminded of the favorite expression of Army noncoms to recruits, "Do as I say, not as I do."

More over, while the surplus on commercial trade declined to the dangerously low level of approximately $1 billion in 1967, receipts from direct investments abroad have been exceeding outflows by $1.5 to $2 billion in recent years. The conclusion we draw from these figures is that the President's program of mandatory controls over direct investments dangerously underestimates the importance of emphasizing the need for *increased* rather than decreased U.S. direct investments abroad in the years ahead.

Our economic policymakers have failed to understand the growing importance of the production of U.S. firms abroad. With the rising tide of protectionism, nationalism and regionalism adversely affecting the opportunities for normal growth of U.S. exports, we had better begin to appreciate the vital role U.S. technology, know-how and capital investment have played in the startling growth of what has come to be called "international production."

It has been estimated that the U.S. direct investment establishment overseas accounts for total product sales to the markets served of some $120 billion per year. Accordingly, product sales from direct U.S. investments amount to some *four times the size of our total exports*. The primary channel to foreign markets, therefore, is via foreign production rather than exports from production here in the United States.

We often hear of "disquieting similarities" between the present state of domestic economic affairs with earlier periods in our Nation's history. Whether or not this is so, we would like to suggest that there are indeed some disquieting similarities between the experience of Great Britain and the United States insofar as the balance-of-payments situation is concerned and the character of solutions being offered.

Contrary to currently accepted theories of Great Britain's difficulties, the major reason for the deterioration of the British balance of payments is not her trade deficit. Great Britain generally has had a trade deficit. In the past, however, she was able to make up the difference in her trade deficit and sustained British presence around the world through income on investments and services. Twice, after World War I and World War II, British investments were liquidated to the tune of 1 billion pounds or more each time. Their external debts increased, and Government expenditures abroad soared. As a result, the invisible income on investments and services has not been sufficient to meet these increased costs.

During the 9-year period, 1958 through 1966, Great Britain had a cumulative surplus of 3.6 billion pounds earned overseas by the private sector. Virtually all of this came from cash inflow from private investments overseas. Even on imports and exports of goods and services for the period, there was a cumulative surplus of 15 million pounds.

But in the public sector, during the same period, there were net Government expenditures abroad of 5.2 billion pounds, simply too much for the surplus in the private sector to overcome. And the country ended the period with cumulative net deficits in its external payments of 1.6 billion pounds.

It cannot be substantiated, therefore, that the underlying disequilibrium of Britain's balance of payments has been due to a persistent imbalance of the private sector's trade with the rest of the world. It has been due, on the contrary, to the fact that net Government expenditures overseas persistently have exceeded the surplus earned by the private sector. The insufficiency of foreign investment income was a fundamental reason for her retrenchment.

The United States is in danger if it continues as it has for all but one of the past 18 years to spend more on government account abroad than it can earn on private account, of losing the capacity to meet its international commitments. Lifting the gold cover will not correct this situation. At best it will only give us a very limited amount of additional time to make fundamental adjustments.

An editorial from the February 1968 issue of Fortune magazine warned that "The American business community had better wake up." It went on to say that "those who believe that private trade and investment are in fact the powerhouse for economic development had better get ready to fight. For that great big beautiful world of international business is rapidly approaching a state of siege."

The Fortune editorial reminds us of our sad experience during the hearings on this bill. In seeking to broaden the scope of the hearings to balance-of-payments considerations, we invited testimony from expert witnesses representing the international banking and business communities. As the printed hearings indicate, we met with total frustration in securing witnesses representing U.S. businesses with direct investments abroad. Since the bulk of the new balance-of-payments program is aimed at curtailing direct investments, we thought it was essential to hear from those most directly affected.

In answer to a question as to why businessmen were unwilling to appear, one of our Nation's leading international bankers testified:

"I recognize the sensitive nature of this question. I can report that I did discuss this specific question with a high official of an international business corporation. I asked him whether he had been invited to appear at these hearings, knowing that invitations were being extended to members of the business community, and he said he had not. I then asked him if he were invited, would he appear, and he said, 'No.'

"I then asked him why he would not appear, and his answer was, 'Fear of retaliation.' The present direct investment program cannot possibly operate unless numerous exemptions are granted. In this instance it was the fear that if somebody from this company appeared at these hearings and took a critical point of view, this might endanger or impair, or influence, or affect the decisions that the Department of Commerce might make in their applications for exemptions which they will be forced to make.

"I am making no generalization. I am giving you an accurate report of one interview."

The above quoted response accurately reflects our own encounters with the business community when witnesses were being asked to give the committee the benefit of their views. Whether it is fear of retaliation, apathy, or an effort to secure special exemptions from the mandatory controls makes little difference. Continued silence from international business on a matter so vital to its own future survival as well as our Nation's balance-of-payments problem is an invitation to executive and legislative indifference. Such an attitude merely underscores the Fortune warning that "the American business community had better wake up."

WAIVER OF THE 25-PERCENT GOLD COVER REQUIREMENT

Section 11(c) of the Federal Reserve Act gives the Board authority to waive the 25-

percent gold reserve requirement. Much history has been made on the use of such authority should a gold crisis occur. Chairman Martin of the Federal Reserve Board, in a letter of November 5, 1963, to former Senator Douglas, chairman of the Joint Economic Committee stated, "It seems reasonable to conclude that if this country's gold losses should continue to the point where the Reserve banks were unable to comply with the 25-percent statutory reserve requirement, there is ample authority under the present act to meet the situation without disrupting the economy or the international payments mechanism, and to provide time for Congress to Consider legislative action."

When Secretary of Treasury Dillon appeared before the Senate Banking and Currency Committee on February 2, 1965, in connection with the bill lifting the gold cover on Federal Reserve deposits, he made this statement: "President Johnson has recently reiterated the fixed policy of the United States to defend the present gold value of the dollar 'with every resource at our command.' The Chairman of the Federal Reserve Board has repeatedly made it clear that the existing gold reserve requirement need be no bar to our making good on that pledge. Present law provides that the gold requirement can be suspended—initially for 30 days, and subsequently for intervals of 15 days. It should be clearly understood by all that that provision of law could and would be invoked if required to meet foreign demands, and that the suspension would be renewed as long as needed."

When Secretary of the Treasury Fowler appeared before our committee on January 23, 1968, advocating passage of this legislation he made the following statement as one of the reasons for supporting the bill.

"While foreign authorities are aware of the fact that the Federal Reserve can suspend the cover requirement, they find it difficult to understand why the United States, the world's major reserve currency country, still maintains this legal impediment to the free international use of gold.

"Thus, legislative action on the cover requirement, by making it clear to the world that the Congress as well as the executive branch is committing our total gold stock to international use, is necessary to maintain confidence in the dollar."

It would appear that favorable action on this bill at this time is not a question of necessity. Instead it is a matter of judgment.

WILLIAM B. WIDNALL.
PAUL A. FINO.
FLORENCE P. DWYER.
SEYMOUR HALPERN.
W. E. BROCK.
DEL CLAWSON.
ALBERT W. JOHNSON.
J. WILLIAM STANTON.
CHESTER L. MIZE.
BENJAMIN B. BLACKBURN.
GARRY BROWN.
LAWRENCE G. WILLIAMS.
CHALMERS P. WYLIE.

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may revise and extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, I wish to address the House in support of the House Concurrent Resolution 815 calling upon the President to terminate the controls on foreign direct investments.

The introduction of the mandatory controls did in effect announce to all countries that our American companies abroad are in fact aliens subject to the laws and regulations of the United States. We, therefore, must expect a considerable deterioration of the investment climate abroad for the U.S. companies. We must also expect retaliatory controls from the foreign governments.

The controls which have been placed on the direct investor can only serve to make it more difficult for business to make the important contribution needed to the critical balance-of-payments situation. American business must be competitive in the foreign market. We must not allow foreign competition to take advantage of these restraints of growth and improvements of U.S. business abroad and to make inroads on their market position. When business considers investment abroad, numerous things are weighed—the market, manpower, utilities, raw materials, taxes, the contribution to the local economy, and resulting dividends and royalties to the United States.

All these considerations must be matched to insure the desired inflow of benefits to the American investors. To further complicate matters by imposing on business an extremely complex form of mandatory controls from the United States and in turn the retaliatory controls abroad will seriously weaken the competitive position of American business.

This will all lead to less inflow to the United States and an increase in our balance-of-payments deficit.

Arbitrarily dividing the world into three major geographical areas is contrary to the economics of business. The scheduled areas do not permit business to pursue overseas investment opportunities with the maximum economic gains and needed flexibility.

American business is further handicapped in developing long-range plans as a result of the uncertainty created by the regulations. American business cannot remain competitive if it cannot plan ahead.

The income generated from direct investment in business operations abroad is a major source of the foreign income required to support our present foreign policy objectives.

I support this resolution calling upon the President to implement the foreign economic policy of the United States by terminating controls on foreign direct investments.

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may revise and extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. HORTON. Mr. Speaker, fully 25 percent of all U.S. exports are generated by U.S. subsidiaries abroad. Total U.S. exports are running currently at about $33 billion annually. U.S. firms export about $8 billion plus in raw materials or finished products to their foreign subsidiaries. If we were to eliminate from total U.S. exports all agricultural products and foreign aid, the contribution made by U.S. firms to their foreign affiliates would be in the neighborhood of 40 percent of the total. By restricting the growth of foreign subsidiaries of U.S. corporations, the Government is reducing U.S. exports, or at best, hindering the expansion of exports. Let me explain how this occurs.

When determining the net transfer of capital to affiliated foreign nationals, the mandatory controls require the inclusion of any increase in the intercompany account balances since January 1, 1968. This requirement, in view of the request under the voluntary program to reduce intercompany balances to a minimum, could seriously affect exports to affiliated foreign nationals. The controls do not adequately recognize: First, the need to carry normal trade receivables from affiliates; second, that, as exports expand, receivables also increase; third, that the balances as of January 1, 1968, do not reflect average balances during the course of the year; and fourth, that receivables will increase as exports expand to meet unusual circumstances, such as interruption in normal shipping schedules. The mandatory program could force affiliated foreign nationals to find other sources of supply, particularly within their schedule area, in order to comply with the regulations.

The mandatory control program, by restricting direct investment in affiliated foreign nationals, also limits the retention of earnings in the affiliate since earnings are included in the definition of direct investment. As a result, the mandatory controls fail to give adequate recognition to the working capital requirements of affiliated foreign nationals, particularly in growth situations which have occurred since the voluntary program influenced base periods. This failure to recognize the need to retain a greater amount of earnings to finance growth could seriously affect the foreign operations and could also have an immediate adverse effect on exports from the United States since inventory needs expand to meet sales growth.

Aside from the widespread inequities because of the base periods selected, the massive administrative burden on government and business alike, and the interference in a company's international operations, there should be a recognition that the controls as presently formulated could not only have an immediate effect on exports, but could likewise have a longer range effect of a more serious nature on the investment returns in the future.

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Delaware [Mr. ROTH] may revise and extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ROTH. Mr. Speaker, the essence of the U.S. balance-of-payments problem is to be found in the excess of government expenditures abroad over private sector income.

What is the essence of the U.S. balance-of-payments problem? It is quite simply that the United States has since the end of World War II been pouring out into the world in military expenditures, expanded representation expenses, and so on, far more than we have been earning in foreign exchange. Between 1950 and 1966 net Government outflows amounted to $88 billion. Net private sector inflows amounted to $59 billion. There was thus a gap of $29 billion. No country is rich enough to set its foreign policy objectives without reference to balance-of-payments considerations. So long as the world was hungry for dollars the situation could continue. That era has now passed, and we can no longer postpone dealing with the essence of the problem.

The most important part of balance-of-payments strategy must therefore be the reduction in the excess of net Government outflow over net private inflow. But what are we doing about it? The President announced on January 1 that he would seek to save $500 million in the Government account but at the same time would seek an improvement of $1 billion in the private direct investment account. It is unlikely that any improvement will be made in the Government account, and it may well be worse at the end of the year. Meanwhile the administration is seeking to squeeze out more than normal returns from the private sector by placing obstacles in the way of expansion of the dollar earning assets of American business abroad.

It is said that this latter measure is only a short term, temporary expedient. But the administration has been saying that for 4 years, and the short term has now expired. With imports and exports precariously balanced and actually in deficit for the year to date, we depend more than ever on the income from private direct investments. In the light of the evidence it is incorrect to regard this income as subordinate to that provided by trade. Postwar experience demands that direct investments should be assigned a primary role as the source for the income necessary to support American foreign policy objectives. Indeed if we had encouraged more investment in the past decade we would now be enjoying higher returns on a permanent basis.

It is clear that at best the continuation of foreign investment controls is preventing a more rapid expansion of American business operations abroad and hence of the dividends we might be receiving from them, and at worst is actually causing business to be lost and thus denying us the dividends we desperately need. The payments problem of the United States can only be resolved by bringing public sector expenditures and private sector income closer together by cutting down Government programs abroad and increasing our dollar earning assets on a permanent basis.

I am pleased to announce my support for the Tunney resolution and congratulate my colleague for his leadership in this important matter.

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. MIZE] may revise and extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. MIZE. Mr. Speaker, I was pleased to join with several of my colleagues in the House in introducing legislation calling on the President to end the restraints and controls on American investment abroad. I congratulate the gentleman from California [Mr. TUNNEY] for initiating this effort here in the House of Representatives. My own companion bill, House Concurrent Resolution 820, was introduced yesterday, September 16.

Ever since early February, the minority members of the House Banking and Currency Committee have urged similar action and have been strenuous in their criticism of the President's action in this regard in the January 1, 1968, balance-of-payments program. As a matter of fact, Mr. Speaker, there has been considerable criticism of the manner in which these mandatory controls were applied, in that no legislation was required and the existing statutory authority used by the President traced back to the Trading with the Enemy Act of 1917.

Needless to say, it is a curious twist of irony that a program aimed at reducing U.S. corporate investment in friendly nations resorted to the Trading with the Enemy Act for its authority. In this connection, I was sorry to see that these concurrent resolutions have been referred to the House Committee on Foreign Affairs, in that the original Trading with the Enemy Act properly was reported from the House Committee on Interstate and Foreign Commerce in 1917, and all legislative matters dealing with balance of payments and tariffs since that time have been deliberated in the Committees on Ways and Means and Banking and Currency.

It is my understanding that the gentleman from Michigan [Mr. BROWN], a cosponsor of these resolutions will be inserting in the RECORD of the debate today the full text of the minority views to the gold cover bill of February 9, 1968, in which 13 Members of the House detailed reasons why mandatory controls on U.S. corporate investment abroad are counterproductive and extremely shortsighted.

Recently, there have been reports in the financial press indicating that U.S. corporate subsidiaries abroad have been able to proceed with their activities, regardless of the controls imposed last January 1. They have been able to do so because the dramatic growth in the Eurodollar market has permitted these overseas subsidiaries to raise capital abroad at rates substantially and sufficiently competitive with rates they otherwise would have had to pay had they raised capital in the U.S. private money market.

This may be true, but it overlooks the fact that many small and medium size U.S. corporations have been effectively discouraged from investing abroad because of their unfamiliarity with the European capital market. In many instances, it is precisely these same small and medium size firms who have so much to offer and who should be the last to be discouraged from expanding their operations into new foreign markets.

For many years, the U.S. balance of trade of a magnitude of $4, $5, and $6 billion surplus per year has financed our military and foreign aid commitments abroad. The program announced by the President last January 1, tragically erred when it assumed that the balance of trade could continue to be our main source of offsetting deficits in the years ahead. It failed to recognize the growing importance of receipts and revenues from direct foreign investments. Indeed, many economic analysts claim that the biggest competitive edge enjoyed by the United States today with our trading partners is not on commercial, industrial and agricultural exports, but instead on technology, management, and know-how. Direct investments in U.S. overseas subsidiaries is the primary manner in which our competitive edge on technology, management, and know-how can be and should be exploited.

It may come as a surprise to many, but it has been estimated that the value of goods and services delivered to foreign markets by U.S. marketing and production facilities abroad, established by U.S. direct investments, now exceed by three or four times the value of total exports from the United States.

Mr. Speaker, it is time those in control of our balance-of-payments program were made to realize the importance of encouraging, rather than discouraging U.S. investment growth abroad. We have already witnessed how enduring stopgap, so-called "temporary" controls such as these become. I hope the voices of opposition here in the House will influence the next administration to review our entire balance-of-payments program to the end that such counter-productive controls such as these can be eliminated at a very early date in 1969.

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may revise and extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, U.S. affiliates abroad are legally local companies and cannot be used as tools of U.S. foreign economic policy without eventual retaliation.

American business has operated abroad for many years, some companies for almost a hundred years. Since World War II, however, American companies have greatly expanded their international operations abroad and in so doing have generated a substantial inflow of dividends, royalties, and fees. These net inflows now represent the largest single positive item in the balance of payments.

Though these business operations are controlled from the United States, they are in large part subsidiaries organized under foreign jurisdictions. An important condition for the acceptance in host countries of such companies is obviously that they should conform to local laws and policies. Over the years, therefore, American companies have sought to win this acceptance on a par with local companies as contributors to

the growth and development of the nation of which they are legally corporate citizens.

The mandatory program with respect to direct investment, as the voluntary program before it, has announced to the world that the U.S. Government regards these companies even though incorporated under a foreign jurisdiction as American companies. It claims the right to control their cash flows and enforce under criminal penalties the return of earnings generated by the land, labor, and to some extent capital of a foreign country, even in cases where the U.S. company is a minor shareholder.

It is well known that though host countries recognize the need for foreign investment, they also have shown some concern lest foreign investors dominate their economies or follow policies contrary to those laid down by local authorities. The administration's program for controls of direct investment have given evidence that their concern is not unwarranted. The assurances of local management that companies intend to be good citizens ring hollow in view of official U.S. view expressed in the mandatory program that the operations of these companies must be conducted subject to the overriding needs of U.S. foreign economic policy.

It is to be hoped, therefore, that this program of controls will be ended promptly and that we thus remove the basis of these charges of "American economic imperialism" and the threat that such interference in local jurisidictions poses to the future of affiliates of American companies. American companies will be accepted abroad only if they can demonstrate that they intend to be good corporate citizens. The mandatory controls make it difficult to make that pledge in good faith.

For these reason I rise to support the Tunney resolution.

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANDERSON] may revise and extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ANDERSON of Illinois. Mr. Speaker, the present program damages the competitive position of U.S. industry abroad. One of the reasons I support Congressman TUNNEY's bill is that it voices objection to a government program that is causing serious damage to the competitive position of U.S. industry abroad by restricting the expansion of foreign subsidiaries of U.S. corporations already located abroad and by forcing them to bring their seed money back to the United States too rapidly. U.S. companies are being asked to fight their foreign competitors with one hand tied behind their backs. Another reason I object to the current Commerce Department program is that it prevents a U.S. company from exploiting a market situation where and when it develops. Let me give you an example.

I have been informed of a specific situation in a European country where a cosmetic market had just developed. A U.S. firm wanted to move in and build a factory. This firm sought permission from the Commerce Department—delays occurred. When permission was finally granted, it was granted with the admonition that the U.S. firm should not use dollars, but should raise the money from foreign borrowing. By the time the firm was able to arrange a foreign line of credit and take care of other details, other firms had moved into the market or events had taken place, I am not sure which, but in any event the market situation had changed and the U.S. firm felt it had lost the market, or could not exploit it. I am not sure whether a foreign firm moved into the market before the U.S. firm or whether another U.S. firm, not so cooperative with the Commerce Department, took the market over.

In any event, if there had not been the current restrictive program the U.S. firm probably would have built its plant, made a profit, and would be bringing this profit in the form of dollars back to this country today. The current policy is shortsighted. Foreign firms without restrictions exploit new markets and expand in existing markets while U.S. firms are prevented from growing or developing.

The Tunney resolution expresses my sentiment and I think the sentiment of the majority of the Congress that the way to solve the balance-of-payments problem is to permit U.S. firms to expand abroad and bring the profits back to the United States. The program hampers the growth of the U.S. economy and U.S. industry.

A dollar spent abroad today in the form of a productive U.S. factory will come home to the United States many times over—sometimes in as short a period as 5 years after the initial investment. There will be a trickle of dollars coming back in the 1970's instead of a flood of dollars—if current policy continues. It is time for a change.

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may revise and extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, I wish to address the House in support of the House Concurrent Resolution 815 calling upon the President to terminate the controls on foreign direct investments.

Expansion of U.S. exports is a fundamental objective of the United States. The controls do not encourage and in fact inhibit, increasing our exports. At this critical time we should be exploring every available avenue to increase our exports, not ways to discourage them.

Many companies have established affiliated companies overseas to act as sales agencies for products manufactured in the United States. Generally these companies replaced nonrelated sales agents in order to increase U.S. export sales and to increase foreign profits.

When a company exports products to a foreign affiliated company on normal trade terms, the export counts against the company's allowable investment quota. If the company does not have a quota or has already used its quota, then the export is in violation of the regulations and is prohibited. Since exports to affiliated companies represent about 25 percent of all U.S. exports, this is a very serious matter and should be corrected by the expedient removal of the foreign direct investment controls.

The solution to the balance-of-payments problem is twofold. First, we must exercise greater restraint in Government spending. Second, we must make American goods and services more competitive in the world markets by taking appropriate monetary and fiscal measures to combat inflationary pressures.

I support this resolution calling upon the President to implement the foreign economic policy of the United States by terminating controls on foreign direct investments.

Mr. MORSE of Massachusetts. Mr. Speaker, I am pleased to join with the gentleman from California [Mr. TUNNEY] and our other colleagues in introducing this concurrent resolution calling on the President to terminate the existing controls on direct foreign investments.

These controls are of dubious legality and of negative impact in improving our balance-of-payments position. They are based on legislation enacted in 1917 and invoked by President Truman in 1950. Both circumstances were inherently different from those we face today.

One of the most significant features of this concurrent resolution is that it would express the interest of Congress in action taken only by the executive branch that is every bit as important to our economic well-being as taxing and spending policies reserved to the Congress. Hopefully, its passage will lead to the revocation of the Executive order of January 1, 1968 imposing capital investment controls abroad.

Foreign investment has always been a positive factor in our balance-of-payments equation. Between 1950 and 1966, a foreign investment of $39 billion returned, in the form of income, dividends and the like, $58 billion.

Curbs in investment abroad will not only deprive the United States of these direct returns, they will also reduce our exports. The capital goods and raw material exports needed to support the inputs of capital abroad must inevitably decline. This factor creates a particular hardship to developing countries whose own infant economies cannot hope to substitute for these capital-supporting exports.

In short, Mr. Speaker, the existing controls will harm our Nation's economy in both the short and long run. It is impossible to state the extent of the future income loss in dividends and royalties from foreign investment. In a world where economies, developed and developing, are growing swiftly, it is shortsighted indeed to prevent U.S. investors from participating in that growth.

The concurrent resolution we offer today is wholly consistent with the pledge of the Republican platform adopted in Miami Beach last month to end "self-

defeating restraints on overseas investments."

I hope that even in the closing weeks of this Congress, the House can address itself to this important fact of our economic life.

IMPACT OF IMPORTS ON AMERICAN INDUSTRY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. DENT] is recognized for 60 minutes.

Mr. DENT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, it is not unusual for me to speak to an empty House, because I speak the voice of those who are not usually able to have experts prepare for them well-documented statements filed with statistics that often oblige the hearing but do nothing for those in need. Therefore, tonight I speak for that great number of Americans who have been disenfranchised because of the fact that they happen to work by the accident of opportunity in a position of employment that is prone to be impacted adversely by the flood of imports.

At the outset, of course, I wish to thank the gentleman from Massachusetts [Mr. BURKE] who had to leave, whose help and encouragement over these years have given me the courage to continue this fight against uncontrolled imports. His interest and energy have long been used in bringing relief to the overburdened American shoe industry situated in his district.

The Congressman has long cooperated with the American footwear industry, its workers, and its president, Mr. Watson.

I take this hour—and I will not use it, of course—to specifically object to the type of panel that was selected by the President of the United States as a trade panel to create policy in the coming fight on the continuation of the long-outmoded trade policies of this country. I find upon examination that there is not one single person named to this panel of 34 who could by any stretch of the imagination be called a protectionist or a fair trade advocate. I do find four members who at some time or other have expressed some doubts as to the direction and the rightness of our trade policy.

I only wish that as many who spoke here tonight could have stayed here a little while. I would like to comment for a minute for those who spoke so glowingly of foreign investments.

Yes, there has been a slowdown in foreign investments simply because we limited them—and for no other reason.

I am for foreign investments. However, they must be restricted to foreign production and foreign sale of that production. The anemic condition that is causing unemployment in this country is because foreign investment is no longer used for gathering an American share or gaining an American share of the foreign market. It is now being used to produce products in foreign countries for exportation to the United States.

This I have seen in many countries of the world. I have seen 25-cents-an-hour Chinese workers producing goods exclusively for the American worker and the American market, displacing American workers who must be paid a minimum of $1.60 an hour, as passed and enacted into law by this Congress.

As chairman of that committee, I know who is responsible.

I have also seen 6-cents-an-hour mushroom growers in Taipei, Taiwan, sending mushrooms to America in competition with American mushroom industry workers being paid $1.60 minimum an hour, selling in the American market at a price that is less than the American industry pays for the can to put the mushroom in.

I grew up as a free trade advocate, a disciple of Adam Smith and a follower of Henry George. But when my coal industry was almost wiped out, when my glass industry was depressed to a negative industrial position in my area, and when I watched my steel industry in Pennsylvania go down to the point where one of the major steel plants in that area is on a 25-percent production schedule for the month of October, where we have lost, last year, 80,000 steel jobs by the exchange of steel tonnage with foreign countries, where we stand to lose this year, with the rate of import, 130,000 steelworkers' jobs, with an accompanying 270,000 supporting jobs, and when I have stood on this floor and fought for billions of dollars for retraining workers and using relief because of the injuring impact of imports, I cannot bleed any tears or have too much of a sympathetic feeling for American industry curtailing its extension programs in America and building plants overseas to displace production in this country, to send production back here from their foreign plants to undersell their own plants that have to abide by laws passed by this Congress and sponsored by me.

I have reached an age when it does not matter too much what happens tomorrow insofar as I am concerned. But I know this: One cannot compete in a world of free trade with a $3.50 an hour wage in America compared to $1.50 an hour in Europe, $1 in Japan, 50 cents in Hong Kong, and 25 cents in Taiwan, producing the same goods with the same mechanical and technical advantages, with them sending these same goods into the market which is provided by the $3.50 worker in America.

The loss will not only be ours but the loss will be theirs, because every worker in America is the American consumer, and the American consumer is the person who makes up the market for the foreign goods.

I am sorry there are not more Members here tonight. I regret that the staff has to suffer while we try to propound a few theories and a few facts, so that those of us who are here may understand that trade is a two-way street. It is the kind of a street one has to walk up together and walk down together.

We cannot expect, at this stage in our lifetime, to operate under the same trade philosophy which was born in the days of depression and is still being promoted by those who call men, like myself, narrowminded and living in the past.

No; I am living in what I hope to be the future.

This Nation had an advantage for many years, not alone in its productivity, in its skilled workers, in its know-how, in its financial ability to create production facilites, but also another advantage, in that no other nation or group of nations had the same attributes. That was the first stage, which made this country what it is.

The second stage was when we started to finance foreign countries to become proficient in production, with the stated aim of making them self dependent, that which we had always been since 1912. At that stage we started to lose our foreign markets, because they started to produce for themselves.

The third stage came when they were overproducing what they needed and started to ship to the United States. Then we lost interest in fighting for foreign markets and started to fight to save our own markets.

So the device was created of foreign investment, foreign investment by American companies under the guise of penetrating foreign markets that were no longer available for American produced goods.

But in reality what we were doing and what we are doing is investing in foreign countries to produce goods to sell back to the United States in order that the American corporations do not have to abide by the Fair Labor Standards Act, by the antimonopoly acts, by the antitrust acts that control competition within this country.

I say to the few of you Members sitting here tonight what I say here will not be heard by many. What goes into the RECORD will not be read by many, but I assure you, just as I am standing here tonight that what I say and what can be read in the RECORD will be of great importance within the next 5 years. This is because all the money we can raise by taxation will not be enough to meet the needs of the unemployed in America who are disenfranchised from their job opportunities because of an outmoded, outworn trade policy that has for its only excuse the exploitation of foreign workers and profiteering upon the American public.

Let me give you one example, and from that you deduct what is happening in other industries.

In 7 months of this year the American shoe imports increased 48 percent. We imported 141 million pairs of shoes at an average cost to the importer of $1.05 a pair. We cannot even put a pair of heels on a pair of shoes for $1.57 a pair and still pay American wages. Yet find any consumer in America who can buy a pair of foreign shoes for less than $10 and running up to $65. The most expensive pair of ladies' shoes sold by the Italian and French shoemakers costs American importers less than $7, and again American women are being milked out of $42 to $65 for the same shoes.

For the first time in the history of our industrial complex the top 200 industries in Europe earned a 7-percent net income last year as against American industries 0.3 percent. It all points to the

same basic problem. We cannot in any way compete in a free trade world as long as this Congress of the United States allows products to come into this country that are not controlled to the point of injury to American industry. We forbid, mind you, the transportation of a single product made in one State of the Union to another State of the Union unless that producer complies with the minimum wage law and the maximum hour law. Yet we allow every country on the face of the globe to use child labor and pay from 3 cents an hour up to a top of $1.47 an hour and then to ship all of their products in competition with American industry, which is strapped by the laws passed by this Congress.

Mr. Speaker, I apologize for taking the time of the hardworking staff of this House, but sometimes some things have to be said even if those who hear are deaf to what they hear.

Mr. Speaker, I take this hour to discuss international trade problems in general and the makeup of the trade panel recently named by the President. The President named a 34-man panel whose job it will be to propagandize the Congress and the country by officially laying the groundwork for a so-called liberal trade policy to repeal the American selling price for traffic purposes. The panel reads like a who's who on the international trade list. Textile and steel industries, two industries that are severely impacted by imports, received one appointment. There was only one labor representative who has made an outright declaration for curtailment of imports, that was I. W. Abel, president, United Steelworkers of America. Mr. George Meany, president, AFL–CIO, has expressed certain reservations on a continuing freer trade policy. But all the other members, as I note their connections, are out and out free traders with export-import interest and many with major overseas business and production facilities. While it is the President's prerogative to name whom he desires, it is also the prerogative of a Member of Congress to call to the attention of the people that his committee could be considered a stacked committee in their deliberation. Their decisions could be one sided and biased in favor of the export-import profiteering and exploiting fraternity.

COMMITTEE MEMBERSHIP

Out of 34 persons named not one single member can be labeled a protectionist by any stretch of the imagination.

Only a very small minority of four can be considered as openminded to the views of American industry and labor adversely affected by imports.

Without losing a minute's sleep, I could write the report of this kangaroo court in 5 minutes. That is, I could tell you what the report will contain. It will be the usual hogwash that has blinded the American people in this generation to the realities of unrestricted trade growth in the United States. It will belabor the so-called protectionists as shortsighted, narrow minded, blind to the needs of a free world, and even hint at this being the destroyers of peace and goodwill.

Those of us who have watched this Nation resort to job training programs costing billions, relief payments to displaced workers, unrest and violence because of the lack of jobs, and the closing down of job producing activities, realize the seriousness of our disallusionment caused by a blind adherence to a trade policy as unfit for modern production and job needs as a sailing ship is to oceangoing commerce.

To deny injury to U.S. industry, agriculture, and mining by imports, is to believe that the world is flat and all importers and exporters are members in good standing of the Benevolent and Protective Order of Philanthropists. In my book, they are members of the greatest exploiting, profiteering, and international pirates the world has ever seen. They exploit the low-waged workers all over the world, and then gouge the U.S. housewives and customers by charging the most exorbitant markup in retail prices ever pawned off on the American public as a bargain.

For instance, we imported in the first 7 months of this year 110,212,000 pairs of leather shoes, an increase of 38.7 percent over the same 7 months in 1966. In the same 7 months we imported a total of 141,045,000 pairs of shoes—exclusive of waterproof rubber footwear, zories, and slipper socks—at an average cost of $1.47 a pair. Try and buy an imported shoe for $1.47, it will cost more like $10 to $65.

A few years ago you could get a Japanese pocket transistor free with the purchase of 500 pencils. That same transistor now costs $11 and no pencils in the "bargain." This follows the usual import pattern. First a junky product is practically given away, next, the U.S. producer lowers quality to reduce price. The importer increases price slightly and raises standards. Soon the American product disappears and "whamo," up goes the price on the import. This is true in glass, ceramics, cameras, and every other imported product. In the end the job losses will catch up and Congress will desperately try to save the wreckage of our industrial complex.

Mr. Speaker, some of what I say now has perhaps been said before by more learned men than myself. However, the facts have been proven, and the logic still prevails.

We are hearing from all sides that if we fail to allow billions of dollars worth of goods to flow over our borders, at prices no American business can meet, then foreign nations will shut off our exports. We are told that whole industries in the United States must be considered "expendable"; that Congress must appropriate funds to pay off the bankrupt owners, to retrain or keep on welfare the workers who lose their jobs, and finance the value of their special training—whatever it may be.

Freetraders who are challenged on this theory call the people who believe in a fair exchange of goods and services "protectionists" and "obstructionists." Free trade has become some sort of "sacred cow"; anyone who attacks it is said to be "against motherhood and Christmas."

Since the end of World War II, we have pumped billions of dollars into foreign nations to help them rebuild their mills and factories. We gave them the know-how, and brought them over here to train them in our ways of doing business. In one single industry, textiles, we aided 49 countries, none of which will allow a pound of our textiles to cross their borders. We have bought their tile, steel, shoes, gloves, wallboard, tools, dishes, plastics—you name it—at prices no domestic manufacturer could meet. To make matters worse, hundreds of American manufacturers bought into, took over, or established plants in low-wage nations to produce goods to ship back to their home-based markets at prices the home-based factory could not meet.

Compare this outrageous situation with the attitude taken by Japanese industrialist Yosomatsu Natsuabara who said:

> Chaos would reign in Japan if U.S. industries are allowed to enter our country unhampered by tariffs. Our smaller businesses would be ruined by the thousands.

This is what you call "nationalism"—his country first, then maybe yours. Ken O'Kubo, president of giant Mitsubishi industries, stated:

> The Japanese distribution system would be plunged into serious confusion by an invasion of American capital goods if we did not limit American investment in Japan.

Yet, Japanese steel is pouring over our borders in an ever-increasing flow. Japan has captured the shipbuilding leadership we held. Our toy and transistor and camera business is going to Japan, Germany, and other nations. Japan is selling us over 80 percent of our motorcycles, and within 2 years, Japan ought to be leading in foreign car sales in the United States, despite the fact that Chrysler has grabbed off a big slice of the French auto industry. Ford in England and General Motors in Germany have done likewise. However, these American companies produce their cars in the foreign countries, and, to add insult to injury, they export them to the United States.

My point is this: if Japan is making a good motorcycle and one that is better or will compete with American cyclemakers, would it not be reasonable to assume that we maintain some part of the bicycle-motorcycle industry by regulating foreign trade according to our own cost levels which are set by our high standard of living, our huge tax burdens, and, yes, our wars and defense establishments all over the world?

I ask any Member of this Congress if the British, German, Russian, Japanese, or any other government would consider making their own industries expendable and condemn their own workers to a loss of jobs and wasted talents to favor American industry? I would ask also if the labor leaders from Germany who visited this country and flatly told us that no foreign country will buy our goods once it is producing those goods in quantity were stating a true situation? One labor leader ridiculed the whole idea that an American-held factory in Germany would tolerate competition from its own American-based plants.

Yet on the other hand we read the testimony of Dr. Barry Johnson, formerly of Chicago University and lately with the London School of Economics, who argues that by dropping tariff walls America will be reducing the need for foreign aid. The thing that is wrong with the dum-

founding suggestion is that American workers and factory owners would have to be put on relief to supply this trade advantage and at what cost?

In talking about protective tariffs I am fully cognizant of the fact that our American workers in industry after industry are not only demanding more and more fringe benefits, bigger pensions, longer vacations, and shorter hours, but many times they are the first to head for the discount house to buy a cheap foreign lawn mower, pair of gloves or boots, and pass up their own products. During the last several months, we have witnessed hourly wage increases, pricing our products over and above imports, and opening every door to a bigger flow of imports, with taxes and inflation blowing through our ceilings; meanwhile, our deficits are greater than the taxes of most nations.

A quota bill is not a tariff bill. It is merely a restriction against wild expansion of imports from any country. It recognizes the need for importing if export trade is to be maintained, but realizes the destructive potential in attitudes which maintain that in order to export, we must give the low-wage countries an almost open field. To go along with this theory is to say that we ought to repeal our antitrust laws so the big discounters and chains can run hog wild over the marketplace, dumping loss leaders on the public until all the small manufacturers, suppliers, independent retailers, and smaller farmers are liquidated.

By not enforcing our antitrust laws earlier, we have already accomplished this liquidation of free enterprise in many lines of business, closing the doors to our youth in one line and then another.

Exporters who think only of what will happen to them if a foreign country retaliates by cutting down on its purchases had better consider what is going to happen if we cannot answer our Appalachian problems, our civil rights problems, the problem of training and finding jobs for the millions of people who will be displaced with the coming of peace. These exporters and importers need to realize, too, that they have done a miserable job of selling any American idea of what constitutes a "live and let live" policy of doing business. They must realize that an overwhelming majority of businessmen, both big and small, have stood back and watched the destruction of the family farm and the independent storekeepers through merger, cutthroat competition, trading stamps, games, discriminatory tax burdens, bureaucratic redtape, and trends toward monopolistic operations, without writing a letter to their Congressmen, without taking time to talk to the youth of their communities, without showing a sign of effort in behalf of the fundamental principles set forth by the Founding Fathers who gave them their freedoms and their opportunities.

Free enterprise in this country does not mean the freedom of anyone to exploit workers or the buying public. It does not mean that we should even tolerate the idea of building the dynasties of Europe and Asia by patronizing their sweatshops. Also, what is wrong, I ask with our buying the things from Latin America, Europe, Asia, and Canada that they can make well or that we do not make at fair prices, and why cannot we spread this idea into foreign lands? Are we not just as bad as the maker of a sweatshop product when we buy it, actually glorying in the fact that we got it so cheap, when maybe it was produced by people living under starvation conditions who could never purchase anything we produce?

Mr. Speaker, we have great decisions to make. Congress has great decisions to make on this whole matter of domestic and foreign trade. Within the next few years, Russian businessmen and their highly trained, many-languaged emissaries will be streaming over the world to move the goods of their growing industries, and Japan, China, India, Latin America, all will have markets for their goods and services; if we allow our industries to be weakened, and some to disappear entirely as they are now doing, we could end up not only a have-not nation, but lower on the economic ladder than the British Empire is today.

I urge you to think about this idea of fairplay in the marketplace, to weigh the benefits of international fair trade, and to keep ever in mind that the destiny of goods determines the testing of nations as much as the structure of their governments and the philosophy that lives in their hearts.

What Congress does to build a fair trade, "freedom of opportunity" system in America may determine America's course for generations to come.

AMERICAN STEEL OR FOREIGN STEEL, TAKE YOUR CHOICE

The American steel industry is paying the price paid by the boy watching the sheep, who was refused help when the wolves finally came, simply because he had fooled his neighbors too often.

While steel cannot be charged with crying about imports over the years, the industry has not endeared itself to the public or the public servant because of its pricing policies. It raised prices and then reduced them under Government pressure.

Now with the problem of imports being very real and extremely serious, steel will have a hard time getting any listeners or supporters. Frankly, the attitude on the part of our Government condemning steel for what are called past sins while at the same time blinding itself to the impact on jobs and the local, State, and Federal economies is extremely dangerous.

Steel is in trouble; why is only a secondary consideration right now. Our primary concern is to stop the erosion of jobs, domestic investments, and the takeover of our "bread of life," the American marketplace, by the foreign workers and exploiters.

If a military invasion was mounted against the United States designed to cripple our production facilities, put our people out of work, glut our marketplaces with barriers while raiding our Treasury, we would call up the Reserves and repel the invaders. When the same thing happens by way of an economic invasion based upon goods and services from foreign countries we not only step aside but we actually help unload the ships.

What is the difference to a man who loses his job whether he loses it because a foreign worker takes his job at the mill or the foreign steel closes his plant down?

We count the immigrants and stop them at the border but we allow him to send his handiwork across with little or no restriction.

There are those among us who try to hide the problems of our steelworkers, steel industry, and our steel towns by preaching against "Big Steel," "Little Steel" gouging of the American consumer. This is the line of the American agent for foreign steel corporations.

They forget all about foreign shoes averaging $1.41 a pair selling at prices running from $9 to $65. In many cases the same shoe would not be worn by an American if it had a U.S. label in it.

They forget about the price of Japanese cameras or French perfume. They never ask about profit ratios of foreign industries, they only point to steel company profits.

The latest report on profits carried in yesterday's press shows the inevitable trend of profits and sales and casts a shadow over the future of U.S. industry and labor:

FOREIGN FIRMS SHOW BIGGER PROFIT GAINS

NEW YORK.—The 200 largest industrial corporations outside the United States had big profit gains last year while the profits of the top 500 U.S. corporations shrank 3.1 percent, Fortune magazine reported.

The gain of the foreign companies' combined net profits was 6.7 percent as compared with a gain of only 0.7 percent in 1966.

This was the first year since Fortune began tabulating the profits six years ago that the foreign firms had bigger gains than U.S. firms.

The foreign firms also had bigger sales gains than the American firms—8.3 percent to 7.9 percent for the U.S. firms. However, the American firms' gains were on a vastly larger base. For example, the largest foreign firm, Royal Dutch Shell, had sales of $8.376 billion and the smallest of the top 10, Fiat, had sales of $1.91 billion.

The biggest American firm, General Motors, had sales of $20.026 billion and the smallest of the American top ten, U.S. Steel, had sales of $4 billion.

U.S. companies sell more and earn less per dollar sales.

Let us look at wage differentials as they pertain to increased costs. American wages, $3.50 per hour—European, $1.50; Japanese, $1; Hong Kong, 50 cents; Taiwan, 25 cents—all producing the same product and all selling in the same market with the same equipment and production schedules.

In all but the United States every competitor has subsidies, tax rebates, and other government allowances such as government-financed research, engineering, marketing analysis, and trade barriers in one form or another.

Last year we imported 11 million tons of steel. We lost 85,000 steelworker jobs and over 175,000 supporting jobs.

This year we are headed for an import total of 18,000,000 tons of steel costing us in the exchange of steel shipments 138,000 steel jobs.

The money it will cost, the tax burdens to be assessed against our people will stagger the imagination, if we try to retrain, pay import-injury relief, rehabili-

tate or take over the sick and dying industries in steel alone in the next 5 years.

Sure steel can compete, but not unless it automates to the point where there are few if any workers in the mills. If this happens, who is going to buy the steel—domestic or imported?

The American worker will not sit still much longer.

I remember the depression and remember its lessons. Nothing is more dangerous, nothing more damaging, and nothing more threatening to the Nation than unemployment, foreclosures, and bankruptcies. I remember the farmers dumping their milk and burning their grain. I remember their defiance of the law. We behaved mildly compared to what will happen if we fail to see the dangers in our trade policy. We cannot win in a free trade war. We will be the losers and our so-called trading partners may go down the drain with us. When our markets are given over to imports, our customers will be gone and so will our markets. Let us look now, let us see now, let us act now or face the consequences.

Let us look at the world steel picture. A problem that will not go away is the one nagging the steel industry today.

At a time when U.S. steel mills are scratching for new orders and prices are sagging, plants in Europe and Japan are mapping new expansions.

Holland's steel giant, Hoogovens, is boosting earlier construction plans. Production capacity will rise about 75 percent by 1974.

British Steel Corp., Government owned, is aiming to spend $480 million a year for 5 years, starting in 1970, for expansion and modernization.

Spain and Australia foresee growth. A new mill is underway in New Zealand.

Sweden's Damnarvet is expanding to 1.4 million from 1.1 million tons.

Common Market countries alone are spending over $900 million this year on new plants. The Germans, French, and Italians all have bigger ideas.

Outlook among Japan's steelmakers is even rosier. They expect world production capacity will grow at 3 to 4 percent a year. But Japan will expand at double that rate. Output has about tripled since 1960. Japan expects to be making 118 million tons of steel a year by 1975—an impressive 44 million tons more than they will pour this year.

Production units will get bigger—a step that often means more efficiency. Nuclear energy is being studied as a possible cost cutter. Japan already produces steel for some $50 a ton less than Americans do. Main reason: Cheaper labor. Result: Lower prices, rising sales. A recent sales coup for Japan is a contract to supply 225 pillars for New York's World Trade Center skyscrapers. Writing on the wall is clear. Rougher competition is ahead for U.S. firms.

STEEL AND ITS PROBLEMS

The freedom, the security and the abundance that characterize this great Nation of ours rest in no small measure upon a foundation of steel.

A Presidential proclamation, signed on April 12, 1967, by Lyndon B. Johnson, had this to say:

> Steel is the core of industrial America. It has helped to make American productivity and technology the wonder of the world.
>
> This vital product which we produce in unmatched abundance is basic to our economy and essential to our security. It supports our buildings, spans our rivers, arms our fighting men.
>
> It is fundamental to thousands of products which are part of the everyday life of every citizen of this nation.

As that statement by the President makes clear, steel is essential to the very fabric of life in America. Yet today the steel industry faces serious trouble. The roots of the problem are not within the industry nor in any other segment of the American economy. The problem has its origins in other countries which are shipping tremendous quantities of foreign-made steel and pig iron into the United States.

Ten years ago this country was a major exporter of steel, and our imports of steel from abroad were a negligible factor. Since then, however, foreign steel imports have been rising steadily in volume, and they have already increased their share of the U.S. market more than sixfold. Similarly, imports of pig iron are a matter of concern, amounting last year to more than half a million tons.

The problem has ominous overtones for Americans. Steel imports threaten our national security. They have caused the loss of thousands of job opportunities. They have contributed substantially to the American balance-of-payments deficit. They have deprived our Government of the many tax revenues generated by every ton of steel produced in the United States. Obviously, the rising tide of imports affects more than the steel industry; it affects the entire Nation.

While the problem is already serious, it is likely to get far worse, because foreign steel producers are out to gain a greater and greater share of the American market. America's steelmakers are urging Congress to take corrective action while it can still be done without major disruption of international trade.

This Nation prides itself on supporting the principle of free trade, and American steelmakers themselves are on record in support of that principle. But we must face the fact that worldwide free trade is still a distant goal and not a present reality.

That gap between ideal and practice has been stressed by many experts. John T. Connor, former U.S. Secretary of Commerce, described the situation this way:

> Many of us would agree that in an ideal world, people would be far better off if all the nations could trade across frontiers without regard to tariff or non-tariff barriers of any kind . . . We do not, alas, live in a Utopian world community. We live on this so familiar earth, where some nations are agricultural, some industrialized, some highly advanced, some undeveloped. Where living standards and traditions differ, where wages and costs vary enormously, where each nation has its own sharply delineated views of economic self-protection, and rigorously applies them.

Mr. Connor is quite right when he describes the world we live in as no Utopia. It is a world in which we cannot be sure that our concepts of fairplay are even understood overseas. Certainly they are not practiced.

Here in America we have a steel industry that is full of vigor and innovation, and highly competitive. Its members are willing to do battle in the marketplace any time, with one another or with outsiders. Why, then does such a dynamic industry find itself at an unfair disadvantage in the world market? The reason is simple. The world market is not a free market where independent producers compete on an equal basis. Our foreign competitors do not play the game by the same rules we use.

Foreign governments, for example, support their steel industries by protecting their home markets, helping them to modernize, and offering them incentives to export their products. They encourage devices such as sales cartels and internal production quota agreements which are illegal in America.

There are many forms of self-protection. A country that is determined to protect its industry and fight off imports can honor the letter of free-trade agreements and still shelter its industries by imposing border taxes, rigid warehousing requirements, licensing arrangements and, of course, endless redtape.

