By Mr. McCLORY:
H.R. 6213. A bill to establish in the Executive Office of the President an Office of Community Development; to the Committee on Government Operations.
By Mr. MacGREGOR:
H.R. 6214. A bill to establish in the Executive Office of the President an Office of Community Development; to the Committee on Government Operations.
By Mr. MAILLIARD:
H.R. 6215. A bill to establish in the Executive Office of the President an Office of Community Development; to the Committee on Government Operations.
By Mr. MORSE:
H.R. 6216. A bill to establish in the Executive Office of the President an Office of Community Development; to the Committee on Government Operations.
By Mr. MOSHER:
H.R. 6217. A bill to establish in the Executive Office of the President an Office of Community Development; to the Committee on Government Operations.
By Mr. QUIE:
H.R. 6218. A bill to establish in the Executive Office of the President an Office of Community Development; to the Committee on Government Operations.
By Mr. RUMSFELD:
H.R. 6219. A bill to establish in the Executive Office of the President an Office of Community Development; to the Committee on Government Operations.
By Mr. SCHWEIKER:
H.R. 6220. A bill to establish in the Executive Office of the President an Office of Community Development; to the Committee on Government Operations.
By Mr. SMITH of New York:
H.R. 6221. A bill to establish in the Executive Office of the President an Office of Community Development; to the Committee on Government Operations.
By Mr. OLSON of Minnesota:
H.J. Res. 376. Joint resolution proposing an amendment to the Constitution of the United States to permit the apportionment of one house of a bicameral State legislature on factors other than population in certain circumstances; to the Committee on the Judiciary.
By Mr. SCHMIDHAUSER:
H.J. Res. 377. Joint resolution proposing an amendment to the Constitution of the United States relative to residence requirements for voting in presidential elections; to the Committee on the Judiciary.
By Mr. MOSHER:
H. Con. Res. 351. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.
By Mr. FALLON:
H. Res. 273. Resolution to grant additional travel authority to the Committee on Public Works; to the Committee on Rules.
By Mr. POWELL:
H. Res. 274. Resolution providing for consideration of H.R. 2362, a bill to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

94. By Mr. ULLMAN: Memorial of the Legislative Assembly of the State of Oregon urging the Congress of the United States to forthwith appropriate the funds that are necessary to permit the agencies of the United States to immediately aid in the restoration to production of all Oregon agricultural lands damaged by the recent flood; to the Committee on Appropriations.

95. By the SPEAKER: Memorial of the Legislature of the State of North Dakota, memorializing the President and the Congress of the United States relative to opposing any reduction in Federal participation in soil and water conservation programs; to the Committee on Agriculture.

96. Also, memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States relative to legislation providing for fair and equitable regulation of commercial transportation and provide the Interstate Commerce Commission with the greater authority needed for full enforcement; to the Committee on Interstate and Foreign Commerce.

97. Also, memorial of the Legislature of the State of Nebraska, memorializing the President and the Congress of the United States relative to supporting the proposals of the Bureau of Reclamation for the authorization of funds and construction of multipurpose midstate project; to the Committee on Interior and Insular Affairs.

98. Also, memorial of the Legislature of the State of Nebraska, memorializing the President and the Congress of the United States relative to enacting legislation to cause voting discrimination to cease and desist; to the Committee on the Judiciary.

99. Also, memorial of the Legislature of the State of Pennsylvania, memorializing the President and the Congress of the United States relative to repealing the National Origins Act; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:
H.R. 6222. A bill for the relief of Stephen Bihari, Martha Melzar Bihari and Perry Roland Bihari, Andrea Suzanne Bihari; to the Committee on the Judiciary.
By Mr. BARING:
H.R. 6223. A bill for the relief of Felix Ugalde Igartua; to the Committee on the Judiciary.
By Mr. BURKE:
H.R. 6224. A bill for the relief of Clifford Leroy Glassford; to the Committee on the Judiciary.
By Mr. COLLIER:
H.R. 6225. A bill for the relief of military and civilian personnel whose personal property was damaged or lost by fire while stored pursuant to Government orders in a commercial warehouse; to the Committee on the Judiciary.
By Mr. FASCELL:
H.R. 6226. A bill for the relief of Dr. Bienvenido Benach Carreras; to the Committee on the Judiciary.
H.R. 6227. A bill for the relief of Dr. Oscar Valdes Cruz; to the Committee on the Judiciary.
H.R. 6228. A bill for the relief of Dr. Orlando Antonio Arana y Gavilan; to the Committee on the Judiciary.
By Mr. JOHNSON of California:
H.R. 6229. A bill for the relief of Kim Sun Ho; to the Committee on the Judiciary.
By Mr. KORNEGAY:
H.R. 6230. A bill for the relief of the estates of certain former members of the U.S. Navy Band; to the Committee on the Judiciary.
By Mr. MORRIS:
H.R. 6231. A bill for the relief of Mrs. Harley Brewer; to the Committee on the Judiciary.
By Mr. O'NEILL of Massachusetts:
H.R. 6232. A bill for the relief of Wong Fook Cheung; to the Committee on the Judiciary.
H.R. 6233. A bill for the relief of Ismet Sakarya; to the Committee on the Judiciary.
By Mr. RONCALIO:
H.R. 6234. A bill for the relief of Leonard F. Rizzuto; to the Committee on the Judiciary.
By Mr. STANTON:
H.R. 6235. A bill for the relief of Chun Soo Kim; to the Committee on the Judiciary.
By Mr. VAN DEERLIN:
H.R. 6236. A bill for the relief of Melchor N. Flondarina; to the Committee on the Judiciary.
H.R. 6237. A bill for the relief of Guiseppe Roberto Franco; to the Committee on the Judiciary.
H.R. 6238. A bill for the relief of Cecilia Chen Wong; to the Committee on the Judiciary.
H.R. 6239. A bill for the relief of John Po Wen Wong; to the Committee on the Judiciary.
By Mr. YOUNGER:
H.R. 6240. A bill for the relief of Carolina Granucci; to the Committee on the Judiciary.

SENATE

THURSDAY, MARCH 11, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most merciful God, who art the fountain of all grace and the source of all true wisdom and goodness, Thou hast called us, whose mortal lives ebb so swiftly away, to labor with Thee in the unfolding purpose of the ages, in causes whose coronation date is far beyond the dimensions of our earthly calendars.

Yet, we are awed by the privilege that is ours to throw the stubborn ounces of our weight on the side of the invincible power which swings the stars in their courses, and which, in all the universe, works for righteousness.

Ever near this forum of national debate, with its differing points of view and the din and clash of personal interests, may there be kept an altar of communion with the unseen reality, where, even as we toil in these fields of time, a constant sense of the eternal will save us from spiritual decay, from moral cowardice, and from betrayal of the highest public good.

In the dear Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 10, 1965, was dispensed with.

LIMITATION OF STATEMENTS DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements

made in the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Constitutional Amendments and the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Permanent Subcommittee on Investigations of the Committee on Government Operations was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PROPOSED LEGISLATION RELATING TO DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the Presidential Inaugural Ceremonies Act (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to establish a register of blind persons in the District of Columbia; to provide for the mandatory reporting of information concerning such persons, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion national convention of 1966, to be held in Washington, D.C.; to authorize the granting of certain permits to the American Legion 1966 Convention Corp. of the District of Columbia on the occasion of such convention, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By Mr. MUNDT:

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Commerce:

"SENATE CONCURRENT RESOLUTION 8

"Concurrent resolution, memorializing the Congress of the United States in regard to legislation pertaining to national transportation problems

"Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring therein):

"Whereas a strong, efficient transportation system is essential to the well-being and defense of our Nation; and the economic stability and growth of the Nation is threatened unless satisfactory, long-range solutions to problems of competition and rates can be found; and

"Whereas regulation of freight rates by all carriers engaged in commercial transportation is necessary to protect the public interest; and it is a matter of national transportation policy that all shippers should be protected from unfair rate discrimination, place discrimination, and size discrimination; and

"Whereas it is desirable and practical to limit the application of the agricultural commodity exemptions and provide the producer the unrestricted right to haul his own produce to market; and

"Whereas to meet nonregulated competition, regulated carriers have disrupted and deviated from the historical wheat-flour rate parity and it is further proposed to cease regulation of rail rates on agricultural commodities—all of which is unjustifiable and discriminatory in its effects on industry in South Dakota and the entire Great Plains area; and