It is clear that foreign nations do not really practice free trade. But unfair play is only part of the problem. There is also a major problem of economics. First, there are twice as many countries producing steel today as there were in 1950. As a diplomat once remarked, every newly formed nation wants three things—a flag, an airline, and a steel mill.

The desire to become self-sufficient in a material that symbolizes industrial progress is understandable. Unfortunately, many developing nations do not have a domestic market for their steel production and cannot compete under fair rules of world trade.

In fact, the whole world steel picture has changed drastically in recent years. Many countries that once imported steel now make their own. Some have even become steel exporters. And the old-line industrial countries came back stronger than ever in the years following World War II. When they replaced their war-devastated plants, they put in modern equipment and increased their steel producing capacity. As you are well aware, billions of dollars of this construction was paid for by American taxpayers and benefited from American know-how.

Because of this postwar buildup, the amount of steel going into international trade has more than doubled since 1955. Foreign steel producers began turning out more steel than their own countries could use. With extra steel on their hands, they invaded world markets. And what was their prime target? Why, naturally, it was the biggest steel-using nation in the world—the United States. Our Nation is an especially attractive target because it is wide open, with fewer restrictions on steel imports than any other country.

And the United States is at a severe economic disadvantage in trying to fight back. Here, where the workingman enjoys a higher standard of living than his counterpart anywhere else in the world, we naturally have higher employment costs. Hourly costs in Japan, Europe, and just about everywhere else are only a fraction of ours.

In 1966, for example, the average employment cost for the American steelworker, for an 8-hour day, was $37.04. For the West German steelworker it was $15.04 and for the Japanese steelworker, $8.64. The highest European rate—in the Netherlands—was $16.04. If an American steel producer paid the same wages paid by foreign producers and then shipped his products in interstate commerce, he could be arrested for violating the Fair Labor Standards Act. But the law has a serious loophole.

That loophole concerns imports. Though Congress made it a crime for domestic producers to produce and introduce goods into interstate commerce in violation of the labor standards expressed in the act, it failed to provide machinery to prevent the very same evil from occurring from a foreign source.

Because of this huge differential in employment costs, coupled with government aid, foreign steel can be sold in the United States for about 20 percent less than American-made steel. The average U.S. delivered price for foreign steel was about $136 a ton in 1966, against $177 for the American-made product. The difference is $41, more than twice the average income an American producer makes on a ton of steel before taxes. To overcome a $41 price disadvantage, the steel industry would have to cut the man-hours it takes to make a ton of steel from the present level of 13 down to 4.

The advantages enjoyed by foreign steel producers have had obvious results. Imports of steel mill products into the United States have grown to almost seven times what they were 10 years ago and they continue to grow. For years the United States was a net exporter of steel. In other words, we sold more steel abroad than we bought. Today the United States is the only major steel-producing nation in the world that imports more steel than it exports.

When we look overseas, we see the other side of the coin. An excellent example is Japan, whose steel exports have risen enormously while her imports have nearly stopped. The limited amount of steel that does enter the country consists almost entirely of products that Japan's steel industry does not produce.

Nearly half of the steel imports into the United States in recent years have come from Japan. And the Japanese steel industry plans to nearly double its capacity from the present 60 million tons a year to 110 million tons by 1975. Thirty million tons of that increase will be earmarked for export, and the prime target is the United States.

Steel imported into the United States cuts into the sales of many different American-made steel products in all parts of the country. Some products and some areas are hit harder than others, but none is immune from the inroads of foreign steel.

The high cost of overland transportation formerly made imported steel less competitive in the interior than on the seaboard. But the St. Lawrence Seaway brought cheap water transportation, and European and Japanese steelmakers can now invade the very heartland of America. As a result, the greatest increase in imports has actually been in the Midwest. In 1967 close to 33 percent of all steel imports came into Great Lakes and other inland ports.

And where does the impact of these millions of tons of imported steel hit hardest? It is the laboring man who is losing, and the facts bear me out. When the United States imports steel, it exports jobs. About 6,400 plant and office workers and another 1,300 in supporting activities, or, a total of 7,700 people are employed for every million tons of American steel mill products made and shipped in a year. In 1967, more than 11 million tons of steel were imported. That represented the export of about 85,000 job opportunities. And since the workingman is a consumer, those imports also represent lost sales at the supermarket, lost sales of new cars by local dealers—in short, a general loss to the people of America.

The United Steelworkers of America are well aware that imported steels threaten American jobs. The union's vice president, Joseph P. Molony, has spoken out on the seriousness of the situation. He said:

> I realize that ultimately it will be members of my union who will have to bear the brunt of uncontrollable and unreasonable expansion of foreign production capacity and increased exports to our shores.

Your local government, your State government, and the Federal Government also lose money because of steel imports. The loss includes not only taxes on employees' earnings but also the taxes paid by local steel companies and their suppliers.

The problem of imports does not end with economics, however. The threat to national security is even more dangerous. Our Armed Forces are the most highly mechanized the world has ever seen. They operate with equipment ranging from automatic rifles to fighter planes and missiles. These modern armaments require highly specialized steels which have been developed through research efforts of the American steel industry.

If steel imports continue to grow, America will become dependent on overseas sources, many of them in the shadow of Russia and China. But we cannot depend on such uncertain sources for continuing supply in time of crisis, and certainly not for research.

The Soviet Union has spared no pains to assure itself of a vigorous steel industry. The British and Western Europeans have discovered what a long, tough job it can be to try to revitalize a weakened steel industry. If it is a hard job in peacetime, we should never forget that it could be impossible in wartime.

What are American steel companies doing to fight back? They are currently investing over $2 billion a year to meet competition through modernization of their plants and through research programs aimed at constantly increasing quality and efficiency.

They would like nothing better than to lick the import problem by themselves, but none of the steps they could take would be practical. If they tried to meet foreign prices, they would have to sell steel at less than cost, which would put them out of business in a hurry.

Are there not laws on the books to prevent imports of steel from reaching such a level that they would damage our economy? Yes; but, unfortunately, they do not work in the world steel trade situation that prevails today. They have been administered as if real free trade existed in the world. Obviously it does not. These laws simply are not effective.

Foreign steel producers are continuing to build more capacity than they need. Most foreign governments want stable economic growth. So they will continue to protect their steel industries at home and encourage exports. As a result, an even greater surplus of steel in world markets looms on the horizon. Ten years ago our steel imports were little over one and a half million tons. Last year they were more than 11 million tons.

Can the U.S. Government continue its handsoff policy in view of these rules? Continued inaction can only lead to a further decline in the strength and efficiency of America's steel industry and a growing reliance on steel sources thousands of miles away.

Certainly the remedy does not lie in practices condoned in other countries—cartels, for example, or government control of investments, research, and marketing.

Then what can be done? American steelmakers are asking Congress to take steps now to stem the runaway tide of imports by passing legislation that would permit imports to grow—but in an orderly pattern. Bills to accomplish this have been introduced in both Houses of Congress, and cosponsored by 36 Senators and numerous Congressmen. They would limit imports by a system of quotas based on a sliding scale. Foreign producers would be allowed to ship in steel and pig iron up to the average percent of the market they have had for the last 3 years. Since the percent would remain constant, their future sales could grow as the American market expands. In the interest of fairness, the program would be reviewed after 5 years by the Secretary of Commerce.

Does America want and need a strong steel industry?

Does America want to maintain the greatest possible number of jobs at high wage standards?

Does America believe in fairplay in the competition for its own markets?

Does America's security demand all the strength in steel we can possibly achieve?

I think you would agree the answer to every one of these questions is a resounding "Yes." I hope you will do all you can to help restore a greater measure of fair trade to worldwide sales of steel. We must be concerned about the runaway course of foreign iron and steel imports, and support the bills that will correct the situation.

The danger is very real, to our steel industry and to America. The time for dealing with it is fast running out. The time to act is now.

Following is a steel price structure showing the advantages of foreign steel over domestic steel:

TABLE IX

[Based on actual sales and on field reports (where domestic price is below list, the lower price is shown)]

	Import prices, c.i.f. Chicago, duty paid per net ton	Domestic price, f.o.b. mill per net ton	Difference in dollars per net ton	Percent difference
Hot rolled coils, 14 gage 36 in.:				
1965	$109.00	$118.00	$9.00	7.6
1966	108.00	121.00	13.00	10.7
1967	104.00	121.00	17.00	14.0
1968	94.00	121.00	27.00	22.3
Cold rolled coils, 18 gage 36 in.:				
1965	124.00	139.50	15.50	11.1
1966	123.00	142.50	19.50	13.7
1967	125.00	146.40	21.40	14.6
1968	125.00	146.40	21.40	14.6
Hot rolled bars, C–1018, 1 in. rounds:				
1965	122.00	133.50	11.50	8.6
1966	121.00	133.00	12.00	9.0
1967	119.00	145.50	26.50	18.2
1968	124.00	145.50	21.50	14.5
Stainless sheet, 304–2B, 14 gage 36 x 96 in.:				
1965	735.00	875.00	140.00	16.0
1966	765.00	930.00	165.00	17.7
1967	825.00	975.00	150.00	15.4
1968	860.00	975.00	115.00	11.7
Stainless bars, 304, 1 in. rounds:				
1965	840.00	1,175.00	335.00	28.5
1966	840.00	1,175.00	335.00	28.5
1967	840.00	1,175.00	335.00	28.5
1968	900.00	1,260.00	360.00	28.5

TABLE X

[Based on actual sales and on field reports (where domestic price is below list, the lower price is shown)]

	Import prices c.i.f. Chicago duty paid per net ton	Domestic price f.o.b. mill per net ton	Difference in dollars per net ton	Percent difference
Wide flange beams/A–36 8 in. x 17 lbs./ft. x 40 ft.:				
1965	$116.20	$132.00	$15.80	11.97
1966	117.20	135.00	17.80	13.19
1967	118.20	135.00	16.80	12.44
1968	116.20	135.00	15.80	13.93
10 in. x 21 lbs./ft. x 40 ft.:				
1965	112.60	129.00	16.40	12.71
1966	113.60	132.00	18.40	13.94
1967	114.60	132.00	17.40	13.18
1968	112.60	132.00	19.40	14.69
	Negotiated			
Deformed reinforcing bars A–15/A–305, intermediate grade ⅝ in. x 40 ft.:				
1965	103.00	109.00	6.00	5.50
1966	103.00	109.00	6.00	5.50
1967	102.00	109.00	7.00	6.42
1968	98.00	109.00	11.00	10.09
Plate OH/LD A–36, ½ in. x 72 in. 240 in.:				
1965	108.80	123.00	14.20	11.54
1966	107.80	123.00	15.20	12.36
1967	109.80	123.00	13.20	10.73
1968	102.80	127.00	24.20	19.05

TABLE XI WIRE PRICE COMPARISONS, DOMESTIC VERSUS IMPORTS—PRICES PER NET TON

[Based on actual sales and on field reports (where domestic price is below list, the lower price is shown)]

	Japan	Europe	Domestic redrawers and average negotiated prices by domestic integrated mills	Maximum difference	Percent difference
CHICAGO					
Bright wire, OH quality, C–1010, 6 ASWG, bare coils:					
1968	$140.40	$137.20	$150.00	$12.80	8.5
1967	137.40	134.20	150.00	15.80	10.5
1966	136.40	131.20	150.00	18.80	12.5
		[1] 140.20			
1965	146.40	[2] 131.20	150.00	18.80	12.5
		[1] 134.20			
1964	146.40	[2] 144.20	150.00	15.80	10.5
Upholstery spring wire, AISI 7–48, 9 ASWG:					
1968	181.40	([3])	208.00	26.60	12.8
1967	178.80	([3])	208.00	29.90	14.1
1966	180.40	([3])	208.00	27.60	13.3
1965	187.40	([3])	208.00	20.60	9.9
1964	187.40	184.20	228.00	43.80	19.2
Galvanized wire, C–1010, 6 ASWG, bare coils:					
1968	146.80	153.40	184.00	37.20	20.2
1967	143.80	153.40	184.00	40.20	21.8
1966	142.80	150.50	184.00	41.20	22.4
		[1] 161.40			
1965	152.80	[2] 150.40	184.00	33.60	18.3
		[1] 163.40			
1964	152.80	[2] 160.40	184.00	31.20	17.0

[1] January/July.
[2] August/December.
[3] Not competitive.

TABLE XII

[Based on actual sales and on field reports (where domestic price is below list, the lower price is shown)]

	Domestic price per net ton	Import price Chicago per net ton	Price difference per net ton	Percent difference
(A) ¼ in. hot rolled stainless wire rod as rolled, type 304:				
1965	$928	$780	$148	16.0
1966	844	780	64	7.5
1967	844	780	64	7.5
1968	844	780	64	7.5
(B) ¼ in. hot rolled stainless wire rod as rolled, type 316:				
1965	1,368	1,120	248	18.0
1966	1,244	1,120	124	10.0
1967	1,244	1,120	124	10.0
1968	1,244	1,120	124	10.0
(C) 0.130 copper coated stainless steel cold heading wire, type 410:				
1965	1,120	890	230	21.0
1966	1,120	890	230	21.0
1967	1,120	890	230	21.0
1968	[1] 895	890	5	.5

[1] Carpenter.

And now Mr. Speaker, as the time draws nearer for the Ways and Means Committee to make a decision on our trade and tariff policies, I note that again the buildup by importers, foreign governments, and the misguided U.S. public officials in the State, Agriculture, and Commerce Departments start flooding the Congress with false and deliberately misleading figures.

They are again attempting to prove that, "We sell more than we buy," "Our balance of payments is improving," "Imports are dropping," "Exports are growing," "The farmer has a stake in free trade," "Labor gains from export balances," "The consumer benefits from lower prices," "Japan has voluntarily cut back exports to the United States," "United States is threatened by foreign nations if Congress trys to protect U.S. industries," "World peace is advanced by isolationist moves in Congress," "American-foreign trade partners agreements are strained by congressional proposals for quotas on steel and textiles," and on and on and on.

Is it not about time, Mr. Speaker, that the Nation knows the truth. Time will not permit a full review of the exploitation of foreign workers by U.S. enterprises abroad or the unlimited profiteering by the import-export coalition, or the suspected tieup between elections, donations, contributions to individuals, political parties, and influence peddlers by the profiteering, exploiting industrial entrepreneurs. By one means or another they succeed in getting our own Government officials to spread their propaganda in official U.S. documents, paid for by the very victims to their big lies—the U.S. taxpayers, the U.S. workers, and the U.S. domestic-bound industry.

To fight foreign trade policies is an invitation to political disaster, name calling, and public scorn. Not to fight our trade policies is an invitation to economic ruin, political unrest, unemployment, bankruptcy, and in the final phase, oblivion to the greatest practical form of government yet conceived by man.

The U.S. Treasury and especially our Ambassador to the Geneva Conferences on Trade are beating the drums for the elimination of any little advantage our chemical industry may have in the U.S. marketplace by plunking for the repeal of the American selling price base for tariffs in certain product lines of imports.

One argument goes something like this:

> The A.S.P. is unjustified; why in some cases the tariff based upon the A.S.P. is as great as the selling price of the foreign products.

By the great guns of the revolution, how can anybody justify the above position and expect U.S. industry to compete in our own high-cost economy against products selling for as low as just the tariff rates based upon U.S. selling prices.

Can we not see as ordinary citizens, let alone as Members of Congress with the

information available to us, that the only ones who benefit from the distorted version of a trade policy are the labor exploiters overseas, the profiteering import-export clique, and the subsidizing nations seeking further claims against our diminishing gold reserve.

Just lately, we have been informed of a reduction in our adverse balance of payments. Assuredly, this influence is being exploited by the import-export policies of our times.

Let us find out why our balance of payments is now improving. First, let us recognize a simple fact established from the historical record of trade legislation maneuvering. In every instance when trade bills are up in Congress, foreign exploiters curtail their exports to the United States and buy advance orders of necessary materials required by their industries and peoples, from the United States which they do not produce at all or produce in insufficient quantity. This gives the illusion of a shift in trade to our advantage.

Next we find our own Government talking with its tongue in cheek about balance improvements without detailing to Congressmen the reasons for the temporary improvement.

Allow me, then, Mr. Speaker, to fill in some of the necessary information. Foreign purchases of U.S. Government and private enterprise obligations are one of the cleverly disguised devices used to lull the Congress to sleep on this question. Recently, the U.S. Treasury's Exchange Stabilization Fund, largely owing to sales by the Bank of France, acquired $213 million in gold. At the same time, previews of the second quarter American balance of payments indicated improvement over the first period; U.S. creditors, including Canada and West Germany, obliged the statisticians by purchasing U.S. obligations maturing in more than 12 months. Accordingly, Washington was moved to boast—as it has been by every such glimmer of hope in the past decade—that success in righting U.S. international payments is imminent. Much of the improvement this time, however, traces to the flood of convertible bonds placed abroad by U.S. corporations and to large foreign purchases of U.S. stocks. Unless a slumping Wall Street soon recovers, the inflow not only may dry up, but also could reverse direction.

It looks good, but smells bad, since the money has to eventually be paid back when the notes come due.

Another plan that is keeping the international balance-of-payments system from tumbling like Humpty Dumpty from its precarious ledge on the flimsy wall of world trade is the well-heeled West German private banking system and the richest federal government on earth, the West German Republic.

Indeed, in the first 5 months of this year citizens of the Federal Republic bought some $627 million worth of foreign securities—mostly American. Part of this record volume was accounted for by German banks buying directly in Wall Street. Another hefty slice consists of Eurodollar bonds and convertibles, sold by U.S. concerns in Europe. Not least, Yankee corporations have been floating loans—denominated in Deutsche-marks—on the German capital market: General Motors, General Electric, and IBM, for example, have such DM issues outstanding. One way or another, then—but invariably via their banker-brokers—German investors have acquired quite a stake in American industry.

What is more, the same German banks have been providing U.S. business with substantial amounts of short-term money—not only for spending abroad, but for use back home as well.

The way it works is that proceeds derived by German firms from their soaring export sales are banked in Frankfurt, Dusseldorf, or Hamburg; the banks, in turn, lend the funds to the Eurodollar market. There the money is snapped up by overseas branches of American banks, which lend it to their head offices in the United States; at last, it winds up in a loan to, say, Universal Widgets of Dubuque. Lately, about $1 billion a year has taken this route—from German banks, by way of the Eurodollar market, to corporate borrowers in the States.

Their key role in the money circuits today makes German banks a linchpin of the worlds currency system. Were they not shunting funds around the globe, in fact, the whole system likely would collapse. With the United States, Britain, and now France all piling up deficits, the only major country which is consistently a large creditor—and whose currency is above suspicion—is West Germany. Its trade surplus last year, to illustrate, hit a thumping $5.3 billion. Had that money stayed in the German banks where traders originally deposited it, international liquidities would have become critically short and the gold-exchange structure would be tottering.

It is worth noting, too, that the international payments system, despite its present lack of balance, is managing to staff afloat. Assisted by the central Bundesbank, the job is being done by a handful of investor-owned institutions, collaborating with foreign business through free money markets, notably that of the Eurodollar. In the process, to be sure, the German banks are turning a tidy profit for their shareholders.

Actually the latest figures, tucked away on the back pages of the free trade bible, the Wall Street Journal, show that the last 4 months have been adverse to our balance of payments.

You will notice that U.S. balance of payments is helped according to our soothsayers in the State Department and Treasury. They tell us that by U.S. firms borrowing money from foreign sources to use in their U.S.-based operations while at the same time they do not export U.S. dollars to their foreign subsidiaries but instead use foreign country currency, helps our economy. This, they say, cuts our export balance and increases our import balance of payments.

If our bank tellers kept their accounts in about the same fashion the bank examiners would have them in jail for juggling the books and possibly convict them of embezzlement.

Congress is the bank examiner of the U.S. fiscal balance, and the sacred cow of foreign trade can no longer be honored by ignoring its faults. The dangers are too great and the shadows of economic disaster are too close for comfort.

Instead of the dawn of world peace and tranquillity promised by the doctrinaire free traders, we are heading for the worst world crisis of all man's history. Free trade based upon personal, political, and governmental greed, exploitation, profiteering, subsidies, and cartels can only lead to distrust and destruction. World peace, personal welfare, and national tranquillity can only come when each nation looks within itself for its own salvation, its form of government, and its economic structure. All nations must become sufficient unto themselves, seeking internal happiness from within and putting away the dreams of external power and domination. No nation can be happy, no people can be satisfied, and no world can be safe with the peoples of one nation exploited to produce opulence, luxury, and comfort for another.

Are we replacing the days of personal slavery with international political slavery in the form of trade dependency to stay alive as a nation? Each nation must become independent with or without international trade whichever is the case. Nations are just peoples banded together in the hope of mutual protection, mutual betterment, and the common welfare.

Families are of the same basic structure. If all of us tried to make and sell to each other the same products, we would have farmers selling wheat to each other when both have surplus; shoemakers selling shoes to each other when their own shelves are overloaded; bankers would be loaning to each other with their own vaults full, and on and on and on. Is not this what we are doing? We buy and sell among nations products which we all have in surplus: steel, textiles, glass, clothing, shoes, and so forth for the benefit of the traders and government bookkeeping.

The pro forma arguments of the free trader say that we have to buy in order to sell. This we admit, but should we sell steel and buy back steel? Do we sell steel to a steel producer or should we sell to a steel user who in turn sells our steel producer iron ore or ingredients needed by our steel producers, or products we do not produce.

The argument persists that the commerce of international trade makes everybody happy and nations better off. No more, we say, than two families are happier when they exchange salt when both families have more salt than they can use.

The truth, simply put, is that if a nation produces a product in surplus, it cannot gain by closing down its own facilities to buy from another nations' surplus, no matter what the price may be. Basically, the most important ingredient in an industrial economy is a job, without which there really is no economy. The tribes in Africa prove this beyond a doubt.

When we start equating jobs with jobs, wages and taxes with wages and taxes instead of dollars versus dollars in international competition we will move closer to both understanding, peaceful coexistence and commercial society.

Mr. SAYLOR. Mr. Speaker, I am happy to join those who take strong exception to the makeup of the Panel on Trade Policy appointed recently by the President.

It is a one-sided representation in an area where fairness would demand equal representation. This country's trade policy is a field that properly belongs to Congress, since the Constitution vests the regulation of foreign commerce and the laying and collection of duties exclusively on Congress. The effort of the executive branch to take over this function is nothing new, but should be resisted.

The House Committee on Ways and Means has already held extensive hearings on our trade policy. The colloquy lasted a full month and all interested parties were heard or given an opportunity to file statements. No one could object to the hearings on the ground that they were unfair, biased, or conducted in a manner that gave the advantage of testimony to one side or the other.

But, Mr. Speaker, the makeup of the President's panel inspires no confidence, precisely because it departs so sharply from the fairness of the Ways and Means Committee's inquiry. Several Cabinet members and heads of other agencies having an interest in the hearings appeared before the committee and made statements and submitted to the usual questioning. Was that not enough for the executive branch? Has the President so little confidence in his Secretaries of Commerce, Agriculture, and the Treasury that he cannot rely on them to give adequate representation to his trade policy?

Why otherwise should it be necessary to appoint an outside panel to promote his views?

Why does the President feel compelled to appoint a committee to cover the same ground as the congressional hearings have already thoroughly covered? Has he no confidence in the Committee on Ways and Means or the capacity of the Congress to reshape the existing trade policy?

Mr. Speaker, I think that the setting up of this Panel, quite aside from packing it with those who can be expected to agree with the President's position, represents a woeful lack of confidence in both the Congress and in his own spokesmen from the Cabinet.

Mr. Speaker, I am happy to yield to the Members of Congress who desire to join in this attempt to awaken this Nation to its precarious position in the world of trade and disaster.

Mr. BATTIN. Mr. Speaker, aware of the far-reaching consequences which trade policy changes may have for U.S. industries, I wish to join my colleagues in protesting the timing, composition, and modus operandi of the President's Advisory Committee on Foreign Trade Legislation. As a representative of a major wool-producing State, I am acutely aware of and troubled by the mounting influx of foreign wool textiles, which now exceed 23 percent of U.S. consumption. This is a direct result of existing U.S. foreign trade policy, and it sorely needs review.

I do not feel, however, that the President's committee adequately represents major industry and labor groups having a vital interest in trade policy or that its duration and method of operation will afford these groups a fair opportunity to expose their views and influence the committee's recommendations. As it stands now, the committee consists overwhelmingly of leaders whose organizations have direct financial interests in free trade and well-defined public positions on this matter. Under these circumstances, the committee can be expected to produce merely another smoothly written endorsement of free trade rather than a pragmatic effort to revise policy so as to advance the interests of all U.S. industries and labor groups.

In my opinion, the structure of world trade is currently going through a period of profound change influenced by developments such as the emergence of powerful inward-oriented trading blocs in Europe, Latin America, and elsewhere, the growing involvement of the state-trading Soviet bloc and the closing of productivity gaps as between the United States and other trading countries. These developments are already creating serious balance-of-payments problems for the United States as well as undermining the foreign and domestic markets for many U.S. industries. Growth has been checked in some important domestic industries and many major firms have been forced to go abroad where labor can be secured on terms that would be illegal in the United States. Under these circumstances, I do not feel that useful trade policy recommendations can be developed by a highly biased Presidential Advisory Committee working for 3 short months during an election year. In this environment, it cannot be expected that the recommendations made by such a committee would enjoy wide acceptability among the groups excluded from representation.

The Congress, including the Ways and Means Committee, of which I am a member, has already devoted considerable time to discussion of U.S. trade policy problems and there exists an ample record documenting the experience and viewpoints of nearly all domestic economic interests. It is my conviction that trade policy recommendations and eventual legislative action should emerge from this background rather than from the President's Advisory Committee.

Mr. ANDREWS of Alabama. Mr. Speaker, I want to associate myself with the remarks of my distinguished colleague from Pennsylvania, Congressman JOHN DENT.

This Public Advisory Committee on Trade Policy is so heavily weighted with proponents of a trade policy that is proving disastrous to many of our most important and basic industries that its views and recommendations are a foregone conclusion. Its very makeup has already prejudiced its findings, and I predict that the Congress will, accordingly, discount the report of the Special Representative for Trade Negotiations on U.S. Trade Policy.

In the selection of the Committee little attention was paid to industries adversely affected by imports. On the other hand, it appears that every effort was made to "pack" the Committee with persons who have a big stake in overseas operations and whose recommendations would support a preconceived position. Apparently objectivity was not considered desirable.

The vast textile-apparel-fiber producing industrial complex—an industry plagued by low-wage imports—has but one representative on the Committee capable though he is. I submit that he is up against overwhelming odds.

Just recently the volume of textile and apparel imports for July was brought to my attention. For that month textile imports hit an all-time monthly high—299 million square yards. This represents an increase of almost 39 percent over a year ago. More alarming than any one month's figure is the trend of textile imports. Based on the first 7 months of this year, it now appears that imports for 1968 will reach at least 3.2 billion square yards.

Mr. Speaker, these imports are displacing American jobs and they are undermining the future ability of our own textile industry to provide expanding job opportunities.

The import problems of this industry need no more study, and certainly no more by a committee stacked against its position. What is needed is quantitative limitations on all textile articles—limitations that would restore orderliness to international trade in textiles.

Mr. BETTS. Mr. Speaker, I wish to support the gentleman from Pennsylvania [Mr. DENT] in his objection to the makeup of the President's recently appointed panel on trade policy.

It is my understanding that less than 10 percent were representative of those interests that do not find the existing trade policy acceptable. Only the textile and the steel industries are given places on the panel out of the total of 34 members. Such a proportion reflects a total disregard of the principle of fair representation and cannot be allowed to go unchallenged.

Mr. Speaker, I sat as a member of the Committee on Ways and Means during the entire month of June listening to a long succession of witnesses who appeared at the public hearing conducted over a period of 4 weeks. I can personally bear witness to the fact that the testimony was preponderantly in behalf of domestic industries that have serious problems caused by rising import competition. They were not mere marginal industries, deficient in management or laggards on the industrial front; and they were not limited to textiles and steel, the only two of the long list that were given representation on the panel.

They were spokesmen not only from industry but from labor and agriculture. The footwear industry, the meat industry, fruit and vegetable growers, representatives of apparel manufacturers, consumer electronics, chemicals, petroleum, commercial fisheries, dairy product producers, and many others gave testimony; but one looks in vain for their representation on the President's panel.

It is generally agreed that after 34 years of going down the same road our trade policy needs a complete going over

and reevaluation. A very broad spectrum of the American economy is affected by that policy. A thorough review is called for. It was launched by this body in the form of the hearings held this summer. We gave all interested parties an opportunity to appear and to be heard.

Shaping the trade policy of this country is a function of the Congress under the Constitution, and the Ways and Means Committee has opened the way. We heard all who sought to testify. We did not pick and choose the witnesses. We did not stack the deck.

The President's panel by contrast is handpicked. It appears that many representative voices were left off from among those who disagree with existing policy. I leave it to any fairminded person whether that is the way to shape public policy.

Mr. PRICE of Texas. Mr. Speaker, I join my colleague, the gentleman from Pennsylvania, in urging the President to carefully consider the growing concern expressed by industry after industry over the import menace.

I urge that the President's Advisory Committee on Trade Policy include members who are truly representative of industries so adversely affected by imports such as the domestic oil industry which depends so largely on the thousands of independent oil producers of the Nation.

The posture of our trade policy involves far more than a dedication to free trade. Therefore, the need for a balanced view representing, for example, the security considerations involved in the mandatory oil import program, becomes important.

It is my judgment that such a balanced view on this important program is most unlikely to come from the President's new Advisory Committee on Trade Policy. On that Committee are the heads of two oil companies, and our largest petrochemical corporation, all three having tremendous vested interest in foreign oil holdings or in gaining access to foreign petroleum supplies. Not one member represents even a probable counterbalancing view on this important matter.

I am among some 46 Members of this body, Mr. Speaker, who holds the view that the Congress ought to give real meaning to its long-established and unequivocal policy as to oil imports—by writing into law specific guidelines to limit imports on a basis of equity and fairness.

Unless the Congress so acts on this problem, it appears that a policy of long duration—a policy which recognizes that foreign oil holds tremendous economic advantage over our domestic industry, and that we could not possibly maintain adequate domestic petroleum supplies without reasonable limitations on imports—is under day-to-day assault by the application of massive pressures to dismantle entirely the mandatory oil import program.

By giving special dispensations under that program, in the name of first one economic ill and then another, the Department of Interior may as well have hung a sign on the office door of the Oil Import Administration reading, "Loopholes and Special Deals Arranged." The number of companies which have innovated all sorts of special deals to escape the import quota system grows with the granting of each new exception to that program.

One of the most disturbing, Mr. Speaker, and one which could—if sanctioned—be the death knell of the oil import program, involves the current effort before the Foreign Trade Zones Board to get approval of a trade zone, in the State of Maine, where Occidental Petroleum proposes to process 300,000 barrels a day of foreign oil. Some 200,000 barrels daily of products would be shipped into the United States from this plant.

Mr. Speaker, should this project be approved, such approval would involve a clear misuse of the Foreign Trade Zones Act. It would be a mockery of the intent of the Congress when it adopted that act. It would be a mockery because this proposal has one single purpose: to permit its sponsor to supply a U.S. refinery entirely on foreign oil and therefore to gain a private nullification of the provisions of the oil import program.

It is time that we decided, Mr. Speaker, whether or not we really want a domestic oil producing industry and whether we really want security as to petroleum supplies. Occidental Petroleum is responsible to its stockholders; it is not responsible for the future security of this Nation and its citizens. But if such a proposal is sanctioned by the administration, then it will be clear that we have abandoned all reality and all equity and all semblance of a program to maintain petroleum security, and that, in my judgment, will require that the Congress act and act promptly.

The oil import program was not implemented to assure special privilege for any company; it was not intended to assure a market for whatever oil Occidental or any other private company may find in the African desert; it is not a tool to be used for the convenience of those seeking to enhance their competitive positions; it was, instead, initiated to assure that in any emergency—or in war, should it come—this Nation will have a domestic petroleum industry able to meet the requirements of its Armed Forces and its industrial plants and, to the extent possible, its private citizens.

The program has strayed far from that purpose; it must not be permitted to stray any further. I urge my colleagues to take cognizance of the pressures, which are growing day by day, to undo this vital security program, and to speak their minds. Unless such threats are met and defeated, we will rue the day that we stood by and looked the other way as permissiveness grows which surely will destroy—through special privilege—an otherwise well-conceived and vital program.

Mr. BARING. Mr. Speaker, the President's appointment of a panel to review our national trade policy was no doubt in response to a plea from his Special Representative for Trade Negotiations who is apprehensive of the growing tendency in the Congress to take back to itself the constitutional power to regulate foreign commerce.

For a generation the Congress has set on the sidelines while the executive branch and especially the State Department regulated the foreign commerce of this country. The Congress itself delegated authority to the President to enter into trade agreements in 1934. The President's agent was the Department of State. In 1962 the Congress provided for the establishment of the Office of the President's Special Assistant for Trade Negotiations, thus indicating a lack of confidence in the Department of State.

The Trade Expansion Act of 1962 expired over a year ago, leaving the President without power to enter into additional trade agreements, while past trade agreements remain in effect. During the 34 years of trade agreement negotiations our tariff has come down from slightly over 50 percent on dutiable items to about 10 percent and in another 4 years will go yet lower, or to 7 to 8 percent under the Kennedy round. This level will be close to free trade.

Meantime many strong proposals by a number of industries for import quotas have been placed before Congress. Last June the Committee on Ways and Means held 4 weeks of hearings on trade policy. The hearings covered the subject thoroughly, receiving testimony from a long list of witnesses. The support for import quotas was very widespread while support for further tariff reductions was the weakest since the trade program was begun in 1934. After all, tariff reduction had nearly run its course or 80 percent toward the goal of free trade.

The President may be excused for acting on the panic of his special representative but his fear does not justify setting up the type of panel he named. The industries, with only a couple of exceptions, that have supported the establishment of market-sharing import quotas have been ignored. Surely the Congress will pay little attention to any recommendations that may come out of so biased a panel. The panel should be dissolved. There is no need for such a backstop to the Ways and Means Committee. If the President should insist on his own source of information and insist on a panel he should reconstitute it with adequate representation of the industries, labor and agricultural groups that are not in agreement with the policy of further tariff reductions and the refusal to use import quotas.

Mr. COLLIER. Mr. Speaker, President Johnson's appointment of a 34-member Advisory Committee on Trade Policies at this time might well be regarded as a vote of "no confidence" in the House Ways and Means Committee.

In making this statement, I invite my colleagues to review the extensive month-long hearings which the committee has conducted in connection with U.S. trade policies. I need not remind Members of this House that the Constitution vests in us, not the executive branch of the Government, the authority and responsibility of establishing duties and tariffs on imports. Merely because Members of this body have not been reticent to abdicate certain aspects of this responsibility is no reason to assume that we cannot regain full control of trade policy. As one Member of the House, I do not believe in

granting blank-check authority to the executive branch of the Government in conducting this simple function of our Government. Nor do I believe that the fundamental economic purpose of a sound trade policy should be subservient to foreign policy.

In the very comprehensive hearings which were conducted this year by the House Ways and Means Committee, Chairman WILBUR D. MILLS, secured the testimony of all interested parties, both pro and con, and we listened to the extensive analysis provided by Ambassador Roth and other officials of the administration. The record is clear and can produce little more upon which to base a legislative decision than that which is available at this time.

It seems strange that the President has named this committee to a long-range study when it is obvious that such recommendations that are made to him would carry much less weight than would be the case if the new President ordered the study. It is therefore only sensible that any panel established for this purpose be appointed by the next President 3 or 4 months from now if there is to be greater significance to such a report upon which the Chief Executive will submit for consideration such policies as the Congress may choose to enact into law in the future.

It is also the responsibility of the U.S. Ambassador for Trade Negotiations to be guided by such legislation as the Congress adopts as the guidelines for any trade negotiations. In this regard there has been entirely too much emphasis placed upon our trade policies as part of our foreign relations operations. Because this has been the situation in the past, the heavy hand of the State Department has been too influential in our negotiations.

Taking all facts into consideration including the serious problem of our balance of payments, I believe that the next President of the United States should be given the right to move in whatever direction he chooses in arriving at such recommendations as he feels obliged to submit to the Congress. The necessity of this position is prompted by the fact that in reviewing the members appointed by the outgoing President only three of the 34 can be identified as critics of the present trade policy of this country which has failed miserably to achieve the goals which were set at the time Congress enacted the now expired Trade Expansion Act of 1962.

Mr. BATES. Mr. Speaker, I wish to thank the gentleman from Pennsylvania [Mr. DENT] for affording this opportunity to focus attention on a matter which I am sure deeply concerns many businessmen and industrial workers in virtually every congressional district in the United States.

There are many among us who see an apparent determination within the present administration, in the admittedly worthy desire to help the economies of other countries, to ignore the visible hard facts concerning the damaging effects of uncontrolled imports on domestic industries and the jobs they provide. Regrettably, therefore, the free trade views of the majority on the President's newly appointed Advisory Committee on Trade Policy are expected to prevail in the recommendations it will make concerning "such legislative and other measures as may be required," which the President said would be forthcoming from his Special Representative for Trade Negotiations, Ambassador William M. Roth.

Apparently, the composition of this Committee was proposed by Mr. Roth, and approved by the President, to try to counter the vast amount of information amassed by our congressional committees on the need for orderly marketing procedures in our international trade program—information which shows what is happening to our shoe, leather, textile, steel, fish, and other industries because of the ever-mounting volume of low-cost foreign labor imports, and what unregulated continuance of that flood of imports means to the future of American jobs and economy.

For example, think about the fact that the latest import figures reveal that during the first 7 months of 1968 there was a staggering 38.7-percent increase in the numbers of pairs of leather and vinyl footwear imported, compared to the same 7-month period in 1967. The National Footwear Manufacturers Association notes that this represents 28.8 percent of domestic production of an estimated 383,001,000 pairs from January through July this year—and in July alone, total imports of footwear ran 44 percent ahead of the same month in 1967.

Now look at imports of cotton, wool, and manmade fiber textiles, which during the month of July 1968 totaled 229 million equivalent square yards—an all-time monthly high. Based on the first 7 months, textile and apparel imports for 1968 are running at an annual rate of 3.2 billion square yards—a 14-percent increase over the previous record set in 1966.

Robert C. Jackson, executive vice president of the American Textile Manufacturers Institute, observes:

> Translated into jobs, it would take 226,500 American workers to produce this volume of textiles and apparel. July imports alone were the equivalent of over 21,000 jobs.

Mr. Jackson adds that "the rise in textile imports thus far in 1968 confirms our worst fears"—and I know that my colleagues from the larger textile States are emphasizing the dire prospects this evident trend holds for American textile and apparel manufacturers and their employees, if import controls are not provided before it is too late.

I feel, Mr. Speaker, that it is appropriate at this time that I call the attention of my colleagues—and the members of the new Advisory Committee on Trade Policy—to my remarks on page 26757 of the CONGRESSIONAL RECORD of September 12, 1968. Here is a further warning that, in the words of Leather and Shoes magazine, "Growing Imports Menace U.S. Global Trade." I ask that everyone especially note therein that Secretary of Commerce C. R. Smith is quoted as saying at Los Angeles on August 20:

> The U.S. world trade position needs improving. . . . Recent figures have been dreary, and there are no really clear signs that we have turned the corner, that we can soon expect a return to a favorable trade balance of the dimension we once assumed would long be the rule. . . . Exports have been rising at a very nominal rate, (but) imports have also been rising at a very phenomenal rate.

The Secretary of Commerce seems to have a grasp of the situation which it can be hoped will somehow come to be recognized by others in the administration.

There is much more which we could say here today, but I believe that the points I have raised serve to illustrate the importance of our Government taking a more realistic attitude toward value of American jobs and income vis-a-vis those of other countries. I trust that I shall not be accused of wishful thinking when I say that I hope that the President's Advisory Committee on Trade Policy will consider these facts and acknowledge that trade should be a two-way proposition and not something that improves other economies at the expense of further depressing our own.

Indeed, Mr. Speaker, this advisory group, and all others concerned with administering our international trade policies, could do well to heed the full import of the words of the President himself when he said about the trade study these advisers will be helping Ambassador Roth to make:

> The policies undertaken as a result of the study will have a significant impact upon the economy as well as the international relations of the United States.

PRESIDENTIAL CANDIDATES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 60 minutes.

Mr. SCHWENGEL. Mr. Speaker, the presidential candidates for both parties can have a great impact on congressional judgments. Daily I have been addressing this body and because of the fact that the candidate for President on the Democratic tickets failed to take a position when asked by the press, I responded by pointing out to the Members the facets and factors that may have had bearing on their decisions.

Mr. Speaker, because of the emergency of this proposition, because I am convinced it needs the attention of all public men, I have asked both of the candidates to review this proposition and take a stand in the public interest.

Mr. Speaker, I was thrilled that Mr. Nixon responded eloquently, adequately, and most certainly in the public interest yesterday when the question on the truck issue by saying:

> This proposal to allow States to increase permissible truck weight and size on Interstate Highways raises serious issues, including the convenience and safety of the motoring public. Questions remain about the extent to which greater truck sizes and weights would impose additional wear and tear on a road network.
>
> I believe these matters are so important to so many of our people that I favor postponement of action on the bill now before the House.
>
> As President, I would want this entire matter most carefully reconsidered. I would

direct the Secretary of Transportation to take a hard new look to make certain that the interest of the traveling public and also the life of our highways are fully protected as we facilitate the vital movement of goods in the Nation's commerce.

This, Mr. Speaker, is taking a forthright position in the public interest and guaranteeing that when he becomes President we will have a thorough and complete and adequate restudy of the problem. We will have a chance to have the proper questions raised and answered. We will have a chance to have all the facts and factors to make proper judgments on the problems that S. 2658 is presenting.

I want to reiterate that I am surprised Vice President HUMPHREY is not in a position to take a stand on this legislation on the basis of its merits consistent with the public interest.

But in view of the revelations made so far clearly showing the trucking industry's attempt to influence legislation by a pattern of campaign contributions to Members of Congress most responsible for considering the legislation, I would hope the Vice President would want to consider this legislation most closely.

In view of the admitted attempts by the trucking industry to influence Congress it should be clear to the Vice President that more hearings and more evaluation are needed for the truck-weight bill.

The appointment at this time of Mr. Short as Mr. HUMPHREY'S chief fundraiser is an unfortunate one. I expect that the Vice President, basically a very decent man, will do the right thing and replace Mr. Short. The Vice President should replace Mr. Short so as to remove even the shadow of suspicion from the minds of the public that the trucking industry is playing a dominant role in presidential campaign financing at the same time this industry is desperately trying to push through Congress a piece of controversial legislation which many highway safety experts regard as inimicable to the public interest.

Mr. Speaker, I again call on the Vice President to, both as Vice President and candidate for office, take a public stand comparable to that of Mr. Richard Nixon. This will assure that this question will get a thorough and adequate airing and Congress will be given an opportunity to more fully explore the effects of this legislation.

ON CARL SANDBURG MEMORIAL

Mr. SCHWENGEL. Mr. Speaker, I rise to announce and proclaim my support of H.R. 13099, a bill to establish a memorial to the memory and life of a great American, who never served public office but who served his country with his talents so eloquently, unselfishly, and with a great sense of dedication. Mr. Speaker, I do this then because I believe "it is fitting and proper to do so."

After moments of profound meditation he reminded us often of great and lasting truths, of virtues and values to be remembered, and of admonitions to be noted. He once said that:

Whenever people or an institution forgets its early hard beginnings, it is beginning to decay.

I cannot help but note parenthetically, Mr. Speaker, that there are evidences of decay in our society and therefore, we need to ponder. The passage of this bill, the establishment of a Carl Sandburg Memorial at his home will help us to understand our history while we are reminded of a great man who built his monument really in the minds of the American people whom he loved.

All his life this man read about, pondered on, and wrote about the history of our country. Often he responded to the influences that came to him when he read about great men in verse and prose. No man wrote more eloquently, dramatically, and adequately than he. In his writings he not only had a rhythm and rhyme of words but of thoughts. And we honored him for this by reading so much of what he said and among his friends were those who rewarded him and honored him in so many ways.

He loved to speak to people and he did so all over the United States and never missed an opportunity to speak to us, especially when it could be done in the atmosphere of young people.

It is estimated that he talked on over 1,000 different college campuses, and made return visits for speeches often when he could.

Early in his life he became interested in the life, work, and words of Lincoln. It is my belief that he researched deeper, wrote more and more eloquently about this friend of his and ours than any other man in history, and thousands have written on Lincoln. He was in constant demand as a lecturer on many phases of American life and its people, but most often he spoke on Lincoln.

On February 12, 1959, according to his own testimony, the highest honor of his life came to him. He was invited and accepted the opportunity to speak that day to the joint session of the Congress. The occasion was the 150th anniversary of Lincoln's birth. It was a dramatic setting. The balcony was filled beyond capacity and there was more demands for seats in the balcony that day than ever. The Supreme Court was there, you recall, in their robes. Cabinet members were in their regular places. Department heads of Government all were there, and for the first time in history, according to Rayburn, people who were not officials were allowed on the floor. But only those people who it was known had a vital interest in Lincoln. They came from all over the United States and on that day the diplomatic corps was there. Then after Fredric March had delivered the Gettysburg Address so effectively, Speaker Rayburn, with deep feeling, and he was a good friend of Sandburg, and with his kind of Texas eloquence, introduced this great American, Carl Sandburg.

As he rose to speak every person in the Chamber prepared to listen intently to every word that would fall from his lips. For 22 minutes we and the 60 million people watching on television, and many millions more listening on radios, sat with great anticipation to drink, to mentally taste and digest his every word of praise. In this speech, in its opening phrase, he demonstrated the kind of eloquence that only Sandburg can utter with great effect. Beginning with the observation, "that this reception here calls for humility and pride," he hit the right note and he told a great truth when he said:

Not often in the story of mankind does a man arrive on earth who is both steel and velvet, who is as hard as rock and soft as drifting fog, who holds in his heart and mind the paradox of terrible storm and peace unspeakable and perfect. Here and there across centuries come reports of men alleged to have these contrasts. And the incomparable Abraham Lincoln, born 150 years ago this day, is an approach if not a perfect realization of this character. In the time of the April lilacs in the year 1865, on his death, the casket with his body was carried north and west a thousand miles; and the American people wept as never before; bells sobbed, cities wore crepe; people stood in tears and with hats off as the railroad burial car paused in the leading cities of seven States, ending its journey at Springfield, Illinois, the hometown.

Then he described the situations that prevailed and Lincoln's response from time to time. They all were appropriate. They needed pondering on 150 years later. He reached a high crescendo when he said:

Like an ancient psalmist (Lincoln) warned Congress: "Fellow Citizens, we cannot escape history. We will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down in honor or dishonor to the latest generation."

Somehow it seemed to many of those listening that he was speaking for that day and that time, yea even for today.

Then addressing himself to Congress he said:

The dogmas of the quiet past are inadequate for the stormy present. We must think anew, we must act anew, we must disenthrall ourselves.

How true.

Then calling on his old friend, Mark Van Doren, who observed:

To me Lincoln seems, in some ways, the most interesting man who ever lived. He was gentle but his gentleness was combined with a terrific toughness, an iron strength.

Then he began to close, the most fitting, eloquent closing of any speech I have ever read or heard:

And how did Lincoln say he would like to be remembered? Something of it is in this present occasion, the atmosphere of this room. His beloved friend, Representative Owen Lovejoy, of Illinois, had died in May of 1864, and friends wrote to Lincoln and he replied that the pressure of duties kept him for joining them in efforts for a marble monument to Lovejoy, the last sentence of Lincoln's letter saying: "Let him have the marble monument along with the well-assured and more enduring one in the hearts of those who love liberty, unselfishly, for all men."

Today we may say, perhaps, that the well-assured and most enduring memorial to Lincoln is invisibly there, today, tomorrow, and for a long time yet to come. It is there in the hearts of lovers of liberty, men and women—this country has always had them in crisis—men and women who understand that wherever there is freedom there have been those who fought, toiled, and sacrificed for it. I thank you.