"Whereas it is recognized and attention is directed to the extreme importance of the wheat flour milling industry to the South Dakota economy and as a preferred market for South Dakota wheat producers, providing a ready market for wheat grown in South Dakota each year; and

"Whereas South Dakota produces the finest hard milling wheat and wheat flour in this area and more than 1,800 country elevators and flour milling companies in South Dakota and adjacent thereto contribute materially to the economy of the State of South Dakota; and

"Whereas it is evident that a discriminatory differential in wheat and flour rates threatens the Great Plains area with the loss and relocation of the flour milling industry and associated industries as well; and such changes would be disruptive of a simplified rate structure adapted to the best interests of producers, consumers, railroads, and millers; and

"Whereas the Governor of South Dakota has recognized the threat to industry in South Dakota and the Great Plains area, and has appointed Mr. Lem Overpeck, Lieutenant Governor of South Dakota, as a member of a 10-State committee to promote rate parity on grain and grain products, prevent the effects of deregulation which would be detrimental to industry in the wheat growing area of our Nation, and preserve the flour milling industry in South Dakota and the surrounding States; and

"Whereas in connection with the flour milling industry as a byproduct and by reason thereof there is available and there is produced large amounts of livestock feed out of the byproducts of said flour milling industry, the loss of which would increase the costs to livestock growers in the State of South Dakota: Now, therefore, be it

"Resolved by the Senate of the State of South Dakota (the House of Representatives concurring therein), That we respectfully submit that the effects of deregulation of commodity traffic and the chaos which would result from this action would cause a serious dislocation of industry from the Great Plains area and irreparable harm to the economy of our Nation; and that we respectfully urge and request the Congress of the United States to enact legislation providing for fair and equitable regulation of all modes of commercial transportation and provide the Interstate Commerce Commission with the greater authority needed for full enforcement; and that such legislation should provide for the protection of the interests of the primary producer; be it further

"Resolved, That the secretary of state be directed to transmit an enrolled copy of this resolution to the Vice President of the United States, the Speaker of the House of Representatives of the United States, the Secretary of Agriculture of the United States, the Secretary of Commerce of the United States, the chairman of the Committee on Interstate and Foreign Commerce in the House of Representatives of the United States, the chairman of the Committee on Agriculture, and the chairman of the Committee on Commerce in the Senate of the United States, the Governors of Minnesota, North Dakota, Montana, Wyoming, Nebraska, Colorado, Missouri, Oklahoma, Kansas, and Texas, and to each member of the South Dakota delegation in the Congress of the United States.

"Adopted by the senate February 16, 1965.

"Concurred in by the house of representatives February 27, 1965.

"LEM OVERPECK,
"President of the Senate.

"Attest:

"NIELS P. JENSEN,
"Secretary of the Senate.

"CHARLES DROZ,
"Speaker of the House.

"Attest:

"WALTER J. MATSON,
"Chief Clerk."

CONCURRENT RESOLUTION OF NORTH DAKOTA LEGISLATURE

Mr. YOUNG of North Dakota. Mr. President, during the next 9 months most of the Government programs which regulate farm production and stabilize farm income will expire. Farmers throughout our great farm areas are anxiously awaiting action here in Washington.

American agriculture has become one of the miracles of our times. The rapid gains in production per acre and output per farmworker have been possible only through the application of the best available farm technology. The farmers of our Nation now provide us with the greatest abundance of high quality, low-priced food the world has ever seen.

All is not well with the farmer, however.

Government officials define parity as the ratio of prices farmers receive for their production to the prices they pay. One hundred percent of parity, should, conceivably, place farmers on a par with the rest of the economy.

Today, the index of farm prices stands at 75 percent of parity.

This situation has justifiably alarmed farmers, businessmen, and others who draw their livelihood from our rural areas. My own State, North Dakota, has been fortunate in having better than average crops in recent years. Even so, too many of our farmers are finding themselves in financial difficulty. It could hardly be otherwise as the prices they are receiving for their commodities are lower than they were 20 years ago while the costs of operation have doubled and tripled in that same period.

Mr. President, in recognition of this very serious condition, the 39th Legislative Assembly of the State of North Dakota recently adopted House Concurrent Resolution D. Since I feel this resolution does an excellent job of focusing attention on the problems of agriculture and the need for prompt action in seeking solutions, I ask unanimous consent that it be reprinted in the CONGRESSIONAL RECORD at this point.

There being no objection, the concurrent resolution was referred to the Committee on Agriculture and Forestry, as follows:

HOUSE CONCURRENT RESOLUTION D

Concurrent resolution requesting the Congress and the national administration of the United States to take all possible steps to improve the economic position of the agricultural producer

Whereas 35 percent of the Nation's population resides in community trade centers of 5,000, or on farms surrounding such trade centers, and the stability and solvency of this vast segment of our population is contingent on a healthy agricultural economy; and

Whereas agricultural prosperity depends not only on efficient production but also on adequate markets and a proper balance of supply and demand; and

Whereas the farm sector of the economy is the only sector that has suffered a decline in net income measured against the base period of 1947–49, primarily due to increased production costs and declining farm prices; and

Whereas while only 18 percent of the average American family budget is required for food, the lowest of any nation on earth, the farmer receives only one-third of this after processing and distribution costs are considered; and

Whereas this adverse economic situation is creating a migration from rural communities to urban centers where unemployment, welfare, and other problems are already rampant; and

Whereas it is the creditable objective of the national administration to assure economic opportunities for everyone, increase employment, and maintain a vigorous economy through courageous action on numerous economic fronts, and to use every weapon available to increase security and promote peace: Now, therefore, be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein), That the Congress and the national administration adopt a system of price supports and production controls for agricultural commodities now covered by price supports that will assure adequate income for farmers and assure solvency for all of rural America; and by so doing, avoid the necessity in the future for solving new social and economic problems related to highly congested urban areas; be it further

Resolved, That the Congress and the national administration develop bold, imaginative plans to utilize the productive capacity of rural America more effectively in combating communism, hunger, and disease around the world, and continue to seek new markets for agricultural products now in surplus; be it further

Resolved, That Public Law 480 be administered and developed to its maximum effectiveness; be it further

Resolved, That copies of this resolution be forwarded to the President and Vice President of the United States, the Secretary of Agriculture, the chairmen of the U.S. House and Senate Agricultural Committees, and each member of the North Dakota congressional delegation.

ARTHUR A. LINK,
Speaker of the House.
DONNELL HAUGEN,
Chief Clerk of the House.
CHARLES TIGHE,
President of the Senate.
GERALD L. STAIR,
Secretary of the Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 1496. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of zinc from the national stockpile and the supplemental stockpile (S. Rept. No. 121).

(See the remarks of Mr. SYMINGTON when he reported the above bill, which appear under a separate heading.)

By Mr. ERVIN, from the Committee on the Judiciary, with amendments:

S.J. Res. 48. Joint resolution to provide for Bennett Place commemoration (Rept. No. 122).

REPORTS OF COMMITTEES ON USE OF FOREIGN CURRENCIES AND U.S. DOLLARS IN CONNECTION WITH FOREIGN TRAVEL

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the reports of the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Government Operations, concerning the foreign currencies and U.S. dollars utilized by those committees in 1964 in connection with foreign travel.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

Report of expenditure of foreign currencies and appropriated funds by the Committee on Armed Services, U.S. Senate, expended between Jan. 1 and Dec. 31, 1964