Mr. Speaker, you were there. Many of the present Members of Congress were there and will remember the response when he sat down. No President, distinguished citizen of America, or foreigner ever spoke more eloquently nor with greater prospect of lasting effect, than did Carl Sandburg on that date. He added immeasurably to the American heritage and to the rich literature of our authors.

Mr. Speaker, the establishing of a Carl Sandburg memorial is appropriate, will serve history and help those who visit here to catch something of spirit that burned in his heart.

CONGRESSIONAL REFORM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Tennessee [Mr. BROCK] is recognized for 60 minutes.

Mr. BROCK. Mr. Speaker, I have taken this time to discuss the continuing need in the House of Representatives for congressional reform and for reform of our completely outmoded election laws.

Mr. Speaker, I think we are all aware of the effort that a number of Members have made in the past few weeks. I would call your attention to the fact that this effort has been a continuing one for some 2 or 3 years on the part of many Members on both sides of the aisle, an effort to bring this House of Representatives up to date, an effort to make it responsive, critically responsive, to the needs and the aspirations of the American people. However, it has not been successful.

Mr. Speaker, the Senate of the United States has passed both of these bills. The Committee on House Administration has not voted out the Election Reform Act and both it and the Congressional Reform Act are pending now before the Committee on Rules. But, since they have come to this body and have been referred to the Committee on Rules only one-half day of hearings have been held and that only on the congressional reform bill. No future action is expected to be taken.

Mr. Speaker, a number of us on both sides of the aisle feel that it is time for this body to exercise its responsibility to the American people, to take immediate action to bring before the House in the form of an open-rule legislation to reform the Congress, legislation to bring up to date, and clean up our completely outmoded election laws.

Mr. Speaker, at this point I would like to yield to the gentleman from New York [Mr. CONABLE].

Mr. CONABLE. Mr. Speaker, I thank the gentleman for yielding. I notice he said that we have the responsibility to the American people to upgrade our procedures. I would like to explore that a little. I wonder if the gentleman feels that the American people are exercised about our procedures and election laws and our procedures here in the House of Representatives. It seems to me that frequently the American people concern themselves primarily with the results of what we do here and not the manner in which we do it.

I wonder if the gentleman would like to elaborate a little further as to what he feels our responsibility is in this respect and the effort that has been made in the past few days to dramatize the extent to which our practices are outmoded fit into this responsibility.

Mr. BROCK. I think some of us referred last week on Tuesday to these two bills as the only pieces of legislation that I have experienced without a constituency. There is no ground swell of support in the American populous at large because there was not an awareness of the need for those bills. But since our action of last week, I would point out the fact that a number of major newspapers and periodicals have commented very favorably upon the efforts that this group has made in this particular area.

For example, Mr. Speaker, the distinguished gentleman from Minnesota [Mr. MACGREGOR] has this noon put into the RECORD which will be available tomorrow a reprint of an editorial of support from the New York Times, a reprint of a very favorable editorial from the Christian Science Monitor, and another favorable article from the New Republic.

Mr. Speaker, there is a growing awareness of this situation. However, the primary thrust of this legislation is—and I think, frankly, must remain within this body on the premise that we should exercise the maximum degree of responsibility in representing that particular constituency.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield on that point?

Mr. BROCK. I yield to the gentleman from New Hampshire.

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

I believe it would be appropriate to point out at this point in this discussion that, besides our responsibilities as Members of the House of Representatves, which we are all proud to be, that we also have responsibilities as members of the minority in the House of Representatives. I was very heartened to note that the Republican Party in Miami adopted as a plank in its platform a very loud, clear, clarion call for action in this area. I believe the RECORD should repeat those words in the Republican platform. They are brief. They state as follows:

> We favor a new Election Reform Act that will apply clear, reasonable restraints to political spending and fund-raising, whether by business, labor or individuals, ensure timely publication of the financial facts in campaigns, and provide a tax deduction for small contributions.

It goes on:

> Congress itself must be reorganized and modernized in order to function efficiently as a co-equal branch of government. Democrats in control of Congress have opposed Republican efforts for Congressional reform and killed legislation embodying the recommendations of a special bipartisan committee. We will again press for enactment of this measure.

Mr. TAFT. Mr. Speaker, I wonder if the gentleman would yield at that point?

Mr. CLEVELAND. Before I yield I would like to applaud—and I might say to the gentleman from Ohio that I do not have control of the time—but I would like to applaud the efforts of the gentleman from Tennessee in bringing this matter out for debate on the floor of this House.

I believe it is very important that we stress the point that, because we are a minority, our efforts are almost foredoomed to failure, but this does not mean that we should not try. That is why I applaud the efforts of the gentleman in the well of the House, the gentleman from Tennessee [Mr. BROCK], and the gentleman from Illinois [Mr. RUMSFELD], and the other members of that group who have been desperately trying for some action on these two bills, to avail themselves to the extent they possibly can of the remedies, such as they are, that the minority are given in this body to bring forth legislation for consideration.

Mr. BROCK. I thank the gentleman for his comments.

I would like to add further that, although I believe we all very deeply hope that this effort remains bipartisan, I believe it is only right to point out for the RECORD that on occasion after occasion the Republican Party has taken a specific delineated stand in behalf of these bills, the Republican policy committee, the Republican platform, the Republican conference, and the Republican leadership on several occasions have indicated strong, vital, and complete support of both congressional reorganization and clean elections.

I now yield to the gentleman from Ohio.

Mr. TAFT. Mr. Speaker, I thank the gentleman for yielding on that point. I certainly want to concur with the gentleman that the effort should be a bipartisan one. However, at the same time I believe it would be unrealistic not to recognize that there appear to be certain opponents who, insofar as bringing this bill to the floor of the House in this session are concerned, are certainly opposed to doing that and are taking steps to prevent it.

Right today, of course, we had on the floor the question of whether or not we should dispense with Calendar Wednesday. At that time we went into some details as to why it would have been futile to attempt to bring out these bills, or at least the election reform bill, which is the only one that could be brought out under Calendar Wednesday under that procedure.

I believe we see these attitudes and perhaps there might be an interesting contrast between the attitudes that the gentleman from New Hampshire [Mr. CLEVELAND] has just read from the Republican platform in Miami, and a direct quotation in the Washington News of September 12 of the chairman of our Committee on Rules, the gentleman from Mississippi [Mr. COLMER], which states with regard to his opposition to the measures:

> I don't intend to yield. I have never seen a reorganization bill worth anything or accomplish anything, either in the executive or the legislative branches.

Now, I must take some issue with the gentleman in that regard in that certainly if we do not try to do something about reorganizing the Congress, we are not going to reorganize it.

At the same time, I would like to point out something else with respect to the

Committee on Rules: It would seem to me that the other day it was said, at the time this group took the floor and illustrated how archaic the procedures of the House are, that the Committee on Rules was not going to consider any more bills. It is rather interesting in that regard, I believe, to note that on the 10th of September the Committee on Rules acted on House Resolution 1300, and on the 12th of September there came to the floor under the action of the Committee on Rules House Resolution 1300, bringing up for business on the floor of the House the scenic rivers bill

I am not criticizing that. I am in favor of the bill. I am glad the Committee on Rules has brought it out. But to say that the Committee on Rules is not going to consider any further measures, and then go ahead and bring them out, illustrates, I believe, how dissembling perhaps it is to say that you are not going to bring these bills out because of some position taken by the Committee on Rules in that regard.

Mr. BROCK. I might point out in that regard, if I may interrupt the gentleman briefly, one of the problems in communicating our concern to our constituency over the difficulties of reorganizing the Congress lies in the highly complex nature of the devices that we have to use.

For example, he mentioned the Calendar Wednesday procedure. It is almost impossible to explain to anyone, a Member of the House, and certainly to someone who does not serve, how this procedure works.

I think this is one of the basic problems that we face.

The point is not in explaining a particular part of the bill or a particular section that we oppose—or that we oppose at the present time. The point is we must communicate the need to make this body more responsive to the aspirations of the American people. I think that is what we are trying to do.

Mr. TAFT. I could not agree with the gentleman more.

I must say, too, I believe we are beginning to get some very real results, from the interesting coverage that we seem to be getting around the country.

In that regard, Mr. Speaker, I ask unanimous consent at this point to introduce in the RECORD copies of the two pieces of legislation about which we have been talking, H.R. 11233 and S. 355 since they are in very, very short supply, I think having them printed in the RECORD at this time will be of service to those who wish to inquire and study as to exactly what the bills do contain.

I would also ask unanimous consent at this time to introduce in the RECORD a number of newspaper articles that have come up since the original issue was raised on the floor on the 12th of September.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matters referred to are as follows:

H.R. 11233

[Report No. 1593]

A bill to revise the Federal election laws, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Election Reform Act of 1968".

TITLE I—AMENDMENTS TO CRIMINAL CODE

SEC. 101. Section 591 of title 18 of the United States Code is amended to read as follows:

"§ 591. Definitions

"When used in sections 597, 599, 602, 608, 610, and 614 of this title—

"(a) The term 'election' means (1) a general, special, or primary election, (2) a convention or caucus of a political party held to nominate a candidate, and (3) a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President and Vice President.

"(b) The term 'candidate' means an individual who seeks nomination for election, or election, to Federal office whether or not such individual is elected. For purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify him for nomination for election, or election, to Federal office or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such an office.

"(c) The term 'Federal office' means the office of President or Vice President of the United States, or of Senator or Representative in, or Resident Commissioner to, the Congress of the United States.

"(d) The term 'political committee' means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000, other than a committee which primarily supports persons seeking State or local office, which does not substantially support Federal candidates, and which does not operate in more than one State.

"(e) The term 'contribution' means a gift, donation, payment of money or any thing of value or loan of money, except to a candidate by a licensed lending institution, or loan of any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as presidential and vice-presidential electors, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President and Vice President, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution, and also includes a transfer of funds between political committees.

"(f) The term 'expenditure' includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as presidential and vice-presidential electors, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President and Vice President, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, and also includes a transfer of funds between political committees.

"(g) The term 'person' or the term 'whoever' means an individual, partnership, committee, association, corporation, or any other organization or group of persons."

SEC. 102. Section 600 of title 18 of the United States Code is amended to read as follows:

"§ 600. Promise of employment or other benefit for political activity

"Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or the support of or opposition to any candidate or any political party in any election, shall be fined not more than $1,000 or imprisoned not more than one year, or both."

SEC. 103. Section 608 of title 18 of the United States Code is amended to read as follows:

"§ 608. Limitations on political contributions and purchases

"(a) Whoever, other than a political committee or a candidate, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination for election, or election, to any political committee or candidate or to any individual seeking office as presidential and vice-presidential elector, to two or more political committees substantially supporting the same candidate, or to a candidate and one or more political committees substantially supporting the candidate, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(b)(1) No political committee or candidate may sell any goods, commodities, advertising, articles, or services to any person other than a political committee or candidate. No person other than a political committee or candidate may purchase any goods, commodities, advertising, articles, or services from a political committee or candidate.

"(2) Whoever violates paragraph (1) of this subsection shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(c) Subsection (b) shall not apply to a sale or purchase (1) of any political campaign pin, button, badge, flag, emblem, hat, banner, or similar campaign souvenir or any political campaign literature or publications (but shall apply to sales of advertising including the sale of space in any publication), for prices not exceeding $25 each, (2) of tickets to political events or gatherings, (3) of food or drink for a charge not substantially in excess of the normal charge therefor, or (4) made in the course of the usual and known business, trade, or profession of any person or which is a normal arm's-length transaction between persons, or a transaction between a candidate and his spouse, child, or parent.

"(d) In all cases of violations of this section by a partnership, committee, association, corporation, or other organization or group of persons, the officers, directors, or managing heads thereof who knowingly and willfully participate in such violation shall be punished as herein provided."

SEC. 104. Section 609 of title 18 of the United States Code is repealed.

SEC. 105. Section 611 of title 18 of the United States Code is amended to read as follows:

"§ 611. Contributions by Government contractors

"Whoever, including a corporation, (1) enters into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land,

or building is to be made in whole or in part from funds appropriated by the Congress, and (2) during the period of negotiation for, or performance under, such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly makes any contribution of money or any other thing of value, or promises expressly or impliedly to make any such contribution, to any person, association, or organization for the purpose of influencing the nomination for election, or election, of any person to any public office, or to any political party, committee, or candidate for any public office for any political purpose whatever; or

"Whoever knowingly solicits any such contribution from any such person, for any such purpose during any such period—

"Shall be fined not more than $5,000 or imprisoned not more than five years, or both."

SEC. 106. (a) Chapter 29 of title 18, United States Code, is amended by adding at the end thereof the following:

"§ 614. Use of contribution for personal purposes

"Whoever, being a Senator or Representative in, or Resident Commissioner to, Congress, or an individual elected or appointed as Senator, or elected as Representative or Resident Commissioner, or a candidate for any such office, directly or indirectly receives any contribution as a result of a fundraising event or activity organized in his behalf, and uses all or any part of such contribution for personal, living, or family purposes, shall be fined not more than $5,000 or imprisoned not more than one year, or both."

(b) The table of contents of chapter 29 of title 18, United States Code, is amended by adding at the end thereof the following:

"614. Use of contribution for personal purposes."

SEC. 107. So much of the sectional analysis at the beginning of chapter 29 of title 18 of the United States Code as relates to sections 600, 609, and 611 is amended to read as follows:

"600. Promise of employment or other benefit for political activity.
"609. Repealed.
"611. Contributions by Government contractors."

TITLE II—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

DEFINITIONS

SEC. 201. When used in this title—

(a) The term "election" means (1) a general, special, or primary election, (2) a convention or caucus of a political party held to nominate a candidate, and (3) a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President or Vice President.

(b) The term "candidate" means an individual who seeks nomination for election, or election, to Federal office whether or not such individual is elected. For purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify him for nomination for election, or election, to Federal office, or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such an office.

(c) The term "Federal office" means the office of President or Vice President of the United States; or of Senator or Representative in, or Resident Commissioner to, the Congress of the United States.

(d) The term "political committee" means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000, other than a committee which primarily supports persons seeking State or local office, which does not substantially support Federal candidates, and which does not operate in more than one State.

(e) The term "contribution" means a gift, donation, payment of money or any thing of value, or loan of money, except to a candidate by a licensed lending institution, or loan of any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as presidential and vice-presidential electors, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President and Vice President, and includes a transfer of funds between political committees.

(f) The term "expenditure" includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as presidential and vice-presidential electors, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President and Vice President, and also includes a transfer of funds between political committees.

(g) The term "person" includes an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons.

(h) The term "State" includes the District of Columbia, Puerto Rico, Guam, American Samoa, and the Virgin Islands.

FEDERAL ELECTIONS COMMISSION

SEC. 202. (a)(1) There is hereby created a commission to be known as the Federal Elections Commission (referred to hereafter in this Act as "Commission"), which shall be composed of five members, who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) A person may not be appointed to the Commission—

(A) if at the time of his appointment he was not a member of a major political party, or

(B) if his appointment results in more than three persons from his party being members of the Commission.

For purposes of this paragraph, the term "major political party" means a national political party whose candidate for President received either the largest or the next largest popular vote in the preceding Presidential election.

(3) One of the original members shall be appointed for a term of two years, one for a term of four years, one for a term of six years, one for a term of eight years, and one for a term of ten years, beginning from the effective date of this title, but their successors shall be appointed for terms of ten years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Commission, and one member to serve as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office.

(b) If there is a vacancy in the Commission which has existed for more than 90 days, the remaining members of the Commission may not exercise any of the powers of the Commission until such vacancy is filled, but in such case the Executive Director of the Commission may exercise any duties previously vested in him by the Commission. Except as provided in the preceding sentence, three members of the Commission shall constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noticed.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the action it has taken; the names, salaries, and duties of all individuals in its employ and the moneys it has disbursed; and shall make such further reports on the matters within its jurisdiction and such recommendations for further legislation as may appear desirable.

(e)(1) Members of the Commission shall, while serving on the business of the Commission, be entitled to receive compensation at a rate fixed by the Director of the Bureau of the Budget, but not exceeding $100 per day, including traveltime; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 3109 of title 5, United States Code.

(2) The Commission shall, in accordance with chapter 51 of title 5, United States Code, and subchapter III of chapter 53 of title 5, United States Code, appoint and fix the compensation of an Executive Director and such other officers, agents, attorneys, and employees as it deems necessary to assist it in the performance of its functions.

(3) The Executive Director shall be the chief administrative officer of the Commission. He shall perform his duties under the direction and supervision of the Commission, and the Commission may delegate any of its functions, other than the making of regulations, to him.

(f) The principal office of the Commission shall be in or near the District of Columbia, but it may meet or exercise any or all of its powers at any other place.

(g) All officers, agents, attorneys, and employees of the Commission shall be subject to the provisions of sections 7324 and 7325 of title 5, United States Code, notwithstanding any exemption contained therein.

ORGANIZATION OF POLITICAL COMMITTEES

SEC. 203. (a) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and address of the person making such contribution, and the date on which received. All funds of a political committee shall be kept separate from other funds.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact amount of—

(1) all contributions made to or for such committee;

(2) the full name and mailing address of every person making any contribution, and the date and amount thereof;

(3) all expenditures made by or on behalf of such committee; and

(4) the full name and mailing address of every person to whom any expenditure is made, and the date and amount thereof.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made

by or on behalf of a political committee in excess of $100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the Commission in accordance with published regulations.

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

SEC. 204. (a) Each committee, organization, or association (other than an exempt State or local committee) which anticipates receiving contributions or making expenditures in an aggregate amount exceeding $1,000 in any calendar year (hereafter in this section referred to as "committee") shall, within ten days after its organization, or, if later, ten days after the date on which it has information which causes it to anticipate it will receive or make contributions or expenditures in such amount, file with the Commission a statement of organization. Each such political committee in existence at the effective date of this Act shall file a statement of organization with the Commission at such time as it prescribes.

(b) The statement of organization shall include—

(1) the name and address of the committee;

(2) the name, address, and relationship of any organization which (under regulations of the Commission) constitutes an affiliated or connected organization;

(3) the area, scope, or jurisdiction of the committee;

(4) the name, address, and position of the custodian of books and accounts;

(5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;

(6) the name, office sought, and party affiliation of (A) each candidate whom the committee is supporting and (B) any other individuals whom the organization is supporting for nomination or election to public office; or, if the committee is supporting the entire ticket of any party, the name of the party;

(7) a statement whether the committee is a continuing one;

(8) what disposition of residual funds will be made in the event of dissolution;

(9) a listing of all banks, safety deposit boxes, or other repositories used; and

(10) a statement whether the committee is required by law to file reports with State or local officers, and if so, the names, addresses, and positions of such State or local officers.

(c) Any change in information previously submitted in a statement of organization shall be reported to the Commission within a ten-day period following the change.

(d) Any political committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures exceeding $1,000 in the aggregate in any calendar year shall so notify the Commission and file with the Commission a complete report with respect to its funds, including any disposition thereof to date.

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

SEC. 205. (a) If an individual is a candidate during a reporting period, or if a political committee is in existence during a reporting period, then such individual or the treasurer of such committee (as the case may be) shall file a financial report under subsection (c) with respect to such reporting period. Such report shall be filed on the first reporting date following the close of such reporting period.

(b) For purposes of this section:

(1) Reporting periods shall be established by the Commission by regulation. A reporting period shall begin at least five days before each reporting date and shall end at least five days before the next succeeding reporting date.

(2) Each of the following days shall be a reporting date:

(A) The 31st day of January.

(B) The 10th day of March.

(C) The 10th day of June.

(D) The 10th day of September.

In addition to the foregoing reporting dates, (i) in the case of a candidate, or a political committee supporting only such candidate, the 15th day and the fifth day preceding any election in which he is a candidate shall be reporting dates, and (ii) in the case of a political committee supporting more than one candidate, or a person required to make a report under section 206, the Commission shall by regulation prescribe reporting dates with respect to any election in which such committee or person supports a candidate.

(3) A political committee shall be deemed to be in existence during a reporting period if it has filed a statement of organization under section 204(a) before the close of such reporting period (and has not filed a final report under section 204(d) before the beginning of such period).

(c) Each report under this section shall disclose:

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events), in the aggregate amount or value, within the calendar year, in excess of $100, together with the amount and date of such contributions;

(3) the total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all such transfers;

(5) each loan to or from any person, except a loan to a candidate by a licensed lending institution, together with the full names and mailing addresses of the lender and endorsers, if any, and the date and amount of such loan;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fundraising event; (B) mass collections made at such events; and (C) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(7) each rebate, refund, or other receipt not otherwise listed under paragraphs (2) through (6);

(8) the total sum of all receipts by or for such committee or candidate during the reporting period;

(9) the full name and mailing address of each person to whom an expenditure or expenditures have been made by such committee or candidate within the calendar year in the aggregate amount or value in excess of $100 and the amount, date, and purpose of each such expenditure;

(10) the full name and mailing address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of $100 has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee or candidate during the reporting period; and

(12) the amount and nature of debts and obligations owed by or to the committee, in such form as the Commission may prescribe.

(d) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report only the amount need be carried forward.

REPORTS OTHER THAN BY POLITICAL COMMITTEES AND CANDIDATES

SEC. 206. Any person (other than a political committee, candidate, or exempt State or local committee) whose expenditures exceed $100 in the aggregate during a calendar year shall file with the Commission on the first reporting date (as defined by section 205 (b)(3)) which occurs five or more days after the first day in such year on which his expenditures exceed $100 a statement containing the information required by section 205(c). If he makes any additional expenditure during such calendar year, he shall file such a statement on the first reporting date which occurs more than five days after such expenditure. Statements under this section need not be cumulative.

FORMAL REQUIREMENTS RESPECTING REPORTS AND STATEMENTS

SEC. 207. (a) A report or statement required by this title to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taking before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the Commission in a published regulation.

(c) The Commission shall have authority to modify, suspend, or waive by published regulation of general applicability such of the requirements of sections 204, 205, and 206 as it finds to be unnecessarily burdensome to the persons required to report thereunder or not to be necessary to effectuate the purposes of this title.

(d) The Commission shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

REPORTS ON CONVENTION FINANCING

SEC. 208. Each committee or other organization which—

(1) represents a State, or a political subdivision thereof, or any group of persons in such State, in dealing with officials of a national political party (or with an organization described in paragraph (2)) with respect to matters involving a national convention held in such State or political subdivision to nominate a candidate for the office of President or Vice President, or

(2) represents a national political party in making arrangements for a national convention of such party held to nominate a candidate for the office of President or Vice President,

shall, within sixty days following the end of the convention (but not later than twenty days prior to the date on which presidential and vice-presidential electors are chosen), file with the Commission a full and complete financial statement, in such form and detail as it may prescribe, the sources from which it derived its funds and the purposes for which such funds were expended.

DUTIES OF THE COMMISSION

SEC. 209. (a) It shall be the duty of the Commission—

(1) to develop prescribed forms for the making of reports and statements required by this title and title III of this Act;

(2) to prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and state-

ments required by this title and title III of this Act;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this Act;

(4) to make the reports and statements filed with it available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person;

(5) to preserve such reports and statements for a period of at least 10 years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for at least five years from the date of receipt;

(6) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(7) to prepare and publish an annual report including compilations of (A) total reported receipts and expenditures for all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as the Commission shall determine and broken down into candidate, party, and nonparty expenditures on the National, State, and local levels; (C) total amounts expended for influencing nominations and elections stated separately; (D) total amounts contributed according to such categories of amounts as the Commission shall determine and broken down into contributions on the National, State, and local levels for candidates and political committees; and (E) aggregate amounts contributed by any contributor shown to have contributed a sum in excess of $100;

(8) to prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made in preceding years;

(9) to prepare and publish such other reports as it may deem appropriate;

(10) to assure wide dissemination of summaries and reports;

(11) to make, from time to time, audits and field investigations with respect to reports and statements filed under the provisions of this title and title III of this Act, and with respect to alleged failures to file any report or statement required under the provisions of this title or title III of this Act;

(12) to report apparent violations of law to the appropriate law enforcement authorities;

(13) to prescribe suitable procedural regulations to carry out the provisions of this title and title III of this Act; and

(14) for the purpose of any audit or investigation provided for in paragraph (11) of subsection (a) or in subsection (b) of this section, the provisions of sections 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 49, 50) are hereby made applicable to the jurisdiction, powers, and duties of the Commission, or any officer designated by it, except that the attendance of a witness may not be required outside of the State where he is found, resides, or transacts business, and the production of evidence may not be required outside the State where such evidence is kept.

(b) Any candidate who believes a violation of this title or title III has occurred may file a complaint with the Commission. If the Commission determines there is substantial reason to believe such a violation has occurred, it shall expeditiously make an investigation which shall include an investigation of reports and statements filed by the complainant, as well as of the matter complained of. If, on the basis of such investigation and after affording due notice and opportunity for a hearing on the record, it determines such a violation has occurred, the Commission shall issue an order directing the violator to take such action as the Commission determines may be necessary in the public interest to correct the injury occasioned by the violation. Such action may include requiring the violator to make public the fact that a violation has occurred, and the nature thereof, and may also include requiring the violator to make public complete statements, in corrected form, containing information required by this title or title III. The Commission may also take action to correct such an injury by making public the fact that a violation has occurred, and the nature thereof, and may also make public complete statements (prepared by the Commission itself and its officers and employees) containing the information required by this title or title III. Any party in interest who is aggrieved by a determination of the Commission under this subsection may, within sixty days after such order is issued, file with the United States court of appeals for the circuit in which he resides or in the United States Court of Appeals for the District of Columbia circuit a petition for review of the action of the Commission in issuing the order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commission. The Commission thereupon shall file in the court the record of the proceedings on which it based its action, as provided in section 2112 of title 28, United States Code. The findings of fact by the Commission, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commission to take further evidence, and the Commission may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The court shall have jurisdiction to affirm the action of the Commission or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. Any action brought under this section shall be advanced on the docket of the court in which filed, and put ahead of all other actions (other than other actions brought under this section).

(c) Section 5(l) of the Federal Trade Commission Act (15 U.S.C. 451(1)) shall apply to violations of orders of the Commission in the same manner as it applies to violations of orders of the Federal Trade Commission.

(d) In the performance of its duties under this Act, the Commission shall coordinate its activities with the activities of the Comptroller General under the Presidential Election Campaign Fund Act of 1966.

STATEMENTS FILED WITH CLERKS OF UNITED STATES COURTS

SEC. 210. (a) Each person who is required by this title to file a report or statement with the Commission, shall file a copy of such report or statement with the clerk of the United States district court for the judicial district in which is located the principal office of the political committee or, in the case of a statement filed by a candidate or other person, in which is located such person's residence; except that this section shall not apply to political committees supporting candidates in more than one State. The Commission may require the filing of copies of reports and statements required by this title with the clerks of United States district courts other than courts where copies are filed under the preceding sentence where it determines the public interest will be served thereby.

(b) It shall be the duty of the clerks under subsection (a)—

(1) to receive and maintain in an orderly manner all reports and statements required by this title to be filed with such clerks;

(2) to preserve such reports and statements for a period of at least ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for at least five years from the date of receipt;

(3) to make the reports and statements filed with it available for public inspection and copying during regular office hours, commencing as soon as practicable after filing but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person; and

(4) to compile and maintain a current list of all statements, or parts of statements, pertaining to each candidate.

PROHIBITION ON CONTRIBUTIONS IN NAME OF ANOTHER

SEC. 211. No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

PENALTY FOR VIOLATIONS

SEC. 212. Any person who violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

REPEALING CLAUSE

SEC. 213. The Federal Corrupt Practices Act, 1925, and all other Acts or parts of Acts inconsistent herewith are repealed.

CITATION

SEC. 214. This title may be cited as the "Campaign Funds Disclosure Act".

TITLE III—DISCLOSURE OF GIFTS AND HONORARIUMS

DEFINITIONS

SEC. 301. When used in this title—

(a) The term "honorarium" means all fees in excess of $100 paid from any source other than the Government of the United States for lectures, speeches, articles, and similar services.

(b) The term "Representative" means each Representative in, or Resident Commissioner to, the Congress of the United States.

(c) The term "Commission" means the Federal Elections Commission.

(d) The terms "election" and "candidate" have the meaning given them by sections 201(a) and 201(b), respectively.

(e) The term "gift" means a voluntary transfer of property without consideration but does not include a contribution (as defined in section 201(e)).

STATEMENT OF GIFTS AND HONORARIUMS TO BE FILED

SEC. 302. (a) Each candidate for nomination for election, or reelection, to the Senate or House of Representatives shall file with the Commission between the tenth and fifteenth day next preceding the date on which an election is held in which he is a candidate, a statement disclosing (1) gifts as required by subsection (c), and (2) honorariums received by him as required by subsection (d), for the reporting period applicable under this title to candidates.

(b) Each Senator and Representative shall file with the Commission by the 31st day of January a statement disclosing (1) gifts as required by subsection (c), and (2) honorariums received by him as required by subsection (d), for the reporting period applicable to Senators and Representatives.

(c) Each statement disclosing gifts required by this section from a candidate or Senator or Representative shall disclose—

(1) the full name and mailing address of each donor from whom he, or his wife or

minor children received, or from whom there was received on his or their behalf, one or more gifts of money of an aggregate amount in excess of $100 within the reporting period, together with the amount and date of such gifts;

(2) the full name and mailing address of each donor from whom he, or his wife or minor children received, or from whom there was received on his or their behalf, one or more gifts other than money of an aggregate value estimated by the donee in excess of $100 within the reporting period, together with the date and identity of such gifts; and

(3) the total sum of gifts of money received by him, his wife, or minor children, on his or their behalf, during the reporting period and not stated under paragraph (1).

Gifts (other than gifts which are given, or used, in connection with an election to Federal office, as defined in section 201(c)) from a spouse, child, parent, grandparent, brother, or sister need not be disclosed under this section.

(d) Each statement disclosing honorariums required by this section from a candidate or Senator or Representative shall disclose—

(1) the full name and mailing address of each person from whom he or anyone on his behalf received any honorarium within the reporting period; the amount or if not money, the identity and value thereof; and the name and address of each person for whom such service was performed;

(2) a description of the service performed;

(3) the aggregate amount of honorariums received by him.

(e) In the case of a candidate, a reporting period begins when he becomes a candidate and ends on the fifteenth day preceding any election in which he is a candidate, except that it shall not include any time included within a prior reportng period and, except that he may, if he chooses, include the remainder of the calendar year during which he became a candidate in the reporting period. In the case of a Senator or Representative, a reporting period shall be the calendar year preceding the year during which the statement was filed, or the portion thereof during which he was a Senator or Representative, except that, in the case of a Senator or Representative who was also a candidate during part of such preceding year, his reporting period shall not begin until after the end of his reporting period as a candidate.

STATEMENTS; VERIFICATION; FILING

SEC. 303. (a) Statements required under this title to be filed with the Commission—

(1) shall be verified by the oath or affirmation of the person filing such statement, taken before any officer authorized to administer oaths;

(2) shall be deemed properly filed when deposited in an established post office within-in the prescribed time, duly stamped, registered, and directed to the Commission at Washington, District of Columbia; but in the event it is not received, a duplicate of such statement shall be promptly filed.

(b) A copy of each statement required to be filed with the Commission by this title shall be filed with, in the case of a Senator or Representative-at-large, or a candidate for such office, the clerk of the United States district court for the judicial district in which the capital of the State is located, and, in the case of a Representative (other than a Representative elected at large) or a candidate for that office, with the clerk of the United States district court for each judicial district which comprises all or part of his congressional district.

PENALTY FOR VIOLATION

SEC. 304. Whoever violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

CITATION

SEC. 305. This title may be cited as the "Disclosure of Gifts and Honorariums Act".

TITLE IV

STATE LAWS NOT AFFECTED

SEC. 401 (a) Nothing in title II or title III of this Act shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of such title.

(b) The Commission shall encourage, and cooperate with, the election officials in the several States to develop procedures which will eliminate the necessity of multiple filings by permitting the filing of copies of Federal reports to satisfy the State requirements.

PARTIAL INVALIDITY

SEC. 402. If any provision of title II or title III of this Act, or the application thereof, to any person or circumstance is held invalid, the validity of the remainder of such title and the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION OF APPROPRIATIONS

SEC. 403. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

EFFECTIVE DATE

SEC. 404. This Act shall take effect on January 1, 1968.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles, parts, and sections according to the following table of contents, may be cited as the "Legislative Reorganization Act of 1967".

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TITLE I—THE COMMITTEE SYSTEM

RULEMAKING POWER OF SENATE AND HOUSE

SEC. 101. The following sections of this title are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

PART 1—PROVISIONS APPLICABLE TO BOTH HOUSES

COMMITTEE PROCEDURE

SEC. 102. (a) Section 133(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190a) is amended by adding at the end thereof the following new sentences: "If the chairman of any such committee, after three days' consideration, refuses or fails, upon the request of at least three members of the committee, to call a special meeting of the committee within seven calendar days from the date of said request, then upon the filing with the clerk of the committee of the written and signed request of a majority of the committee for a called special meeting of the committee, the committee shall meet on the day and hour specified in said written request. It shall be the duty of the clerk of the committee to notify all members of the committee in the usual way of such called special meeting. If the chairman of the committee is not present at any committee meeting, the senior member of the majority party who is present shall preside at that meeting.".

(b) Section 133(b) of that Act is amended to read as follows:

"(b) Meetings for the transaction of business of each such committee, other than the conduct of hearings, shall be open to the public except during executive sessions for marking up bills or for voting or when the committee by a majority vote orders an executive session. Each such committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded. The results of rollcall votes taken in any meeting of any such committee upon any measure, or any amendment thereto, shall be announced in the committee report on that measure unless previously announced by the committee, and such announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment by each member of the committee who was present at that meeting.".

(c) Section 133(c) of that Act is amended by adding at the end thereof the following new sentences: "In any event, the report of any such committee upon a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the Senate or House of Representatives, as the case may be, is not in session) after the day on which there has been filed with the clerk of the committee a written and signed request of a majority of the committee for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing thereof.".

(d) Section 133(d) of that Act is amended by adding at the end thereof the following new sentences: "The vote of the committee to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of any such committee to report a measure or matter may be cast by proxy if rules adopted by such committee forbid the casting of votes for that purpose by proxy, however, proxies shall not be voted for such purpose except when the absent committee member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. Action by any such committee in reporting any measure or matter in accordance with the requirements of this subsection shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter, including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements. Whenever any such committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the committee. Nothing contained in this subsection shall abrogate the power of any committee of either House to adopt rules (1) providing for proxy voting on all matters other than the reporting of a measure or matter, or (2) providing in accordance with the rules of that House for a lesser number as a quorum for any action other than the reporting of a measure or matter.".

(e) Section 133 of that Act is amended by striking out subsections (e) and (f), and inserting in lieu thereof the following:

"(e) If, at the time of approval of a measure by any such committee, any member of the committee gives notice of intention to file supplemental or minority views, each such member shall be entitled to no less than one day in which to file such views with the clerk of the committee in writing. All such views so filed by one or more members of the committee shall be included within and shall be a part of the report filed by the committee with respect to that measure. The report of such committee upon such measure shall be printed in a single volume which shall include all supplemental or minority views which have been submitted at the time of the filing of the committee report, and shall bear upon its cover a recital that supplemental or minority views are included as a part of the report.

"Nothing contained in this subsection shall preclude—

"(A) The immediate filing and printing of a committee report unless a timely request for the opportunity to file supplemental or minority views has been made as provided by this subsection; or

"(B) The filing by any standing committee of any supplemental report upon any measure which may be required for the correction of any technical error in a previous report made by such committee upon such measure.

"(f) The report of any such committee of either House of the Congress upon any measure shall be filed in that House at least three calendar days (exclusive of Saturdays, Sundays, and legal holidays) before any vote is taken upon that measure in that House. If there have been hearings held upon any such measure so reported in either such House, the committee shall make every reasonable effort to have such hearings printed and available for distribution to Members of that House prior to consideration of the measure. This section shall not apply to any measure for the declaration of war or the declaration of a national emergency by the Congress. In any event, this section may be waived by joint agreement of the majority leader and minority leader of the Senate or the Speaker and the minority leader of the House of Representatives upon finding that in their opinion such waiver is required because of the imminence of sine die adjournment, the expiration of the Act sought to be amended or to meet the immediate financial needs of the Government.

"(g) Each such committee which, in any year beginning on or after January 1, 1968, requires authorization for the expenditure of funds in excess of the amount specified by section 134(a) of this Act shall offer one annual authorization resolution to procure such authorization. Each such annual authorization resolution shall include a specification of the amount of all such funds sought by such committee for expenditure by all subcommittees thereof during that year and the amount so sought for each such subcommittee. The annual authorization resolution of any such committee of either House of the Congress for each year beginning on or after January 1, 1968, shall be offered not later than January 31 of that year, except that, whenever the designation of members of standing committees of that House occurs during the first session of any Congress at a date later than January 20 such resolution may be offered by any standing committee of that House at any time within thirty days after the date on which a majority of the members of such committee have been designated during that session. After the date on which an annual authorization resolution has been offered by any such committee in any year, or the last date on which such committee pursuant to the preceding sentence may offer such a resolution, whichever date occurs earlier, such committee in any year may procure authorization for the expenditure of funds in excess of the amount specified by section 134(a) of this Act only by offering a supplemental authorization resolution. Each such supplemental authorization resolution shall specify with particularity the purpose for which such authorization is sought, and shall contain an explicit statement of the reason why authorization for the expenditures described therein could not have been sought at the time of, or within the period provided for, the submission by such committee of an annual authorization resolution for that year. The minority shall receive fair consideration in the appointment of staff personnel pursuant to such resolution."

"(h) The foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.".

COMMITTEE HEARING PROCEDURE

SEC. 103. (a) Part 3 of title I of the Legislative Reorganization Act of 1946 is amended by inserting therein, immediately after section 133 thereof, the following new section:

"COMMITTEE HEARING PROCEDURE

"SEC. 133A. (a) Each standing committee of the Senate and the House of Representatives (except the Committee on Appropriations) shall make public announcement of the date, place, and subject matter of any hearing to be conducted by the committee upon any measure or matter at least one week before the commencement of that hearing unless the committee determines that there is good cause to begin such hearing at an earlier date.

"(b) Each hearing conducted by each such committee shall be open to the public except when the committee determines that the testimony to be taken at that hearing may relate to a matter of national security, may tend to reflect adversely on the character or reputation of the witness or any other individual, or may divulge matters deemed confidential under other provisions of law or Government regulation. Whenever any such hearing is open to the public, that hearing may be broadcast by radio or television, or both, under such rules that the committee may adopt.

"(c) Each such committee shall require each witness who is to appear before the committee in any hearing to file with the clerk of the committee, a least one day before the date of the appearance of that witness, a written statement of his proposed testimony unless the committee chairman and ranking minority member determine that there is good cause for the failure of the witness to file such a statement in compliance with this subsection. If so requested by any such committee, the staff of the committee shall prepare for the use of members of the committee before each day of hearing before the committee a digest of the statements which have been so filed by witnesses who are to appear before the committee on that day.

"(d) After the conclusion of each day of hearing, if so requested by any such committee, the staff shall prepare for the use of members of the committee a summary of the testimony given before the committee on that day. After approval by the chairman and the ranking minority member of the committee, each such summary may be printed as a part of the committee hearings if such hearings are ordered by the committee to be printed.

"(e) Whenever any hearing is conducted by any such committee upon any measure or matter, the minority of the committee shall be entitled, upon request made by a majority of the minority members to the chairman before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

"(f) Whenever any such committee has reported any measure, by action taken in conformity with the requirements of section 133(d) of this Act, no point of order shall lie with respect to that measure on the ground that hearings upon that measure by that committee were not conducted in accordance with the provisions of this section.

"(g) The foregoing provisions of this sectoin do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.".

(b) Title I of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by inserting—

"Sec. 133A. Committee hearing procedure."

immediately below—

"Sec. 133. Committee procedure.".

COMMITTEE POWERS

SEC. 104. Section 134(c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b(b)) is amended to read as follows:

"(c) Except as hereinafter provided, no standing committee of the Senate or the House shall sit, without special leave, while the Senate or the House, as the case may be, is in session. The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations of the Senate or to the following committees of the House of Representatives: the Committee on Appropriations, the Committee on Government Operations, the Committee on Rules, and the Committee on Un-American Activities. Any other standing committee of the Senate may sit for any purpose while the Senate is in session if consent therefor has been obtained from the majority leader and the minority leader of the Senate. Any other standing committee of the House of Representatives may conduct a hearing while the House is in session if consent therefor has been obtained from the Speaker and the minority leader of the House. In the event of the absence of any such officer or leader, the consent of such officer or leader may be given by a Member of that House of which such officer or leader is a Member designated by him for that purpose. Notwithstanding the provisions of this subsection, any standing committee of the Senate may sit without special leave for any purpose as authorized by paragraph 7 (paragraph 5 as redesignated by section 122(b) of this Act) of rule XXV of the Standing Rules of the Senate.".

LEGISLATIVE REVIEW BY STANDING COMMITTEES

SEC. 105. (a) Section 136 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190d) is amended to read as follows:

"LEGISLATIVE REVIEW BY STANDING COMMITTEES

"SEC. 136. (a) In order to assist the Congress in—

"(1) its analysis, appraisal, and evaluation of the application, operation, administration, and execution of the laws enacted by the Congress, and

"(2) its formulation, consideration, and enactment of such modifications of or changes in such laws, and of such additional legislation, as it deems necessary or appropriate,

each standing committee of the Senate and House of Representatives shall review and study, on a continuing basis, the application, operation, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of such committee.

"(b) Each standing committee of the Senate and House of Representatives shall—

"(1) conduct the reviews and studies required generally by subsection (a) of this section;

"(2) analyze, appraise, and evaluate reports and other data of the Comptroller General of the United States, and of any other officer or agency of the Government, which are pertinent to reviews, studies, programs, projects, and other matters within the purview of this section and may request the Comptroller General to investigate any report on any matter relating to the receipt, disbursement, and application of public funds under such laws;

"(3) keep currently informed with respect to the regulations, procedures, practices, and policies of the Government pertaining to the application, operation, administration, and execution of the laws, and parts of laws, the subject matter of which is within the jurisdiction of the committee;

"(4) conduct such activities as are necessary and appropriate to carry out the general review and study policies of the committee under this section, including reviews of programs of grants-in-aid referred to in section 252(c) of the Legislative Reorganization Act of 1967; and

"(5) obtain current information regarding—

"(A) the progress, status, and results of reviews, studies, programs, and projects conducted under this section,

"(B) the regulations, procedures, practices, and policies of the Government referred to in subparagraph (3) of this subsection, and

"(C) all other matters within the purview of this subsection.

"(c) Each standing committee of the Senate and House of Representatives is entitled to employ a Review Specialist as a member of the professional staff of such committee in addition to the number of members of such professional staff to which such committee otherwise is entitled. Such Review Specialist shall be selected and appointed by the chairman of such committee, with the prior approval of the ranking minority member, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position. Such Review Specialist shall, under the joint direction and supervision of the chairman and the ranking minority member, assist the committee in the performance of its review functions under this section.

"(d) Each standing committee of the Senate and House of Representatives shall submit, not later than March 31 of each year beginning on or after January 1, 1968, to the Senate and House of Representatives, respectively, a report on its activities under this section during the immediately preceding calendar year. Such report shall include—

"(1) an analysis of the reviews, studies, programs, and projects of the committee under this section;

"(2) an appraisal and evaluation of the application, operation, administration, and execution of the laws, and parts of laws, the subject matter of which is within the jurisdiction of the committee; and

"(3) such other matters within the purview of this section as may be appropriate to carry out the purposes of this section.

Each such committee shall omit in such report all matters which, in the opinion of the committee, should not be made public in the interest of the national security.

"(e) Within ten days after the submission of all such reports to the Senate and House of Representatives, respectively, the President of the Senate, with respect to the reports submitted to the Senate, and the Speaker of the House of Representatives, with respect to the reports submitted to the House, shall transmit such reports to—

"(1) the President, with respect to matters concerning the executive branch;

"(2) the Director of the Administrative Office of the United States Courts, with respect to matters concerning the judicial branch;

"(3) the Board of Commissioners of the District of Columbia, with respect to matters concerning the municipal government of the District of Columbia; and

"(4) the heads of other appropriate agencies, corporations, and instrumentalities of the Government.

"(f) As used in this section, the term 'Government' includes the municipal government of the District of Columbia.

"(g) The foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations and the Committee on Standards and Conduct of the House of Representatives.".

(b) Title I of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 136. Legislative oversight by standing committees."

and inserting in lieu thereof—

"Sec. 136. Legislative review by standing committees.".

CONFERENCE REPORTS

SEC. 106. (a) The section caption of section 135 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190c) is amended to read as follows:

"CONFERENCE REPORTS"

(b) Section 135 of that Act is amended by adding at the end thereof the following new subsections:

"(c) Each report of a committee of conference shall be printed as a report of each House of the Congress. As printed in each House, each such report shall be accompanied by an explanatory statement prepared by the conferees on the part of that House. Each such statement shall be sufficiently detailed and explicit to inform the House for which it is prepared as to the effect which amendments or propositions

contained in such report will have upon the measure to which it relates. If any conferee on the part of either House desires to submit to the House of which he is a Member an additional individual explanatory statement with respect to any such report, such individual statement may be filed as an appendix to, and may be printed together with, the explanatory statement made by the conferees on the part of the House of which he is a Member, if such individual statement is available at the time of the filing of the report of the committee of conference to that House.

"(d) If time for debate in the consideration of any report of a committee of conference upon the floor of either House of the Congress is limited, the time allotted for debate thereon shall be divided equally between Members of that House who favor agreement to such report and Members of that House who do not favor agreement to such report.".

(c) The item relating to section 135 contained in the table of contents of that Act is amended to read:

'"Sec. 135. Conference reports.".

PART 2—PROVISIONS APPLICABLE TO THE SENATE JURISDICTION OF STANDING COMMITTEES OF THE SENATE

SEC. 121. Paragraph 1 of Rule XXV of the Standing Rules of the Senate is amended—

(1) by striking out in paragraph (e)—

"Committee on Banking and Currency,"

and inserting in lieu thereof—

"Committee on Banking, Housing and Urban Affairs,";

(2) by adding at the end of subparagraph (e) the following item:

"10. Urban affairs generally.";

(3) by striking out in subparagraph (h) (relating to the Committee on Finance) the following numbered items—

"10. Veterans' measures generally.

"11. Pensions of all the wars of the United States, general and special.

"12. Life insurance issued by the Government on account of service in the armed forces.

"13. Compensation of veterans.";

(4) by striking out in subparagraph (m) (relating to the Committee on Labor and Public Welfare)—

"16. Vocational rehabilitation and education of veterans.

"17. Veterans' hospitals, medical care and treatment of veterans.

"18. Soldiers' and sailors' civil relief.

"19. Readjustment of servicemen to civil life.";

(5) by adding at the end thereof the following new subparagraph—

"(q) Committee on Veterans' Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the armed forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life.

"9. National cemeteries."; and

(6) by striking out in subparagraph (k) (relating to the Committee on Interior and Insular Affairs) the following item—

"5. Military parks and battlefields, and National cemeteries."

and inserting in lieu thereof—

"5. Military parks and battlefields."

COMMITTEE MEMBERSHIP

SEC. 122. (a) Paragraph 1 of rule XXV of the Standing Rules of the Senate, as such paragraph existed on the day preceding the date of enactment of section 121 of this Act, is amended—

(1) by striking out in subparagraph (a) the words "to consist of sixteen Senators,";

(2) by striking out in subparagraph (b) the words "to consist of fifteen Senators,";

(3) by striking out in subparagraph (c) the words "to consist of twenty-six Senators,";

(4) by striking out in subparagraph (d) the words "to consist of eighteen Senators,";

(5) by striking out in subparagraph (e) the words "to consist of fourteen Senators,";

(6) by striking out in subparagraph (f) the words "to consist of eighteen Senators,";

(7) by striking out in subparagraph (g) the words "to consist of eight Senators,";

(8) by striking out in subparagraph (h) the words "to consist of seventeen Senators,";

(9) by striking out in subparagraph (i) the words "to consist of nineteen Senators,";

(10) by striking out in subparagraph (j) (1) the words "to consist of fifteen Senators,";

(11) by striking out in subparagraph (k) the words "to consist of seventeen Senators,";

(12) by striking out in subparagraph (l) the words "to consist of sixteen Senators,";

(13) by striking out in subparagraph (m) the words "to consist of sixteen Senators,";

(14) by striking out in subparagraph (n) the words "to consist of twelve Senators,";

(15) by striking out in subparagraph (o) the words "to consist of sixteen Senators,"; and

(16) by striking out in subparagraph (p) (1) the words "to consist of nine Senators,".

(b) Paragraphs 2, 3, 4, and 5 of rule XXV of the Standing Rules of the Senate are redesignated as paragraphs 4, 5, 6, and 7 thereof, respectively.

(c) Rule XXV of the Standing Rules of the Senate is amended by inserting, immediately after paragraph 1, the following new paragraphs:

"2. Except as otherwise provided by paragraph 6 of this rule, each of the following standing committees shall consist of the number of Senators set forth in the following table on the line on which the name of that committee appears:

"Committee	Members
"Aeronautical and Space Sciences	14
"Agriculture and Forestry	13
"Appropriations	26
"Armed Services	15
"Banking, Housing, and Urban Affairs	15
"Commerce	15
"Finance	15
"Foreign Relations	15
"Government Operations	14
"Interior and Insular Affairs	14
"Judiciary	15
"Labor and Public Welfare	15
"Public Works	14.

"3. Except as otherwise provided by paragraph 6 of this rule, each of the following standing committees shall consist of the number of Senators set forth in the following table on the line on which the name of that committee appears:

"Committee	Members
"District of Columbia	7
"Post Office and Civil Service	9
"Rules and Administration	9
"Veterans' Affairs	9.".

(d) Paragraph 6 of rule XXV of the Standing Rules of the Senate (as redesignated) is amended to read as follows:

"6. (a) Except as otherwise provided by this paragraph, each Senator shall serve on two and no more of the standing committees named in paragraph 2. Except as otherwise provided by this paragraph, no Senator shall serve on more than one committee included within the following classes: standing committees named in paragraph 3; select and special committees of the Senate; and joint committees of the Congress.

"(b) Each Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was serving as a member of any standing committee shall be entitled to continue to serve on each such committee of which he was a member on that day as long as his service as a member of such committee remains continuous after that day. Each Senator who (1) on that day was serving as a member of the Committee on Aeronautical and Space Sciences or the Committee on Government Operations, (2) on that date was entitled, under the proviso contained in the first sentence of paragraph 4 of this rule as such rule existed on that day, to serve on three committees named in that sentence, and (3) on June 30, 1971, is serving on three such committees, of which at least one is the Committee on Aeronautical and Space Sciences or the Committee on Government Operations, shall be entitled to continue to serve on each of the committees of which he is a member on June 30, 1971, so long as his service as a member of each such committee remains continuous thereafter. Each Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was a member of more than one committee of the classes described in the second sentence of subparagraph (a) shall be entitled to serve on each such committee of which he was a member on that day as long as his service as a member of that committee remains continuous after that day. Notwithstanding the provisions of paragraphs 2 and 3, each committee of the Senate shall be temporarily increased in membership by such number as may be required to carry into effect the provisions of this subparagraph.

"(c) By agreement entered into by the majority leader and the minority leader, the membership of one or more of the standing committees named in paragraph 2 or paragraph 3 of this rule may be increased temporarily from time to time by such number or numbers as may be required to accord to the majority party a majority of the membership of all standing committees. When any such temporary increase is necessary to accord to the majority party a majority of the membership of all standing committees, members of the majority party in such number as may be required for that purpose may serve as members of three standing committees named in paragraph 2. No such temporary increase in the membership of one or more standing committees under this subparagraph or subparagraph (a) shall be continued in effect after the need therefor has ended. No standing committee may be increased in membership under this subparagraph or subparagraph (a) by more than four members in excess of the number prescribed for that committee by paragraph 2 or paragraph 3 of this rule.

"(d) Notwithstanding the limitations contained in subparagraph (a), a Senator may serve at any time on one additional committee included within the following classes: a temporary committee of the Senate or a temporary joint committee of the Congress which, by the terms of the measure by which it was established as initially agreed to, will not continue in existence for more than one Congress; or a joint committee of the Congress having jurisdiction with respect to a subject matter which is directly related to the jurisdiction of a committee named in paragraph 3 of which that Senator is a member.

"(e) No Senator shall serve at any time on more than one of the following committees: Committee on Appropriations, Commit-

tee on Armed Services, Committee on Finance, and Committee on Foreign Relations. Notwithstanding the limitation contained in this subparagraph, a Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was a member of more than one such committee may continue to serve as a member of each such committee of which he was a member on that day as long as his service on that committee remains continuous after that day.

"(f) No Senator shall serve at any time as chairman of more than one committee included within the following classes: standing, select, and special committees of the Senate; and joint committees of the Congress, except that—

"(1) A Senator may serve as chairman of a joint committee of the Congress having jurisdiction with respect to a subject matter which is directly related to the jurisdiction of a committee named in paragraph 2 or paragraph 3 of which that Senator is the chairman;

"(2) A Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was serving as chairman of more than one committee included within the classes described in this subparagraph may continue to serve as chairman of each such committee of which he was chairman on that day as long as his service as chairman of that committee remains continuous after that day; and

"(3) A Senator who is serving at any time as chairman of a committee included within the classes described in this subparagraph may at the same time serve also as chairman of one temporary committee of the Senate or temporary joint committee of the Congress which, by the terms of the measure by which it was established as originally agreed to, will not continue in existence for more than one Congress.

"(g) No Senator shall serve at any time as chairman of more than one subcommittee of the same committee if that committee is named in paragraph 2. Notwithstanding the limitation contained in this subparagraph, a Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was serving as chairman of more than one such subcommittee may continue to serve as chairman of each such subcommittee of which he was chairman on that day as long as his service as chairman of that subcommittee remains continuous after that day.".

PART 3—PROVISIONS APPLICABLE TO THE HOUSE OF REPRESENTATIVES

JURISDICTION OF STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

SEC. 131. (a) Clause 1 of rule X of the House of Representatives is amended—

(1) by striking out—

"(d) Committee on Banking and Currency, to consist of twenty-seven Members."

and inserting in lieu thereof—

"(d) Committee on Banking, Housing, and Urban Affairs, to consist of twenty-seven Members.";

(2) by striking out—

"(f) Committee on Education and Labor, to consist of twenty-five Members."

and inserting in lieu thereof—

"(f) Committee on Education, to consist of twenty-five Members.";

(3) by inserting—

"(m) Committee on Labor and Public Welfare, to consist of twenty-five Members."

immediately below—

"(1) Committee on the Judiciary, to consist of twenty-seven Members.";

(4) by redesignating paragraphs (m), (n), (o), (p), and (q) as paragraphs (n), (o), (p), (q), and (r), respectively;

(5) by inserting immediately below paragraph (q) thereof (relating to the Committee on Science and Astronautics), redesignated as paragraph (r) by subparagraph (4) of this subsection, the following new paragraph (s):

"(s) Committee on Standards and Conduct, to consist of twelve Members."; and

(6) by redesignating paragraphs (r), (s), and (t) as paragraphs (t), (u), and (v), respectively.

(b) Rule XI of the Rules of the House of Representatives is amended—

(1) by striking out in clause 1 thereof (relating to the Committee on Agriculture)—

"(d) Agricultural colleges and experiment stations.

"(e) Agricultural economics and research.

"(f) Agricultural education extension services."

and inserting in lieu thereof—

"(d) Agricultural economics and research.";

(2) by redesignating paragraphs (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), and (q) of such clause 1 as paragraphs (e), (f), (g), (h), (i), (j) (k), (l), (m), (n), and (o), respectively;

(3) by striking out—

"4. Committee on Banking and Currency."

and inserting in lieu thereof—

"4. Committee on Banking, Housing, and Urban Affairs.";

(4) by adding at the end of clause 4 thereof (relating to the Committee on Banking, Housing, and Urban Affairs)—

"(j) Urban affairs generally.";

(5) by striking out—

"6. Committee on Education and Labor.

"(a) Measures relating to education or labor generally.

"(b) child labor.

"(c) Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and Saint Elizabeths Hospital.

"(d) Convict labor and the entry of goods made by convicts into interstate commerce.

"(e) Labor standards.

"(f) Labor statistics.

"(g) Mediation and arbitration of labor disputes.

"(h) Regulation or prevention of importation of foreign laborers under contract.

"(i) School-lunch program.

"(j) United States Employees' Compensation Commission.

"(k) Vocational rehabilitation.

"(l) Wages and hours of labor.

"(m) Welfare of miners."

and inserting in lieu thereof—

"6. Committee on Education.

"(a) Measures relating to education generally.

"(b) Agricultural colleges and experiment stations.

"(c) Agricultural educational extension services.

"(d) Mining schools.

"(e) Gallaudet College.

"(f) Howard University (including Freedmen's Hospital).

"(g) Library services and construction.

"(h) School construction.

"(i) Arts and humanities.

"(j) Vocational education and vocational rehabilitation.

"(k) Scholarships and intercultural activities.

"(l) Special educational programs.

"(m) Measures relating to economic opportunity and alleviation of poverty.

"(n) Public health and quarantine, including the Public Health Service and the National Institutes of Health.";

(6) by striking out in clause 10 thereof (relating to the Committee on Interior and Insular Affairs)—

"(l) Mining schools and experimental stations"

and inserting in lieu thereof—

"(l) Mining experimental stations.";

(7) by striking out in clause 11 thereof (relating to the Committee on Interstate and Foreign Commerce)—

"(e) Public health and quarantine.

"(f) Railroad labor and railroad retirement and unemployment except revenue measures relating thereto."

and inserting in lieu thereof—

"(e) Railroad retirement and unemployment, except revenue measures relating thereto.";

(8) by redesignating paragraphs (g), (h), (i) and (j) of such clause 11 as paragraphs (f), (g), (h), and (i), respectively;

(9) by striking out in such clause 11—

"(k) Weather Bureaus.";

(10) by inserting immediately following clause 12 thereof the following new clause 13:

"13. Committee on Labor and Public welfare.

"(a) Measures relating to labor or public welfare generally.

"(b) Child labor.

"(c) Labor standards.

"(d) Labor statistics.

"(e) Mediation and arbitration of labor disputes.

"(f) Convict labor and the entry of goods made by convicts into interstate commerce.

"(g) Maritime unions.

"(h) Railroad labor.

"(i) Regulation of prevention of importation of foreign laborers under contract.

"(j) Bureau of Employees' Compensation.

"(k) Wages and hours of labor.

"(l) Welfare of miners.

"(m) Saint Elizabeths Hospital.

"(n) School-lunch program.

"(o) Industrial safety.

"(p) Equal employment opportunities and fair employment practices.

"(q) Manpower development and training generally.";

(11) by redesignating clauses 13, 14, 15, 16, and 17 thereof as clauses 14, 15, 16, 17, and 18 thereof, respectively;

(12) by striking out in clause 13 thereof redesignated as clause 14 by subparagraph (11) of this subsection (relating to the Committee on Merchant Marine and Fisheries)—

"(f) Merchant marine officers and seamen."

and inserting in lieu thereof—

"(f) Merchant marine officers and seamen (except maritime unions).";

(13) by striking out at the end of clause 17 thereof redesignated as clause 18 by subparagraph (11) of this subsection (relating to the Committee on Science and Astronautics)—

"(h) Scientific research and development."

and inserting in lieu thereof—

"(h) Research and development in environmental science, including the Environmental Science Services Administration.

"(i) Scientific research and development generally.";

(14) by inserting immediately following clause 17 thereof, redesignated as clause 18 by subparagraph (11) of this subsection, the following new clause 19:

"19. Committee on Standards and Conduct.

"(a) Ethical standards and conduct of Members, officers, and employees of the House of Representatives.

"(b) The Committee on Standards and Conduct shall consist at all times of an even number of Members equally divided between the majority party and the minority party. The committee shall select a chairman and a vice chairman from among its members. The chairman shall be a member of the majority party. The vice chairman shall be a member of the minority party.

"(c) The Committee on Standards and Conduct shall—

"(1) recommend to the House of Representatives, by report or resolution, such rules and regulations as the committee determines necessary or desirable to insure proper standards of conduct by Members of the House

and by officers and employees of the House, in the performance of their duties and the discharge of their responsibilities; and

"(2) report, by majority vote of its entire membership, violations of law to the proper Federal and State authorities.

"(d) The committee shall transmit to the House of Representatives its recommendations as to any legislative measures which the committee determines necessary for the effective discharge of its duties whenever the committee, by majority vote of its entire membership, orders such action.

"(e) The committee is authorized to—

"(1) hold such hearings,

"(2) sit and act at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or adjourned, and

"(3) require, by subpena or otherwise, the attendance and testimony (orally or by deposition) of such witnesses, and the production of such books, records, correspondence, papers, and documents,

as the committee deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member of the committee designated by the chairman, and may be served by any person designated by such chairman or committee member so designated. The chairman of the committee, or any member thereof, may administer oaths to witnesses.

"(f) Any hearing held by the committee shall not be open to the public unless and until the committee, by majority vote of its entire membership, orders such hearing to be open to the public.

"(g) As used in this clause, the term 'officers and employees of the House' includes—

"(1) an elected officer of the House who is not a Member of the House;

"(2) an employee of the House, of any committee or subcommittee of the House, or of any Member of the House;

"(3) the Legislative Counsel of the House and any employee of his office;

"(4) an Official Reporter of Debates of the House, an Official Reporter to Committees, and any person employed by the Official Reporters in connection with the performance of their official duties;

"(5) a member of the Capitol Police Force whose compensation is disbursed by the Clerk of the House;

"(6) telephone operators whose compensation is disbursed by the Clerk of the House;

"(7) an employee of the Government Printing Office assigned to duty in any capacity with the House; and

"(8) an employee of a joint committee of the Congress whose compensation is disbursed by the Clerk of the House.";

(15) by redesignating clauses 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 thereof as clauses 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32 thereof, respectively; and

(16) by striking out in clause 24 thereof redesignated as clause 26 by subparagraph (15) of this subsection (relating to reports of the Committee on House Administration in contested-election cases)—

"except in a contest from the Territory of Alaska, in which case the time shall not exceed nine months".

(c) Rule XII of the Rules of the House of Representatives is amended to read as follows:

"RULE XII

"RESIDENT COMMISSIONER

"The Resident Commissioner to the United States from Puerto Rico shall be elected to serve as an additional member on the Committees on Agriculture, Armed Services, and Interior and Insular Affairs, shall possess in such committees the same powers and privileges as in the House, and may make any motion except a motion to reconsider.".

TITLE II—FISCAL CONTROLS

RULEMAKING POWER OF SENATE AND HOUSE

SEC. 201. Part 3 and Part 5 of this title are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

PART 1—BUDGETARY AND FISCAL INFORMATION AND DATA

DATA PROCESSING SYSTEM

SEC. 202. The Comptroller General of the United States, the Secretary of the Treasury, and the Director of the Bureau of the Budget shall develop, establish, and maintain, for use by all Federal agencies, a standardized information and data processing system for budgetary and fiscal data.

STANDARD CLASSIFICATIONS

SEC. 203. (a) The Comptroller General, the Secretary of the Treasury, and the Director of the Bureau of the Budget shall develop, establish, and maintain standard classifications of programs, activities, receipts, and expenditures of Federal agencies in order—

(1) to meet the needs of the various branches of the Government; and

(2) to facilitate the development, establishment, and maintenance of the data processing system under section 202 through the utilization of modern automatic data processing techniques.

The initial classifications under this subsection shall be established on or before December 31, 1969.

(b) The Comptroller General, the Secretary of the Treasury, and the Director of the Bureau of the Budget shall perform their functions under section 202 and subsection (a) of this section as part of the joint program established pursuant to section 111(f) of the Accounting and Auditing Act of 1950.

(c) The Comptroller General, the Secretary of the Treasury, and the Director of the Bureau of the Budget shall submit a report to the Senate and the House of Representatives on or before September 1 of each year, commencing with 1968, with respect to the performance during the preceding fiscal year of the functions and duties imposed on them by section 202 and subsection (a) of this section. The reports made under this subsection in 1968 and 1969 shall set forth the progress achieved in the development of classifications under subsection (a) of this section, and the reports made in years thereafter shall include information with respect to changes in, and additions to, classifications previously established.

AVAILABILITY OF DATA

SEC. 204. The Comptroller General shall provide information to the Congress, as provided in this section, on the location and nature of data available in the various Federal agencies with respect to programs, activities, receipts, and expenditures of such agencies. Upon request of any Member of the House or Senate, of any committee of either House, or of any joint committee of the two Houses, the Comptroller General shall—

(1) furnish to such Member, committee, or joint committee information as to the location and nature of such data, and

(2) to the extent feasible, prepare for such Member, committee, or joint committee summary tables of such data.

COST EFFECTIVENESS STUDIES

SEC. 205. The Comptroller General shall have available in the General Accounting Office employees who are expert in analyzing and conducting cost effectiveness studies of Government programs. Upon request of any committee of either House or of any joint committee of the two Houses, the Comptroller General shall assign, on a temporary basis, employees of the General Accounting Office to assist such committee or joint committee, or the staff of such committee or joint committee—

(1) in analyzing cost effectiveness studies furnished by any Federal agency to such committee or joint committee, or

(2) in conducting cost effectiveness studies of programs under the jurisdiction of such committee or joint committee.

CURRENT BUDGET INFORMATION

SEC. 206. (a) After the submission of the budget for any fiscal year by the President, the Comptroller General shall collect information and data available in the various Federal agencies with respect to changes in the figures shown in such budget as submitted, including changes caused by—

(1) new or supplemental requests for appropriations;

(2) the enactment of appropriation Acts, or the action of either the House or Senate on appropriation bills, or of the Committee on Appropriations, or any subcommittees thereof, of the House or Senate on appropriation bills or requests for appropriations;

(3) increases or decreases in expenditures of prior appropriations;

(4) increases or decreases in revenue receipts or estimated revenue receipts; and

(5) increases or decreases in expenditures or estimated expenditures by reason of the enactment of laws (other than appropriation Acts).

(b) The Comptroller General shall, from time to time, furnish a report showing revised budget information and totals to reflect the information and data collected by him under subsection (a) to each Member of the House and Senate, each committee of the House and Senate, and each joint committee of the two Houses. All such reports shall identify, to the extent necessary, the sources of the information and data reflected in the revised budget information and totals.

(c) Upon request of any Member of the House or Senate, any committee of either House, or any joint committee of the two Houses, the Comptroller General shall, to the extent feasible, prepare and furnish to such Member, committee, or joint committee tabulations of such budget information and data as collected pursuant to this section.

POWERS AND DUTIES OF COMPTROLLER GENERAL

SEC. 207. (a) The Comptroller General shall establish within the General Accounting Office such office or division, or such offices or divisions, as he deems necessary to carry out the functions and duties imposed on him by the provisions of this Part.

(b) The Comptroller General is authorized to obtain, during the period ending December 31, 1969, the services of individual experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not in excess of $200 per diem. Not more than fifteen such experts and consultants may be so employed at any one time and no expert or consultant may be so employed for more than one hundred and twenty days during any calendar year.

(c) The Comptroller General shall include in his annual report to the Congress a report with respect to the performance of the functions and duties imposed on him by the provisions of this Part.

DEFINITION

SEC. 208. As used in this title, the term "Federal agency" means any department,

agency, wholly owned Government corporation, establishment, or instrumentality of the Government of the United States or the government of the District of Columbia.

PART 2—THE BUDGET

SUPPLEMENTAL BUDGET INFORMATION

SEC. 221. (a) Section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11) is amended by striking out subsection (b), (c), (d), (e), and (f), and inserting in lieu thereof the following:

"(b) On June 1 of each year, beginning with 1968, the President shall transmit to the Congress a supplemental summary of the Budget transmitted in January of such year for the ensuing fiscal year. Such supplemental summary shall reflect all changes relating to that fiscal year which have occurred since the transmittal of the Budget, including changes caused by—

"(1) revisions in estimates of expenditures and receipts,

"(2) estimated expenditures and proposed appropriations which were not included in the Budget as transmitted.

"(3) appropriations enacted after transmittal of the Budget, and

"(4) the enactment of laws (other than appropriation Acts) after the transmittal of the Budget.

"(c) On or before June 1 of each year, the President shall transmit to the Congress, in such form and detail as he may determine—

"(1) summaries of estimated expenditures, for the four fiscal years following the ensuing fiscal year for which the Budget was transmitted in January of such year, which will be required under continuing programs which have a legal commitment for future years or are considered mandatory under existing law, and

"(2) summaries of estimated expenditures in fiscal years following such ensuing fiscal year of balances carried over from such ensuing fiscal year.

"(d) The Budget shall include information showing the gross amount of expenditures and estimated expenditures of all programs of the Government.".

(b) Subsections (c) and (d) of section 201 of the Budget and Accounting Act, 1921 (as amended by subsection (a)) shall apply only with respect to the Budget transmitted to the Congress for the fiscal year ending June 30, 1970, and for succeeding fiscal years.

PART 3—THE APPROPRIATIONS PROCESS

COMMITTEE HEARINGS

SEC. 231. (a) Each hearing conducted by the Commmittee on Appropriations of the House of Representatives or the Senate shall be open to the public except when the committee determines that the testimony to be taken at that hearing may relate to a matter of national security, may tend to reflect adversely on the character or reputation of the witness or any other individual, or may divulge matters deemed confidential under other provisions of law or Government regulation. Whenever any such hearing is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee may adopt.

(b) The Committee on Appropriations of the House and the Committee on Appropriations of the Senate shall, within thirty days after the transmittal of the Budget to the Congress each year, hold hearings on the Budget as a whole with particular reference to—

(1) the basic recommendations and budgetary policies of the President in the presentation of the Budget, and

(2) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(c) In holding hearings pursuant to subsection (b), the committees shall receive testimony from the Secretary of the Treasury, the Director of the Bureau of the Budget, the Chairman of the Council of Economic Advisers, and such other persons as the committee may desire.

(d) Hearings pursuant to subsection (b) shall be held in open session. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member of the House or Senate, as the case may be.

(e) Hearings pursuant to subsection (b), or any part thereof, may be held before joint meetings of the two committees.

(f) (1) Section 138 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190e) is repealed.

(2) Title I of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 138. Legislative Budget.".

BUDGET REVIEW

SEC. 232. The Committee on Appropriations of the House, or a duly authorized subcommittee thereof, and the Committee on Appropriations of the Senate, or a duly authorized subcommittee thereof, shall review the Budget transmitted for each fiscal year for the specific purpose of examining and reviewing those programs for which estimated expenditures or proposed appropriations contained in the Budget would be made by, or be under the control of, two or more Federal agencies.

COMMITTEE ACTION

SEC. 233. (a) The vote of the Committee on Appropriations of the House of Representatives or the Senate to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of such committee to report a measure or matter may be cast by proxy if rules adopted by such committee forbid the casting of votes for that purpose by proxy; however, proxies shall not be voted for such purpose except when the absent committee member has been informed on the matter on which he is being recorded and has affirmatively requested that he be so recorded. Action by any such committee in reporting any measure or matter in accordance with the requirements of this subsection shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter, including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements. Whenever any such committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the committee. Nothing contained in this subsection shall abrogate the power of any committee of either House to adopt rules (1) providing for proxy voting on all matters other than the reporting of a measure or matter, or (2) providing in accordance with the rules of that House for a lesser number as a quorum for any action other than the reporting of a measure or matter.

(b) The report of the Committee on Appropriations of the House or the Senate, as the case may be, accompanying each appropriation bill shall include an analysis of the major factors taken into consideration by the committee in reporting the bill and recommending the appropriations contained therein. In any case in which any cost effectiveness analysis or study of any program for which funds are appropriated in the bill has been furnished by any Federal agency to any committee of the House or Senate or any joint committee of the two Houses, or has been made by any such committee or joint committee, such report shall also state the consideration given by the Committee on Appropriations to such analysis or study and shall inform the Members of the House or Senate, as the case may be, where they may obtain copies of such analysis or study.

(c) In the case of any bill reported by the Committee on Appropriations of the House or the Senate which makes supplemental or deficiency appropriations for any fiscal year, the report accompanying such bill shall include a complete explanation of the nature of the request for such appropriation and the reason such request was not made or could not have been made for inclusion in the regular appropriation bill for such fiscal year, or could not be withheld for inclusion in the regular appropriation bill for the following fiscal year.

PASSAGE OF BILLS

SEC. 234. The question of the final passage in both the House and the Senate of any appropriation bill shall be decided by a yea and nay vote. The preceding sentence shall not apply to the adoption of the report of a committee of conference on any such bill.

ROLLCALL VOTE REQUIRED ON MEASURES CHANGING COMPENSATION OF MEMBERS OF CONGRESS

SEC. 235. (a) No bill or joint resolution containing a provision increasing or decreasing the rate of compensation of Members of Congress shall be passed by the Senate or House of Representatives unless (1) such increase or decrease in compensation is set forth as a separate proposition from any other provision in the bill or joint resolution, and (2) such proposition shall have been approved by the Senate or House of Representatives, as the case may be, by a yea-and-nay vote.

(b) As used in this section, "Member of Congress" means a Senator, Representative in Congress, and the Resident Commissioner From Puerto Rico.

PART 4—UTILIZATION OF REPORTS OF GENERAL ACCOUNTING OFFICE

ASSISTANCE TO COMMITTEES

SEC. 241. At the request of any committee of the House or Senate, or of any joint committee of the two Houses, the Comptroller General shall designate employees of the General Accounting Office to explain to, and discuss with, the committee or joint committee making the request, or the staff of such committee or joint committee, any report made by the General Accounting Office which would assist such committee in connection with—

(1) its consideration of proposed legislation, including requests for appropriations, or

(2) its review of any program, or of any activities of any Federal agency, which is within the jurisdiction of such committee or joint committee.

REPORTS TO COMMITTEES

SEC. 242. (a) Whenever the General Accounting Office submits any report to the Congress, the Comptroller General shall deliver copies of such report to—

(1) the Committees on Appropriations of the House and Senate,

(2) the Committees on Government Operations of the House and Senate, and

(3) any other committee of the House or Senate, or any joint committee of the two Houses, which has jurisdiction over any program or part thereof, or any Federal agency, which is the subject of such report.

(b) At the request of any committee of the House or Senate, or of any joint committee of the two Houses, the Comptroller General shall make available to such committee or joint committee a copy of any report made by the General Accounting Office which was not delivered to such committee or joint committee pursuant to subsection (a).

AGENCY REPORTS

SEC. 243. Whenever the General Accounting Office has made a report which contains recommendations to the head of any Federal agency, such agency shall, in connection with

the first request for appropriations for that agency submitted to the Congress more than sixty days after the date of such report, submit a written statement to the Committees on Appropriations of the House and Senate of the action taken by such agency with respect to such recommendations.

PART 5—LEGISLATIVE COMMITTEES

COST ESTIMATES

SEC. 251. (a) The report accompanying each bill or joint resolution reported by any committee of the House or Senate which has legislative jurisdiction shall contain—

(1) an estimate, made by such committee, of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following such fiscal year (or for the authorized duration of any program authorized by such bill or joint resolution, if less than five years), except that in the case of measures affecting the revenues, such reports shall require only an estimate of the gain or loss in revenues for a one-year period, and

(2) a comparison of the estimate of costs described in paragraph (1) made by such committee with any estimate of costs made by any Federal agency in the executive branch of the Government, or

(3) a statement of the reasons why compliance by the committee with the requirements of paragraphs (1) and (2) is impracticable.

(b) It shall not be in order in either House to consider a bill or joint resolution if such bill or joint resolution was reported in that House after the effective date of this section and the report of the committee of that House does not comply with the provisions of subsection (a).

APPROPRIATIONS ON ANNUAL BASIS

SEC. 252. (a) Each committee of the House and Senate, and each joint committee of the two Houses, which has legislative jurisdiction shall, in recommending the enactment of legislation, endeavor to insure that all continuing programs of the Government are designed, and all continuing activities of Federal agencies are carried on, so that appropriations therefor will be made annually.

(b) Each committee of the House and Senate, and each joint committee of the two Houses, which has legislative jurisdiction over any continuing program for which appropriations are not made annually shall, from time to time, review such program to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(c) Each committee of the House and Senate, and each joint committee of the two Houses, which has legislative jurisdiction over any program under which grants-in-aid are made, shall periodically make a complete review of such program.

COMMITTEE JURISDICTION

SEC. 253. (a) For purposes of the provisions of this Part, a committee of either House, or a joint committee of the two Houses, shall be considered to have legislative jurisdiction over any matter only if, under the rules of the respective Houses, legislation relating to such matter is referred to such committee and such committee is authorized to report and recommend the enactment of such legislation, except that the Committees on Appropriations of the two Houses shall not be considered to be legislative committees.

(b) For purposes of the provisions of section 251 of this Part, the members of the Joint Committee on Atomic Energy who are Members of the House shall be treated as a committee of the House, and the members of the Joint Committee who are Members of the Senate shall be treated as a committee of the Senate.

TITLE III—SOURCES OF INFORMATION

PART I—STAFFS OF SENATE AND HOUSE STANDING COMMITTEES

COMMITTEE STAFFING AND RELATED PROVISIONS

SEC. 301. (a) Subsection (a) of section 202 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(a)), is amended to read as follows:

"(a) Each standing committee of the Senate and House of Representatives (other than the Committee on Appropriations of each House) is authorized to appoint by majority vote of the committee not more than six professional staff members in addition to the clerical staffs. Such professional staff members shall be assigned to the chairman and the ranking minority members of such committee as the committee may deem advisable, except that whenever a majority of the minority members of such committee (other than the Committee on Standards and Conduct of the House of Representatives) so request, two of such professional staff members may be selected for appointment by majority vote of the minority members and the committee shall appoint any staff members so selected. A staff member or members appointed pursuant to a request by the minority members of the committee shall be assigned to such committee business as such minority members deem advisable. Services of professional staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of professional staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request. Professional staff members authorized by this subsection shall be appointed on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office. Such professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.

(b) Subsection (c) of such section 202 (2 U.S.C. 72a(c)) is amended to read as follows:

"(c) The clerical staff of each standing committee of the Senate and the House of Representatives (other than the Committee on Appropriations of each House), which shall be appointed by a majority vote of the committee, shall consist of not more than six clerks to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable, except that whenever a majority of the minority members of such committee (other than the Committee on Standards and Conduct of the House of Representatives) so requests, one of the members of the clerical staff may be selected for appointment by majority vote of such minority members and the committee shall appoint any staff member so selected. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work, except that if a member of the clerical staff is appointed pursuant to a request by the minority members of the committee, such clerical staff member shall handle committee correspondence and stenographic work for the minority members of the committee and for any members of the committee staff appointed under subsection (a) pursuant to request by such minority members, on matters related to committee work. Services of clerical staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of clerical staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request.".

(c) Such section 202 is amended by striking out subsection (h), and by adding after subsection (f) the following new subsections:

"(g) In any case in which a request for the appointment of a minority staff member under subsection (a) or subsection (c) is made at any time when no vacancy exists to which the appointment requested may be made, the person appointed pursuant to such request may serve in addition to any other staff members authorized by such subsections and may be paid from the contingent fund of the Senate or House of Representatives, as the case may be, until such time as such a vacancy occurs, at which time such person shall be considered to have been appointed to such vacancy.

"(h) Staff members appointed pursuant to a request by minority members of a committee under subsection (a) or subsection (c), and staff members appointed to assist minority members of subcommittees pursuant to authority of Senate or House resolution, shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

"(i)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, or the Committee on House Administration in the case of standing committees of the House of Representatives, within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, to make studies or advise the committee with respect to any matter within its jurisdiction.

"(2) Such services in the case of individuals or organizations may be procured by contract as independent contractors, or in the case of individuals by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of compensation which may be paid to a regular employee of the committee, including payment of such rates for necessary travel time. Such contracts shall not be subject to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring advertising.

"(3) Any such consultant or organization shall be selected by the chairman and ranking minority member of the committee, acting jointly. The committee shall submit to the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, information bearing on the qualifications of each consultant whose services are procured pursuant to this subsection, including organizations, and such information shall be retained by that committee and shall be made available for public inspection upon request.

"(j)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, and within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to provide assistance for members of its professional staff in obtaining specialized training, whenever it determines that such train-

ing will aid it in the discharge of its responsibilities.

"(2) Such assistance may be in the form of continuance of pay during periods of training or grants of funds to pay tuition, fees, or such other expenses of training, or both, as may be approved by the Committee on Rules and Administration or the Committee on House Administration, as the case may be.

"(3) A committee providing assistance under this subsection shall obtain from any employee receiving such assistance such agreement with respect to continued employment as it may deem necessary to assure that it will receive the benefits of such employee's services upon completion of his training.

"(4) During any period for which an employee is separated from employment with a committee for the purpose of undergoing training under this subsection, such employee shall be considered to have performed service as an employee of the committee at the rate of compensation received immediately prior to commencing such training (including any increases in compensation provided by law during the period of training) for the purposes of—

"(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code,

"(B) chapter 87 (relating to Federal employees group life insurance) of title 5, United States Code, and

"(C) chapter 89 (relating to Federal employees group health insurance) of title 5, United States Code.".

(d) (1) The paragraph relating to rates of compensation of employees of the Senate, contained in the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 72a–1a), is amended by striking out all of the second sentence thereof following the words "First Supplemental Appropriation Act, 1947," and all of the third sentence thereof, and inserting in lieu thereof the following: "the basic compensation of any employee of a standing or select committee of the Senate (including the majority and minority policy committees and the majority and minority conferences of the Senate, but excluding the Committee on Appropriations), or a joint committee of the two Houses the expenses of which are paid from the contingent fund of the Senate, whose basic compensation may be fixed under such provisions at a rate of $8,000 per annum, may be fixed at a rate not in excess of $8,520, except that the basic compensation of two such employees may be fixed at a rate not in excess of $9,420 per annum, and the basic compensation of four such employees may be fixed at a rate not in excess of $9,060 per annum. The basic compensation of any employee of the Committee on Appropriations whose basic compensation may be fixed at a rate of $8,000 per annum under such provisions may be fixed at a rate not in excess of $8,520 per annum, except that the basic compensation of two such employees may be fixed at a rate not in excess of $9,420 per annum, and the basic compensation of sixteen such employees may be fixed at a rate not in excess of $9,060 per annum."

(2) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading "Senate" in the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 60a note), is amended by striking out "$8,880" and inserting in lieu thereof "$9,420", and by striking out "$24,460" and inserting in lieu thereof "$25,890".

(e) Nothing in the amendments made by subsections (a) and (b) of this section shall be construed—

(1) to require a reduction in—

(A) the number of staff members authorized, prior to January 1, 1968, to be employed by any committee of the Senate or House of Representatives, by statute or by annual or permanent resolution, or

(B) the number of such staff members on such date assigned to, or authorized to be selected for appointment by or with the approval of, the minority members of any such committee; or

(2) to authorize the selection for appointment of staff members by the minority members of a committee in any case in which two or more professional staff members or one or more clerical staff members, as the case may be, who are satisfactory to a majority of such minority members, are otherwise assigned to assist such minority members.

(f) The additional professional staff members authorized to be employed by a committee by the amendment made by subsection (a) of this section shall be in addition to any other additional staff members authorized, prior to January 1, 1968, to be employed by any such committee.

PART 2—OFFICE STAFFS AND ALLOWANCES OF MEMBERS OF CONGRESS

LEGISLATIVE ASSISTANTS FOR SENATORS

SEC. 321. (a) Each Senator is authorized to appoint a legislative assistant whose primary function shall be to assist the Senator in performing duties related to legislation. The basic compensation of the legislative assistant shall be fixed, in accordance with the paragraph relating to the authority of Senators to rearrange the basic salaries of employees in their offices in the Legislative Branch Appropriation Act, 1947, as amended (2 U.S.C. 60f), at a rate not in excess of $8,460 per annum, said sum to be available to each Senator in addition to the aggregate amount of the basic compensation authorized to be paid for administrative and clerical assistance and messenger service in the office of such Senator. No part of such additional sum shall be available for the salary of any employee other than the legislative assistant authorized by this section.

(b) The second proviso in the paragraph relating to the authority of Senators to rearrange the basic salaries of employees in their offices in the Legislative Branch Appropriation Act, 1947, as amended (2 U.S.C. 60f), is amended by inserting after the word "employee" in clause (3) the following: "(in addition to the legislative assistant authorized by section 321 (a) of the Legislative Reorganization Act of 1967)".

ADDITIONAL TRAVEL ALLOWANCES

SEC. 322. (a) The third paragraph under the heading "Administrative Provisions" in the appropriation for the Senate in the Legislative Branch Appropriation Act, 1959, as amended (2 U.S.C. 43b), is amended—

(1) by striking out "six" and inserting in lieu thereof "seven"; and

(2) by striking out "four" and inserting in lieu thereof "seven".

(b) The second paragraph under the heading "Administrative Provisions" in the Legislative Branch Appropriation Act, 1962, as amended (2 U.S.C. 127), is amended by striking out "four" and inserting in lieu thereof "five".

(c) Section 3 of the Act entitled "An Act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes", approved August 28, 1965 (2 U.S.C. 127a), is amended by striking out "not to exceed two employees in the office of a Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) for one round trip each, or incurred by not to exceed one employee for two round trips" and inserting in lieu thereof "employees in the office of each Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) for not to exceed four round trips".

TELECOMMUNICATIONS

SEC. 323. (a) The Sergeant at Arms of the Senate and the Clerk of the House of Representatives are authorized and directed to make a thorough study of the telecommunications needs of the Congress, with a view to—

(1) developing plans for—

(A) participation in, and any necessary expansion of, the existing Government-wide leased line telephone system, or

(B) establishment of a separate leased line telephone system for the Congress; and

(2) recommending such other improvements with respect to telephone and telegraph service for the Congress as may be desirable in the light of economy and efficiency.

(b) The Sergeant at Arms of the Senate, acting under the direction and supervision of the Committee on Rules and Administration of the Senate, is authorized and directed to formulate a plan for consolidating telephone and telegraph allowances of Senators and the President of the Senate as a single allowance.

CONVERSION OF PAY RATES OF SENATE EMPLOYEES TO GROSS RATE BASIS

SEC. 324. The Committee on Appropriations of the Senate is requested to prepare, and make recommendations to the Senate, at the earliest practicable date with respect to—

(1) a plan for the conversion to a gross rate basis of pay rates of employees of the Senate who are being paid on a basic plus additional compensation basis;

(2) a schedule of gross salary rates to be applicable in fixing and adjusting pay rates of such employees; and

(3) a plan for the conversion of Senator's clerk hire allowances from an aggregate basic salary basis to an aggregate gross salary basis. Such recommendations shall include, or be in the form of, legislative proposals designed to carry into effect the plans and schedule referred to in this section.

PART 3—LEGISLATIVE RESEARCH SERVICE

IMPROVEMENT OF LEGISLATIVE RESEARCH FACILITIES OF CONGRESS

SEC. 331. (a) Section 203 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 166), is amended to read as follows:

"LEGISLATIVE RESEARCH SERVICE

"SEC. 203. (a) The Legislative Reference Service in the Library of Congress is hereby continued as a separate department in the Library of Congress and is redesignated the 'Legislative Research Service'.

"(b) It is the policy of Congress that—

"(1) the Librarian of Congress shall, in every possible way, encourage, assist, and promote the Legislative Research Service in—

"(A) rendering to Congress the most effective and efficient service,

"(B) responding most expeditiously, effectively, and efficiently to the special needs of Congress, and

"(C) discharging its responsibilities to Congress;

and

"(2) the Librarian of Congress shall grant and accord to the Legislative Research Service the maximum practicable administrative independence consistent with these objectives.

"(c) (1) After consultation with the Joint Committee on the Library, the Librarian of Congress shall appoint the Director of the Legislative Research Service. The compensation of the Director shall be at a per annum rate equal to the rate provided for level V of the Executive Schedule contained in section 5316 of title 5, United States Code.

"(2) The Librarian of Congress, upon the recommendation of the Director, shall appoint a Deputy Director of the Legislative Research Service and all other necessary personnel thereof. The compensation of the Deputy Director shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5,

United States Code, but without regard to section 5108(a) of such title. The compensation of all other necessary personnel of the Legislative Research Service shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, United States Code, except that—

"(A) the grade of Senior Specialist in each field within the purview of subsection (e) of this section shall not be less than the highest grade in the executive branch of the Government to which research analysts and consultants without supervisory responsibility are currently assigned; and

"(B) the positions of Specialist and Senior Specialist in the Legislative Research Service may be placed in GS–16, 17, and 18 of the General Schedule of section 5332 of title 5, United States Code, without regard to section 5108(a) of such title, subject to the prior approval of the Joint Committee of Congress on the Library, by record vote of a majority of the members of the Joint Committee, of the placement of each such position in any of such grades.

"(3) Each appointment made under paragraphs (1) and (2) of this subsection and subsection (e) of this section shall be without regard to the civil service laws, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position.

"(d) It shall be the duty of the Legislative Research Service, without partisan bias—

"(1) upon request, to advise and assist any committee or Member of the Senate or House of Representatives and any joint committee of Congress in the analysis, appraisal, and evaluation of legislative proposals, or of recommendations submitted to Congress by the President or any executive agency, and otherwise to assist in providing a basis for the proper evaluation and determination of legislative proposals and recommendations generally;

"(2) upon request, or upon its own initiative in anticipation of requests, to collect, classify, and analyze in the form of translations, indexes, digests, compilations, bulletins, reports, and otherwise, data having a bearing on legislation, and to make such data available and serviceable to committees and Members of the Senate and House of Representatives and joint committees of Congress;

"(3) to prepare summaries and digests of bills and resolutions of a public general nature introduced in the Senate or House of Representatives; and

"(4) upon request made by any committee or Member of the Congress, to prepare and transmit to such committee or Member a concise memorandum with respect to one or more legislative measures upon which hearings by any committee of the Congress have been announced, which memorandum shall contain a statement of the purpose and effect of each such measure, a description of other relevant measures of similar purpose or effect previously introduced in the Congress, and a recitation of all action taken theretofore by or within the Congress with respect to each such other measure.

"(e) The Librarian of Congress is authorized to appoint in the Legislative Research Service, upon the recommendation of the Director, Specialists and Senior Specialists in the following broad fields:

"(1) agriculture;
"(2) American government and public administration;
"(3) American public law;
"(4) conservation;
"(5) education;
"(6) employment;
"(7) engineering and public works;
"(8) housing;
"(9) industrial organization and corporation finance;
"(10) international affairs;
"(11) international trade and economic geography;
"(12) labor;
"(13) mineral economics;
"(14) money and banking;
"(15) national defense;
"(16) price economics;
"(17) science;
"(18) social welfare;
"(19) taxation and fiscal policy;
"(20) technology;
"(21) transportation and communications;
"(22) veteran's affairs; and
"(23) such other broad fields as the Director may deem appropriate.

Such Specialists and Senior Specialists, together with such other employees of the Legislative Research Service as may be necessary, shall be available for special work with the committees and Members of the Senate and House of Representatives and the joint committees of Congress for any of the purposes of subsection (d) of this section.

"(f) The Director is authorized—

"(1) to classify, organize, arrange, group, and divide, from time to time, as he deems advisable, the requests for advice, assistance, and other services submitted to the Legislative Research Service by committees and Members of the Senate and House of Representatives and joint committees of Congress, into such classes and categories as he deems necessary to—

"(A) expedite and facilitate the handling of the individual requests submitted by Members of the Senate and House of Representatives,

"(B) promote efficiency in the performance of services for communities of the Senate and House of Representatives and joint committees of Congress, and

"(C) provide a basis for the efficient performance by the Legislative Research Service of its legislative research and related functions generally;

and

"(2) to establish and change, from time to time, as he deems advisable, within the Legislative Research Service, such research and reference divisions or other organizational units, or both, as he deems necessary to accomplish the purposes of this subsection.

"(g) In order to facilitate the study, consideration, evaluation, and determination by the Congress of the budget requirements of the Legislative Research Service for each fiscal year, the Librarian of Congress shall receive from the Director and submit, for inclusion in the Budget of the United States Government, the budget estimates of the Legislative Research Service prepared separately by the Director in detail for each fiscal year, as a separate item of the budget estimates of the Library of Congress for such fiscal year.

"(h)(1) The Director of the Legislative Research Service is authorized to procure the temporary services (not in excess of one year) or intermittent services of individual experts or consultants (including stenographic reporters) and persons learned in particular fields of knowledge—

"(A) by contract as independent contractors without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other law requiring advertising, or

"(B) by employment in the Legislative Research Service without regard to the civil service and position classification laws, at rates of compensation not in excess of the per diem equivalent of the highest rate of basic compensation set forth in the General Schedule of section 5332 of title 5, United States Code, including payment of such rates for necessary travel time.

"(2) The Director of the Legislative Research Service is authorized to procure by contract, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other law requiring advertising, the temporary services (not in excess of one year) or intermittent services of educational, research, or other organizations of experts and consultants (including stenographic reporters) and persons learned in particular fields of knowledge.

"(i) The Director of the Legislative Research Service shall file with the Joint Committee of Congress on the Library at the beginning of each regular session of Congress a separate and special report covering, in summary and in detail, all phases of activity of the Legislative Research Service for the immediately preceding fiscal year. In order to facilitate its performance of any function specified in this section, the Legislative Research Service may—

"(1) prepare information for machine processing,

"(2) process information by machine by performing mathematical or logical operations thereon, selective retrieval, integration, or other machine operations, and

"(3) prepare for presentation or other use information processed by machine.

The Service may acquire automatic data processing equipment and retain personnel needed for any activity authorized by this subsection.

"(j) There are hereby authorized to be appropriated to the Legislative Research Service each fiscal year such sums as may be necessary to carry on the work of the Service.".

(b) Title II of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 2003. Legislative Reference Service."

and inserting in lieu thereof—

"Sec. 203. Legislative Research Service.".

JOINT COMMITTEE ON THE LIBRARY

SEC. 332. Section 223 of the Legislative Reorganization Act of 1946 (2 U.S.C. 132b) is amended to read as follows:

"JOINT COMMITTEE ON THE LIBRARY

"SEC. 223. (a) The Joint Committee of Congress on the Library shall consist of the chairman and four members of the Committee on Rules and Administration of the Senate and the chairman and four members of the Committee on House Administration of the House of Representatives.

"(b) In order to provide for the expeditious and efficient consideration of matters within the jurisdiction of the Joint Committee, including review of the operations of the Legislative Research Service, the Joint Committee is authorized to employ one professional staff member and not to exceed two employees as members of the clerical staff of the Committee. Such professional and clerical staff members shall be appointed by majority vote of the Committee, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of their position. The staff, under the joint direction and supervision of the chairman and the vice chairman, shall assist the Committee in the performance of its review functions with respect to matters within the general jurisdiction of the Committee and shall perform such other duties as may be prescribed by the Committee. The chairman and vice chairman shall fix their compensation at rates authorized by section 202(e)(1) of this Act. The Committee may terminate the employment of the members of the professional and clerical staff as it may deem appropriate.

"(c) The expenses of the Joint Committee shall be paid out of the contingent fund of the House of Representatives, from funds appropriated for the Joint Committee, upon vouchers signed by the chairman of the Joint Committee.

"(d) In order to provide the Congress with current information regarding the operation of the Legislative Research Service and regarding other matters within the general jurisdiction of the Joint Committee, the Joint Committee shall submit to the Senate and House of Representatives an annual re-

port with respect to (1) the activities of the Legislative Research Service and (2) such other matters within its general jurisdiction as it deems appropriate.".

ABOLISHMENT OF OFFICE OF COORDINATOR OF INFORMATION

SEC. 333. The Office and position of the Coordinator of Information of the House of Representatives are hereby abolished. The personnel (including the former incumbent of the position of Coordinator of Information), records, functions, property, and unexpended balances of appropriations of the Office of Coordinator of Information are hereby transferred to the Legislative Research Service of the Library of Congress.