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard B. Russell:											
Germany	Deutsche mark	83.77	21.08	94.06	23.67	3,397.10	854.83	49.75	12.52	3,625.08	912.10
Austria	Schilling	1,358.30	52.77	541.05	21.02	869.24	33.77	337.97	13.13	3,106.56	120.69
Greece	Drachma	1,752.90	58.43	1,157.70	38.59	195.90	6.53	73.50	2.45	3,180.00	106.00
Spain	Peseta	2,481.24	41.43	2,017.69	33.69	1,277.45	21.33	823.49	13.75	6,599.87	110.20
Portugal	Escudo	1,172.90	40.74	495.48	17.21	2,176.81	75.61	83.49	2.90	3,928.68	136.46
William H. Darden:											
Germany	Deutsche mark	86.75	21.83	79.76	20.07	3,404.05	856.58	38.83	9.77	3,609.39	908.25
Austria	Schilling	1,345.43	52.27	541.05	21.02	662.80	25.75	337.97	13.13	2,887.25	112.17
Greece	Drachma	1,166.40	38.88	1,157.70	38.59	195.90	6.53	390	13.00	2,910.00	97.00
Spain	Peseta	2,492.62	41.62	2,423.15	40.46	1,382.86	23.09	823.49	13.75	7,122.12	118.92
Portugal	Escudo	1,194.50	41.49	495.48	17.21	2,176.81	75.61	129.27	4.49	3,996.06	138.80
Charles B. Kirbow:											
Germany	Deutsche mark	84.96	21.38	102.61	25.82	3,397.10	854.83	46.77	11.77	3,631.44	913.8
Austria	Schilling	1,345.43	52.27	901.41	35.02	740.03	28.75	265.89	10.33	3,252.76	126.37
Greece	Drachma	1,126.20	37.54	1,157.70	38.59	195.90	6.53	193.50	6.45	2,673.30	89.11
Spain	Peseta	2,719.00	45.40	2,269.83	37.90	1,283.44	21.43	1,122.94	18.75	7,395.21	123.48
Portugal	Escudo	1,327.22	46.10	718.02	24.94	2,156.66	74.91	371.39	12.90	4,573.29	158.85
Gordon A. Nease:											
Japan	U.S. dollar		7.00		24.85		3.00		9.57		44.42
Do	Yen	11,880	33.00	9,720	27.00	3,600	10.00	7,200	20.00	32,400	90.00
Formosa	U.S. dollar				1.85						1.85
Hong Kong	do				13.50		3.00		4.50		21.00
Do	Hong Kong dollar	328.69	57.00	202.18	35.10	10.24	1.75	57.89	10.15	599	104.00
Thailand	U.S. dollar				20.50		2.00				22.50
Do	Baht	1,157.40	56.00	568	27.50	52	2.50	218	10.13	1,995.40	96.13
Italy	U.S. dollar						2.00		3.00		5.00
Do	Lira	35,000	56.00	29,375	47.00	4,000	6.40	13,125	21.00	81,500	130.40
Spain	U.S. dollar				10.00						10.00
Do	Peseta	1,796.40	30.00	2,155.68	36.00	299.40	5.00	923.95	15.43	5,175.43	86.43
Holland	Guilder					7,256.06	2,021.75			7,256.06	2,021.75
Senator Stephen M. Young:											
Bahama Islands	U.S. dollar		54.00		42.10		10.00		17.98		124.08
Puerto Rico	do		96.58		32.10				11.20		139.88
Total			1,002.81		751.30		5,033.48		282.05		7,069.64

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	6,700.91
Appropriated funds: U.S. Air Force	368.73
Total	7,069.64

MARCH 6, 1965.

RICHARD B. RUSSELL,
Chairman, Committee on Armed Services.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Relations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1964

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
J. W. Fulbright:											
United Kingdom	Pound	12/5/2	34.32	12/8/8	34.81	29/15/3	83.28	5/12/0	15.68	58/1/1	168.09
Netherlands	Guilder	53.04	14.73	20.00	5.55	170.75	47.43			243.79	67.71
Denmark	Kroner					684.54	99.35			684.54	99.35
Yugoslavia	Dinar	124,427	165.90	3,000.00	4.00	320,590	427.45			448,017	597.35
Germany	Deutsche mark			50.00	12.59	25.00	6.29	25.00	6.29	100.00	25.17
Austria	Austrian schilling					2,068.15	80.35			2,068.15	80.35
Frank Carlson: Switzerland	Franc			390.00	90.34			10.00	2.24	400.00	92.58
Bourke B. Hickenlooper:											
Lebanon	Pound	205.00	70.90	700.50	61.70					405.50	132.60
Morocco	Dirham	301.00	60.02	200.59	40.00					501.59	100.02
Portugal	Escudo	1,876.00	64.90	1,000.00	35.00	3,146.00	109.29			6,022.00	209.19
Tunisia	Dinar					40.000	76.80			40.000	76.80
Turkey	Lira	440.00	49.29	260.00	28.49					700.00	77.78
United Arab Republic	Pound	31.000	71.76	8.100	18.36					39.100	90.12
Frank Church:											
Austria	Schilling	4,986.25	193.70	4,281.00	166.34	3,945.00	153.23	1,180.90	45.86	14,393.15	559.13
Germany	Deutsche mark					295.20	74.28			295.20	74.28
Pat M. Holt:											
United Kingdom	Pound			57/9/8	160.95	18/14/3	52.39	1/1/–	2.94	77/4/11	216.28
Netherlands	Guilder	489.09	135.86	253.40	70.39	4,671.54	1,201.48	25.50	7.08	5,439.53	1,414.81
Denmark	Krone					171.14	24.84	60.00	8.71	231.14	33.55
Brazil	Cruzeiro	281,630	171.20	207,990	126.44	267,560	171.26	41,180	25.03	798,360	[1] 493.93
Peru	Sol	4,102.15	153.07	4,541.55	169.56	1,066.00	39.88	595.30	22.21	10,305.00	384.72
Colombia	Peso	1,784.80	141.09	1,227.30	97.02	479.80	37.93	173.10	13.68	3,665.00	289.72
United Kingdom, Netherlands, Brazil, etc	U.S. dollar		48.00				57.14		21.94		127.08
Donald G. Henderson:											
France	Franc	255	52.04	109	22.25	2393.9	488.55	38	7.76	2795.9	570.60
United Kingdom	Pound	18/0/0	50.40	22/18/4	64.17	7/12/6	21.35	8/9/6	23.73	57/0/4	159.65
United States	U.S. dollar						14.00				14.00
John Newhouse:											
France	Franc	228.00	46.53	38.00	7.75	19.00	3.72			285.00	58.00
Germany	Deutsche mark					1,825.06	459.13			1,825.06	459.13
Seth Tillman:											
Yugoslavia	Dinar	35,335	47.12	2,990	3.99	305,025	406.70			343,350	457.81
Do	do					14,965	19.95			14,965	19.95
Austria	Schilling					2,068.14	80.35			2,068.14	80.35
Do	do					210.00	8.16			210.00	8.16
Germany	Deutsche mark	59.80	15.06	28.60	7.20			.60	.14	89.00	22.40
Lee Williams:											
United Kingdom	Pound	8/10/0	23.80	9/17/2	27.60	5/19/0	16.66			24/6/2	68.06
Netherlands	Guilder	139.04	38.62	70.00	19.44	170.75	47.43			379.79	105.49
Denmark	Kroner					171.14	24.84			171.14	24.84
Kitty Johnson:											
United Kingdom	Pound	10/3/9	28.52	9/7/8	26.27	5/19/0	16.66	7/13/5	21.47	33/3/10	92.92
Netherlands	Guilder	19.00	5.28	31.04	8.62	170.75	47.43			220.79	61.33
Denmark	Kroner					171.13	24.84			171.13	24.84
Total			1,682.11		1,308.83		4,422.44		224.76		7,638.14

[1] $131.40 of this amount reimbursed to the U.S. Treasury for personal expenses.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	7,497.06
Appropriated funds: S. Res. 277, 88th Cong	141.08
Total	7,638.14

MARCH 4, 1965.

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by a Senate delegation, Canada-United States Interparliamentary Group Conference, Washington, D.C., Cape Kennedy, Fla., Jan. 14–19, 1964

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
George D. Aiken: United States	U.S. dollar		20.60								20.60
Spessard L. Holland: United States	do		55.62		2.06				1.30		58.98
Charles D. Weaver: United States	do		10.30								10.30
Milrae E. Jensen: United States	do		35.02		18.61		4.50		6.25		64.38
Darrell St. Claire: United States	do		54.07		32.40		7.25		1.25		[1] 94.97
Delegation expenses:											
Official luncheons, dinners, United States	do				3,905.58						3,905.58
Gratuities, United States	do								62.67		62.67
Books, United States	do								30.00		30.00
Bus hire, United States	do						522.74				522.74
Communications, United States	do								2.80		2.80
Photographs, United States	do								61.50		61.50
Ceremonial wreaths, United States	do								126.14		126.14
Total			175.61		3,958.65		534.49		291.91		4,960.66

[1] $23.11 of this amount reimbursed to the funds of the Canada-United States Interparliamentary Group by Darrell St. Claire.

RECAPITULATION

	Amount
Appropriated funds: Other (22 U.S.C.A. 276)	4,960.66

FEBRUARY 19, 1964.