SAVING PROVISION

SEC. 334. (a) Except as otherwise provided by this Part, the changes in existing law made by, and other provisions of, this Part shall not affect any office or position existing immediately prior to the effective date of this Part, the compensation attached to such office or position, and any incumbent thereof, his appointment thereto, and his entitlement to receive the compensation attached thereto, until appropriate action is taken in accordance with this Part or other law.

(b) Notwithstanding any provision of this Part, the rate of compensation received by any officer or employee immediately prior to the effective date of this Part shall not be reduced by reason of enactment of this Part.

SENATE PUBLIC ADDRESS SYSTEM

SEC. 335 (a) In order to insure that debates of the Senate may be heard in all parts of the Senate Chamber and in the galleries thereof, the majority and minority leaders are authorized to take such action as may be appropriate for the installation and operation within the Senate Chamber of a suitable electrical public address system approved by them.

(b) The expenses incurred for the installation and operation of such public address system shall be considered in the legislative appropriation bill.

TITLE IV—CONGRESS AS AN INSTITUTION

PART 1—JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

ESTABLISHMENT OF JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

SEC. 401. (a) There is hereby created a Joint Committee on Congressional Operations (hereafter in this Part referred to as the "Joint Committee").

(b) The Joint Committee shall be composed of ten members as follows:

(1) five Members of the Senate, appointed by the President pro tempore of the Senate; two from the Committee on Government Operations of the Senate, two from the Committee on Rules and Administration of the Senate, and one from among the remaining Members of the Senate (including but not limited to members of the committees referred to in this paragraph); and

(2) five Members of the House of Representatives, appointed by the Speaker of the House of Representatives; two from the Committee on Government Operations of the House of Representatives, two from the Committee on House Administration of the House of Representatives, and one from among the remaining Members of the House of Representatives (including but not limited to members of the committees referred to in this paragraph).

(c) Of each of two members referred to in subsection (b), one shall be from the political party having the greatest number, and one shall be from the political party having the second greatest number, of Members of the Senate, or of the House of Representatives, as the case may be.

(d) Vacancies in the membership of the Joint Committee shall not affect the power of the remaining members to execute the functions of the Joint Committee and shall be filled in the same manner as in the case of the original appointment.

(e) The Joint Committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The chairman during each even-numbered Congress shall be selected by the Members of the House of Representatives on the Joint Committee from among their number and the chairman during each odd-numbered Congress shall be selected by the Members of the Senate on the Joint Committee from among their number. The vice chairman during each Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member.

DUTIES OF JOINT COMMITTEE

SEC. 402. (a) The Joint Committee shall—

(1) make a continuing study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution of the United States;

(2) make a continuing study of automatic data processing and information retrieval systems with a view to determining the feasibility of the use of such systems in the operations of the Senate or the House of Representatives, or both, and make such recommendations with respect to the use of such systems as the Joint Committee may deem appropriate; and

(3) identify and call to the attention of the Congress any court proceeding or action which, in the opinion of the Joint Committee, is of vital interest to the Congress, or to either House of the Congress, as a constitutionally established institution of the Federal Government.

Subject to the approval of the President pro tempore of the Senate, the Speaker of the House of Representatives, and the majority and minority leaders of the Senate and of the House of Representatives, the Joint Committee is authorized to provide for appropriate representation on behalf of the Congress or either House thereof in any proceeding or action referred to in paragraph (3) of this subsection.

(b) The Joint Committee shall exercise all functions vested in it by sections 406 and 407 of this Part.

(c) The Joint Committee shall report, from time to time, to the Senate and the House of Representatives their recommendations with respect to matters within the jurisdiction of the Joint Committee.

(d) Nothing in this Part shall be construed to authorize the Joint Committee to make any recommendations with respect to the rules, parliamentary procedure, practices, or precedents of either House, or the consideration of any matter on the floor of either House.

POWERS OF JOINT COMMITTEE

SEC. 403. The Joint Committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The Joint Committee may make such rules respecting its organization and procedures as it deems necessary, except that no recommendation shall be reported from the Joint Committee unless a majority of the Joint Committee assent. Subpenas may be issued over the signature of the chairman of the Joint Committee or of any member designated by him or by the Joint Committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the Joint Committee or any member thereof may administer oaths or affirmations to witnesses.

STAFF OF JOINT COMMITTEE

SEC. 404. (a) In carrying out its functions under subsections (a) and (c) of section 402 of this Part, the Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

(1) to appoint, on a permanent basis, without regard to political affiliation and solely on the basis of fitness to perform their duties, not more than six professional staff members and not more than six clerical staff members;

(2) to prescribe their duties and responsibilities;

(3) to fix their compensation at rates authorized by section 202(e)(1) of the Legislative Reorganization Act of 1946; and

(4) to terminate their employment as the Joint Committee may deem appropriate.

(b) In carrying out its functions under section 406 of this part, the Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

(1) to appoint, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties concerned, such additional personnel as the Joint Committee deems necessary;

(2) to prescribe their duties and responsibilities;

(3) to fix their compensation at rates authorized by section 202(e)(1) of the Legislative Reorganization Act of 1946; and

(4) to terminate their employment, as the Joint Committee may deem appropriate.

(c) In carrying out any of its functions under this part, the Joint Committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government, and to procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract at rates not in excess of $100 per diem.

RECORDS OF JOINT COMMITTEE

SEC. 405. The Joint Committee shall keep a complete record of all Joint Committee actions, including a record of the votes on any question on which a record vote is demanded. All records, data, charts, and files of the Joint Committee shall be the property of the Joint Committee and shall be kept in the offices of the Joint Committee or such other places as the Joint Committee may direct.

TRANSFER OF FUNCTIONS

SEC. 406. There are transferred to the Joint Committee all of the functions, records, and property of the Joint Committee on Disposition of Executive Papers, created by the Act approved July 7, 1943 (57 Stat. 380), and such joint committee is hereby abolished.

OFFICE OF PLACEMENT AND OFFICE MANAGEMENT

SEC. 407. (a) There is hereby established for the Congress an Office of Placement and Office Management which shall be subject to the supervision and control of the Joint Committee. The Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

(1) to appoint, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform his duties, a Director of the Office of Placement and Office Management to serve as the head of the staff of the Office;

(2) to prescribe his duties and responsibilities;

(3) to fix his compensation at a rate authorized by section 202(e)(1) of the Legislative Reorganization Act of 1946; and

(4) to terminate his employment, as the Joint Committee may deem appropriate.

Subject to the prior approval of the Joint Committee, the Director shall appoint and fix the compensation of such personnel as may be necessary to carry out the duties of the Office under this section.

(b) It shall be the duty of the Office, upon request, to assist Members, committees, and officers of the Senate and House of Representatives seeking competent personnel with specified qualifications and to furnish advice and information with respect to office management procedures. In carrying out the provisions of this section, the Office shall—

(1) operate as a central clearinghouse for applications for employment with the Congress;

(2) test the qualifications of individuals submitting such applications for employment;

(3) furnish advice and information to Members, committees, and officers of the Senate and House of Representatives, on request, with respect to better office management practices and efficient utilization of office equipment; and

(4) maintain, for the benefit of such Members, committees, and officers desiring detailed office studies to improve the efficiency of their operations, a list of private management concerns capable of rendering such service on request.

(c) Nothing in this section shall be held or considered to require the use of the facilities of the Office by any Member, committee, or officer of the Senate or House of Representatives, if, in the opinion of such Member, committee, or officer, the use of such facilities is inappropriate.

EXPENSES

SEC. 408. The expenses of the Joint Committee shall be paid from the contingent fund of the House of Representatives, from funds appropriated for the Joint Committee, upon vouchers approved by the Chairman.

PART 2—AUTHORITY OF OFFICERS OF THE CONGRESS

AUTHORITY

SEC. 421. (a) Any officer of the Congress having responsibility for the supervision of employees, including employees appointed upon recommendation of Members of Congress, shall have authority—

(1) to prescribe a period of training to be completed by any such employee prior to or upon his assignment to duties;

(2) to promulgate rules and regulations governing the performance by any such employee of his assigned duties;

(3) to remove or otherwise discipline any such employee (A) who fails or refuses to complete satisfactorily the period of training referred to in paragraph (1), or (B) who fails or refuses to abide by rules or regulations referred to in paragraph (2) or otherwise fails to perform his assigned duties in a satisfactory manner.

(b) As used in this section, the term "officer of the Congress" means an elected officer of the Senate or the House of Representatives who is not a Member of the Senate or House, the Architect of the Capitol, and the Postmaster of the Senate.

CAPITOL POLICE

SEC. 422. (a) The Capitol Police Board is authorized and directed to formulate a plan for converting the Capitol Police force to a professional force which shall operate under rules and regulations promulgated by the Capitol Police Board. In the formulation of such plan, consideration shall be given to the feasibility of providing for the operation of such force on the same basis of standards for personnel of the Metropolitan Police force of the District of Columbia. Such plan shall include provisions for giving members of the existing Capitol Police force such additional instruction and training as the Capitol Police Board shall deem necessary to improve the quality of their performance, and for replacing such members with persons recruited on the same basis that recruits are selected by the Metropolitan Police force as vacancies occur.

(b) The Chief of Police of the Metropolitan Police force of the District of Columbia shall provide the Capitol Police Board with such information and assistance as it may require in carrying out its duties and responsibilities under this section.

(c) The Capitol Police Board shall make a report to the Senate and House of Representatives at the earliest practicable date setting forth the plan formulated pursuant to this section together with its recommendations for any legislation necessary to effectuate such plan.

SENATE AND HOUSE PAGES

SEC. 423. (a) No person shall serve as a page of the Senate or House of Representatives before he has completed the twelfth grade of his secondary school education, or (except in the case of a chief page, telephone page, or riding page) during any session of the Congress which begins after he has attained the age of twenty-two years.

(b) No person shall be appointed as a page of the Senate or House of Representatives unless he agrees that in the absence of unforeseen circumstances preventing such service he will continue to serve as a page for a period of not less than three months.

(c)(1) Section 243 of the Legislative Reorganization Act of 1946 (2 U.S.C. 88a), and the proviso in the paragraph under the heading "Education of Senate and House Pages" in title I of the Urgent Deficiency Appropriation Act, 1947 (2 U.S.C. 88b), are hereby repealed.

(2) Title II of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 243. Senate and House pages.".

(d) Subsection (a) shall take effect on January 3, 1968, but the provisions of such subsection limiting service as a page to persons who have completed the twelfth grade shall not be construed to prohibit the continued service of any page appointed prior to the date of enactment of this Act. Subsection (c) shall take effect at the end of the 1967–68 school year.

(e) The proviso under the heading "Office of Sergeant at Arms and Doorkeeper" in the appropriations for the Senate in the Legislative Branch Appropriation Act, 1952 (2 U.S.C. 88c) is amended to read as follows: "*Provided*, That hereafter the pay of pages shall begin not more than five days before the convening of a session of the Congress or of the Senate, and shall continue until the end of the month during which the Congress or the Senate adjourns or recesses, or the fourteenth day after such adjournment or recess, whichever is the later date, except that in any case in which the Congress or the Senate adjourns or recesses on or before the last day of July for a period of at least thirty but not more than forty-five days such pay shall continue until the end of such adjournment or recess.".

CAPITOL GUIDE SERVICE

SEC. 424. (a) When used in this section, unless the context indicates otherwise—

(1) the term "Service" means the Capitol Guide Service created by subsection (b);

(2) the term "Board" means the Board created by subsection (b);

(3) the term "guide" means any member of the Capitol Guide Service; and

(4) the term "building" means the United States Capitol Building.

(b) There is hereby created an organization, to be known as the Capitol Guide Service, which shall be under the supervision of a Board consisting of the Architect of the Capitol, the Sergeant at Arms of the Senate, and the Sergeant at Arms of the House of Representatives.

(c) It shall be the duty of the Service, under regulations promulgated by the Board, to furnish free guide services to any person desiring to view the interior of the building. The Service shall consist of a chief guide who shall receive gross compensation at the rate of $9,800 per annum, and not less than ten, nor more than twenty guides who shall each receive gross compensation at the rate of $7,200 per annum. Appointments to and removals from the Service shall be made by the Board. Appointees to the Service shall be chosen solely upon the basis of the special qualifications which fit them for the duties to be performed.

(d) The Board shall make and promulgate the regulations necessary for the operation of the Service. Such regulations shall cover the schedules and routings of tours through the building, the oral informative data to be supplied to the public, the personal conduct of members of the Service when on duty, the uniforms and insignia for the Service, and such other phases of the work as in its judgment may be necessary.

(e) No guide shall make any charge for his official services, nor accept any gratuity, nor shall he, in the course of official duty, speak in praise or censure of any person. Any violation of the provisions of this subsection shall be punished by immediate dismissal.

(f) The headquarters of the Service shall be maintained in the rotunda of the building, and a guide shall be on duty there at all times during the hours the building is open to the public.

(g) The necessary expenses incident to the establishment and maintenance of the Service, including uniforms and insignia for each guide, shall be paid from the contingent fund of the House of Representatives on vouchers approved by the Board.

(h) The Board may detail any guide to supplement the Capitol Police when special occasions in the building or on the Capitol Grounds require additional police and the performance of the regular duties of the Service are temporarily suspended by such occasion.

PART 3—CONGRESSIONAL ADJOURNMENT

CONGRESSIONAL ADJOURNMENT

SEC. 433. (a) This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of each House, respectively; and such rule shall supersede other rules only to the extent inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

(b) Section 132 of the Legislative Reorganization Act of 1946 (2 U.S.C. 198) is amended to read as follows:

"CONGRESSIONAL ADJOURNMENT

"SEC. 132. (a) Not later than the last day in the month of July in each year, the two Houses shall adjourn—

"(1) sine die, or

"(2) to a day certain subsequent to August 31 of such year, which shall be fixed by concurrent resolution adopted in each House by rollcall vote.

"(b) This section shall not be applicable in any year if on the last day of July of such year a state of war exists pursuant to a declaration of war by the Congress.".

PART 4—APPOINTMENT OF POSTMASTERS

APPOINTMENT OF POSTMASTERS BY POSTMASTER GENERAL

SEC. 441. Section 3311 (relating to method of appointment of postmasters) of title 39, United States Code, is amended to read as follows:

"§ 3311. Method of appointment

"(a) The Postmaster General shall appoint postmasters at post offices of the first, second, and third classes in the competitive civil service without term. He shall make the appointments in accordance with the civil service laws and rules by—

"(1) competitive examinations; and

"(2) promotions from within the postal service.

"(b) The Postmaster General shall appoint postmasters at post offices of the fourth class without term.

"(c) Notwithstanding any other provision of law, the Postmaster General shall make each appointment to a position of postmaster at a post office of any class without regard to any recommendation or statement, with respect to any applicant for such appointment, made by—

"(1) any Member of the Senate or House of Representatives (including the Resident Commissioner from Puerto Rico); or

"(2) any official of a partisan National, State, county, or municipal or other local political party.

"(d) Notwithstanding any other provision of law, a person within the purview of subparagraph (1) or (2) of subsection (c) of this section is hereby prohibited from making or transmitting to the Postmaster General, or to any other officer or employee of the Federal Government, any recommendation or statement with respect to any applicant for appointment to a position of postmaster of any class. The Postmaster General and any other officer or employee of the Federal Government—

"(1) shall not solicit, request, consider, or accept any such recommendation or statement; and

"(2) shall return any such recommendation or statement received by him, appropriately marked as in violation of this section, to the person making or transmitting the same.

"(e) An applicant for appointment to a position of postmaster at a post office of any class is hereby prohibited from requesting or soliciting any such recommendation or statement from any person within the purview of subparagraph (1) or (2) of subsection (c) of this section. An applicant making such solicitation or request, knowing the same to be in violation of this subsection, is disqualified for appointment to the position of postmaster concerned.

"(f) Each application form of the Federal Government used in connection with an application for appointment to a position of postmaster at a post office of any class shall contain appropriate language in boldface type informing the applicant of the provisions of this section.".

VACANCIES IN POSITIONS OF POSTMASTER

SEC. 442. Section 3315 (relating to the filling of vacancies in positions of postmaster) of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The prohibitions, restrictions, and related provisions of section 3311 of this title governing the appointment of postmasters also shall apply with respect to the interim appointment, assignment, or designation of any person in accordance with subparagraphs (1) to (4), inclusive, of subsection (a) of this section.".

VACANCIES ON RURAL ROUTES

SEC. 443. Section 3338 (relating to the filling of vacancies on rural routes) of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

"(g) The prohibitions, restrictions, and related provisions of section 3311 of this title governing the appointment of postmasters also shall apply with respect to the appointment of any person to a position of rural carrier and the application and assignment of any rural carrier with respect to any rural route.".

SAVING PROVISION

SEC. 444. The amendments made by this Part shall not affect the status or tenure, on the effective date of this Part, of—

(1) postmasters in office;

(2) persons appointed, assigned, or designated in accordance with subparagraphs (1) to (4), inclusive, of section 3315(a) of title 39, United States Code; and

(3) persons holding positions of rural carrier.

PART 5—REVISION OF HOUSE EMPLOYEES POSITION CLASSIFICATION ACT

APPLICATION OF HOUSE EMPLOYEES POSITION CLASSIFICATION ACT

SEC. 451. Section 3 of the House Employees Position Classification Act (78 Stat. 1079; Public Law 88–652; 2 U.S.C. 292) is amended—

(1) by striking out "(2) the position of minority pair clerk in the House;"; and

(2) by redesignating subparagraphs (3) and (4) of such section as subparagraphs (2) and (3) thereof, respectively.

AUTHORITY TO RECOMMEND COMPENSATION REVISIONS

SEC. 452. Section 4 of the House Employees Position Classification Act (78 Stat. 1079; Public Law 88–652; 2 U.S.C. 293) is amended—

(1) by striking out, in subsection (a)(1)(C) thereof, "the Classification Act of 1949, as amended" and inserting in lieu thereof "section 5332 of title 5, United States Code"; and

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

"(c) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, are authorized to transmit to the committee their joint recommendations for revision of the rates of compensation of the House Employees Schedule or the House Wage Schedule, or both such schedules, in accordance with subsections (a) and (b) of this section, together with their justification for such recommended revision, whenever in their judgment such revision is necessary and appropriate to provide for the acquisition or retention of competent personnel, to facilitate the maintenance of equitable compensation relationships, or to promote the orderly and efficient operation of the House of Representatives.".

REVISIONS WITH RESPECT TO POSITION STANDARDS AND DESCRIPTIONS AND POSITION PLACEMENT IN COMPENSATION SCHEDULES

SEC. 453. Sections 5 and 6 of the House Employees Position Classification Act (78 Stat. 1080–1081; Public Law 88–652; 2 U.S.C. 294 and 295) are amended to read as follows:

"POSITION STANDARDS AND DESCRIPTIONS

"SEC. 5. (a)(1) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, jointly shall prescribe, revise, and (on a current basis) maintain position standards which shall apply to positions under the House of Representatives to which this Act applies.

"(2) The position standards shall—

"(A) provide for the separation of such positions into appropriate classes for pay and personnel purposes on the basis of reasonable similarity with respect to types of positions, qualification requirements of positions, and levels of difficulty and responsibility of work, and

"(B) govern the placement of such positions in their respective appropriate compensation levels at the appropriate compensation schedule.

"(b)(1) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, severally shall prepare, revise, and (on a current basis) maintain, in such forms as may be appropriate to carry out the purposes of this Act, position descriptions of the respective positions under the House of Representatives to which this Act applies which are under their respective jurisdictions, including—

"(A) with respect to the Clerk, positions under the House Recording Studio, and

"(B) with respect to the Doorkeeper, positions under the House Radio and Television Correspondents' Gallery and the House Periodical Press Gallery.

"(2) The position descriptions shall—

"(A) describe in detail the actual duties, responsibilities, and qualification requirements of the work of each of such positions.

"(B) provide a position title for each of such positions which accurately reflects such duties and responsibilities, and

"(C) govern the placement of such position in its appropriate class.

"(c) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, shall keep in their respective offices copies of the position standards jointly prepared by them together with copies of the position descriptions of those positions under the House of Representatives to which this Act applies which are under their respective jurisdictions.

"(d) Upon request of the committee at any time, the Clerk, the Sergeant at Arms, the Doorkeeper, or the Postmaster, of the House of Representatives, as the case may be, shall transmit to the committee copies of the position standards and position descriptions required by this action to be prepared, revised, and currently maintained by them, and such other related information as the committee may require, in order that the committee may have, whenever the committee deems it advisable, current information with respect to position standards, position descriptions, the positions to which such descriptions apply, and related personnel matters within the purview of this Act.

"PLACEMENT OF POSITIONS IN COMPENSATION SCHEDULES

"SEC. 6. The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, each shall place each position under the House of Representatives to which this Act applies, which is under his jurisdiction, in its appropriate class and in its appropriate compensation level of the appropriate compensation schedule, in accordance with the position standards and position descriptions provided for in section 5 of this Act. Each such House officer is authorized, when in his opinion circumstances so warrant, to change any such position under his jurisdiction from any class in which such position is then currently placed to any other class which he deems appropriate, and from any compensation level of the schedule in which such position is then currently placed to any other compensation level of either the House Employees Schedule (HS) or the House Wage Schedule (HWS) as such House officer deems appropriate. All actions under this section shall be the basis for payment of compensation and for other personnel benefits and transactions until otherwise changed in accordance with appropriate authority.".

STEP INCREASES

SEC. 454. Section 7 of the House Employees Position Classification Act (78 Stat. 1081–1082; Public Law 88–652; 2 U.S.C. 296) is amended to read as follows:

"STEP INCREASES

"SEC. 7. (a) Each employee in a compensation level of the House Employees Schedule, who has not attained the highest scheduled rate of compensation for the compensation level (HS level) in which his position is placed, shall be advanced successively to the next higher step of such HS level, as follows:

"(1) to steps 2, 3, 4, 5, 6, 7, 8, and 9, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of one year of satisfactory service in the next lower step; and

"(2) to steps 10, 11, and 12, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of two years of satisfactory service in the next lower step.

"(b) The receipt of an increase in compensation during any of the waiting periods of service specified in subsection (a) of this section shall cause a new full waiting period of service to commence for further step increases under such subsection.

"(c) Any increase in compensation granted by law, or granted by reason of an increase made by the committee in the rates of compensation of the House Employees Schedule, to employees within the purview of subsection (a) of this section shall not be held or considered to be an increase in compensation for the purposes of subsection (b) of this section.

"(d) The benefit of successive step increases under subsection (a) of this section shall be preserved, under regulations jointly prescribed by the Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, for employees whose continuous service is interrupted by service in the Armed Forces of the United States.

"(e) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, jointly shall establish and maintain, and, from time to time, jointly may revise, a system of automatic advancement, by successive step increases in compensation, on the basis of satisfactory service performed, without break in service of more than thirty months, for employees subject to the House Wage Schedule. In the operation of such system of step increases, such House officers jointly may prescribe regulations to the effect that—

"(1) the receipt of an increase in compensation during any of the waiting periods of service required for advancement by step increases under such system shall cause a new full waiting period of service to commence for further step increases under such system;

"(2) any increase in compensation granted by law, or granted by reason of an increase made by the committee in the rates of compensation of the House Wage Schedule, to employees within the purview of such system of step increases, shall not be held or considered to be an increase in compensation for the purposes of subparagraph (1) of this subsection; and

"(3) the benefit of successive step increases under such system of step increases shall be preserved, under regulations jointly prescribed by such House officers, for employees whose continuous service is interrupted by service in the Armed Forces of the United States.".

APPOINTMENTS AND RECLASSIFICATIONS TO HIGHER COMPENSATION LEVELS

SEC. 455. Section 8(b) of the House Employees Position Classification Act (78 Stat. 1083; Public Law 88–652; 2 U.S.C. 297(b)) is amended to read as follows:

"(b) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, jointly may provide by regulation for the payment of compensation, at an appropriate compensation step determined in accordance with such regulation, to each employee subject to the House Wage Schedule who is appointed to a position in a higher compensation level of such schedule or whose position is placed in a higher compensation level of such schedule pursuant to a reclassification of such position.".

REDUCTIONS IN COMPENSATION LEVEL

SEC. 456. Section 9 of the House Employees Position Classification Act (78 Stat. 1083; Public Law 88–652; 2 U.S.C. 298) is amended to read as follows:

"REDUCTIONS IN COMPENSATION LEVEL

"SEC. 9. Each employee under the jurisdiction of the Clerk, the Sergeant at Arms, the Doorkeeper, or the Postmaster, of the House of Representatives, as the case may be, in a position in a compensation level of the House Employees Schedule or the House Wage Schedule whose employment in such position and level is terminated and who is reemployed, with or without break in service, in a position in a lower compensation level (HS level or HWS level) of such schedule, or whose position is placed in a lower compensation level of such schedule pursuant to a reclassification of such position, shall be placed by the Clerk, the Sergeant at Arms, the Doorkeeper, or the Postmaster, as the case may be, in such step of such lower compensation level as the House officer concerned deems appropriate.".

INITIAL APPOINTMENTS

SEC. 457. Section 10 of the House Employees Position Classification Act (78 Stat. 1083; Public Law 88–652; 2 U.S.C. 299) is amended—

(1) by inserting "(a)" immediately following "SEC. 10."; and

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

"(b) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, each is authorized to make the initial appointment of any individual to a position under the jurisdiction of such House officer, which is subject to the House Employees Schedule or the House Wage Schedule, at any compensation step above the minimum compensation step of the appropriate compensation level (HS level or HWS level) of such schedule, whenever such House officer deems such action to be necessary and appropriate to acquire competent personnel or to promote the orderly and efficient operation of the House of Representatives.".

ESTABLISHMENT OF POSITIONS

SEC. 458. Section 11 of the House Employees Position Classification Act (78 Stat. 1083; Public Law 88–652; 2 U.S.C. 300) is amended to read as follows:

"ESTABLISHMENT OF POSITIONS

"SEC. 11. The Clerk, the Sergeant at Arms, the Doorkeeper, or the Postmaster, of the House of Representatives, as the case may be, may authorize the establishment of additional positions of the kind to which this Act applies, on a permanent basis or on a temporary basis of not to exceed six months' duration, whenever, in his judgment, such action is warranted in the interests of the orderly and efficient operation of the House of Representatives.".

AUTHORITY GENERALLY

SEC. 459. Section 13 of the House Employees Position Classification Act (78 Stat. 1084; Public Law 88–652; 2 U.S.C. 302) is amended to read as follows:

"REGULATIONS

"SEC. 13. (a) The committee is authorized to prescribe such regulations as may be necessary to carry out the functions, duties, and obligations imposed upon the committee by this Act.

"(b) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, are authorized to prescribe such joint regulations as may be necessary to carry out the functions, duties, and obligations imposed upon such House officers by this Act.

"(c) Nothing in this Act shall be held or considered to curtail, diminish, or otherwise affect the jurisdiction of the committee with respect to all matters within the purview of this Act.".

CONFORMING AMENDMENT

SEC. 460. Section 105 (f) of the Legislative Branch Appropriation Act, 1957, as amended (70 Stat. 371, 78 Stat. 1084; Public Law 624, Eighty-fourth Congress, Public Law 88–652; 2 U.S.C. 123b(f)), is amended by inserting "and fix the compensation of" immediately following "to appoint".

SAVING PROVISION

SEC. 461. The amendments made by this Part shall not be construed to eliminate, change, or otherwise affect—

(1) the compensation schedules prescribed under authority of the House Employees Position Classification Act,

(2) the position standards and position descriptions prepared under authority of such Act,

(3) the application of such position standards and position descriptions,

(4) the placement of positions in compensation schedules under such Act.

(5) the compensation paid to employees under such Act,

(6) the regulations prescribed under such Act, or

(7) any other action taken under such Act, as in effect immediately prior to the effective date of this Part, until appropriate action is taken by appropriate authority in accordance with the House Employees Position Classification Act as amended by this Part, or in accordance with section 105(f) of the Legislative Branch Appropriation Act, 1957, as amended by this Part.

HOUSE PUBLICATIONS DISTRIBUTION SERVICE

SEC. 462. (a) The organization under the jurisdiction of the Doorkeeper of the House of Representatives engaged in folding, packaging, and related activities with respect to papers, documents, and other materials for the House of Representatives (commonly referred to as the "House Folding Room") is hereby designated the "House Publications Distribution Service".

(b) The Doorkeeper of the House of Representatives is authorized to establish for employees under the House Publications Distribution Service a system of compensation for extra services performed by such employees.

PART 6—PAYROLL ADMINISTRATION IN THE HOUSE OF REPRESENTATIVES

CONVERSION OF PAY TO AGGREGATE RATE BASIS IN HOUSE OF REPRESENTATIVES

SEC. 471. (a) Beginning with the effective date of this section, the aggregate compensation of each employee (except a telephone operator on the United States Capitol telephone exchange and a member of the United States Capitol Police)—

(1) who is on the employment rolls of the House of Representatives on such date.

(2) whose compensation is disbursed by the Clerk of the House of Representatives and was fixed or adjusted prior to such date, and

(3) whose compensation is not fixed at a single per annum (gross) rate,

shall be a single per annum (gross) rate, constituting his total rate of compensation, in an amount equal to the sum of—

(A) the rate of the per annum basic compensation of such employee in effect immediately prior to such date, adjusted to the lowest multiple of $60 which produces a rate of per annum basic compensation for such employee which is not less than his

rate of per annum basic compensation immediately prior to such date, and

(B) the rate of his total per annum additional compensation, computed on such adjusted basic rate.

Such single per annum (gross) rate shall be rounded to the next higher dollar.

(b) Beginning with the effective date of this section, the aggregate compensation of each officer or employee (except a telephone operator on the United States Capitol telephone exchange and a member of the United States Capitol Police)—

(1) who is on the employment rolls of the House of Representatives on or after such date,

(2) whose compensation is disbursed by the Clerk of the House of Representatives, and

(3) whose compensation is fixed or adjusted on or after such date,

shall be a single per annum (gross) rate, in a whole dollar amount, constituting his total rate of compensation.

(c) The Clerk of the House of Representatives shall prepare and establish a compensation schedule of single per annum rates for employees of the House of Representatives whose compensation is disbursed by the Clerk of the House, except—

(1) employees subject to the House Employees Position Classification Act (2 U.S.C. 291 and following),

(2) telephone operators on the United States Capitol telephone exchange,

(3) members of the United States Capitol Police, and

(4) officers and employees of the House whose compensation consisted of a single per annum (gross) rate immediately prior to the effective date of this section.

Such compensation schedule shall—

(A) contain each of the single per annum (gross) rates determined under subsection (a) of this section, and

(B) be designated the "House General Schedule" and have the symbol "HGS".

(d) Section 11(a) of the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 60g–1), is amended to read as follows:

"(a) The clerk hire of each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall be at a single per annum (gross) rate determined in accordance with section 471(e) of the Legislative Reorganization Act of 1967. No person shall be paid from such clerk hire at a single per annum (gross) rate in excess of $22,231.".

(e) The Clerk of the House of Representatives is authorized and directed to—

(1) adjust to a single per annum (gross) rate the basic rate of clerk hire allowance of each Member of the House of Representatives authorized by section 11(a) of the Legislative Appropriation Act, 1956, as in effect immediately prior to the effective date of this Part (2 U.S.C. 60g–1), and

(2) adjust to a single per annum (gross) rate each other basic rate allowance provided by law for the compensation of employees whose compensation is disbursed by the Clerk of the House (except telephone operators on the United States Capitol telephone exchange and members of the United States Capitol Police),

in a manner which reflects the most favorable projection of basic rates to aggregate rates, as determined by the Clerk of the House, in accordance with the foregoing provisions of this section and other applicable law.

(f) Section 202(e) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(e)), is amended to read as follows:

"(e)(1) Each employee of the professional staff, and each employee of the clerical staff, of each standing committee of the House of Representatives shall receive a per annum (gross) rate of compensation, constituting his total rate of compensation, to be fixed by the chairman, which is not in excess of the highest rate of compensation set forth in the General Schedule of section 5332 of title 5, United States Code.

"(2) Subject to the provisions of the paragraph relating to rates of compensation of employees of committees of the Senate, contained in the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 72a–1a), the professional staff members of standing committees of the Senate shall receive basic annual compensation, to be fixed by the chairman ranging from $5,040 to $8,000.".

(g)(1) This subsection is enacted as an exercise of the rulemaking power of the House of Representatives with full recognition of the constitutional right of the House of Representatives to change the rule amended by this subsection at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

(2) Clause 28(c) of rule XI of the Rules of the House of Representatives is amended to read as follows:

"(c) Each employee on the professional staff, and each employee on the clerical staff, of each standing committee shall receive a per annum (gross) rate of compensation, constituting his total rate of compensation, to be fixed by the chairman, which is not in excess of the highest rate of compensation of the General Schedule of section 5332 of title 5, United States Code.".

(h) Section 5533(c) of title 5, United States Code, is amended to read as follows:

"(c)(1) Except as provided by paragraph (2) of this subsection, unless otherwise authorized by law, appropriated funds are not available for payment to an individual of pay from more than one position if the aggregate amount of the basic pay from the position exceeds $2,000 a year, and if—

"(A) the pay of one of the positions is paid by—

"(i) the Secretary of the Senate; or

"(ii) the Clerk of the House of Representatives (in the case of employees receiving basic rates of compensation); or

"(B) one of the positions is under the Office of the Architect of the Capitol.

"(2) Unless otherwise authorized by law, appropriated funds are not available for payment to an individual of pay from more than one position if the aggregate (gross) compensation from the position exceeds $5,987 a year, and if the pay of one of the positions is paid by the Clerk of the House of Representatives (in the case of employees receiving single per annum rates of compensation).".

(i) Each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall certify in writing, on or before the tenth day of any month in which rearrangements or changes of salary schedules of employees in his office are to become effective, to the Clerk of the House, such rearrangements or changes of salary schedules. The Clerk of the House shall disburse the compensation of such employees in accordance with such rearrangements or changes of salary schedules.

(j) The first section of the Act entitled "An Act to increase clerk hire, and for other purposes", approved December 20, 1944 (58 Stat. 831); Public Law 512, Seventy-eighth Congress; 2 U.S.C. 60g), is hereby repealed.

(k) For the purposes of applicable law relating to the payment to any person of compensation from more than one civilian office or position, each employee of the House of Representatives to whom this Part applies who, immediately prior to the effective date of this Part—

(1) is receiving compensation from more than one civilian office or position, and

(2) is in compliance with such law,

shall be held and considered to be in compliance with such law on and after such effective date, notwithstanding the enactment of this Part, so long as such person does not receive any new appointment to a position on the employment rolls of the House of Representatives.

(l) Except as specifically provided in this section, the foregoing subsections of this section shall not be construed to—

(1) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the compensation for, any position for which the compensation is disbursed by the Clerk of the House of Representatives;

(2) affect the continuity of employment of, or reduce the compensation of, any employee whose compensation is disbursed by the Clerk of the House; or

(3) affect the rates of basic compensation (including longevity compensation), plus increased and additional compensation, of telephone operators on the United States Capitol telephone exchange, or of members of the United States Capitol Police, whose compensation is disbursed by the Clerk of the House.

(m) All provisions of law inconsistent with this section are hereby superseded to the extent of such inconsistency.

PART 7—MISCELLANEOUS

STATIONERY ALLOWANCES OF SENATORS AND REPRESENTATIVES

SEC. 481. (a) The paragraph under the heading "Stationery (revolving fund)" in the appropriations for the Senate in title IV of the Foreign Aid and Related Agencies Appropriation Act, 1964 (77 Stat. 864; 2 U.S.C. 46a), is amended by adding at the end thereof the following: "The allowance for stationery shall hereafter be available only for (1) purchases made through the Senate stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the fiscal year for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (excluding items not ordinarily available in the Senate stationery room) for use for official business in an office maintained by a Senator in his home State. Any part of the allowance for stationery which remains unobligated at the end of any fiscal year shall be withdrawn from the revolving fund established by the Third Supplemental Appropriation Act, 1957 (71 Stat. 188; 2 U.S.C. 46a–1), and covered into the general fund of the Treasury.".

(b) The stationery allowance, as authorized by law, for each Member of the House of Representatives and each Resident Commissioner shall hereafter be available only for (1) purchases made through the House stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the session for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (excluding items not ordinarily available in the House stationery room) for use for official business in an office maintained by a Member in his home State. Any part of the stationery allowance which remains unobligated at the end of the session for which it is available shall be withdrawn from the revolving fund established by the Legislative Branch Appropriation Act, 1948 (61 Stat. 366; 2 U.S.C. 46b–1), and covered into the general fund of the Treasury.

TITLE V—REGULATION OF LOBBYING

DEFINITION OF COMPTROLLER GENERAL

SEC. 501. Section 302(d) of the Federal Regulation of Lobbying Act (2 U.S.C. 261(d)) is amended to read:

"(d) The term 'Comptroller General' means the Comptroller General of the United States."

MULTIPURPOSE CONTRIBUTIONS AND EXPENDITURES

SEC. 502. (a) The caption of section 305 of the Federal Regulation of Lobbying Act (2

U.S.C. 264) is amended by changing "CLERK OF HOUSE" to read "COMPTROLLER GENERAL".

(b) Subsection (a) of such section is amended—

(1) by changing "Clerk" to read "Comptroller General"; and

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

"Where contributions are received or expenditures made in part for the purposes described in subparagraphs (a) and (b) of section 307 of this title and in part for any other purpose, the statements required to be filed by this subsection shall include only that part of the amount of any such contribution or expenditure which was for the purposes described in such subparagraphs, except that if the relative proportions cannot be ascertained with reasonable certainty, such statements shall show total receipts and expenditures together with an estimate by the registrant of the part thereof which was for the purposes described in such subparagraphs, and an estimate of the part thereof which was for other purposes.".

(c) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 305. Statements to be filed with Clerk of House."

and inserting in lieu thereof—

"Sec. 305. Statements to be filed with Comptroller General.".

FIVE-YEAR PRESERVATION OF RECORDS

SEC. 503. Section 306 of the Federal Regulation of Lobbying Act (2 U.S.C. 265) is amended—

(1) by changing "Clerk" to read "Comptroller General" all four times it appears therein;

(2) by striking out "of the House of Representatives"; and

(3) by changing "two" to read "five".

SUBSTANTIAL PURPOSE CONTROLLING

SEC. 504. Section 307 of the Federal Regulation of Lobbying Act (2 U.S.C. 266) is amended—

(1) by changing "to be used principally" to read "a substantial part of which is to be used"; and

(2) by changing "the principal" to read "a substantial".

CONTINGENT FEES; BROADCASTING

SEC. 505. (a) The caption of section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) is amended by changing "SECRETARY OF THE SENATE AND CLERK OF THE HOUSE" to read "COMPTROLLER GENERAL".

(b) Subsection (a) of section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267(a)) is amended—

(1) by changing "Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers" to read "Comptroller General and shall give to that officer"; and

(2) by changing "Clerk and Secretary" to read "Comptroller General".

(c) Such subsection is further amended by inserting immediately after the first sentence thereof: "Any person required to register pursuant to this subsection in connection with any activities for which he is to receive a contingent fee shall, before doing anything for which such fee is to be paid, file with the Comptroller General, in such detail as he may require, a description of the event upon the occurrence of which the fee is contingent, and, depending on the arrangement, a statement of the amount of the fee either in terms of a dollar amount or in terms of percentage of recovery. A copy of any such contingent fee contract may be filed with the Comptroller General by any registrant, and shall be so filed at the request of the Comptroller General.".

(d) The next-to-last sentence of such subsection is amended by changing "publications in which he has caused to be published" to read "publications, or any broadcasting stations, in or from which he has caused to be published or broadcast".

(e) Such subsection is further amended—

(1) by inserting "any licensed radio or television broadcasting station or" before "any newspaper or other";

(2) by changing "newspaper or periodical" to read "broadcasting station, newspaper, or periodical";

(3) by inserting "or broadcasts" before "news items, editorials,"; and

(4) by inserting "broadcasting station," before "newspaper, periodical, or individual,".

(f) Subsection (b) of such section (2 U.S.C. 267(b)) is amended by changing "Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly," to read "Comptroller General of the United States shall be compiled by him and transmitted to the Speaker of the House of Representatives and the President of the Senate".

(g) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 308. Registration with Secretary of the Senate and Clerk of the House."

and inserting in lieu thereof—

"Sec. 308. Registration with Comptroller General.".

ADMINISTRATION BY COMPTROLLER GENERAL

SEC. 506. (a) Sections 310 and 311 of the Federal Regulation of Lobbying Act are respectively redesignated as sections 311 and 312.

(b) That Act is amended by inserting therein, immediately after section 309 thereof, the following new section:

"POWERS AND DUTIES OF THE COMPTROLLER GENERAL

"SEC. 310. The Comptroller General as the agent of the Congress shall—

"(1) develop and prescribe methods and forms for the filing of reports and statements required by this title, and promulgate regulations for the administration of this title;

"(2) make available for public inspection all reports and statements filed pursuant to this title;

"(3) ascertain whether any persons have failed to file reports or statements as required by this title, or have filed incomplete or inaccurate reports or statements under this title, and notify such persons that they are obligated to file such reports or statements in compliance with the requirements of this title;

"(4) refer to the Department of Justice for appropriate action any information coming to his attention, through complaints or otherwise, of any failure to register, or the filing of any false, improper, or incomplete registration or information under this title;

"(5) make such studies and transmit to the Congress such recommendations as the Comptroller General may deem to be necessary or appropriate to further the objectives of this title;

"(6) retain for a period of not less than five years each report and statement filed under this title, and during such period, make such reports and statements, or true and correct copies thereof, available as public records open to public inspection; and

"(7) transmit to the Congress annually a full and complete report on the administration of this title.".

(c) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 310. Penalties.
"Sec. 311. Exemption."

and inserting in lieu thereof—

"Sec. 310. Powers and duties of the Comptroller General.
"Sec. 311. Penalties.
"Sec. 312. Exemption."

VIOLATION OF REGULATIONS

SEC. 507. Section 311 of such Act (that is, the section which, prior to the redesignations made by section 506 of this Act, was section 310 of the Federal Regulation of Lobbying Act, 2 U.S.C. 269) is amended—

(1) by striking out "(a)" in subsection (a) thereof;

(2) by inserting "or any regulation of the Comptroller General issued pursuant to this title," immediately before "shall, upon conviction," in the first sentence thereof; and

(3) by striking out subsection (b) thereof.

TITLE VI—EFFECTIVE DATES

EFFECTIVE DATES

SEC. 601. This Act shall take effect as follows:

(1) Title I, section 201 of title II, Parts 1, 4, and 5 of title II, Parts 2 and 3 of title III, Parts 1, 2, and 3 of title IV, section 235, section 301(d), and this section shall take effect on the thirtieth day after the date of enactment of this Act.

(2) Parts 2 and 3 of title II (except section 235), Part 1 of title III (except section 301(d) thereof), Part 4 of title IV, and title V shall take effect on January 1, 1968.

(3) Parts 5 and 6 of title IV shall take effect on the first day of the third month which begins after the date of enactment of this Act, except that, until such first day of such third month, for the purposes of section 223(b) of the Legislative Reorganization Act of 1946, as amended by section 333 of this Act, and for the purposes of section 404 and 407 of this Act, references to section 202(e)(1) of the Legislative Reorganization Act of 1946, as enacted by section 471(f) of this Act, shall be held and considered to refer to section 202(e) of the Legislative Reorganization Act of 1946, as in effect on the date of enactment of this Act and as applicable to the House of Representatives.

(4) Section 481(a) shall take effect with respect to the stationery allowance for the first fiscal year beginning after the date of enactment of this Act. Section 481(b) shall take effect with respect to the stationery allowance for the first session of Congress beginning after the date of enactment of this Act.

[From the Washington Post, Sept. 3, 1968]

CONGRESSIONAL REORGANIZATION IS TEST OF CHICAGO WARNING

(By David S. Broder)

To Rep. Donald Rumsfeld, the Young Illinois Republican who was one of the GOP observers at last week's Democratic convention, the scene from his Conrad Hilton Hotel room was frightening but not wholly unexpected.

"The Democratic convention wasn't run much differently than the House of Representatives," Rumsfeld remarked afterward, and the protest about the convention voiced by the demonstrators outside the Conrad Hilton was simply a louder and more obscene expression of the frustration many of the younger members of the House feel about the institution in which they serve.

The battle of Chicago was another warning—if one were needed—that unless the institutions of democratic decision-making are reformed, they are going to be destroyed in the bloody confrontation between the militants of the Left and the demagogues and armed police of the Right.

The capacity for internal reform receives another test this week with the return of Congress. Rumsfeld and a few of his colleagues are trying to rescue the Congressional reorganization bill from the burial that seems to be decreed for it.

This is not a partisan matter. The legislative reform bill was sponsored and managed in the Senate by Mike Monroney of Oklahoma, the able Democrat who also cosponsored the last previous reform bill in 1946.

It cleared the Senate early in 1967, after two years of committee study, 17 days of debate and the approval of 36 amendments, with a bipartisan majority of 75 votes to 9.

Its provisions are sensible but not radical. It tightens the regulations on lobbyists and takes the appointment of postmasters and some Capitol Hill employes out of the realm of Congressional patronage. It improves Congress's fiscal control.

It also attempts to reform procedures in Congressional committees, where most legislation is written and where some chairmen still attempt to operate as independent autocrats. It is in this area that the trouble arises.

The Senate bill, for example, makes committee members publicly accountable for their actions, by providing that the committee report on each piece of legislation list the outcome of each record vote and the position of each committee member.

It also provides that absent members who wish to cast a proxy vote would have to give a precise statement of their intentions, not just hand the committee chairman a general authorization to "vote them" on all matters that might arise.

This last provision is designed to end the spectacle of a chairman ignoring all debate and argument in his committee, because he has enough proxies from absent members in his pocket to outvote the men who are interested enough in the bill to attend the meeting.

Another provision, offering obvious benefits to the quality of legislation, would permit the minority Party members of each committee to hire two professional employes and one clerk of their own, without a veto from the chairman.

There are other provisions as well, but the thrust of the bill approved by an 8-to-1 majority in the Senate is to limit the power of arbitrary committee chairmen, open committee proceedings to public scrutiny, equip the minority members with adequate staff help and make all members publicly accountable for their votes and actions in committee.

What happened to this bill since it reached the House 16 months ago is a classic example of why Congress has lost the confidence of the public and of some of its own best members.

Despite the 1946 precedent of bringing the Congressional reorganization bill directly to the floor, Speaker John McCormack referred this bill to the House Rules Committee run by Rep. William Colmer of Mississippi. Colmer held hearings for part of one day in April, 1967, and has held no hearings since then.

He has refused to bring the bill to a vote. Instead, the committee has conducted a process of private negotiation, outside public scrutiny, in which the bill has been methodically stripped of its key provisions to appease McCormack and the committee chairmen who control the House.

The latest version, revealed on June 20, is reportedly "not unacceptable" to the House hierarchy. And no wonder!

It makes the provisions on proxy voting, on recording the stands of committee members and on opening committee meetings to the public applicable only to Senate committees, thus exempting the House from the major efforts at reform. It also weakens the provision for minority staffing by letting the chairman and majority members have the final say on who the minority members may hire.

Now, it is proposed that this watered-down counterfeit for a reform bill be brought to the floor of the House under a closed rule, barring amendments to restore any of the deleted or weakened provisions. Even Rep. Ray Madden, the Indiana Democrat who was cosponsor with Monroney of the original measure and whose name is on the latest "compromise" bill, is quoted by Congressional Quarterly as saying that these "skim milk changes (are) worse than nothing and would postpone the reform movement for the next 15 or 20 years."

Rumsfeld and a handful of other Republicans are now debating among themselves whether to use disruptive tactics—forcing a slowdown in all House business—in order to dramatize the rape of the reform bill and attempt to stir public opinion on the issue.

They realize, as Rumsfeld has said, that "Congressional reform is an issue without a constituency." Even the press, which ought to understand the importance of procedural reforms, seems uninterested.

Unless some men become angry enough to reform the system from within, the whole structure is going to be torn down by the mobs and the demagogues who are howling their outrage today.

The House has a chance to show that it understands the crisis that is threatening this country and its Government. Its failure to act on meaningful legislative reorganization this month would be another damaging defeat for the cause of constitutional democracy. To avert that defeat, the political risks that Rumsfeld and his colleagues are contemplating do not seem exorbitant.

[From the Washington Post, Sept. 6, 1968]

REFORM-MINDED YOUNG GOP GROUP PLOTTING MASSIVE HOUSE FILIBUSTER

(By Rowland Evans and Robert Novak)

Seven Junior Republican Congressmen have secretly prepared and are ready to execute a daring plan to make the House reform itself by bringing it to a standstill.

The Republicans, led by Rep. Don Rumsfeld of Illinois, have not yet fully determined when their campaign will begin and how long it will last. But their strategy is set: Use parliamentary delays in this post-convention session of Congress to force the House Democratic leadership to release its death grasp on two reform bills.

Those bills—a congressional reform bill and a campaign spending reform bill—undoubtedly would pass if they ever got to the House floor. But both are languishing in the Rules Committee, which has consigned them to a slow death at the private request of Speaker John McCormack.

This prospect has infuriated and frustrated Rumsfeld and other rank-and-file House Republicans. At the beginning of the summer, he began devising a common strategy with Reps. Charles Goodell of New York (the only member of the House Republican leadership in the group), Clark MacGregor of Minnesota, Rogers Morton of Maryland, James Cleveland of New Hampshire and Robert Taft Jr. of Ohio. Last week, Rep. Barber Conable of New York joined them.

Even before the national political conventions, the Rumsfeld group had set its broad strategy. Because of strict limitations on debate, a filibuster is not possible in the House. But there are innumerable ways in which a skillful parliamentarian can bring the work of the House to a halt: Demanding the full reading of the Journal, demanding quorum calls, introducing dilatory motions and demanding roll calls on them.

Chances are it won't work—certainly not for the campaign spending bill and probably not for the congressional reform bill. Nevertheless, the revolt of the Rumsfeld group symbolizes growing discontent in Congress itself with the way the institution operates.

Moreover, the source of the agitation shows that demands for congressional reform have spread beyond liberal intellectuals. To a man, Rumsfeld's group consists of moderate conservatives who generally vote with the Republican leadership.

Actually, the reform bills imprisoned in the Rules Committee are limited in nature and barely adequate. The Congressional Reform Bill, product of a joint committee headed by Sen. Mike Monroney of Oklahoma and Rep. Ray Madden of Indiana, has been belittled by exponents of radical congressional changes. But even a little reform is too much for the House Democratic establishment.

Since passing the Senate back in March, 1967, the Monroney-Madden bill has been bottled up in the Rules Committee by Chairman William Colmer of Mississippi, acting both on his own impulses and McCormack's whispered request. In those 18 months, the Rules Committee has conducted one half-day hearings on the measure and otherwise ignored it in public.

In private, however, Rules Committee members (including Madden himself) have been negotiating for a compromise measure. The result has been an eviscerated bill, stripped of badly needed reform in the committee system. In the closing days of the session, McCormack and Colmer may let this stripped-down bill go to the floor, under a closed rule prohibiting all amendments—a procedure the Rumsfeld group will oppose to the end.

[From the Cincinnati Post & Times, Sept. 9, 1968]

TAFT BACKS PLAN FOR SLOWDOWN

WASHINGTON.—Rep. Robert Taft Jr. (R., Cincinnati) has joined a group of young Republicans in the House who have determined to cause a slow down in congressional business in an effort to push two reform bills.

The Republican congressmen want the Democratic leadership to bring out of the House Rules Committee the campaign spending bill and the congressional reform bill.

The two bills have been languishing in the Rules Committee for a year. Current prospects for the two bills appear doubtful that they will get to the floor of the House.

The congressional reform bill has already been passed by the Senate.

The young Republicans are led by 36-year-old Donald Rumsfeld of Wilmette, Ill. Rumsfeld plans to hold a press conference tomorrow to announce exact details of how the young Republicans hope to accomplish the slow-down.

The congressional reform bill, which calls for stricter controls of lobbyists, has been shunned by the House Democratic establishment.

[From the Washington (D.C.) Star, Sept. 10, 1968]

BLOC PUSHING TWO BILLS PLANS HOUSE SLOWDOWN

(By Robert K. Walsh)

House Republicans set the stage today for slowdown tactics that could keep Congress in session the rest of this year in an attempt to force action on bills for congressional reorganization and election reform.

A dozen GOP members, claiming active support by another 15 or 20 and the backing of the House Republican leadership, announced plans to start specific moves tomorrow to "alter the proceedings" of the House but not to block necessary legislation.

The first of the indicated moves—such as frequent demands for roll calls and objections to unanimous consent requests—will coincide with scheduled House consideration of the annual defense appropriation bill.

"TO DRAMATIZE NEED"

Charging that Speaker John W. McCormack and other House Democratic leaders were responsible for the House Rules Committee shelving of the bills passed by the Senate last year to modernize congressional methods and promote clean elections, Rep. Donald Rumsfeld, R.–Ill., said:

"Our purpose is not to be disruptive. Our sole purpose is to dramatize the need for House consideration and, hopefully, House action on both of the reform bills before adjournment.

"All we are asking is that the House be given the opportunity to express its will on both bills under completely open rules so that meaningful debate can be conducted and amendments offered. . . .

"We do not intend to hold up other legislation which is to be considered in this session nor do we have any purpose beyond the one stated."

Prospects for success in this Republican drive seem remote before the 90th Congress closes. Rules Committee Chairman William M. Colmer, D-Miss., declared after a long closed meeting late yesterday that the committee had already "killed the reorganization bill two or three times." He said he knows of no move to send even a modified version of either bill to the House floor.

McCormack denied yesterday that he opposes or is blocking the reorganization bill.

But Rumsfeld said today: "Speaker McCormack certainly has not been in the forefront of scheduling these bills."

Rep. Thomas B. Curtis, R-Mo., who served on the special congressional committee which recommended congressional reorganization moves more than two years ago, said: "I would include Speaker McCormack, Democratic Leader Carl Albert, Democratic Whip Hale Boggs and the Democratic chairman of most of the House committees as preventing action on these bills. I also would include the so-called undercover leadership. By that I mean the White House structure."

TIME FACTOR NOTED

The Republican congressmen said they are certain the bills would be passed next year if the GOP controls the House in the new Congress. Rumsfeld said, however, that passage is necessary now because "if the bills had to go through the legislative mill all over again next year, they probably could not be implemented until 1970."

A bill passed by the Senate, 75–9, last year after almost two years of study by a special joint committee headed by Sen. A. S. Mike Monroney, D-Okla., and Rep. Ray J. Madden, D-Ind., has reposed in the House Rules Committee since April, 1967.

The committee held only one day of public hearings more than a year ago. Despite periodic prodding by Madden, a committee member, there were no further formal open sessions.

The Senate-approved bill centers largely on curbing the power of congressional committee chairmen, making committee actions and voting records more representative and better known to the general public, and giving minority members more protection and facilities.

[From the Richmond Times-Dispatch, Sept. 11, 1968]

REPUBLICANS SEEK ACTION ON REFORMS

WASHINGTON.—House Republicans pressing for action on two long-standing bills dealing with congressional and election law reform plan to conduct the House version of a filibuster to dramatize their fight.

They hope their attempt to hobble the House through parliamentary devices will prod the Democratic leadership into bringing the bills to the floor.

Rep. Donald Rumsfeld, R–Ill., leader of the effort, said the delaying tactics will be used on selected days during the remainder of the session.

SEEK ACTION

The Republicans want action on congressional reform legislation drafted by a bipartisan committee in the last Congress, and on a bill that would require more detailed disclosure of campaign contributions and expenditures.

The Senate overwhelmingly approved both measures last year, but the House Rules Committee has never cleared them for action in the House.

Rumsfeld and 15 GOP colleagues held a news conference yesterday, accused the House "power structure" of bottling up the bills, and announced a plan of attack.

House rules strictly limit debate, thus preventing the oratorical barrages by which bills are sometimes delayed or blocked in the Senate.

DELAYS POSSIBLE

But many time-consuming procedures are usually dispensed with in the House by unanimous consent, and Rumsfeld and his group plan to withhold such consent. The result can be tedious delays, but in the end the majority can always act as it wishes.

The congressional reform bill would loosen the tight grip most chairmen hold over their committees, and for that reason is strongly opposed by the chairmen. It also would put lobbyists under stricter regulation and the lobbyists don't like that.

[From the St. Louis (Mo.) Globe-Democrat, Sept. 11, 1968]

FIFTEEN REPUBLICANS HOPE TO FORCE REFORM VOTE

(By Edward W. O'Brien)

WASHINGTON.—Rep. Thomas B. Curtis, St. Louis County, and 15 other Republicans announced Tuesday a House slow-down in hope of embarrassing Democratic leaders and reviving congressional reorganization and election reform bills.

At a press conference, Curtis and the others said they will seek to pressure the Democrats who run the House into letting House members vote on the bills.

Both measures are now in the deep freeze reserved by the Democratic-controlled House Rules Committee for measures not favored by speaker John W. McCormack and other powerful chieftains.

Curtis, along with Missouri Rep. Durward G. Hall and the other frustrated crusaders, contend the bills will be passed if only the Rules committee would clear them to the floor.

The congressional reorganization bill, the key measure, was recommended by a Senate-House bipartisan committee and passed by the Senate over a year ago.

It contains more than 100 changes to modernize and streamline Congress' structure and working methods, transfer power from committee chairmen to ordinary members, require open-door transaction of much business now conducted in secret, give minority members more staffing and protection, tighten lobbying regulations, and the like.

The election bill, also passed by the Senate, would strengthen controls on campaign finances and increase disclosure.

In their proclaimed mini-filibuster, the Republicans starting Wednesday will demand quorum calls and roll-call votes, object to Democratic requests to skip time-consuming formalities, and indulge in other tactics which are ordinarily considered ungentlemanly, especially when members are hurrying to return home to their campaigning.

Curtis blamed "an undercover power structure" for stalling the reform bills.

He identified members as Speaker McCormack, Democratic leader Carl Albert, assistant leader Hale Boggs, most Democratic committee chairmen, and White House officials.

Under the present system, he charged, "the White House can stop legislation it doesn't want and ram through legislation that hasn't even been studied by House members."

He said "this process of closed-door decision making" is shared by "Wall Street and the Charles River"—a symbol, he explained, for Harvard University, Massachusetts Institute of Technology and other prestigious branches of academia.

[From the Chicago (Ill.) Sun-Times, Sept. 11, 1968]

RUMSFELD UNIT PUSHES FOR HOUSE REFORMS

WASHINGTON.—A group of Republican congressmen Tuesday announced plans for a floor protest of the House Democratic leadership's unwillingness to act on election and legislative reform.

The group, led by Rep. Donald Rumsfeld (R-Ill.), said it would mount a "delaying action" Wednesday, using parliamentary procedures to bring the House to a temporary halt.

"Our purpose," said Rumsfeld, "is not to be disruptive. Our sole purpose is to dramatize the need for House consideration, and hopefully, House action" on the two reform measures.

Rumsfeld and others in the group considered such tactics as demanding full reading of the previous day's journal, asking frequently for quorum calls and making frequent procedural points.

The Senate has passed both election and legislative reforms, but the measures are tied up in the House Rules Committee.

Rep. Thomas B. Curtis (R.-Mo.) charged that the regular Democratic House leadership, starting with speaker John McCormack (D-Mass.), was in cahoots with the White House to block reform.

One of the proposals would limit the amount of money an individual could contribute to a congressional campaign and require disclosure of contributions. The legislative reform bill contains provisions for streamlining congressional consideration of bills, particularly appropriations, for requiring full disclosure of lobbying activities and for increasing the power of committee minorities.

[From the Washington (D.C.) Post, Sept. 11, 1968]

CONGRESSIONAL REPORT: GOP PLEDGES FIGHT FOR MODERN RULES

An aroused group of Republican Congressmen promised yesterday to employ delaying and other parliamentary tactics until they break loose measures to modernize the Congress.

At a news conference 13 Republicans placed the blame on the Democratic leadership for not scheduling long-delayed election reform and congressional streamlining measures.

Rep. Donald Rumsfeld (R. Ill.) said House Speaker John W. McCormack was the main obstacle to the reform measures. The Republicans said they will start their delaying tactics, such as insisting on quorum calls and demanding roll calls, when the House takes up the $72 billion defense appropriations bill today.

Both modernizing bills have been held in the House Rules Committee. The election reform bill strengthens campaign fund raising and spending laws, while the Congressional revamping bill contains some 100 measures for streamlining congressional procedures.

[From the Washington (D.C.) News, Sept. 12, 1968]

MINI-FILIBUSTER STAGED—SHOVE REFORM BILLS

(By William Steif)

A band of dissident Democrats today joined with 14 "young Turk" Republicans trying to get Senate-approved congressional reorganization and election reform bills onto the House floor.

The Republicans led by Rep. Donald Rumsfeld (Ill.), conducted a mini-filibuster yesterday, tying up the House for two-and-a-half hours by forcing four roll calls—each taking 25 minutes—on procedural points before yielding for debate on the defense appropriations bill.

The five Democrats who announced at a press conference that they stood with the GOP "young Turks" were led by Rep. Thomas Rees (Calif.). Joining him were Reps. Brock Adams (Wash.), James Scheuer (N.Y.), William Hathaway (Me.) and Andrew Jacobs (Ind.).

SEVERAL REFORMS

Rep. Rees said he wanted a chance to vote on the reorganization bill with such "elementary" reforms as:

Giving the minority members of committees adequate staff.

Rewriting archaic House rules.

Making public all committee roll calls held in closed sessions.

Applying modern business procedures to congressional operations.

Exercising continuing committee oversight of executive branch work.

Assuring continuity in appropriations.

The reorganization bill passed the Senate, 75–9, last year after two years of study by a Senate-House group headed by Sen. A. S. Mike Monroney (D., Okla.) and Rep. Ray Madden (D., Ind.). It embodies the reforms Rep. Rees mentioned, but has reposed in the House Rules Committee since April, 1967, despite prodding from Rep. Madden, a Rules Committee member.

CAMPAIGN FUNDS

The election reform bill would eliminate the phony campaign committees that candidates now set up to skirt the $5000 limit on individual campaign contributions, and would provide for full disclosure of political gifts. The House Administration Committee approved this bill and sent it to the Rules Committee, which has not acted on it.

Rep. Rumsfeld said of the GOP minifilibuster: "It made our point. It was particularly appropriate because we had an appropriations bill up for consideration which under the law should have been passed two and a half months ago—by July 1."

He said both House Speaker John W. McCormack (Mass.) and majority leader Carl Albert (Okla.) had told him they favored the reform measures.

COLMER OPPOSED

"That raises the question," said Rep. Rumsfeld, "who's running this place? There don't seem to be any opponents except Wayne Hays," an Ohio Democrat who denounced the reform bills loudly yesterday.

Rules Committee Chairman William Colmer (D., Miss.) said he opposed the measures: "I don't intend to yield. I have never seen a reorganization bill worth anything or accomplish anything, either in the executive or legislative branch."

Rep. Barber Conable (R., N.Y.), one of Rep. Rumsfeld's allies, said if action is delayed until a new Congress meets in January, the long legislative procedure would have to be repeated and this would put reform well into the 1970s.

Mr. BROCK. I thank the gentleman.

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

Mr. BROCK. I yield to the gentleman.

Mr. RUMSFELD. I thank the gentleman for yielding.

I certainly wish to join in the comments being made and in commending the gentleman from Tennessee for his interest, concern, and efforts to see that these two important pieces of legislation be scheduled during this session.

I would also like to add that the gentleman from Missouri [Mr. CURTIS], the gentleman from New York [Mr. GOODELL], and certainly the gentleman from New Hampshire [Mr. CLEVELAND], who is here, and the gentleman from Minnesota [Mr. MACGREGOR], the gentleman from Minnesota [Mr. QUIE], the gentleman from Maryland [Mr. MORTON], the gentleman from Ohio [Mr. TAFT], the gentleman from New York [Mr. CONABLE], the gentleman from Texas [Mr. BUSH], the gentleman from Pennsylvania [Mr. BIESTER], the gentleman from Oregon [Mr. DELLENBACK], the gentleman from Ohio [Mr. WHALEN], and the gentleman from Wisconsin [Mr. STEIGER], as well as the minority members of the House Committee on Administration, the gentleman from California [Mr. LIPSCOMB], and others, and the minority members of the Joint Committee on the Organization of the Congress, have all been attempting to see if there is not some way that this Congress can recognize the importance of these two pieces of legislation and gain consideration of them this year.

The gentleman from Tennessee put his finger right on it. He said that these pieces of legislation are technical and complicated in many respects, and that they deal with internal operations that are really known only to those of us who deal on a daily basis with these procedures and the rules. And, in the case of the election bill, who are subject to the requirements of the Federal statutes. For these reasons it really should not be expected that there should be broad understanding or broad support or interest in the legislation—and there is not. We know this.

But the fact remains, as the gentleman from Tennessee said, that this puts a very special responsibility on the Members of the House because these are areas in which we have really the only knowledge and the only intimate working relationship in the country.

There are not many people, who understand the problem, except some members of the press, who are attentive to these matters, and some members of the academic community who study it from an academic standpoint. The important point is that in areas such as this the Members of the Congress of the United States have a very special obligation to the American people.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield on that point?

Mr. BROCK. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I have asked the gentleman to yield so I may ask a question, or perhaps make a comment for the gentleman from Illinois. It is true that some of the procedures of the House and the rules of the House under which we operate are highly technical and difficult for the average person to understand. But the election reform bill that we seek to pass would correct at least one situation which I do not think is very difficult to understand. This situation is simply that if I set up a committee to conduct my congressional campaign, and if all the funds I collect or obtain in any manner are given to that committee and spent by that committee, even if it were $1 million—let us say it was $1 million, though I regret to say it will not be anywhere near that amount in my case as I have always lost money in my campaign—but if it were $1 million, if I followed exactly through the procedures that are now established, the records here in Washington would show that I had received or spent not one penny. In New Hampshire we have to report accurately, and I could not spend that amount or receive it. But that is up to the State law.

The House of Representatives ought to be ashamed of itself to present this sort of face to the American people at a time when we are all so deeply concerned about the prohibitive costs of campaigns, and possible buying of elections.

Mr. BROCK. May I interject to comment at that point that when you talk about our concern as to the expense of elections, we are also deeply concerned about the credibility of government in America, and unless we are willing to make a clean breast as individuals and as Members of Congress of campaign receipts and expenditures, how in the world can we criticize someone else for not having credibility?

Mr. CLEVELAND. Mr. Speaker, if the gentleman will yield further, I will say that you are precisely correct, and I was about to go on to the Legislative Reorganization Act which, with the gentleman in the chair, the distinguished Acting Speaker, Mr. HECHLER of West Virginia, myself, and others we helped to draft. There is a section in that bill that is not very complex. Do you know what that section would do?

It says if we are talking, as we are tonight, not only would we have our remarks taken down for the RECORD, which later on we can revise to our heart's content, but joining our friends in the gallery—and we thank them very much for their attention and presence—there would also be people from another important section of media. There could be people from the radio networks and from the TV networks, and the people of America, more than half of whom now depend upon that media for their news as sources of information, could look into the floor of this House and into our committee hearings and listen to the workings of this, their House of Representatives. There is nothing complex about that. I cannot blame the majority party for not wanting the TV cameras to come into some of their deliberations after what happened in Chicago. I can understand that. But still the basic fact is that I think it is important that the people understand that some of the many reforms in the Legislative Reorganization Act are just that simple. Why not let radio and TV in on the action?

Mr. BROCK. I agree with the gentleman, and I appreciate his comments. As long as we are at it, why not let our constituents know what is expended in our campaigns? I do not have any concern with whether or not there is a limit on this or that contribution, or this or that expenditure. I do think there should be a limit on contributions.

But I am deeply concerned that the constituents of every Member of Congress have an opportunity to review the campaign budget, because I think this is the only way in which they can make an intelligent decision in that particular area. I cannot see the justification for this subterfuge we call a law today, which is nothing but a subterfuge.

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

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

Mr. RUMSFELD. Mr. Speaker, I agree with the comments of the gentleman from New Hampshire.

Certainly there are aspects of both of these bills that are not complicated, but it is important to reinforce what has been said here, that these bills, while they may not be widely understood, have a very direct and important effect on the American people. Were this not the case, we would not be here at this late hour of the night discussing them.

Certainly the gentleman is correct. The election reform legislation is needed urgently because every time there is a situation in this country where there is some irregularity or alleged irregularity with respect to the raising or expenditure of campaign funds, the Government of the United States is diminished by just that much, because there is criticism—as there should be—in the press and other media across the land.

There is a whole generation of young people who then look at Government and politics and say, "This is not for me. If this is the kind of business where there is going to be a series of instances where allegations are going to be made, properly or improperly, that is not the occupation I want."

We must not permit a situation to go on where the election laws of this country are decades old and practically impossible to comply with, and, in the instances where they can be complied with, they are in some instances too restrictive and in others too open ended, as the gentleman from New Hampshire has pointed out with respect to the reporting requirements.

From this standpoint the election reform legislation is important to the American people, because it has a rippling effect or a secondary effect on the quality of Government in the United States of America.

Mr. BROCK. Mr. Speaker, I thank the gentleman from Illinois.

At this time, I yield to the gentleman from New York [Mr. CONABLE].

Mr. CONABLE. Mr. Speaker, I think there is an additional point that should be advanced at this point. It is not just a matter of credibility. It is a matter of the effectiveness of representative government also, because we all know about the allegations concerning candidates who have tried to buy office, either with their own money or with the money of someone else. We all know how terribly expensive it has become to run for office, particularly at the level of national office.

It seems to me we have to insist that there be full disclosure, so the American people will be able to judge whether or not they are getting representative government or whether government is simply gradually slipping into the hands of those who have access to tremendous resources, either their own or those of someone else, because it is not representative government if everyone in government is wealthy.

I do not think that is what the American people want. They do not want everyone in government to be the particular creatures of big business—or of big labor either. They want to have here in the Halls of Congress a cross section of the American people. But how can they tell that they are getting this unless they can know how much the candidates are spending on the quest for office?

It seems to me it is therefore not just a matter of credibility—it is a basic issue of representative government: How do we get representative people here and how can we judge if those people are going to be really representative unless we have full disclosure?

Mr. BROCK. Mr. Speaker, I think the gentleman has made an excellent point. One of the things that has concerned me most is the rather standard comment we hear so often in this country today: "Well, political office is becoming something for the rich, but the man without money, the man without means, the man without either personal means or the ability to attract support from large and financially able groups simply cannot hold office."

I do not think this is true, but the point is that the charge is even being made, and that is something we must concern ourselves with, because it does represent a dangerous trend in this country and a trend that, if it is not stopped, could lead to the real destruction of our democratic process. I think it is worthy of concern.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, I hesitate as a freshman Member of this body to enter into the debate on this legislation, because there is the gentleman from Tennessee [Mr. BROCK] in the well, the gentleman from Illinois [Mr. RUMSFELD], the gentleman from Ohio [Mr. TAFT], the gentleman from New Hampshire [Mr. CLEVELAND], and the gentleman from New York [Mr. CONABLE], who have served longer in this body.

But I believe the interest which has been shown by freshmen Members of this body on the question of reorganization reform and election reform, plus that which was considered earlier, and the steps which were taken by some of us on this side of the aisle in terms of the establishment of the Committee on Standards of Conduct, tends to reflect rather accurately the viewpoint of those of us who have gone through the rigors of a campaign as we did in 1966.

I believe there is an increasing recognition that we cannot continue the path we are now treading without doing the basic institution of representative government serious damage because of a lack of confidence which can develop in the American people for their Government and those who govern.

I viewed with some interest the television adaptation by Rod Serling last week in which a Member of the House was accused of wrongdoing and was brought to his end by censure of the House, and the statement he made at the end—which I hope people stayed to watch, so that they got the complete message Mr. Serling was trying to bring—was that he hoped the actions of one would not lead to the complete rejection of all.

I wonder if, perhaps, if action is not taken soon, we shall not run the risk of having all brought into question because not enough are willing to act.

So I salute those who have taken the lead in this effort and commend them for their efforts. I join with them as one who is very deeply interested in the institution and who believe very strongly that there is a crisis of confidence which we have to overcome.

I was interested in the effort which was made today on Calendar Wednesday, a little used and little understood process of the House of Representatives. If my memory serves me correctly, from the study that was done, this was used successfully on the last occasion in 1950. It was used successfully in 1950. It was resorted to in 1962.

Mr. BROCK. It was attempted in 1962. It was not successful at that point, I believe.

Mr. STEIGER of Wisconsin. Right. This was to be an effort by those of us who believe action needs to be taken to exhaust the remedies of the House within the rules of the House to focus attention on what needs to be done to try to bring out for the House this election reform that is now resting in the Rules Committee after having been reported by the Committee on House Administration.

May I inquire of the gentleman from Tennessee as to whether or not it is correct to assume that what we had learned from Members of the House Committee on Agriculture, for example, that two bills were intended to be brought up from the Committee on Agriculture. I know from the Committee on Education and Labor, which precedes the Committee on House Administration, there was to be an effort made, if we went through with the Calendar Wednesday procedure, to bring up several bills.

It is not correct that these committees and others would have brought up bills?

Mr. BROCK. If I may respond to the gentleman, I can say that most such committees had bills which could have been brought up under normal procedure of the House of Representatives at any time the leadership of the House wanted to schedule them, whether it scheduled them on Monday, Tuesday, Wednesday, Thursday, or Friday. Certainly then they could have been brought up under the Calendar Wednesday procedure. And the best evidence we have is that they would have been.

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

Mr. BROCK. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. It is my understanding if Calendar Wednesday procedures are started and the suspension of Calendar Wednesday is not voted, as it can be by a two-thirds vote of the House, they then call the roll of the committees.

Mr. BROCK. That is correct.

Mr. CLEVELAND. It is my further understanding the gentleman from Illinois [Mr. RUMSFELD] has with him a list of the committees and the bills in those committees. Under the rules of the House the listing of the committees is found in rule X of the House rules. We find that the Committee on House Administration, which we would have to reach in order to reach the election reform bill is No. 9 on that list.

Mr. BROCK. That is correct.

Mr. CLEVELAND. I further understand under the rules a committee, if it

wishes to use an entire Wednesday for its affairs, can do so and at the most you might get two committees, on a Wednesday if they both have bills to present, and with only 7 weeks at the most of this session left, and hopefully it will not be that long, because there are those of us who feel coming into the session between political conventions and the presidential campaign is unwise at best and certainly unproductive—on the very face of the record it is doubtful if under these procedures we could have reached the Committee on House Administration. Then, too, it is equally doubtful as to whether or not the chairman of that committee would call up the bill we were interested in as he would have to do, and no one else could force him to do it.

Mr. BROCK. The gentleman is correct. As a matter of fact, we could reach the election reform bill if each chairman passed and then the next chairman had passed. The fact of the matter is that the leadership apparently made a determination that they had no intention of allowing discussion under an open rule of the election reform law. The indication and information was we would have bill after bill after bill called up to vote on some of which some Members would not want to discuss. Frankly, I was not too concerned about that, because it is our responsibility to face up to these issues squarely and not hide behind a subterfuge. One of the major objectives of our attempted reform is not to change rules but to insure that rules protect the majority, because in many instances we have subverted the will of the majority of the House of Representatives by refusing to allow consideration of bills. That is one of the most important points we need to make. In many cases the rules are used to subvert the wishes of a substantial number of Members of this body.

Mr. CLEVELAND. The record here should show that earlier in this session there was an exchange between the gentleman from Illinois [Mr. RUMSFELD] and the majority leader of the House [Mr. ALBERT], the gentleman from Oklahoma, that verifies for the record substantially what the gentleman just said in the well of the House.

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

Mr. BROCK. Yes. I yield to the gentleman.

Mr. CONABLE. I think that the point with regard to Calendar Wednesday proceedings is it is supposed to permit the bypassing of other more usual procedures in order to permit the House to work its will. It has been amply explored today. It has certainly been instructive to me to see how this particular device works. I wonder if the gentleman in the well might not agree that this proceeding amounts pretty much to a poker game with those who deal having knowledge of a pretty well stacked deck before they begin. Certainly it is not a device which is calculated to permit the majority to work its will if those who are controlling the process are not anxious to have that happen. There is no doubt in my mind that if either of the two bills which we have been discussing today were to come to the floor, they might not be passed in the exact same form.

But there is a substantial majority of support for something along this line at this time.

Mr. BROCK. I do not think there is any question about it. I think you can look at the record of the Senate which is a representative body as is the House of Representatives and see that the Senate has passed both of these bills, one unanimously and the other by a very substantial majority. It is my opinion that the same thing would happen in the House of Representatives. But I certainly want to agree with the gentleman's comments that there may have to be some change before theirs is brought to the floor of the House. This is one of the points we have been trying to make. We insist on the opportunity to consider these bills and offer amendments. That is why we are seeking an open rule and that is the only way the House can work its will.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. May I inquire of the gentleman from Tennessee what are the procedures under the rules of the House available to bring to the floor of the House either the Legislative Reorganization Act or the clean election bill?

Mr. BROCK. The distinguished gentleman from Illinois [Mr. RUMSFELD] may want to expand upon this but I think probably the most direct method available, if the Calendar Wednesday rule fails, as it obviously has, would be the device of a discharge petition which requires the specific signatures of 218 Members of the House of Representatives, thereby bringing about the automatic discharge of the bill to be brought to the floor of the House for debate under an open rule.

Would the gentleman from Illinois [Mr. RUMSFELD] like to add to that?

Mr. RUMSFELD. Well, of course, the gentleman from Tennessee is correct that under the rules of the House the only reasonable procedure that is left which would be available to attempt to bring to the floor of the House the election reform legislation would be the discharge petition, and the same thing is true of the Legislative Reorganization Act.

Mr. STEIGER of Wisconsin. Mr. Speaker, if the gentleman will yield further, may I inquire as to whether or not a discharge petition has been filed on the Legislative Reorganization Act?

Mr. BROCK. To my knowledge there has been none filed as of this point.

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

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

Mr. RUMSFELD. The answer concerning the Legislative Reorganization Act is that it has not been formally filed in the House. But there is a resolution resting in the Committee on Rules which requires a waiting period of time of, I believe, 5 legislative days before it would be proper to place the discharge petition in this Chamber for the discharge of the Rules Committee on that piece of legislation. But at this moment there is not.

Mr. BROCK. Mr. Speaker, I would like to summarize this discussion—and, obviously, I would be happy to yield further if anyone who desires me to do so—but I feel in general terms that the gentleman from Wisconsin raised one of the most pertinent points in talking about the desire of the people of this great land of ours to have full and adequate representation and the need for this body to maintain its capacity to respond to the needs of the people. I cannot think of anything more dramatic to happen for the benefit of the American people.

I yield to the gentleman from Illinois.

Mr. RUMSFELD. It should be said that the modern day drive for election reform came from President John F. Kennedy in 1961.

Because of his concern and his increasing awareness of the problem, after the 1960 election he created a study group to look into the election laws, and recommend legislation to the Congress.

I would also like to point out, as the gentleman knows, that contained in the bill, H.R. 11233, which has been reported by the Committee on House Administration and is waiting for action, if the majority party would schedule it, are provisions that would insure complete disclosure in political fundraising.

Also the bill provides for the filing of comprehensive and detailed financial statements by committees and organizations involved in arranging for national conventions of political parties, honorariums in excess of $100, or costs, would have to be reported to the Federal Election Commission by Senators, Representatives, and the Resident Commissioner, regardless of whether they are campaigning for reelection and by candidates for such offices.

All reports and statements filed with the Commission would be open for public inspection and copying. Duplicate copies would have to be filed with the clerk of the U.S. district court for the judicial district in which is located the principal office of the political committee or residence of candidates or other persons filing or reporting a statement.

These copies would also be available for public inspection.

Other important features of the bill would include: First, prohibition of the use of political contributions for personal purposes and, second, the inclusion of corporations in the ban on political contributions by Government contractors in Federal, State, and local elections.

I would also like to go back to my comment about the election reform legislation where I said it has direct effect on the American people, and make certain comments about the Legislative Reorganization Act.

If we were just talking about rules as to how we would conduct ourselves, and they had no effect on anyone else, really it would not be worth discussing. It would be a relatively unimportant consideration. As the gentleman in the well and certainly the gentleman in the Chair fully know, this is not what we are talking about. We are talking about the importance of the procedures in terms of

what we produce, the quality of that legislative product, and its impact on the American people. Is it precise, or is it imprecise and sloppy? Is it responsive to the real needs and problems that it has been designed to deal with, or is it, in fact, unresponsive or unrelated? Or, as is too often the case, we do not even deal with the problem, we have simply thrown up our hands and said "Well, we will create a commission and let the commission study it," and let the report come down and gather dust, or we will simply pass this now and review it later, and then, regrettably, not review it at all.

I would ask unanimous consent that I may be permitted to insert in the RECORD at this point a summary from the Library of Congress, Legislative Reference Service, titled "Advisory Bodies Created by the President and by Congress Between 1955 and 1968." It lists some of the various advisory bodies that have been created, and I think some of them where, rather than come to grips with a problem, rather than revise our rules here so our committee structure could in fact serve as a thoughtful sounding board, a place where the analysis and study takes place, we have thrown up our hands and said "Let us create a new commission and let the commission look at it."

Mr. Speaker, I want the RECORD to show that Mrs. Gayle T. Harris, former analyst in American national government and public administration for the Legislative Reference Service, is the individual responsible for the compilation of this list. For the RECORD, I should note that Mrs. Harris is the author, also, of a report on "Committees, Commissions, Boards, Councils, and Task Forces Created To Advise the President, the Congress, or Executive Agencies Since 1965." This is a massive report showing authority, responsibility, membership, staff, and reports of advisory bodies created since 1965. It is stored by the Library on computer tape for ease of updating and fast printout. Anybody interested in this report should refer to LDS Report No. GGR 177.

Mrs. Harris has performed an outstanding service for the Congress in gathering together this extensive and intelligible body of information on a subject that deserves close study by the Congress. I want to take this opportunity to commend Mrs. Gayle T. Harris for her dedicated work and to express my appreciation of the really significant contribution she has made to a better understanding of the processes of government.

So, Mr. Speaker, I ask unanimous consent that that be inserted in the RECORD.

The SPEAKER pro tempore (Mr. HECHLER of West Virginia). Is there objection to the request of the gentleman from Illinois?

There was no objection.

The matter referred to follows:

[From the Library of Congress, Legislative Reference Service]

ADVISORY BODIES CREATED BY THE PRESIDENT AND BY CONGRESS 1955 THROUGH MARCH 1968

The Government, to govern, must constantly make decisions. To govern wisely, its decisions must be based upon a wide spectrum of informed and expert opinion and upon a firm and accurate factual foundation. One solution to this need, and one which, it would appear, has been applied with increasing frequency, is the advisory committee.

Advisory bodies come in several shapes and sizes. They may be called commissions, committees, groups, panels, task forces, or boards. They may be appointed solely by the President, by heads of Executive agencies, or be created by act of Congress. They may be composed of private citizens, of Government officials, or of a combination of both. They may be of limited duration, or they may be permanent. They may be endowed with the most general authority to "advise," or they may be created to study and to make recommendations on a very specific problem. They may or they may not justify their existence and their expense by producing results which may become the basis of future public policy.

They form a complex network of sub-Government machinery. Yet there is unfortunately no guidebook to advisory bodies which have existed or which do exist. The following is an attempt to list advisory groups created by the President or by Congress since the second Hoover Commission in 1955. Although every effort has been made to provide a comprehensive list, the paucity or obscurity of records in many instances precludes any claim that this is necessarily complete.

1955 (84TH CONGRESS, 1ST SESSION)

Commission on Government Security. Public Law 84–304, August 9.

New York City National Shrines Advisory Board. Public Law 84–341, August 11.

President's Commission on Veterans' Pensions. Executive Order 10588, January 14.

President's Committee on Government Employment Policy. Executive Order 10590, January 18.

Committee of Under Secretaries on the Rural Development Program. Established by the President, June, 1955.

Civil Defense Coordinating Board. Executive Order 10611, May 11.

Interdepartmental Savings Bond Committee. Executive Order 10626, August 4.

Advisory Committee on Federal Public Works. Established by the President, October 5.

President's Committee on Employment of the Physically Handicapped. Executive Order 10640, October 10.

1956 (84TH CONGRESS, 2D SESSION)

Advisory Committee for each of the Great Lakes under the Great Lakes Fisheries. Public Law 84–557, June 4.

Advisory Committee under the Department of Defense on Medical care for dependents of members of the Armed Services. Public Law 84–569, June 7.

Tin Advisory Committee. Public Law 84–608, June 22.

Water Pollution Control Advisory Board. Public Law 84–660, July 9.

Advisory Committee on Weather Control (extension of committee). Public Law 84–664, July 9.

Academic Advisory Board for the U.S. Merchant Marine Academy. Public Law 84–691, July 11.

President's Committee on Education Beyond High School. Public Law 84–812, July 26.

National Advisory Council on Health Research Facilities. Public Law 84–835, July 20.

Advisory Committee on the Arts. Public Law 84–860, August 1.

Advisory Council on Social Security Financing. Public Law 84–880, August 1.

Advisory Committees under Vocational Education in Practical Nurse Training. Public Law 84–991, August 2.

President's Advisory Commission on Presidential Office Space. Public Law 84–954, August 3.

Advisory Committee on Soil and Water Conservation. Public Law 84–963, August 3.

Advisory Committee under Federal Flood Insurance Act. Public Law 84–1016, August 7.

Air Coordinating Committee (re-establishment). Executive Order 10655, January 28.

President's Board of Consultants on Foreign Intelligence Activities. Executive Order 10656. February 6.

Federal Council on the Aging. Established by Presidential memorandum, April 2.

President's Committee on Scientists and Engineers. Established by the President, April 3.

Cabinet Committee on Small Business. Established by the President, May 31.

President's Council on Youth Fitness. Executive Order 10673, July 16.

President's Citizens Advisory Committee on the Fitness of American Youth. Executive Order 10673, July 16.

1957 (85TH CONGRESS, 1ST SESSION)

Medical Advisory Group under the Chief Medical Director. Public Law 85–56, June 17.

Distinguished Civilian Service Awards Board. Executive Order 10717, June 27.

Career Executive Committee. Executive Order 10724, August 12.

President's Committee on Fund-Raising within the Federal Service. Executive Order 10728, September 6.

Advisory Council to the President's Committee on Fund-Raising without the Federal Service. Executive Order 10728, September 6.

President's Science Advisory Committee. Formally transferred to the White House, November 22.

Trade Policy Committee. Executive Order 10741, November 25.

Development Loan Committee. Executive Order 10742, November 29.

1958 (85TH CONGRESS, 2D SESSION)

Advisory Council under the National Outdoor Recreation Resources Review Commission. Public Law 85–470, June 28.

Outdoor Recreation Resources Review Commission. Public Law 85–470, June 28.

Advisory Boards under Small Business Act. Public Law 85–536, July 18.

Advisory Committees under the National Aeronautics and Space Administration. Public Law 85–568, July 29.

Advisory Committee in Preparation of Revision of Canal Zone Code. Public Law 85–596, August 6.

Advisory Committees and Consultants under Federal Aviation Act. Public Law 85–726, August 23.

Advisory Council on Public Assistance. Public Law 85–840, August 28.

Advisory Council on Child Welfare Services. Public Law 85–840, August 28.

United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueches, and San Jacinto River Basins. Public Law 85–843, August 28.

United States Study Commission on the Savannah, Altamaha, Saint Marys, Apalachicala-Chattachoochee, and Perido-Escambia River Basins. Public Law 85–850, August 28.

Advisory Committee under the Veterans Administrator. Public Law 85–857, September 2.

Medical Advisory Group under the Veterans Administrator. Public Law 85–857, September 2.

Advisory Committee for Medical Care for Dependents of Armed Forces. Public Law 85–861, September 2.

Advisory Committee on New Educational Media. Public Law 85–864, September 2.

Advisory Committees under National Defense Education Act. Public Law 85–864, September 2.

Advisory Committee on International Rules of Judicial Procedure. Public Law 85–906, September 2.

Advisory Committee to the White House Conference on Aging. Public Law 85–908, September 2.

Career Executive Board. Executive Order 10758, March 4.

President's Special Committee to Study Crude Oil Imports. Appointed by the President, Spring.

Committee to Study the United States Military Assistance Program. Appointed by the President, November 24.

1959 (86TH CONGRESS, 1ST SESSION)

National Advisory Council on International Monetary and Financial Problems. Public Law 86–147, August 7.

Advisory Commission to Advise on the Development of Minute Man National Historical Park. Public Law 86–321, September 21.

Advisory Committee under Wabash Valley Compact. Public Law 86–375, September 23.

Advisory Commission on Intergovernmental Relations. Public Law 86–380, September 24.

Advisory Committee under Civil Service Commission in regard to the health program. Public Law 86–382, September 28.

Committee on Government Activities Affecting Prices and Costs. Executive Order 10802, January 23.

Cabinet Committee on Price Stability for Economic Growth. Presidential letter of January 28.

Federal Council for Science and Technology. Executive Order 10807, March 13.

Federal Radiation Council. Executive Order 10831, August 14.

President's Commission on a World's Fair. Appointed by the President, October 10.

National Advisory Committee on Interamerican Activities. Appointed by the President, November 14.

President's Committee on Information Activities Abroad. Presidential letter, December 2.

1960 (86TH CONGRESS, 2D SESSION)

James Madison Memorial Commission. Public Law 86–417, April 8.

Advisory Committee under the Great Lakes Pilotage Act of 1960. Public Law 86–555, June 30.

Advisory Committee under the Office of Coal Research. Public Law 86–599, July 7.

United States Constitution One Hundred and Seventy-fifth Anniversary Commission. Public Law 86–650, July 14.

Advisory Committee of the National Capital Transportation Agency. Public Law 86–669, July 14.

Advisory Board for the Post Office Department. Public Law 86–682, September 2.

New Jersey Tercentenary Celebration Commission. Public Law 86–683. September 2.

United States Citizens Commission on NATO. Public Law 86–719, September 7.

President's Committee for Traffic Safety. Executive Order 10858, January 13.

Commission on National Goals. White House Press Release, February 7.

1961 (87TH CONGRESS, 1ST SESSION)

National Aeronautics and Space Council. Public Law 87–26, April 25.

Area Redevelopment Policy Board. Public Law 87–27, May 1.

National Public Advisory Committee on Area Redevelopment. Public Law 87–27, May 1.

National Armed Forces Museum Advisory Board. Public Law 87–186, August 30.

United States Advisory Commission on International Educational and Cultural Affairs. Public Law 87–256, September 21.

Advisory Committee on Training of Teachers of the Deaf. Public Law 87–276, September 22.

Peace Corps National Advisory Council. Public Law 87–293, September 22.

General Advisory Committee under the United States Arms Control and Disarmament Agency. Public Law 87–297. September 26.

Delaware River Commission. Public Law 87–328, September 27.

Woodrow Wilson Memorial Commission. Public Law 87–364, October 4.

President's Advisory Committee on Labor-Management Policy. Executive Order 10918, January 16.

President's Committee on Equal Employment Opportunity. Executive Order 10925, March 6.

Administrative Conference of the United States. Executive Order 10934, April 13.

President's Council on Youth Fitness. Executive Order 10931, March 29.

President's Foreign Intelligence Advisory Board. Executive Order 10938, May 4.

President's Committee on Juvenile Delinquency and Youth Crime. Executive Order 10940, May 11.

Citizens' Advisory Council to the President's Committee on Juvenile Delinquency and Youth Crime. Executive Order 10940, May 11.

Missile Sites Labor Commission. Executive Order 10946, May 26.

Ad Hoc Committee on Federal Office Space, Appointed by the President, August 4.

President's Committee on National Medal of Science. Executive Order 10961, August 21.

President's Commission on Campaign Costs. Executive Order 10974, November 8.

President's Commission on the Status of Women. Executive Order 10980, December 14.

YEAR 1962 (87TH CONGRESS, 2D SESSION)

National Advisory Committee under the Secretary of Labor in regard to training and skill development programs. Public Law 87–415, March 15.

Advisory Council on Employee Welfare and Pension Benefit Plans. Public Law 87–420, March 20.

North Carolina Tercentenary Celebration Commission. Public Law 87–437, April 27.

National Portrait Gallery Commission. Public Law 87–442, April 27.

Advisory Council on Public Welfare. Public Law 87–543, July 25.

Advisory Committees under the Southern Interstate Nuclear Compact. Public Law 87–563, July 31.

Saint Augustine Quadricentennial Commission. Public Law 87–586, August 14.

National Fisheries Center and Aquarium Advisory Board. Public Law 87–587, October 5.

Battle of New Orleans Sesquicentennial Celebration Commission. Public Law 87–759, October 9.

Adjustment Assistance Advisory Board. Public Law 87–794, October 11.

Advisory Council on Child Health and Human Development. Public Law 87–838, October 17.

Advisory Council on General Medical Sciences. Public Law 87–838, October 17.

Battle of Lake Erie Sesquicentennial Celebration Commission. Public Law 87–883, October 24.

Temporary Committee on Implementation of the Federal Employee-Management Program. Executive Order 10988, January 17.

Defense Study Group on Military Compensation. Announced by the President January 23, 1962.

Federal Safety Council (re-establishment). Executive Order 10990, February 2.

President's Committee on Employment of the Handicapped. Executive Order 10994, February 14.

Citizens' Advisory Council to the President's Committee on Juvenile Delinquency and Youth Crime. Announced by the President March 26.

Committee on Corporate Pension Funds and Other Private Retirement and Welfare Programs. Presidential memorandum, April 2.

Committee on Federal Credit Programs. Presidential memorandum, April 2.

Committee on Financial Institutions. Presidential memorandum, April 2.

Recreation Advisory Council. Executive Order 11017, April 27.

President's Committee for Department of Labor Fiftieth Anniversary Year. Proclamation 3472, May 2.

President's Council on Aging. Executive Order 11022, May 14.

Committee on Equal Opportunity in the Armed Forces. Appointed by the President June 24.

Consumers' Advisory Council. Established by the President July 18.

Health Resources Advisory Committee. Created by the President August 16.

President's Committee on Equal Opportunity in Housing. Executive Order 11063, November 20.

1963 (88TH CONGRESS, 1ST SESSION)

National Advisory Council on Education for Health Professions. Public Law 88–129, September 24.

Commission on the Disposition of Alcatraz Island. Public Law 88–138, October 16.

Advisory Committee on Graduate Education. Public Law 88–204, December 16.

Advisory Committee on Private Enterprise in Foreign Aid. Public Law 88–205, December 16.

Advisory Committee on Vocational Education. Public Law 88–210, December 18.

Advisory Council on Vocational Education. Public Law 88–210, December 18.

President's Council on Physical Fitness. Executive Order 11074, January 8.

President's Advisory Commission on Narcotics and Drug Abuse. Executive Order 11076, January 15.

President's Commission on Registration and Voting Participation. Executive Order 11100, March 30.

President's Advisory Council on the Arts. Executive Order 11112, June 12.

Interagency Committee on International Athletics. Executive Order 11117, August 13.

Committee on Public Higher Education in the District of Columbia. Announced September 23.

Rural Development Committee. Executive Order 11122, October 16.

President's Committee on the Status of Women. Executive Order 11717, November 1.

Advisory Council on the Status of Women. Executive Order 11717, November 1.

President's Commission on the Assassination of President Kennedy. Executive Order 11130, November 29.

Interagency Committee on Export Expansion. Executive Order 11132, December 12.

Committee on the Economic Impact of Defense and Disaramament. Established by the President December 21.

1964 (88TH CONGRESS, 2D SESSION)

United States-Puerto Rico Commission on the Status of Puerto Rico. Public Law 88–271, February 20.

National Commission on Food Marketing. Public Law 88–354, July 4.

Roosevelt Campobello International Park Commission. Public Law 88–363, July 7.

National Commission on Technology, Automation, and Economic Progress. Public Law 88–444, August 19.

Economic Opportunity Council. Public Law 88–452, August 20.

National Advisory Council under the Office of Economic Opportunity. Public Law 88–452, August 20.

National Council on the Arts. Public Law 88–579, September 3.

National Advisory Council on Nurse Training. Public Law 88–581, September 4.

Public Land Law Review Commission. Public Law 88–606, September 19.

Atlantic-Pacific Interoceanic Canal Study Commission. Public Law 88–609, September 22.

Lewis and Clark Trail Commission. Public Law 88–630, October 6.

Advisory Committee to review foreign currencies accruing under the Amendments to the Agricultural Trade Development and Assistance Act of 1954. Public Law 88–638, October 8.

President's Committee on Consumer Interests. Executive Order 11136, January 3.

Consumer Advisory Council. Executive Order 11136, January 3.

Temporary Alaska Claims Commission. Executive Order 11144, March 5.

Committee for the Preservation of the White House. Executive Order 11145, March 7.

President's Advisory Committee on Supersonic Transport. Executive Order 11149, April 1.

Federal Reconstruction and Development Planning Commission for Alaska. Executive Order 11150, April 2.

President's Committee on Manpower. Executive Order 11152, April 15.

Maritime Advisory Committee. Executive Order 11156, June 17.

Federal Development Planning Committees for Alaska. Executive Order 11182, October 2.

President's Commission on White House Fellowships. Executive Order 11183, October 3.

Federal Development Planning Committees for Appalachia. Executive Order 11186, October 23.

1965 (89TH CONGRESS, 1ST SESSION)

National Advisory Council on the Education of Disadvantaged Children. Public Law 89–10, April 11.

Advisory Committee on Supplementary Educational Centers and Services. Public Law 89–10, April 11.

Water Resources Council. Public Law 89–79, July 21,

Joint Commission on the Coinage. Public Law 89–92, July 24.

Health Insurance Benefits Advisory Council. Public Law 89–97, July 30.

National Medical Review Committee. Public Law 89–97, July 30.

National Commission on Urban Problems. Public Law 89–117, August 10.

Advisory Committee on Regional Economic Development. Public Law 89–136, August 26.

Father Marquette Tercentenary Commission. Public Law 89–187, September 15.

National Foundation on the Arts and the Humanities. Public Law 89–209, September 29.

National Endowment for the Arts. Public Law 89–209, September 29.

National Endowment for the Humanities. Public Law 89–209, September 29.

Federal Council on the Arts and the Humanities. Public Law 89–209, September 29.

Select Commission on Western Hemisphere Immigration. Public Law 89–236, October 3.

National Advisory Council on Regional Medical Problems. Public Law 89–239, October 6.

National Advisory Committee on Education of the Deaf. Public Law 89–258, October 19.

National Advisory Council on Medical Dental, Optometric, and Podiatric Education. Public Law 89–290, October 22.

National Advisory Council on Extension and Continuing Education Public Law 89–329, November 8.

Advisory Council on College Library Resources. Public Law 89–329. November 8.

Advisory Committee on Library Research and Training Projects. Public Law 89–329, November 8.

Advisory Council on Developing Institutions. Public Law 89–329, November 8.

Advisory Council on Insured Loans to Students. Public Law 89–329, November 8.

Advisory Committee on American Administrative Costs for the National Defense Education Act Student Loan Program. Public Law 89–329, November 8.

Advisory Council on Quality Teacher Preparations. Public Law 89–329, November 8.

National Commission on Architectural Barriers to Rehabilitation of the Handicapped. Public Law 89–333, November 8.

President's Council on Equal Opportunity. Executive Order 11197, February 9.

Temporary Commission on Pennsylvania Avenue. Executive Order 11210, March 27.

President's Commission on the Patent System. Executive Order 11215, April 10.

Interdepartmental Committee on the Status of Women. Executive Order 11221, May 8.

President's Commission on Crime in the District of Columbia. Executive Order 11234, July 20.

President's Commission on Law Enforcement and the Administration of Justice. Executive Order 11236, July 28.

Automotive Agreement Adjustment Assistance Board. Executive Order 11254, October 26.

President's Committee on Food and Fiber. Executive Order 11256, November 10.

National Advisory Commission on Food and Fiber. Exectuive Order 11256, November 10.

1966 (89TH CONGRESS, 2D SESSION)

National Council on Marine Resources and Engineering Development. Public Law 89–454, June 17.

Commission on Marine Science, Engineering, and Resources. Public Law 89–454, June 17.

American Revolution Bicentennial Commission. Public Law 89–491, July 4.

National Highway Safety Advisory Committee. Public Law 89–564, September 9.

Federal Metal and Nonmetallic Mine Safety Board of Review. Public Law 89–577, September 16.

Advisory Commission on Parcel Distribution Services. Public Law 89–593, September 20.

Commission on Political Activity of Government Personnel. Public Law 89–617, October 3.

Advisory Council on Historic Preservation Public Law 89–665, October 15.

National Transportation Safety Board. Public Law 89–670, October 15.

National Advisory Committee on International Studies. Public Law 89–698, October 29.

Advisory Committee on Adult Education. Public Law 89–750, November 3.

Board of Trustees of the Joseph H. Hirshhorn Museum. Public Law 89–788, November 7.

Missouri-Illinois-Jefferson-Monroe Bridge Commission. Public Law 89–789, November 7.

Kansas-Oklahoma-Arkansas River Commission. Public Law 89–789, November 7.

Nation's Capital Study Commission. Public Law 89–790, November 7.

Board of Higher Education. Public Law 89–791, November 7.

Board of Vocational Education. Public Law 89–791, November 7.

National Advisory Council on Economic Opportunity. Public Law 89–794, November 8.

National Commission on Reform of Federal Criminal Laws. Public Law 89–801, November 8.

Advisory Committee on Reform of Federal Criminal Laws. Public Law 89–801, November 8.

Presidential Election Campaign Fund Advisory Board. Public Law 89–809, November 13.

Advisory Committee on Federal Buildings in the National Capital Region. Directed to be established by the President, January 29.

National Advisory Council on International Monetary and Financial Policies. Executive Order 11269, February 14.

Federal Women's Award Study Group. Established by the President, February 28.

National Citizens Advisory Committee on Vocational Rehabilitation. Announced by the White House March 17.

President's Council on Recreation and Natural Beauty. Executive Order 11278, May 5.

Citizens' Advisory Committee on Recreation and Natural Beauty. Executive Order 11278, May 5.

National Advisory Commission on Health Manpower. Executive Order 11279, May 12.

President's Committee on Mental Retardation. Executive Order 11280, May 17.

President's Committee on National Medal of Science. Executive Order 11287, June 30.

Task Force on Handicapped Children and Child Development. Announced July 4.

National Advisory Commission on Selective Service. Executive Order 11289, July 7.

President's Committee on Libraries. Executive Order 11301, September 7.

National Advisory Commission on Libraries. Executive Order 11301, September 7.

President's Committee on Rural Poverty. Executive Order 11306, September 30.

National Advisory Commission on Rural Poverty. Executive Order 11306, September 30.

Special Consultative Committee to the National Advisory Commission on Selective Service, the President's Committee on Manpower, and the National Advisory Committee on Health Manpower. Established by the President October 18.

Task Force on Educational Television in the Less Developed Countries. Announced by the President November 26.

1967 (90TH CONGRESS, 1ST SESSION)

National Advisory Council on Education Professions Development. Public Law 90–35, June 29.

Golden Spike Centennial Celebration Commission. Public Law 90–70, August 21.

Commission on Obscenity and Pornography. Public Law 90–100, October 3.

National Commission on Product Safety. Public Law 90–146, November 20.

Commission on Executive, Legislative, and Judicial Salaries. Public Law 90–206, December 16.

Board of the Federal Judicial Center. Public Law 90–219, December 20.

Economic Opportunity Council. Public Law 90–222, December 23.

National Advisory Council on Supplementary Centers and Services. Public Law 90–247, January 2.

Advisory Committee on Education of Bilingual Children. Public Law 90–247, January 2.

Advisory Council to Study Coverage of the Disabled under Title XVIII of the Social Security Act. Public Law 90–248, January 2.

Advisory Council on Medical Assistance. Public Law 90–248, January 2.

National Advisory Committee on Health Facilities. Announced by the President February 28.

President's Commission on Budget Concepts. Appointed by the President March 3.

President's Council on Youth Opportunity. Executive Order 11330, March 5.

Citizens' Advisory Board on Youth Opportunity. Executive Order 11330, March 5.

Pacific Northwest River Basins Commission. Executive Order 11331, March 9.

Advisory Committee on Top Federal Salaries. Appointed by the President, March 22.

Committee to Develop Financing Procedures for Overseas Activities of Private Organizations. Appointed by the President April 6.

President's Commission on Postal Organization. Executive Order 11341, April 22.

Great Lakes Basin Commission. Executive Order 11345, April 22.

President's Task Force on Reducing Federal Grant-in-Aid Processing Time. Appointed by the President. May, 1967.

President's Committee on Consumer Interests. Executive Order 11349, May 3.

Consumer Advisory Council. Executive Order 11349, May 3.

President's Advisory Council on Cost Reduction. Executive Order 11353, May 25.

President's Committee on Urban Housing. Announced by the President June 2.

Interagency Committee on Mexican American Affairs. Appointed by the President June 9.

Souris-Red-Rainy River Basins Commission. Executive Order 11359, June 22.

National Advisory Commission on Civil Disorders. Executive Order 11365, August 1.

President's National Advisory Panel on Insurance in Riot-Affected Areas. Established by the President August 10.

President's Task Force on Communications Policy. Announced by the President August 14.

New England River Basins Commission. Executive Order 11371, September 6.

Industry-Government Special Travel Task Force. Appointed by the President November 16.

Task Force to Study the Silver Bridge Tragedy and to Conduct a National Survey of Bridge Safety. Appointed by the President December 19.

Federal Advisory Council on Regional Economic Development. Executive Order 11386, December 28.

1968 (90TH CONGRESS, 2D SESSION)

Commission on Income Maintenance Programs. Announced by the President January 2.

National Alliance of Businessmen. Announced by the President January 23.

President's Commission for the Observance of Human Rights Year 1968. Executive Order 11394, January 30.

Cabinet Committee on Price Stability. Established by the President February 23.

President's Council on Physical Fitness and Sports. Executive Order 11398, March 4.

National Council on Indian Opportunity. Executive Order 11399, March 6.

	Congress and session	Public Law	Exec.	Total	
1955	84-1	2	7	9	30
1956	84-2	14	7	21	
1957	85-1	1	7	8	28
1958	85-2	17	3	20	
1959	86-1	5	7	12	22
1960	86-2	8	2	10	
1961	87-1	10	12	22	50
1962	87-2	13	15	28	
1963	88-1	6	12	18	41
1964	88-2	12	11	23	
1965	89-1	25	9	34	72
1966	89-2	21	17	38	
1967	90-1	11	23	34	
Total		145	132	277	

Mr. RUMSFELD. Mr. Speaker, I would also like to briefly comment on what this effort has really been about.

As the gentleman from Tennessee indicated, it has been going on for years on the minority side, at least, six that I know of—attempts by the minority Members to see if we could bring about some changes in our rules and procedures to make this Congress of the United States a more efficient instrument of Government.

It includes the preparation of a book that has been published, platform presentations, GOP policy committee statements, speeches on the floor, and testimony before committees, month after month and year after year. Here we are in September 1968, and the legislation still has not yet been scheduled.

The question comes: What could be done? We have talked and visited, the group of individuals I mentioned, and came to the conclusion that it would be worthwhile before the close of this year to see if there is some way that we could get some cooperation on the part of the majority party in the House of Representatives to schedule these two important bills prior to adjournment.

The rules of the House offer opportunities to any Member. It takes cooperation on the part of the membership to run a legislative body with 435 Members. Under our rules, which are designed to protect the rights of a single Member and the rights of a minority, one Member, or a small handful of Members, can tie the House of Representatives up in knots—absolutely in knots.

For 2 hours several days ago when there was nothing of grave importance scheduled for consideration in the House and we had not met on the preceding Friday, and we had spent the whole day Monday talking about a bill concerning marketing orders for pears, we used some of those procedures.

For a period of 2 hours we used the rules to point up the fact that it does take cooperation in the Chamber for a legislative body to function well.

We have no desire to disrupt or to delay the consideration of important legislation, and prior to the time that the Defense appropriation bill was available for consideration on the floor, we terminated the use of these parliamentary procedures and were happy to join in the consideration of that important bill.

The discussion then came as to the possible use of Calendar Wednesday. It is really available to the membership. Again it takes the cooperation of the majority party. It requires the Democratic leadership, plus in this case the chairman of the committees, to agree it is important to bring to the floor the election reform bill and not schedule bills from the committees on the call of Calendar Wednesday that would come earlier—not schedule those bills for consideration.

But we were informed after we objected last week and after pursuing it during the intervening period, that in fact it was the intention of the majority party to bring up a variety of bills.

I have here a list of bills that are available or eligible under Calendar Wednesday to have been considered tomorrow had the objection been continued.

I indicated previously the numbers of each bill in each committee. I ask unanimous consent at this point in the record, Mr. Speaker, to insert in the RECORD the list of bills that has been prepared and which would have been eligible for Calendar Wednesday consideration.

The SPEAKER pro tempore (Mr. HECHLER of West Virginia). Without objection, it is so ordered.

There was no objection.

The list of bills referred to is as follows:

BILLS ELIGIBLE UNDER CALENDAR WEDNESDAY RULE

AGRICULTURE

H.R. 10190: Rural electrification and telephone programs.

H.R. 12066: Rural telephone bank.

H.R. 13653: Tobacco acreage allotments, transfer and lease.

H.R. 15030: Potato Research and Promotion Act.

H.R. 18033: Deed certain lands to Ohio.

S. 852: Authorize Secretary to furnish financial assistance to carry out plans for land conservation.

S. 2511: Improve income of producers of crude pine gum.

H.R. 18207: Deed certain land to South Carolina.

APPROPRIATIONS

None.

ARMED SERVICES

S. 1216: Authorize Secretary of Defense to appropriate money during fiscal year 1967 to purchase property under provisions of Public Law 89-754.

BANKING AND CURRENCY

H.R. 11000: Provide Federal financial assistance to help cities and communities to develop rat control and extermination programs.

H.R. 13718: Authorize the establishment and provide for regulation of Federal savings institutions.

H.R. 13217: Authorize appropriation of $200 million for a U.S. contribution to the Asian Development Bank.

H.R. 16775: Provide for increased participation by the United States in the International Development Association.

H.R. 17361: Provide for striking of medals for 115th anniversary of founding of city of Memphis.

S. 3671: Provide for striking of medals for 200th anniversary of Dartmouth College.

H.R. 16092: Extend for 1 year the authority to provide for more flexible regulation of maximum interest rates or dividends.

DISTRICT OF COLUMBIA

H.R. 12065: Establish Department of Management and to provide for the election of a school board.

H.R. 10939: To amend National Capital Planning Commission Act to preserve remaining historic landmarks.

H.R. 6647: Provide for annual inspection of all motor vehicles.

H.R. 6727: Amend Alcoholic Beverage Control Act.

H.R. 17854: Parking facility bill.

EDUCATION AND LABOR

H.R. 100: Amend National Labor Relations Act with respect to strikes at construction sites.

H.R. 13103: Amend Elementary Education Act to provide assistance to local educational agencies.

H.R. 16014: Amend National Labor Relations Act to amend definition of "employees" to include certain agricultural employees.

H.R. 17748: Authorize Secretary of Labor to set safety standards.

H.R. 12962: Establish a Commission on Negro History.

H.R. 18763: Authorize preschool program for handicapped children.

H.R. 2567: Provide safety standards in federally financed or federally constructed projects.

H.R. 15990: Seasonality in Construction Industry.

H.R. 6498: Welfare and Pension Plans Act.

FOREIGN AFFAIRS

H. Con. Res. 48: Establish Atlantic Union delegation.

H.R. 16903: Provide increases payable as annuities from Foreign Service Retirement Fund (Congressional Retirement).

GOVERNMENT OPERATIONS

H. Res. 405: Disapprove Reorganization Plan No. 2.

H.R. 9382: Authorize payment of travel expenses.

H.R. 10085: Authorize air conditioning of Government vehicles.

H.R. 12510: Establish Commission of Government Procurement.

S. 805: Amend Federal Property Act of 1949.

H.R. 18826: A bill to achieve cooperation at all levels of government.

HOUSE ADMINISTRATION

H.R. 15710: Exempts D.C. Commissioner and Councilmen from Hatch Act provisions.

H.R. 11233: To revise Federal elections laws.

INTERIOR AND INSULAR AFFAIRS

S. 862: Amend Small Reclamation Projects Act of 1956.

H.R. 3274: Preserve domestic gold mining industry.

H.R. 13099: Establish Carl Sandburg Home National Historic Site.

H.R. 4530: Lands patents, liberalize conveyance.

H.R. 13797: Authorize sale of certain public lands.

H.R. 16771: Designate certain lands in Great Swamp National Wildlife Refuge as wilderness in New Jersey.

H.R. 13512: Designate Mount Jefferson Wilderness in Oregon.

S. 224: Provide rehabilitation of Eklutna project, Alaska.

S. 3058: Amend Water Resources Planning Act.

H.R. 15245: Establish Flaming Gorge National Recreation Area in Utah and Wyoming.

H.R. 16801: Amend Guam Rehabilitation Act.

H.R. 17787: Authorize funds for Padre Island National Seashore, Texas.

H.R. 18333: Authorize feasibility study for Upper Mississippi National Recreation Area.

H.J. Res. 1384: Relating to administration of national park system.

H.R. 10256: Riverside, California claims.

H.R. 14413: Authorize acquisition and disposition of certain lands at Chattanooga National Military Park, Georgia.

H.R. 8970: Establish North Cascades National Park, Washington.

H.R. 16012: Authorize purchase of land by Swinomish Indians.

H.R. 16947: Per capita distribution of judgment funds to Indian tribes on Colville Reservation.

H.R. 17273: Amend P.L. 86–339 relating to mission Indians.

H.R. 17684: Provide for longer leases of land to certain Indian tribes in New Mexico.

H.R. 17850: Provide for disposition of funds of a judgment in favor of Muckleshoot Tribe of Indians.

H.R. 18192: Authorize use of judgment funds by certain Indian tribes in Oklahoma.

H.R. 18885: Provide for disposition of judgment funds for Seminole Indians in Oklahoma.

H.R. 8781: Land exchange Shasta County, California.

H.R. 17609: Land conveyance in Kenai, Alaska.

H.R. 17874: Land applications, extend in Alaska.

S. 2715: Provide disposition of judgment funds, Chickasaw Indians, Oklahoma.

S. 3227: Judgment funds, Paiute Tribe.

S. 3620: Judgment fund disposition, Quechan Tribe.

INTERSTATE AND FOREIGN COMMERCE

S.J. Res. 175: Suspend equal time provisions.

JUDICIARY

S. 1440: Prohibit interstate or foreign transportation with unlawful intent, of forged travelers checks.

S. 945: Establish U.S. magistrate system.

H.J. Res. 396: Provide for the representation of the District of Columbia in Congress.

H.R. 13016: Cost of living allowance for judicial employees outside continental U.S., Alaska or Hawaii.

H.R. 15651: Facilitate entry of foreign tourists into the U.S.

H.R. 18612: Codifying laws relating to public printing and documents.

H.R. 17864: Amend titles 5, 10, and 27, United States Code, to codify recent law and to improve the code.

H.R. 18100: Empower postal inspectors to serve warrants.

S. 1073: Remove arbitrary limitations on attorney's fees.

H.R. 15450: Amend Immigration and Nationality Act.

MERCHANT MARINE AND FISHERIES

H.R. 18808: Extend Commercial Fisheries Research Act of 1964.

S. 3030: Reduce number of fish protein concentrate plants.

H.R. 13940: Provide a new maritime program.

H.R. 11190: Distribution of pistol range revenue.

POST OFFICE AND CIVIL SERVICE

H.R. 15890: Provide for additional positions in agencies.

H.R. 17267: Remove Federal employees who engage in lawful acts connected with riots and civil disorder.

H.R. 16558: Provide for more efficient use of Civil Service Commission revolving fund.

H.R. 17682: civil service retirement.

H.R. 18663: Permit postal employees to accept checks.

H.R. 17954: Correct inequities from overpayment of Government employees.

H.R. 19136: Payment of overtime pay to certain employees in Department of Transportation.

H.R. 7406: Per diem allowance for certain employees of Corps of Engineers.

H.R. 12881: Payment of allowances to defray costs of commuting.

H.R. 16524: Provide for appointment of postmasters.

PUBLIC WORKS

H.R. 16981: Limit use of federally owned property in District of Columbia for demonstration purposes.

S. 2484: Extension of New Senate Office Building site.

S. 2658: Vehicle weight and length limitations.

H.R. 16175: Organization of American States headquarters.

H.R. 4846: TVA compensation for real property.

S. 1467: Authorize beautification program under title 23, United States Code.

RULES

H. Res. 983: Create a select committee to study retirement benefits for Members of House.

H. Res. 148: Resolution to amend Rules of House to change name of Committee on Un-American Activities.

SCIENCE AND ASTRONAUTICS

None.

UN-AMERICAN ACTIVITIES

H.R. 735: Create Freedom Academy.

H.R. 8: Amend Internal Security Act of 1950 (Pool bill).

H.R. 15626: Amend Subversive Activities Control Board Act to deny employment to certain individuals in defense plants.

H.R. 7025: Amend Internal Security Act of 1950.

VETERANS' AFFAIRS

H.R. 150: Designate certain Veterans' Administration facilities.

H.R. 12801: Establish in the Veterans' Administration a national cemetery system.

WAYS AND MEANS

H.R. 6909: Tariff duty on parts of stethoscopes.

H.R. 7567: Railroad Retirement Act, taxes.

H.R. 11394: Tax provisions relating to distilled spirits.

H.R. 11408: Withholding of Maryland and Virginia income taxes from employees and officers of legislative branch.

H.R. 13419: Free entry of plastic materials used in kidney machines.

H.R. 14095: Ordered reported.

H.R. 15003: Eliminate tariff on horses temporarily exported for racing.

H.R. 15023: Ordered reported.

H.R. 15114: Redemption of savings notes.

H.R. 16552: Tariffs on sugar, syrups, and molasses.

H.R. 16654: Duty-free entry of copper.

H.R. 17332: Ordered reported.

H.R. 18101: Ordered reported.

H.R. 18253: Definition of earned income.

H.R. 18299: International Coffee Agreement Act.

H.R. 18373: Ordered reported.

H.R. 18486: Global communications satellite system treatment of income taxes.

H.R. 18942: Ordered reported.

S. 1578: International Union for Publication of Customs Tariff, appropriation for.

BILLS LISTED FOR SUSPENSION OF RULES, MONDAY, SEPTEMBER 16, 1968, INCLUDED IN ABOVE LIST

1. Interior Committee.
2. Education and Labor.
3. H.R. 16092 a similar bill to S. 3133 (Banking and Currency).
4. Judiciary.
5. Government Operations.
6. Merchant Marine and Fisheries.
7. Interior.
8. Interior.
9. Education and Labor.
10. Judiciary.
11. Agriculture (also on Consent Calendar).
12. Agriculture (also on Consent Calendar).
13. Judiciary (also on Consent Calendar).
14. Education and Labor.
15. Merchant Marine and Fisheries.
16. Interior.
17. Interior.
18. Interior (also on Consent Calendar).
19. Interior.
20. Post Office and Civil Service.
21. Public Works.
22. Interior.
23. Interior (also on Consent Calendar).

BILLS ON CONSENT CALENDAR INCLUDED IN ABOVE LIST

[*Bill number and committee*]

H.R. 18612: Judiciary, Consent Calendar No. 230.

H.R. 17864: Judiciary, Consent Calendar No. 231.

HR. 18100: Judiciary, Consent Calendar No. 227.

H.R. 17361: Banking and Currency, Consent Calendar No. 237.

S. 3671: Banking and Currency, Consent Calendar No. 238.

H.R. 4530: Interior, Consent Calendar No. 239.

H.R. 13797: Interior, Consent Calendar No. 240.

H.R. 16771: Interior, Consent Calendar No. 241.

H.R. 13512: Interior, Consent Calendar No. 245.

H.R 4846: Public Works, Consent Calendar No. 268.

H.R. 18033: Agriculture, Consent Calendar No. 246.

H.R. 18207: Agriculture, Consent Calendar No 247.

H.R. 15245: Interior, Consent Calendar No. 248.

H.R. 18333: Interior, Consent Calendar No. 249.

H.R. 10256: Interior, Consent Calendar No. 250.

H.R. 14413: Interior, Consent Calendar No. 251.

H.R. 17954: Post Office, Consent Calendar No. 252.

H.R. 7406: Post Office, Consent Calendar No. 253.

HR. 12881: Post Office, Consent Calendar No. 254.

H.R. 16012: Interior, Consent Calendar, No. 255.

H.R. 16947: Interior, Consent Calendar No. 256.

H.R. 17273: Interior, Consent Calendar No. 257.

H.R. 17684: Interior, Consent Calendar No. 258.

H.R. 17850: Interior, Consent Calendar No. 259.

H.R. 18192: Interior, Consent Calendar No. 260.
H.R. 18885: Interior, Consent Calendar No. 261.
H.R. 8781: Interior, Consent Calendar No. 262.
H.R. 17609: Interior, Consent Calendar No. 263.
H.R. 17874: Interior, Consent Calendar No. 264.
S. 2715: Interior, Consent Calendar No. 265.
S. 3227: Interior, Consent Calendar No. 266.
S. 3620: Interior, Consent Calendar No. 267.

Mr. RUMSFELD. Mr. Speaker, it is my understanding that this list is accurate, with the exception of one or two bills which passed subsequent to its preparation on different calendars earlier this week.

Mr. Speaker, I would also like to place in the CONGRESSIONAL RECORD at this point a description of Calendar Wednesday, a procedure which was adopted by the House on March 1, 1909.

I think it is instructive, and I would ask unanimous consent that the congressional procedure pages on Calendar Wednesday be printed in the RECORD at this point and also that the pages from Cannon's Procedures in the House of Representatives on Calendar Wednesday be printed in the RECORD at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

RIDDICK—U.S. CONGRESS: ORGANIZATION AND PROCEDURE

CALENDAR WEDNESDAY

Nature of Calendar. The rule for Calendar Wednesday was adopted by the House on March 1, 1909.[51] It provides that each Wednesday shall be set aside exclusively for the various standing committees to call up and hear for enactment bills and resolutions[52] not otherwise privileged.[53] The bills or resolutions must have been printed on either the House or Union Calendars for one or more days.[54] If there is a Calendar Wednesday before all the committees are appointed, the rule includes only the ones in existence.[55] Committees are absolutely forbidden to yield or attempt to exchange their order of consideration and the House is not bound by any agreement made between committees off the floor.[56]

Status of Bills on Calendar. The status of any measure under this call has no relation to that on another calendar. Bills or resolutions called up for consideration under this rule, even though they have been debated at another time under another rule, will be heard as if no prior action has been taken on them,[57] and vice versa.[58]

Procedure on Calendar Wednesday. Under this rule the Speaker is authorized on the mid-week day of each week to announce to the House: "This is Calendar Wednesday. The Clerk will call the roll of the committees." [59] The committees are called in the order in which they appear in Rule X and not alphabetically.[60] Each committee is called twice; if there is no response, the call passes on to the next committee.[61] A committee, recognized for the consideration of its measures, may consume the entire day. But one committee is not entitled to more than one Wednesday, unless the House by a two-thirds vote decides to the contrary.[62]

Committees Call Up Business. Each committee has the power of determining the order in which it shall call up its measures, but the question of consideration on each bill may be raised.[63] Each committee has such power over the consideration of its business that it may withdraw any bill at any time until the House begins to add amendments; at this time the House assumes complete jurisdiction, and the bill may not thereafter be withdrawn.[64]

Classes of Bills and Their Consideration. All bills called up for consideration under Calendar Wednesday rule are divided into two classes, namely: bills and resolutions from the Union Calendar and bills and resolutions from the House Calendar. The procedures for both types of business are much the same; bills or resolutions authorizing money or property or a charge on the Federal Treasury, (from the Union Calendar) however, must be first considered in the Committee of the Whole, if unanimous consent to consider in House as if in the Committee of the Whole has not been requested and granted.[65] When a bill of the first class is called up, if the bill is not considered in the House as if in the Committee of the Whole, the House automatically resolves itself into the Committee of the Whole to consider the measure.[66] The Speaker states: "This bill is on the Union Calendar, and under the rule the House automatically resolves itself into the Committee of the Whole House on the state of the Union, with the gentleman from ———, Mr. ———, in the chair." [67] The House determines as to whether or not a bill must be considered in the Committee of the Whole.[68]

Method of Calling Up Bills. When any committee is called, a Member properly authorized by it,[69] addresses the Speaker: "Mr. Speaker, by direction of the Committee on ———, I call up the bill (H.R. ———)" etc.[70] After the bill is reported to the House, general debate is in order which may not exceed two hours; [71] it may not be extended by unanimous consent.[72] The purpose of this procedure is to expedite legislation. A person calling up a bill from the House Calendar is recognized for one hour, but he may move the previous question after one minute discussion; [73] the same is true with any measures considered in the House as if in the Committee of the Whole. Bills considered in Committee of the Whole should be debated by both the pro and con, each side consuming one hour; if no Member of the committee claims the time in opposition, however, the chair may use his discretion in granting the time. Generally, if no person claims the time in opposition, the bill is immediately read for amendment at conclusion of the first hour.[74]

Debate. In recognizing for debate, as in all debate in the House, the Speaker must give preference first to Members reporting the bill, and secondly to the Members of the committee responsible for it. If no Member of the said committee opposes the bill any Member may be recognized in opposition.[75] With the above exceptions, the rules for debate of this business are regular.

Reading Bills for Amendments. Bills or resolutions are read by sections for amendments; as soon as each section is read, committee amendments thereto are considered, followed by individual amendments. When the amending process in the House is over the previous question for passage of the measure is moved; in the Committee of the Whole, the committee rises and reports the bill back to the House with recommendation. If no amendments are offered by the House thereto, the bill is immediately passed.

House May Pass Over Calendar. The House may dispense with the consideration of Calendar Wednesday.[76] A motion to dispense with the proceedings on Wednesday is in order on any preceding day, and the debate on such motion is limited to ten minutes.[77] The day is usually dispensed with by unanimous consent but only a two-thirds vote is required.[78] The floor leader, who is responsible for the program, generally the day before, makes a unanimous consent request that the proceedings on Calendar Wednesday be dispensed with. If this business is not dispensed with before a Wednesday, the Speaker may decline to recognize on Wednesday a Member making a unanimous consent request to establish a special order for the day.[79] In practice over a number of years, most of the Calendar Wednesdays have been dispensed with.[80]

Precedence of Business. If the business is not dispensed with before the arrival of this particular day, the business defined by this rule is of high privilege. The call of committees will take precedence over a request for a unanimous consent.[81] "The Speaker is constrained to recognize on Wednesday any Member proposing a motion to dispense with proceedings in order on that day," [82] and privileged questions are not in order.[83] On exceptional occasions veto messages have been considered as a constitutional mandate superseding the business in order under the rules.[84] Questions of privilege,[85] reference of reports to proper calendars,[86] and moving the previous question [87] are in order.

On Calendar Wednesdays when there is no business to consider as defined by the rule, even though such business has not been disposed of, it is only natural to expect the House to proceed with other business; a motion to dispense with the regular business for the day is not even necessary.[88] Further, on any occasion, when the call of committees is completed before the close of the day, business otherwise in order will be considered.

Unfinished Business. Unfinished business from Calendar Wednesdays goes over until a following like day if the previous question has not been reached. If the previous question has been ordered, the issue comes up the next legislative day as unfinished business of the House, but the question of consideration can be raised.[92]

Exceptions. This rule does not apply to the proceedings of the last two weeks of a session, and if all the committees are not called during one session the call begins the next session where it was last left off.

FOOTNOTES

[51] *House Manual*, 75–1, sec. 898. The rule was amended March 1909; additional amendments were attached on January 18, 1916 and again on December 8, 1931.

[52] Committees are recognized only for the purpose of calling up bills and resolutions (Cannon, VI, 754).

[53] *House Manual*, 75–1, sec. 897; Cannon, VII, 881, 932–935. This includes specific appropriation bills.

[54] *House Manual*, 75–1, sec. 897; Cannon, VII, 881, 938.

[55] Cannon, VII, 925.

[56] Cannon, VII, 927.

[57] Cannon, VII, 954.

[58] Cannon, VII, 943.

[59] C.R., 75–3, pp. 5862–5867.

[60] Cannon, VII, 922.

[61] Cannon, VII, 924, 926. When a committee is passed over, it loses the privilege to offer a bill under this procedure until it is reached the next time according to the rule.

[62] Rule XXIV, clause 7; Cannon, VII, 945. If the previous question on a bill has been reached, that becomes unfinished business of the House (Cannon, VII, 895, 967–969; Cannon, VIII, 2680). All pending business not unfinished business of the House must go over to the next Wednesday (Cannon, VII, 965).

[63] Cannon, VII, 947. The House may not, by an extension of a general rule grant priority to bills on the House Calendar over those on the Union Calendar (Cannon, VII, 938).

[64] Cannon, VII, 930.

[65] This is quite a common practice in the House today; it simplifies procedure and saves time.

[66] See Cannon, VII, 939–942, 966.

[67] If a point of order is raised against clause in a bill concerned with an appropriation, the House automatically resolves itself in Committee of the Whole for consideration of the bill. the offending clause having been eliminated (Cannon, VII, 2145).

[68] If the House disapproves of a report made by the Committee of the Whole, it will resolve itself back into the Committee for reconsideration (Cannon, VII, 943, 951); the bill is open to further amendments and the motion to strike out the enacting clause is in order (Cannon, VIII, 2633–2640).

[69] Business is not in order except when authorized by the committee in charge. The committee may authorize any Member to call up a measure (Hinds, IV, 3127–3128); authority having been granted one Member, another may not be recognized if objection is heard (Cannon, VII, 928–929).

[70] C.R., 75–1, p. 1811.

[71] *House Manual*, 75–1, sec. 897; Cannon, VII, 959.

[72] Cannon, VII 959. The Presiding Officer will not entertain such motions.

[73] Cannon, VII, 955–957.

[74] Cannon, VII, 960–962. The full hour does not have to be consumed.

[75] Cannon, VII, 958.

[76] Rule XXIV, clause 7; Cannon, VII, 881.

[77] Cannon, VII, 917.

[78] *House Manual*, 75–1, sec. 897.

[79] Cannon, VII, 888, 915–916, 964.

[80] There has been much complaint that these days have been dispensed with too frequently by the use of the above method. The floor leader generally requests a day or two before Wednesday that the business for Calendar Wednesday be dispensed with. If there are no objections, the House leaders, subject to the will of the majority, may determine what shall be considered that day.

One Member of the Committee on Immigration and Naturalization complained in 1931 that his committee had not been given a Calendar Wednesday since 1922 (*Immigration, Hearings before the Committee on Rules*, 71–3, H.J. Res. 473, p. 43). This is an extreme case, but it is true that most of the Calendar Wednesdays have been dispensed with by unanimous consent. Rarely are more than one-half of these days utilized for the purpose set by the rule. (See Haines, *Law Making In America*, pp. 29–30).

[81] Cannon, VII, 882–887.

[82] Cannon, VII, 915. "While a bill may be reported for printing on Wednesday, the right to call up for immediate consideration is not thereby implied." (Cannon, VII, 907).

[83] Business which has been held not to be in order: consideration of motion to reconsider (Cannon, VII, 905), questions of privilege or privileged bills (Cannon, VII, 932–934), contested election cases (Cannon, VII, 903), motions for recess (*House Manual*, 75–1, section 897), conference reports (Cannon, VII, 901), "motion to discharge a committee from consideration of a privileged resolution of inquiry" (Cannon, VII, 896–897), resolutions of inquiry (Cannon, VII, 898) propositions relating to impeachment (Cannon, VII, 902), motions to change reference of bills to other committees (Cannon, VII, 883–884), motion to go into Committee of the Whole to consider revenue or appropriation bills (Cannon, VII, 904), Senate bills which are privileged because of similarity to some bill already on the House Calendar (Cannon, VII, 906), measures coming over from Tuesday on which the previous question has been moved (Cannon, VII, 890–894), and motions of unanimous consent not concerned with Calendar Wednesday (Cannon, VII, 882–888); Cannon, VII, 881–971; *House Manual*, 75–1, sec. 897.

[84] Cannon, VII, 912.

[85] Cannon, VII, 908–911.

[86] Hinds, III, 2614–2615.

[87] Cannon, VII, 955–957.

[88] Cannon, VII, 918–920.

CANNON'S PROCEDURE IN THE HOUSE OF REPRESENTATIVES

CALENDAR WEDNESDAY

(§ 897)

Speaker. Today is Calendar Wednesday, and the Clerk will call the roll of committees.

Member (when his committee is called). Mr. Speaker, by direction of the Committee on ____, I call up the bill H.R. _____.

[May be called up only on formal authorization by the committee. Authority having been given one Member to call up a bill another may not be recognized for that purpose if objection is made (IV, 3128; VII, 928, 929). Rule XI, Clause 26 (d) is sufficient authorization for the chairman to call up a bill on Calendar Wednesday (81–2–2161). A bill so called up may be withdrawn at any time before amendment (VII 930).]

House Calendar bill

Speaker. This bill is on the House Calendar. The Clerk will report the bill.

Union Calendar bill

Speaker. This bill is on the Union Calendar, and under the rule the House automatically resolves itself into the Committee of the Whole House on the State of the Union, with the gentleman from ____, Mr. ____, in the chair.

Chairman. The House is in the Committee of the Whole House on the State of the Union for the [further] consideration of the bill H.R. ____, which the Clerk will report by [by title].

(When first called up the bill is read in full unless reading is dispensed with by unanimous consent. If consideration is extended beyond the day, it is read by title when called up on subsequent days).

Member. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

[First reading may be dispensed with by unanimous consent only and motion to that effect is not in order (VII, 1055).]

Chairman. Is there objection? The Chair hears none. Under the rule general debate is limited to two hours, and the Chair will recognize the gentleman from ———, Mr. ——— [usually the chairman of the committee], for the hour in favor of the bill and later the gentleman from ———, Mr. ——— [usually the ranking minority member of the committee], for the hour in opposition. The gentleman from ——— is recognized.

The rule

Wednesdays are set apart for the consideration of unprivileged bills on House and Union Calendars taken up on call of committee (§ 897; VII, 811). [The call of committees under the Calendar Wednesday rule (§ 897) is differentiated from the call of committees during the regular morning hour (§ 889) and each maintains its separate calendar (VII, 944). Proceedings under the two rules are unrelated and unfinished business under one is not considered under the other (VI, 752).] The rule cannot be dispensed with except by a two-thirds vote (VII, 915, 916) but does not apply during the last two weeks of a session (VII, 971).

No committee shall occupy more than one Wednesday except by two-thirds vote and debate is limited to two hours, equally divided, on each bill (VII, 959), and must be germane (VII, 955).

A privileged bill may not be called up on Wednesday (VII, 932–935; VIII, 2289). [The privilege of a bill is not affected by the method by which reported, and delivery of a privileged bill to the Clerk instead of reporting from the floor, does not destroy its privilege so as to render it eligible for consideration on Wednesday (VII, 936). Bills reported from the District Committee are not so privileged as to prevent their consideration under the call of the committees on Wednesday (VII, 937).]

No bill can be called up on Wednesday without authorization of the committee reporting it (IV, 3127, 3128), and authority having been given one Member to call up a bill, another may not be recognized for that purpose if objection is made (VII, 928, 929). [Authorization by a committee "to use all parliamentary means to bring the bill before the House" was held to authorize the calling up of a bill on Calendar Wednesday (VIII, 2217). However, sec. 133(e) of the Legislative Reorganization Act of 1946 (61 Stat. 367; Rule XI, cl. 26(d)], sufficient authorization for chairman to call up bill on Calendar Wednesday (§§ 735, 898; 81–2–2162).]

Precedence

No business is in order on Wednesdays except the call of committees (§ 897; VII, 881).

It is not in order to move to postpone consideration of pending business to Wednesday (VIII, 2614) [but may be postponed from one Wednesday to another Wednesday (VII, 970)], and as the rules do not admit a motion to recess, Calendar Wednesday is not subject to encroachment either through the motion to postpone or the continuation of the previous legislative day. But the call of committees having been completed, business otherwise in order may be called up on Wednesday (VII, 921).

No resolution shall be reported by the Committee on Rules to set aside Calendar Wednesday except by two-thirds vote (VIII, 2260, 2262), and special orders providing for consideration of a bill from day to day until disposed of do not include Wednesdays (VII, 773, 789).

When the House adjourns on Tuesday without voting on a proposition on which the previous question has been ordered, the question does not come up Wednesday but on Thursday (VII, 890–894). However, when the House adjourns on Wednesday with the previous question pending, the question does not go over to the next Wednesday but comes up on the following legislative day (VII, 895).

Call of committees on Calendar Wednesday has precedence over conference reports (VII, 899–901), [may be presented but not considered (VII, 907)], over special orders unless expressly including Wednesday and passed by two-thirds vote (§ 897; VII, 773), over the motion to go into Committee of the Whole to consider revenue and appropriation bills (VII, 904), business on which the previous question is operating, and undisposed of at adjournment on preceding day (VII, 890), motions for change of reference to committees (VII, 883, 884, 2117), privileged resolutions of inquiry (VII, 896), contested-election cases (VII, 903), consideration [not entry] of motions to reconsider (VII, 905), District of Columbia business (VII, 937), propositions relating to impeachment (VII, 902), Senate bills privileged because of similarity to a bill on the House Calendar (VII, 906), messages from the President (VII, 913, 914), and motions for unanimous consent (VII, 882–888).

The date for the count of the electoral vote falling on Calendar Wednesday, the House by resolution provided for a recess on that day (VI, 445).

But—

Yields to questions of privilege (VI, 394; VII, 908–911), to the consideration of veto messages (VII, 912, 1095), the question of reference of reports to the calendars (III, 2614, 2615), motions for the previous question (VII, 955–957), and the administration of oath to Members (VI, 22).

Motions to reconsider may be entered but not considered (VII, 905) and privileged reports may be presented for printing but without the right to call up for immediate consideration (VII, 907).

It is not in order on Calendar Wednesday—

To move a change of reference (VII, 884, 2117).

To call up a conference report (VII, 899–901).

To offer a motion for recess (§ 897).

To call up a privileged bill (VII, 932–934; VIII, 2289).

To call up bill given privileged status by special order (VII, 935).

To call up a bill from the Private Calender (§ 897).

To consider business coming over from Tuesday with previous question ordered (VII, 890).

To call up a resolution of inquiry (VII, 898) or to move to discharge committees from consideration of privileged resolutions of inquiry (VII, 896, 897).

On Wednesdays the Speaker declines to entertain a request for unanimous consent not connected with Calendar Wednesday business (VII, 882–888).

Call of committees

Committees are called seriatim in the order in which they appear in the rules (VI, 751; VII, 922–923), as follows: [On call of committees under the rule, each committee is called twice before being passed (VII, 924).]

(1) Committee on Agriculture. (2) Committee on Appropriations. (3) Committee on Armed Services. (4) Committee on Banking and Currency. (5) Committee on the District of Columbia. (6) Committee on Education and Labor. (7) Committee on Foreign Affairs. (8) Committee on Government Operations. (9) Committee on House Administration. (10) Committee on Interior and Insular Affairs. (11) Committee on Interstate and Foreign Commerce. (12) Committee on the Judiciary. (13) Committee on Merchant Marine and Fisheries. (14) Committee on Post Office and Civil Service. (15) Committee on Public Works. (16) Committee on Rules. (17) Committee on Science and Astronautics. (18) Committee on Un-American Activities. (19) Committee on Veterans' Affairs. (20) Committee on Ways and Means.

Prior to election of all the committees of the House, the call of committees on Calendar Wednesday includes only those committees which have been elected (VII, 925).

When a committee is reached during a call of committees, it is not in order to ask recognition for any purpose other than to call up a bill for consideration (VI, 754).

During a call of committees under the rule, a committee may not yield or exchange its order of rotation (VII, 927) and any committee declining to proceed with the consideration of a bill when called on Wednesday, loses its right until again called in regular order (VII, 926).

Committees, when called, may call up for consideration any unprivileged bill (VII, 932–935), on either the House or the Union Calendars (VII, 938), but not from the Private Calendar (§ 897). [There is no priority as between bills on House or Union Calendars on Wednesday, and the committee may bring up bills from either calendar at will (VII, 938, 963).]

When the rule was first adopted, but one call of committees was recognized, and unfinished business coming over from the ordinary call of committees on days other than Wednesday was taken up on Calendar Wednesday and vice versa (61–2–553; VII, 965), but subsequently the practice was changed and two distinct calls of committees are now maintained, the ordinary call under section 4 of Rule XXIV, and the Calendar Wednesday call under section 7 of Rule XXIV (VII, 994–945).

One Wednesday only

Each committee called is entitled to one Wednesday only, unless the previous question is operating at adjournment (VIII, 2680). But the House may by a two-thirds vote authorize completion on subsequent Wednesday of an unfinished bill (§ 897; VII, 946; VIII, 2680).

Any portion of a day is considered an entire day in the apportionment of Calendar Wednesdays to committees (VII, 945). [A committee declining to proceed with the consideration of a bill when called up on Wednesday loses its right until again called in regular order (VII, 926) and may not yield or exchange its order of rotation (VII, 927).]

The motion to grant a committee more than one Wednesday is in order in the House at any time prior to expiration of the Wednesday and should not be withheld until the committee has consumed the entire time allotted under the rule (VII, 946), but is not in order in the Committee of the Whole.

When consideration of a bill postponed to a certain Wednesday is concluded on that Wednesday, the remainder of the day is devoted to business in order under the rule (VII, 970).

Question of consideration

The question of consideration may be demanded against a bill (VII, 947) or against unfinished business (VIII, 2447) called up under the Calendar Wednesday rule (VIII, 2445).

The question is raised against Union Calendar bills in the House as on other days, and if decided in the affirmative, the House resolves automatically into the Committee of the Whole (VII, 952), and no intervening business, as the motion to adjourn or questions of privilege are in order (VIII, 2446).

Resolving into committee

When a bill on the Union Calendar is called up on Calendar Wednesday the House automatically resolves into the Committee of the Whole House on the State of the Union without motion from the floor (VII, 939–942).

When a Union Calendar bill comes up as the unfinished business on Calendar Wedesday the House automatically resolves into the Committee of the Whole immediately after the approval of the Journal without waiting for the call (VII, 940, 942), and debate is resumed from the point at which it was discontinued on the previous Wednesday (VII, 966).

On rejection by the House of a recommendation by Committee of the Whole for peremptory disposition of a bill under consideration on Calendar Wednesday, the House automatically resolves into the committee for its further consideration (VII, 943).

When on Calendar Wednesday the House disagrees to the recommendation of the Committee of the Whole to strike out the enacting clause, the House automatically resolves itself again into the Committee of the Whole for the further consideration of the bill (VII, 943), and the bill is open to amendment as the unfinished business and the motion to strike out the enacting clause is again in order (VIII, 2633).

A point of order having been sustained against a provision of a bill called up on Calendar Wednesday, the House automatically resolved into the Committee of the Whole for consideration of the bill with the offending clause eliminated (VII, 2145).

See *Committee of the Whole*, p. 99.

Debate

There shall be not more than two hours' general debate on any measure called up on Calendar Wednesday, to be confined to the subject, and to be equally divided between those favoring and those opposing (§ 897), and time allotted for debate under the rule may not be extended in Committee of the Whole even by unanimous consent (VII, 959).

The same rules for debate apply to House Calendar bills called up on Calendar Wednesday as on other days, and the Member in charge of the bill may move the previous question at any time after debate begins (VII, 955–957; VIII, 2680, 3065).

While formerly held that time unclaimed in opposition to a bill called upon Calendar Wednesday could be allotted to Members favoring the bill, the recent practice is to read the bill for amendment at the conclusion of the hour in favor of the bill, when no one rises in opposition (VII, 960–962).

In the Committee of the Whole, debate under the five-minute rule follows the two hours of general debate provided by the Calendar Wednesday rule (§ 870).

Debate on the motion to dispense with Calendar Wednesday is limited to 10 minutes, five for and five against (§ 897).

When a bill previously debated is called up for the first time on Calendar Wednesday, consideration proceeds as if there had been no previous debate (VII, 954).

Members of the committee having jurisdiction of a bill called up on Calendar Wednesday are entitled to prior recognition to oppose it, but if no member of the committee rises to oppose it, any Member may be recognized in opposition (VII, 958, 959).

Otherwise, the same rules for debate govern on Calendar Wednesday as on other days (VIII, 3065).

Amendments

In the Committee of the Whole the first reading is following by the two hours of general debate as in the House, but amendments may not be offered until the close of the two hours' debate, when the bill is taken up under the five-minute rule and read by sections for amendment, the committee amendments being considered first as each section is reached. When the reading of the bill under the five-minute rule has been completed, the committee rises and reports to the House.

Unfinished business

If the House adjourns without voting on a proposition on which the previous question has been ordered, the question comes up as unfinished business on the next legislative day, Wednesday excepted (VIII, 2691).

Business pending at adjournment on Wednesday, and on which the previous question has not been ordered, does not come up on the succeeding legislative day but goes over to the next Wednesday (VII, 965).

A bill postponed to a certain Wednesday and undisposed of on that day becomes unfinished business to be considered when the committee calling it up is called again in its turn (VII, 970).

When the unfinished business is on the Union Calendar the House automatically resolves into the Committee of the Whole without motion (VII, 939).

When the House adjourns on Wednesday without voting on a proposition on which the previous question has been ordered, the question does not go over to the following Wednesday, but comes up as unfinished business on the next legislative day (VII, 895, 967–969).

A bill on which the previous question had been ordered at adjournment on Wednesday was taken up as the unfinished business on Thursday and took precedence of a motion to go into the Committee of the Whole for the consideration of a bill privileged by special order (VIII, 2674).

But when the House adjourns on Tuesday without voting on a proposition on which the previous question has been ordered, the question does not come up as unfinished business on Wednesday, but on the following Thursday (VII, 890–983).

A bill undisposed of on the Wednesday allotted to a committee remains the unfinished business until that committee is again called on Wednesday in its regular order (VII, 944).

Dispensing with Calendar Wednesday

Member. Mr. Speaker, I move [ask unanimous consent] to dispense for today with the business in order on Calendar Wednesday.

The Speaker is constrained to recognize on Wednesday any Member proposing a motion to dispense with proceedings in order on that day (VII, 915). This motion may be made and considered on any preceding day (VII, 916). Debate on the motion is limited to 10 minutes, to be divided not to exceed 5 minutes in favor of the motion and 5 minutes in opposition (VII, 917), and a two-thirds vote of the Members present is required for its adoption (§ 897).

A specific method being provided for dispensing with proceedings in order on Calendar Wednesday, the Chairman of the Committee of the Whole has declined to entertain requests for unanimous consent to dis-

pense with minor provisions of the rules (VII, 964).

If there are no bills on the calendars eligible for consideration under the Wednesday call of committees, a motion to dispense with the business in order on that day is not required (VII, 918–920).

In general

A motion made on the preceding Calendar Wednesday is not a motion on the same day within the purview of the rule forbidding repetition of certain motions on the same day (VIII, 2372).

A bill taken up for consideration under call of committees on Wednesday does not lose its place on the calendar (VII, 943).

Mr. RUMSFELD. Mr. Speaker, the point was, as made by the gentleman from New Hampshire, that in fact we never would have reached the election reform legislation under the Calendar Wednesday procedure. We would have been considering bills that would have been called up by earlier committees. To have proceeded through the day, very simply, would have taken time and delayed the orderly business of the House. Since it is not our desire to delay the orderly business of the House but rather to get consideration of the election reform bill, it became clear that it would not be useful or constructive to persist in the objection.

We have been waiting for some clue from the Speaker, from the majority leader, from the leadership on that side of the aisle that they might be willing to bring to the floor these two pieces of legislation. We have no desire to disrupt or disturb the proceedings of the House. We have been willing to cooperate and we have been looking for cooperation from the other side. We have used most of the procedures that are available to the minority Members of the House of Representatives.

There is one procedure remaining, and I, for one, intend to use it; namely, the discharge petition. Unfortunately, we have still received no signal, no clue—no cooperation from the other side of the aisle.

It is interesting, too, because, as I have talked with various people on the other side of the aisle, I have frequently had them say to me, "I am for that bill," or, "I am for the other bill." And I say, "You know, that is passing strange, because I am for it, too. I have gone around on the minority side and talked with Members in the minority. I have visited with them and I have found that most of them are for it. It kind of makes you wonder. I know I am not running this place. I know the minority side is not running this place. And if the people on your side are for the bills, too, it kind of makes you wonder who is running this place. Somebody must be running it. Somebody has to be keeping those bills in the committee. Somebody has to be against them or they would be scheduled on the floor, because when everyone is for a bill, it does come to the floor."

I think if we keep the pressure on in the closing days of Congress, we may see who is against those bills. It might be very interesting, because suddenly we might be able to discover that someone, in fact, besides the gentleman from Ohio, who was here during our last special order—and I must say to his credit, he is one individual who is willing to state that he is opposed to at least one of the two bills—we might find where the opposition to this legislation is. I think it is important at some point before we conclude this session that we do make that analysis, because these bills, particularly the Legislative Reorganization Act, are important to our whole society.

If the Congress of the United States continues to conduct itself in a way that produces legislation that does not come to grips with the important and pressing problems of our country, we will continue to see many people, young and old, saying, "Well, that system does not work. It just does not work for us, so we will try something else. We will go to the streets. We will demonstrate, or we'll try another system of government."

I am proud of this system, and I believe in this system. I am convinced that the only way we can assure its continuation and its strength is if we will have the courage and the energy to try to improve and strengthen it. And to see that it is sufficiently responsive and sufficiently modern so that it can deal with the problems of the 1960's and the 1970's, which we are unable—and there is no doubt about it—to do today. The rules of this House are better suited to the horse-and-buggy era many decades long past. They must be changed.

Mr. BROCK. I thank the gentleman and congratulate him for his leadership in this worthwhile endeavor.

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

Mr. BROCK. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. For the record—and I think there will be some people who will be interested in this record—I think the record should show that last Tuesday, September 11, there was another special order. Regrettably, I could not participate in it. That was primary day in New Hampshire. But on that day additional information was put in the RECORD by the gentleman from Illinois [Mr. RUMSFELD] and the gentleman from Ohio [Mr. TAFT] and those who are working with him in this endeavor. I think for those people who are interested in congressional reform and election reform, they should be reminded that there are additional facts in the RECORD of Tuesday a week ago, September 10.

In conclusion, I would like to make a closing remark. There has been a little talk about what avenues are open to those of us who feel that Congress should be reformed, and the electoral procedures by which Congressmen are elected should be reformed. What are the avenues of approach for those of us in the minority? We have talked about Calendar Wednesday. We have talked about a discharge petition. We have talked about persuasion of the leadership of the House. I am comforted by the fact that there is another remedy. This is a remedy open to the American people on November 5. You might call November 5, in a sense, a potential Congressional Reform Day.

I, for one, sincerely hope that the American people will exercise their prerogatives in connection with reform on November 5. Perhaps some of these matters will be taken care of then.

Mr. BROCK. I thank the gentleman.

Mr. Speaker, I ask unanimous consent for all Members participating in the debate to revise and extend their remarks.

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

There was no objection.

THE FAA AND GENERAL AVIATION

The SPEAKER pro tempore. (Mr. HECHLER of West Virginia). Under previous order of the House, the gentleman from Ohio [Mr. BOW] is recognized for 60 minutes.

Mr. BOW. Mr. Speaker, I address myself today to the inadequate proposals of the Federal Aviation Administration with regard to congestion at our major airports, and to the effect these regulations would have on general aviation.

Most of us have had our personal experiences with delays in departure and takeoff this summer. Everyone who flies knows that this is a serious problem and that it will be more serious when winter weather comes.

FAA proposes to solve the problem through new regulations which assign priorities to different sizes and types of aircraft at five major airports. These are John F. Kennedy, Newark, La Guardia, Washington National, and O'Hare in Chicago. In brief, the proposed regulations would restrict the number of landings per hour at these airports. For example, from 6 a.m. until midnight at Washington National Airport there could be only 60 arrivals per hour of which 40 would be scheduled airlines, eight would be air taxis and 12 would be general aviation. Extra sections of airline shuttles would be charged against the general aviation quota. New minimum requirements on equipment and performance would outlaw any but the more advanced twin-engine general aviation aircraft at these airports.

This proposal by FAA follows repeated attacks upon general aviation by the Secretary of Transportation and others throughout the summer. It has been supported by radio advertisements from the air transport industry suggesting that flight delays are caused because light aircraft in the traffic pattern slow down the scheduled carriers. The question is asked whether a plane with 180 passengers must circle or be delayed on the ground because of a Piper Cub in the traffic pattern. As I will explain, this is a misrepresentation of the issue.

I want to discuss this proposed regulation from at least two aspects:

First. Can we justify assigning priorities in the use of public facilities?

Second. What better solutions are available?

ARE PRIORITIES THE SOLUTION?

Mr. Speaker, I do not believe that the FAA can tell a business aviator with a four-place jet Commander that he must stand aside for an airline 707 any more than I think the Ohio Highway Department can tell me to wait on the side of the road until all of the trucks and buses

have gone by. Airports and air traffic facilities are built by public funds and paid for in part by those who use them, and they must be available equally to all.

If FAA can say today that only 12 privately owned aircraft may land at Washington National each hour, and if this fails to solve congestion, as it will fail, they can drop the quota to five or eliminate general aviation altogether. If we permit this first step to be taken, we establish a precedent that can be followed to that ridiculous extreme.

The FAA and the Secretary of Transportation purport to assign priorities based upon their concept of the relative importance of air travelers. I question whether there is anyone in the country competent to make such judgments. We might have at any hour at National Airport a planeload of vacationers returning from Florida and a business jet with two or three men aboard. The vacationers are traveling for pleasure. The businessmen are traveling by corporate jet, perhaps because they have an appointment at the Pentagon and because hours mean dollars to them and to the Government. Who says the airline has an automatic priority in this situation?

I insist it is unfair, unwise, and unjust to assign such priorities on the basis of the size of the aircraft, or who owns it, or for what purpose it is being flown.

GENERAL AVIATION IN 1968

I have already mentioned that the stereotype of a Piper Cub competing for airspace with the giant jets is a misrepresentation of general aviation in 1968 insofar as these major airports are concerned. The pilot who flies his light plane for pleasure wants nothing to do with John F. Kennedy or Washington National.

General aviation in 1968 is a large and important factor in our total transportation system. The general aviation aircraft that use major airports do so because general aviation offers busy people the best means of travel available to them.

For example, one of the most hopeful signs in the American economy today is the dispersal of industrial firms into small towns in every State, providing economic growth and jobs everywhere. General aviation plays an important role in this development. Corporate-owned, leased, or chartered aircraft serve as a vital link between these new industrial towns and the metropolitan centers. The executive from the Shenandoah Valley who must go to New York may rely upon a light plane to take him to Washington to catch an airliner. The executive in West Virginia who has a business engagement abroad may use his corporation plane to go to New York to board the overseas flight. This is the kind of general aviation aircraft that uses major airports, and these are the reasons why they use the major airports.

In my own district at least 10 firms maintain one or more aircraft and many others use charter services. It is this kind of travel, not joyriding in a Cub, that we are talking about when we discuss priorities at the congested airports.

Priorities will not solve the problem. Instead, by seeming to reduce congestion for a time they will intensify the problem. Sooner or later we must come to some hard and realistic decisions. Best we do so now.

WHAT OTHER SOLUTIONS ARE AVAILABLE?

To discover the real solutions, we must put aside this misrepresentation of the problem and come to grips with the facts.

A few weeks ago Life magazine printed a large diagram showing how aircraft delays as far away as the west coast originated with congestion at Kennedy. Kennedy is the source of traffic problems at every other major airport in the country, because it is from Kennedy that a majority of overseas flights depart and it is Kennedy to which they return. It is Kennedy, therefore, that demands first attention. Virtually all of the domestic traffic that goes into Kennedy including general aviation, and a large share of the traffic into Newark and LaGuardia is generated by Kennedy's role as an overseas terminal.

The obvious first step, then, is to try to divert some of this business from Kennedy to other airports. I am glad to learn from my friends at TWA that they have made a real effort to do so by scheduling additional overseas departures from Chicago, Dulles, and other terminals. Thus far, I am told the passenger load has been disappointing. I am certain that this will be corrected. I am confident my constituents in Ohio would far rather leave for Europe from Cleveland or Pittsburgh. Travelers do not go to Kennedy or Newark or LaGuardia because they enjoy congestion delays or the problems of finding transportation between terminals. They go there only because they must do so in order to go abroad.

If it is true that one departure from Kennedy for Europe means two or three arrivals at Kennedy, Newark, and LaGuardia to feed passengers in, it is obvious that a small reduction in overseas departures from Kennedy would be an important first step toward relieving congestion in the entire New York area.

I can assure you that I would far rather depart from Dulles on time and in comfort than sit at the end of some other runway for hours on end.

Everything that I have said about departures for Europe applies, of course, with equal force to those returning.

O'HARE AND WASHINGTON NATIONAL

Much of the problem at Chicago's O'Hare is of the same nature. For years everyone who traveled from East to West by railroad had to get off the train in Chicago and go to another terminal and board another train. It was many years before the railroads worked out an agreement so that one could travel through Chicago without changing trains. The airlines seem to be in the same fix. Far too many cross-country airline travelers must stop in Chicago to change planes. None of them wish to do so. It is a harrowing experience. If airlines could arrange more schedules bypassing Chicago, much of the congestion at O'Hare might be relieved.

Here at Washington National there is little if any excuse for the congestion. A few miles east at Baltimore we have Friendship Airport operating at less than its potential. A few miles west we have Dulles International virtually unused. Passengers who have experienced the discomfort of inadequate parking, the crowded terminal, the endless delays at Washington National would, I am certain, be willing and eager to make the slightly longer trip to either of the other airports for a prompt takeoff. Here is another problem that can and should be faced and solved before we resort to an unfair assignment of priorities.

Yet another possibility for solving some of Washington's problem still exists. There should be a determined effort to reactivate Bolling and Anacostia for light aircraft.

WHAT ABOUT SCHEDULES?

Revisions of airline schedules offer another reasonable possibility of solving the problem of congestion. The junior Senator from New Hamsphire developed this subject at length in a speech in the other body on September 11. Unfortunately, the Civil Aeronautics Board has been slow to assist the airlines in this problem. The CAB should undertake an emergency program with the airlines to try to work out mutually satisfactory changes in scheduling, so that arrivals and departures might be spread more evenly throughout the day. Thousands of airline passengers who travel for pleasure, not business, are relatively unconcerned about when they depart. Adjustments can and should be encouraged by CAB and all roadblocks to such agreements should be removed.

FAA MANAGEMENT

Another solution to the problems may be found in the FAA itself. FAA now has about 31,000 employees writing regulations and only 14,000 controlling traffic. The ratio should be reversed. A larger proportion of FAA funds should go into providing new and modern equipment for the controllers. They are overworked and often forced to work without the radar and other equipment that would reduce the workload and increase the safety factors. I know of no job in the world more demanding and more exacting than that of the air traffic controller at a busy modern airport, responsible as he is for the safety of thousands of people every minute of every hour of the day.

FAA must also revise and update its regulations. Pilots tell me that they are confronted constantly by inconsistent or contradictory regulations. New restrictions are issued and amended before the pilot can index his notebook. For years air traffic controllers have breached some of these regulations and done so with safety in order to expedite traffic. Some of the major congestion of last summer came after some of the controllers decided to demonstrate the consequences of strict adherence to FAA's outmoded regulations. This is a problem with high priority.

LONG-RANGE AIRPORT PLANNING

Congress and the FAA share with States and municipalities the responsibility to plan now for the problems that lie immediately ahead. Aviation is making great progress. The tremendous new airliners soon to come into use will place impossible strain upon existing airports and airport facilities. We are speaking

of planes that will carry 500 passengers, planes that will require much stronger runways and other facilities than we now have available.

General aviation also is growing, and thousands of Americans are learning to fly and buying their own light aircraft, the air taxi services are expanding rapidly, and the use of fast, light planes by businessmen is going to mushroom in the years ahead.

I have been given some figures to illustrate these long-term needs. Air carrier growth is forecast to increase from 113.5 million enplaned passengers in 1967 to nearly 340 million passengers in 1977, yet it will remain a small fraction of total aircraft operations and be a decreasing percentage of the total. In 1967, air carrier operations amounted to 8.6 million—30 percent—out of a total of 29.2 million itinerant operations recorded at airports having FAA control towers.

The growth in airline operations is projected to be less than the growth in passengers because of the substantially larger aircraft I have mentioned. The growth of general aviation activity is projected to continue and reach a level of 56 million operations in 1977, an increase of nearly 200 percent.

This is why we must begin immediately to plan and build both airline and general aviation facilities vastly superior to those we now have. For example, in 1967 there were 810,767 general aviation operations reported by FAA towers at the eight airports in the New York region, the busiest being Westchester, having 131,313 general aviation itinerant operations. Assuming the region's general aviation activity will increase in a manner similar to the projected national increase, nearly 2½ million general aviation operations will be recorded in 1977, not including the local general aviation traffic.

To meet this level of activity, without creating congestion and the problems being experienced by all today, certainly some of the existing general aviation airports must be improved to increase their capacity. For example, the Van Nuys Airport in southern California is of approximately the same physical size as many of those in the New York region—700 to 800 acres—yet in 1967 it ranked second nationally with 270,296 general aviation itinerant operations, slightly more than twice the activity of any of the New York region general aviation airports. Additionally, there are many airports in the New York region which apparently are not being utilized to a significant degree, due to their location or lack of facilities. Many of these airports must be improved to meet the coming demands; many will lose their remoteness, due to the continuing population growth and, in the interim, they should not be neglected or turned toward other project developments.

The problem is upon us and we should begin now to provide the facilities that will be needed by airlines and by general aviation, both for the increased numbers of passengers and the increased numbers of operations. Failure to do so will result in congestion far greater than the problem we face today.

HOLD PRIORITIES IN ABEYANCE

Mr. Speaker, a public hearing is scheduled tomorrow on the proposed FAA regulations. Ordinarily I would not speak out on a subject that is under consideration in a regulatory agency, but this is an exceptional case. Previous statements of the Secretary of Transportation and other officials give reason to believe that the outcome is virtually a foregone conclusion. I hope this is not the case. I strongly urge FAA to abandon this proposal and inaugurate immediate and intensive efforts to attack the problem in other directions I have outlined.

A regulation once promulgated is difficult to change. A precedent set, no matter how unworthy, is more readily followed then abandoned.

The public interest in this matter is the primary interest. The public interest requires that all classes of aviation and the regulatory agencies work harmoniously to provide the best possible service to all who use the airways. This means service available to the fullest extent to the airline passenger, the aircraft owner, the man who charters a special flight and the well-known man in the Piper Cub. It does not mean and we should not tolerate preferential treatment for anyone at the expense of the others.

GENERAL LEAVE TO EXTEND

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the life and service of the late Honorable John S. Wood, former Member of Congress from the State of Georgia.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

LEGISLATION TO EXCLUDE CERTAIN ALIENS FROM ADMISSION TO THE UNITED STATES

Mr. REINECKE. 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 California?

There was no objection.

Mr. REINECKE. Mr. Speaker, what did Sirhan B. Sirhan and Lee Harvey Oswald have in common? I do not know the complete answer to this question, but I do know one thing they had in common that could have been and should have been regulated by law. They both entered the United States without submitting to any test of their hostility toward the principles of the Constitution of the United States or toward the form of government of the United States.

Lee Harvey Oswald renounced his country and later, with the help of a Government loan, was repatriated without any proof of his willingness to uphold the Government of the United States. Indeed there is every indication that he bore intense hostility toward this country and its form of government, a hostility that finally was experienced in a shattering moment in Dallas.

I have been informed by the Visa Office of the Department of State that a notorious West German student agitator known as, "Red Rudi" Dutschke is at this moment the beneficiary of an approved immigration petition that has been filed by his wife, who is a citizen of the United States. This position places him in a position to apply for an immigrant visa. In early June I brought this situation to the attention of the President and the Attorney General, by a letter to which I have not received a satisfactory response.

When will we ever learn? Under existing law this agitator, this self-styled anarchist, may enter this country without passing any test concerning his hostility toward it.

We have well-administered laws which protect us against the introduction of virulent physical germs and diseases into this country, and take great pains to enforce these laws. But what of mental and emotional virulence, a far more subtle, more dangerous, and more devastating form of disease sweeping this planet? We do little or nothing to protect ourselves against it. With impunity we expose U.S. Presidents and Senators and our whole society to its destructive power, and tremble in agony in the wake of its effects.

I do not know in every particular the feelings of "Red Rudi" Dutschke toward the United States. One thing I do know. He should not, he cannot be permitted to enter this country until we are satisfied that he has not come to undermine it and the principles of law and justice for which this country stands.

The days of the Oswalds and the Sirhans must be brought to an end. Let us protect ourselves lest we have nothing left to protect.

For these reasons I have today introduced a bill to amend the Immigration and Nationality Act to exclude from admission into the United States aliens who have demonstrated hostility toward the form of government of the United States or toward the democratic principles upon which this Government this based.

RESTRICTIONS ON IRISH IMMIGRATION

Mr. RYAN. 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 New York?

There was no objection.

Mr. RYAN. Mr. Speaker, it is urgent that the Congress enact legislation to correct unanticipated inequities in the Immigration and Nationality Act of 1965. The deadline of July 1, 1968, when the 1965 act went fully into effect has come and gone. Now we face adjournment. If the Committee on the Judiciary and the Subcommittee on Immigration and Nationality fail to report out remedial legislation during this session, an injustice will be perpetuated.

Although the 1965 act properly eliminated the inequitable national origins

quota system, it set up a system of preferences and a labor certificate requirement which has had the effect of barring the immigration of "new seed" stock. Much of the potential immigration from several countries in Western Europe, which cannot meet the qualifications has been screened out. This is no more equitable than the former explicit national restrictions.

Despite the assurances of the State Department at the time of the enactment of the 1965 act, immigration from Ireland has been particularly affected. In 1965 the State Department projected that under the provisions of the new act, Ireland would be able to qualify about 5,200 places a year. However, that has not been the result. Irish immigration declined to about 1,800 in 1966 and 1967. The State Department now estimates that, with the new act fully in effect as of July 1, the rate of Irish preference immigration will be only about 600 for the current year.

During July, the first month in which the Immigration and Nationality Act of 1965 was fully effective, there were no preference or nonpreference visas issued in Dublin to Irish applicants. Three were issued during August. And the State Department has informed me that two will be issued during September. That is a total of five preference visas for the first 3 months of the full operation of the new law.

The trend will continue unless there is legislative action. Congress has been well aware of the situation for a long time. Some 35 Members of the House have joined me in sponsoring H.R. 16593, or identical legislation, which would insure that no nation would suffer a severe reduction in its level of immigration to the United States as a result of the provisions of the Immigration and Nationality Act of 1965. The bill provides that a "floor" shall be established for every nation, based on its average level of immigration to the United States during the decade prior to the enactment of the 1965 act. The floor would in no way be based on the former quota, but only on the actual numbers which came in during those years. The bill provides a floor, equivalent to 75 percent of the annual average level of immigration during the 1956-65 base period, or 10,000, whichever is less. To the extent that immigration falls below the floor for a given fiscal year, extra numbers will be provided the following year, so that total immigration equals the established floor.

H.R. 16593 is not in any way a reversion to the old national-origins quota system.

Among the organizations supporting H.R. 16593 are the New York City Central Labor Council, Local 32-B of the Building Service Employees International Union, Thomas W. Gleason, president of the International Longshoremen's Association.

On July 3, the Subcommittee on Immigration and Nationality held a hearing at which testimony was heard from John P. Collins, president, and other representatives of the American-Irish National Immigration Committee, who explained the urgency of the situation.

It is clear that legislation is necessary. Prior to July 1, 1968, immigration from Ireland was effectively barred by the labor certificate requirement of new section 212(a)(14) of the act. I introduced legislation (H.R. 7775), as did other Members, to remove that inequity by returning to the former section 212(a)(14) which placed the burden on the Secretary of Labor to make a finding that the wages and working conditions of workers in the United States would be adversely affected. I also urged the Secretary of Labor to provide relief through administrative action. Unfortunately, neither legislative nor administrative relief was forthcoming at a time when either one would have helped to alleviate the inequity caused by the labor certificate requirement. During the 3-year transition period prospective immigrants, who qualified for a labor certificate, were eligible for immigrant visas to the extent of their country's former quota. Since July 1 prospective immigrants must compete for a limited number—17,000 per year—of sixth-preference places allocated to the Eastern Hemisphere. This sets an effective ceiling on the numbers issued to any single country. In addition, Irish immigration will be restricted because priority dates were not established in view of the provisions of the law during the transition period.

While it is important to change the labor certificate requirement of section 212(a)(14), such a change will not now be sufficient to correct the inequities. Therefore, I am concerned about the approach of the Subcommittee on Immigration and Nationality. Instead of acting on H.R. 16593 or drafting other legislation to accomplish the objective, it has announced a hearing to be held on September 18 at which Assistant Secretary of Labor Stanley H. Ruttenberg will be asked "to explain the Department of Labor's regulations." The subcommittee seems to assume that the precipitous decline in Irish immigration since 1965 has been caused by the administration of the act by the Department of Labor—and not by the act itself. As I have pointed out, a change in the basic law is now required.

I would hope that the Committee on the Judiciary would devote its efforts in the closing days of this session to a legislative remedy. It has had many months to consider this problem and has failed to act. Although my bill has some 35 cosponsors, I have no particular pride of authorship. I only ask that a bill be reported out and enacted during this session which will insure that no nationality is severely injured by the unintended effects of the 1965 act.

HEARINGS ON AERONAUTICAL RESEARCH

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, I invite the attention of my colleagues to public hearings which the Subcommittee on Advanced Research and Technology of the Committee on Science and Astronautics will hold for 10 days, commencing September 24, on the future aeronautical research and development needs of the Nation. These hearings will be held commencing at 10 a.m. in room 2325, Rayburn Building.

We must focus attention on urgent priorities in the field of aeronautics. We have been losing sight of the importance of today's aeronautical research in determining the strength of the Nation and its economy in the 1960's and beyond. The great partnership of scientists, engineers, and industrialists once concentrated a major effort in the field of aviation, which has brought the United States to a position of world leadership in this area. Yet the past decade has seen aeronautical research efforts overshadowed by concentration on space and missile development, with the recent budgetary limitations threatening to force aeronautics even further into the background. We must make a fresh assessment of what needs to be done to maintain our leadership in the years ahead.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ASPINALL, for the period from September 19, at 2 p.m., until December 2, or, the end of the 90th Congress, whichever comes first on account of official business in his congressional district.

Mr. MORTON (at the request or Mr. GERALD R. FORD), for indefinite period, on account of hospitalization.

Mr. Moss, for period from 3 p.m., September 18 through September 24, 1968, on account of official business in his district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. BROCK, for 1 hour, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mrs. BOLTON's remarks on John Vorys to be placed in the permanent RECORD with other tributes to John Vorys.

Mr. BOW (at the request of Mr. STEIGER of Wisconsin), for 1 hour, on September 17; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. STEIGER of Wisconsin) and to include extraneous matter:)

Mr. FINDLEY.

Mr. SCHWEIKER.

Mr. SCHERLE.

Mr. ASHBROOK in two instances.

Mr. STEIGER of Wisconsin.

Mr. WYDLER.

Mr. FULTON of Pennsylvania in five instances.

Mr. McDADE in two instances.
Mr. WYMAN in two instances.
Mr. CURTIS in three instances.
Mr. ZWACH.
Mr. RAILSBACK.
Mr. MILLER of Ohio.
Mr. BYRNES of Wisconsin.
Mr. MESKILL.
Mr. ESHLEMAN.
Mr. BURTON of Utah.
Mr. GROVER.
Mr. DERWINSKI in three instances.
Mr. CUNNINGHAM in three instances.

(The following Members (at the request of Mr. BRINKLEY) and to include extraneous matter:)

Mr. McCORMACK.
Mr. O'HARA of Michigan in five instances.
Mr. WOLFF in two instances.
Mr. SCHEUER in two instances.
Mr. PIKE.
Mr. BEVILL in two instances.
Mr. MARSH in two instances.
Mr. EILBERG.
Mr. LONG of Maryland.
Mr. HELSTOSKI.
Mr. ULLMAN in two instances.
Mr. GONZALEZ in three instances.
Mr. RODINO.
Mr. PODELL in two instances.
Mr. CORMAN.
Mr. MORRIS of New Mexico in two instances.
Mr. CASEY.
Mrs. SULLIVAN in three instances.
Mr. OTTINGER.
Mr. HOWARD in two instances.
Mr. VANIK.
Mr. NIX.
Mr. MONTGOMERY.
Mr. MONAGAN in two instances.

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. 345. An act for the relief of Dr. Benito V. Odulio; to the Committee on the Judiciary.

S. 2189. An act for the relief of Stella Dribensky; to the Committee on the Judiciary.

S. 2271. An act for the relief of Domingo Lamadriz; to the Committee on the Judiciary.

S. 2405. An act for the relief of Ming Chang; to the Committee on the Judiciary.

S. 2642. An act for the relief of Ngo Thi Hong Hao (Lynch) and minor child, Sein (Lynch); to the Committee on the Judiciary.

S. 2909. An act for the relief of Charles Richard Scott; to the Committee on the Judiciary.

S.3040. An act for the relief of Dr. Jose E. Naranjo; to the Committee on the Judiciary.

S. 3080. An act for the relief of Ernesto Julio D'Escoubet Blanco; to the Committee on the Judiciary.

S. 3172. An act for the relief of Dr. George Alfonso Herandez Canizares; to the Committee on the Judiciary.

S. 3181. An act for the relief of Dr. Mete V. Altug; to the Committee on the Judiciary.

S. 3223. An act for the relief of Dr. Juan Alfredo Milera; to the Committee on the Judiciary.

S. 3226. An act for the relief of Yuka Awamura; to the Committee on the Judiciary.

S. 3239. An act for the relief of Dr. Jorge P. Garcia; to the Committee on the Judiciary.

S. 3280. An act for the relief of Dr. Jose M. Leon; to the Committee on the Judiciary.

S. 3285. An act for the relief of Fausto Soler-Amor; to the Committee on the Judiciary.

S. 3308. An act for the relief of Jose C. Favio Hidalgo; to the Committee on the Judiciary.

S. 3324. An act for the relief of Dr. Juan F. Hernandez; to the Committee on the Judiciary.

S. 3355. An act for the relief of Dr. Emilio Ambrosio Trujillo; to the Committee on the Judiciary.

S. 3356. An act to confer U.S. citizenship posthumously upon L.Cpl. Theodore Daniel Van Staveren; to the Committee on the Judiciary.

S. 3369. An act for the relief of Dr. Israel Castellanos Gonzalez; to the Committee on the Judiciary.

S. 3398. An act for the relief of Chenghuai Li; to the Committee on the Judiciary.

S. 3441. An act for the relief of Dr. Fermin Ferro; to the Committee on the Judiciary.

S. 3455. An act for the relief of Dr. Miguel Angel Garcia Plasencia; to the Committee on the Judiciary.

S. 3493. An act for the relief of Dr. Laureano S. Falla (also known as Severino Laureano Falla Alvarez); to the Committee on the Judiciary.

S. 3526. An act for the relief of Marie-Louise (Mary Louise) Pierce; to the Committee on the Judiciary.

S. 3568. An act for the relief of Jack Edward Cooley; to the Committee on the Judiciary.

S. 3572. An act for the relief of Dr. Renee Diez de Force; to the Committee on the Judiary.

ENROLLED BILL SIGNED

Mr. FRIEDEL, 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. 5754. An act to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 224. An act to provide for the rehabilitation of the Eklutna project, Alaska, and for other purposes;

S. 444. An act to establish the Flaming Gorge, National Recreation Area in the States of Utah and Wyoming, and for other purposes;

S. 1440. An act to include in the prohibitions contained in section 2314 of title 18, United States Code, the transportation with unlawful intent in interstate or foreign commerce of traveler's checks bearing forged countersignatures;

S. 1637. An act to amend the Tennessee Valley Authority Act of 1933 with respect to certain provisions applicable to condemnation proceedings;

S. 2715. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Chickasaw Nation or Tribe of Oklahoma, and for other purposes;

S. 3072. An act to amend the act entitled "An act to provide for the rehabilitation of Guam, and for other purposes," approved November 4, 1963;

S. 3182. An act to authorize the purchase, sale, exchange, mortgage, and long-term leasing of land by the Swinomish Indian Tribal Community, and for other purposes;

S. 3420. An act to authorize a per capita distribution of $500 from funds arising from a judgment in favor of the Confederated Tribes of the Colville Reservation;

S. 3566. An act to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation," and for other purposes;

S. 3578. An act to direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands;

S. 3620. An act to provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, California, in Indian Claims Commission docket No. 319, and for other purposes;

S. 3621. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Muckleshoot tribe of Indians in Indian Claims Commission docket No. 98, and for other purposes;

S. 3671. An act to provide for the striking of medals in commemoration of the 200th anniversary of the founding of Dartmouth College;

S. 3687. An act to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes; and

S. 3728. An act to authorize the use of funds from a judgment in favor of the Kiowa Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H.R. 206. An act to amend section 2733 of title 10 of the United States Code, to include authority for the settlement of claims incident to the noncombat activity of the Coast Guard while it is operating as a service in the Department of Transportation, to grant equivalent claims settlement authority to the Secretary of Defense, to increase the authority which may be delegated to an officer under subsection (g) of section 2733 of title 10 and subsection (f) of section 715 of title 32, from $1,000 to $2,500, and for other purposes;

H.R. 9362. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project, Oklahoma, and for other purposes;

H.R. 10482. An act to amend section 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, and to clarify the procedure for appeal from certain claims determinations;

H.R. 13669. An act to amend section 2734 of title 10 of the United States Code to permit the use of officers of any of the services on claims commissions, and for other purposes; to amend section 2734a of title 10 to authorize the use of Coast Guard appropriations for certain claims settlements arising out of Coast Guard activities; and to amend section 2736 of title 10 to authorize advance payments in cases covered by sections 2733 and 2734 of title 10 and section 715 of title 32 involving military claims;

H.R. 14005. An act to authorize the disposition by the city of Hot Springs, Ark., of certain property heretofore conveyed to the

city by the United States, and for other purposes;

H.J. Res. 1299. Joint resolution authorizing the President to proclaim annually the week including September 15 and 16 as "National Hispanic Heritage Week";

H.J. Res. 1371. Joint resolution to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in 1971, to be planned and conducted by the Secretary of Health, Education, and Welfare, and for related purposes; and

H.J. Res. 1404. Joint resolution authorizing and requesting the President to proclaim the week of November 17 through 23, 1968, as "National Family Health Week."

ADJOURNMENT

Mr. BRINKLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 18, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2207. A letter from the Comptroller General of the United States, transmitting a report on the opportunity to increase highway trust fund investment income by revising Federal reimbursement policy, Federal Highway Administration, Department of Transportation; to the Committee on Government Operations.

2208. A letter from the Comptroller General of the United States, transmitting a report on the need for improvement in the processing of requisitions for materials, Department of Defense; to the Committee on Government Operations.

2209. A letter from the Assistant Secretary for Administration, Department of Commerce; transmitting the annual report of the Department on commissary activities outside the continental United States for the fiscal year 1968, pursuant to the provisions of 5 U.S.C. 596a; to the Committee on Interstate and Foreign Commerce.

2210. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice; transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1895. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. SIKES: Committee of Conference. H.R. 18785. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1896). 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. CORBETT:

H.R. 19823. A bill to require congressional approval before a license may be granted for the construction of any facility for the commercial generation of electricity from nuclear energy; to the Joint Committee on Atomic Energy.

By Mr. ECKHARDT:

H.R. 19824. A bill to amend the Federal Property and Administrative Services Act of 1949, to provide surplus Government property to the needy, and for other purposes; to the Committee on Government Operations.

By Mr. EILBERG:

H.R. 19825. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. QUILLEN:

H.R. 19826. A bill to prohibit the Administrator of Veterans' Affairs from requiring an annual income statement from certain pensioners who are 72 years of age or older; to the Committee on Veterans' Affairs.

By Mr. REINECKE:

H.R. 19827. A bill to amend the Immigration and Nationality Act to exclude from admission into the United States aliens who have demonstrated hostility toward the form of government of the United States or toward the democratic principles upon which such Government is based; to the Committee on the Judiciary.

By Mr. STEED:

H.R. 19828. A bill to amend the Revenue and Expenditure Control Act of 1968; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 19829. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WYATT:

H.R. 19830. A bill to amend title 38 of the United States Code to modify the reporting requirement relating to pensions for veterans and to liberalize the oath requirement for hospitalization of veterans; to the Committee on Veterans' Affairs.

By Mr. GERALD R. FORD (for himself, Mr. ARENDS, Mr. LAIRD, Mr. STRATTON, Mr. AYRES, Mr. MICHEL, Mr. PERKINS, Mr. QUIE, Mr. REID of New York, Mr. ERLENBORN, Mr. ESCH, and Mrs. GREEN of Oregon):

H.R. 19831. A bill to provide funds on behalf of a grateful nation in honor of Dwight D. Eisenhower, the 34th President of the United States, to be used in support of construction of educational facilities at Eisenhower College, Seneca Falls, N.Y., as a distinguished and permanent living memorial to his life and deeds; to the Committee on Education and Labor.

By Mr. PATTEN:

H.R. 19832. A bill to amend the Military Selective Service Act of 1967 to provide for the exemption of teachers from induction into the Armed Forces; to the Committee on Armed Services.

By Mr. GONZALEZ:

H.R. 19833. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.J. Res. 1458. Joint resolution authorizing the President to proclaim October 26, 1968, as the date commemorating the 50th anniversary of the Declaration of Independence of the Republic of Czechoslovakia; to the Committee on the Judiciary.

By Mr. MORSE:

H. Con. Res. 821. Concurrent resolution calling upon the President to implement the foreign economic policy of the United States by terminating controls on foreign direct investments; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 19834. A bill for the relief of Oi Soon Kim; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 19835. A bill for the relief of Amaden and Cecilia Simoes; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 19836. A bill for the relief of Aliza Kabaklian; to the Committee on the Judiciary.

H.R. 19837. A bill for the relief of Delilah Aurora Gamatero; to the Committee on the Judiciary.

H.R. 19838. A bill for the relief of Raul Fernando Berdugo; to the Committee on the Judiciary.

H.R. 19839. A bill for the relief of Bong Lip Choy; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 19840. A bill for the relief of Gaetano D'Antona; to the Committee on the Judiciary.

H.R. 19841. A bill for the relief of Rosina Cavaliero; to the Committee on the Judiciary.

H.R. 19842. A bill for the relief of Matteo Marascia; to the Committee on the Judiciary.

H.R. 19843. A bill for the relief of Guiseppe Matorano; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 19844. A bill for the relief of Shirley Evelyn Lim; to the Committee on the Judiciary.

H.R. 19845. A bill for the relief of Shui Ho Lin, his wife, Chen Fu Hui Lin, and their son, Tsu Liu Lin; to the Committee on the Judiciary.

H.R. 19846. A bill for the relief of Eduvigis Tobak Rosner; to the Committee on the Judiciary.

By Mr. BURTON of Utah:

H.R. 19847. A bill for the relief of Takeshi Murata; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 19848. A bill for the relief of Dr. Eufronio M. Aro and his wife, Lydia Lim Aro; to the Committee on the Judiciary.

H.R. 19849. A bill for the relief of Iginio Cammarota; to the Committee on the Judiciary.

H.R. 19850. A bill for the relief of Dr. Aurora B. Capule; to the Committee on the Judiciary.

H.R. 19851. A bill for the relief of Emeric Cohen; to the Committee on the Judiciary.

H.R. 19852. A bill for the relief of Giuseppe Cusumano, his wife, Maria Cristina Cusumano, and their son, Giovanni Cusumano; to the Committee on the Judiciary.

H.R. 19853. A bill for the relief of Maria Gagliano; to the Committee on the Judiciary.

H.R. 19854. A bill for the relief of Ruth Quijano; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 19855. A bill for the relief of Vinceslao Nicholas Pucci; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 19856. A bill for the relief of Mercedes Rojas-Hernandez; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 19857. A bill for the relief of William Cornelius Hall; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 19858. A bill for the relief of Millicent Russel; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 19859. A bill for the relief of Jong Kil Song and Jung Sun Han Song; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 19860. A bill for the relief of Dr. Thamnoon Penroach; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 19861. A bill for the relief of Frank J. Enright; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 19862. A bill for the relief of Giuseppa Lattuga Belluomo; to the Committee on the Judiciary.

H.R. 19863. A bill for the relief of Rita Louise Clarke; to the Committee on the Judiciary.

H.R. 19864. A bill for the relief of Gerlando Quarantino Iacono; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 19865. A bill for the relief of Guglielmo Tonino Alleva; to the Committee on the Judiciary.

H.R. 19866. A bill for the relief of Assuntina Buonapane; to the Committee on the Judiciary.

H.R. 19867. A bill for the relief of Antonio Mario Buzzanga; to the Committee on the Judiciary.

H.R. 19868. A bill for the relief of Valentina Augusto Da Silva; to the Committee on the Judiciary.

H.R. 19869. A bill for the relief of Artemizia Dias; to the Committee on the Judiciary.

H.R. 19870. A bill for the relief of Spyridon Kavadas; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 19871. A bill to provide compensation to certain silver dealer claimants by authorizing the sale of silver bullion; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 19872. A bill for the relief of Konstantinos Maniatakos; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 19873. A bill for the relief of Constantin Koumantakis; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 19874. A bill for the relief of Domingos Casanova Pidalgo; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 19875. A bill for the relief of Joseph Israelov; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 19876. A bill for the relief of Antonio Pesic Villero; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 19877. A bill to remove a cloud on the titles of certain property all located in Malin, Oreg., and owned by the city of Malin, Marian H. Peck, Merrill, Oreg., Marion R. Rupert, Malin, Oreg. and Blanche Fields, Malin, Oreg.; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H. Con. Res. 822. Concurrent resolution recognizing the golf course of the Foxburg Country Club, Foxburg, Pa., as the oldest golf course in continuous use in the United States; to the Committee on the Judiciary.

By Mr. HARDY:

H. Res. 1305. Resolution relating to creditable service for retirement purposes of John T. M. Reddan; to the Committee on House Administration.

EXTENSIONS OF REMARKS

GREAT SALT LAKE

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Tuesday, September 17, 1968

Mr. MOSS. Mr. President, for many years we in Utah have talked about our natural wonder—the Great Salt Lake. It is unique, America's Dead Sea. It is beautiful, deep blue with mountain backdrops and flaming sunsets. Its origin and geology are fascinating. Its economic worth becomes more evident each day.

Since I came to the Senate, I have worked without letup to preserve and develop its scenic and recreational values—my bill S. 25 to establish a Great Salt Lake National Monument on Antelope Island has passed the Senate and is pending in the House of Representatives—and to develop a mineral extraction and refining industry on the shores of the lake. To this end, Congress enacted my bill—S. 25, Public Law 89–441—to release any Federal claim to interest in the old lakebed shoreline so that the State of Utah could contract with private enterprise ventures to extract salts and metals from the water owned by the State.

The September 1968 issue of Reader's Digest contains an article written by Wolfgang Langewiesche which in terse, colorful language describes the Great Salt Lake and its future. In the hope that Senators will read it, I ask unanimous consent that the article be printed in the Extensions of Remarks.

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

GREAT SALT LAKE: UTAH'S POCKET OCEAN

(By Wolfgang Langewiesche)

Most places have some one master fact you need to know. Get hold of it, and everything else falls in place. At Great Salt Lake the master fact is this: the lake today, 70 miles long and 10 to 20 wide, is only a remnant of what was here once—a gigantic lake some 20 times as large, 77 times as deep, holding 500 times the present mass of water.

Even in the present century the water level has dropped, and the shoreline has receded almost everywhere a mile or two, in places five or ten miles. Nearly 800 square miles of new land have appeared, most of it malodorous mud flats or humpy chunks of land interlaced with ponds—a no-man's land, barren, treeless, difficult to traverse. Only at a few places can a car penetrate to the shoreline.

All this has made the lake a lonesome, harsh, slightly hostile thing. Salt Lake City is 15 miles back from the shoreline. There are no summer cabins by the lake shore. There is no fishing because there are no fish. (Only one creature of any size lives in that brine—a tiny shrimp.) Once there was a Gay Nineties resort, a great big glorious pleasure dome with spirited towers, built on a pier a quarter-mile out in the lake. You went there on a steam train and spent the day, and wore long-underwear-type bathing suits. But the resort is now high and dry—deserted, partly destroyed by fire, and a quarter-mile from the water.

BUOYANT BRINE

The continued shrinking of Great Salt Lake has more and more concentrated the salt in the water, until now it's seven times as salty as the sea. The salt is brought into the lake by all the rivers that feed it. Their water contains tiny amounts of mineral matter dissolved from the rock of the riverbed. And since the lake has no outlet, the water can leave it only by evaporation. As it evaporates, it leaves its salt behind. Here is a gigantic machine for washing salts from Utah's mountains and concentrating them in a basin—a kind of pocket ocean.

A swim in Great Salt Lake is a philosophical experience. It is so salty that you *can't* sink. You float with head, feet and arms clear out of the water. When you come out, the water dries almost instantly. The salt remains, forming crystals on your skin that feel like sand.

The drying-out of the old, big lake has left an enormous desert along the edge of the present Salt Lake. It is 160 miles long, 70 miles broad—the most absolute desert we have in this country. If you were on foot, it would be grim, hostile country. It would probably kill you. But a transcontinental highway goes straight across this desert for 50 miles. From the air overhead you can look 50 miles on either side of the highway: no roads, no houses. The only man-made thing is a huge bull's-eye marked in the stand.

HOT ROD HEAVEN

The whole desert is an Air Force training area; on both sides of the road it is closed off. This has protected it from being butchered as other deserts are being butchered, with jeep roads, pipeline crossings, electric highlines, mysterious diggings, shacks.

And in this desert, right off the big highway, you come upon the famous Bonneville Salt Flats. Fourteen miles long, seven miles broad, they look like a lake with ice on it. The ice is salt, and, on the salt surface automobile speed records are made (including the world's records for both conventional and jet-driven cars). Even from a jet plane way up high you can see the long black line, absolutely straight, which serves as guideline for the speed runs. There is no grandstand; there are no buildings of any sort. Just that white plain, and naked, moon-looking mountains, and silence.

Why this salt flat? There was a dell here in the old lake bed. As the big lake dried up, a super-salty small lake formed here. Then that dried up and only the salt was left, hard, level and smooth.

A few feet below the surface the salt is full of water. Drawn upward by wick-action to the surface, the water is what keeps the the salt so firm. It also keeps it cool. A regular pavement in that desert sun soon gets so hot you could fry eggs on it. The salt is usually ten degrees cooler than the air. This makes those thin, highbred racing tires, built to last only a few miles in ultra-high speed driving, last longer.

During droughts, the water under the salt dries up in spots, the surface becomes crumbly, potholes form. But in winter the Flats are flooded by runoff from higher ground, and the salt surface, softened, smooths itself out—a pavement that repaves itself every year!

Most of this natural-wonder pavement belongs to the federal government. The Bonneville Speedway Association has a lease on it and runs it. If you want to use the speed