GEORGE D. AIKEN,
Chairman, Senate Delegation, Canada-U.S. Interparliamentary Group.

Report of expenditure of foreign currencies and appropriated funds by British-American Parliamentary Group Conference, Hamilton, Bermuda, Feb. 9–16, 1964

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
J. W. Fulbright: Bermuda	Pound	127/13/4	357.02	13/1/5	36.85			2/17/3	8.05	143/12/0	401.92
Birch Bayh: Bermuda	do	127/13/4	357.02	15/8/8	43.50			5/5/5	14.85	148/7/5	415.37
John S. Cooper: Bermuda	do	70/4/4	195.02	2/10/1	7.05			2/10/1	7.05	75/4/6	209.12
Thomas Kuchel: Bermuda	do	127/16/2	357.42	26/9/7	74.65			6/14/10	18.98	161/0/7	451.05
Seth Tillman: Bermuda	do	70/4/4	195.02	116/1/0	326.70			19/4/5	54.31	205/9/9	576.03
Margaret Brown: Bermuda	do	70/4/4	195.03	4/7/7	12.33			4/4/4	11.88	78/16/3	219.24
Total			1,656.53		501.08				115.12		2,272.73

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	2,272.73

March 3, 1965.

J. W. Fulbright,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by the Senate delegation, Mexico-United States Interparliamentary Group Conference, Washington, D.C.; Knoxville, Tenn.; New Orleans, La., Mar. 5–15—Expended between Jan. 1 and Dec. 31, 1964

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John Sparkman: Mexico	U.S. dollars		39.55		23.55		308.60				371.70
Ernest Gruening: United States	do		21.12								21.12
Thomas H. Kuchel: United States	do				152.73						152.73
Edwin L. Mechem: United States	do				45.95						45.95
Mrs. Mike Mansfield: United States	do		35.02								35.02
Donald Barnes: United States	do		24.72		6.94						31.66
Pat M. Holt:											
Mexico	do		39.55		37.56		13.85		28.59		119.55
Do	do						307.20				307.20
United States	do		70.06		543.07		178.00		88.99		880.12
Delegation expenses:											
Reception, United States	do				511.36						511.36
Taxis, United States	do						8.90				8.90
Gratuities, miscellaneous, United States.	do								78.18		78.18
Arthur M. Kuhl: United States	do		27.81		17.06				.40		45.27
Delegation expenses, United States	do				30.00				26.00		56.00
Teddy Roe: United States	do		27.81		1.86				.60		30.27
Delegation expenses, United States	do				26.00						26.00
Harry Bergold: United States	do		248.17		209.73		320.65		115.49		894.04
Joe E. Gonzales: United States	do		47.38		12.77				2.45		62.60
Milrae E. Jensen: United States	do		27.81		2.85		4.00		13.26		47.92
Darrell St. Claire: United States	do		76.22		132.57		281.60		86.50		576.89
Delegation expenses, United States	do				5,414.57		392.18		1,417.81		7,224.56
Total			685.22		7,168.57		1,814.98		1,858.27		11,527.04

RECAPITULATION

	Amount
Other (22 U.S.C.A. 276)	$11,527.04

March 4, 1965.

John Sparkman,
Chairman, Senate Delegation, Mexico-U.S. Interparliamentary Group.

Report of expenditure of foreign currencies and appropriated funds at spring meeting, Interparliamentary Union, Lucerne, Switzerland, Mar. 25–Apr. 2, 1965—Expended between Jan. 1, and Dec. 31, 1964

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
A. S. (Mike) Monroney: Switzerland	Franc	641.00	149.93	199.75	46.68			49.50	11.54	890.25	[1] 208.15
Gordon Allott:											
Spain	Peseta			3,230.00	54.11			300.00	5.04	3,530.00	59.15
Switzerland	Franc	641.00	149.93	218.35	51.01			28.70	6.67	888.05	207.61
Darrell St. Claire:											
Spain	Peseta	70.00	1.18					1,181.00	18.45	1,251.00	19.63
Do	U.S. dollar								15.50		15.50
Delegation expenses:											
Reception, Spain	Peseta			9,000.00	147.75					9,000.00	147.75
Bus hire, Spain	do					4,190.00	68.09			4,190.00	68.09
Car hire, Spain	do					4,100.00	67.08			4,100.00	67.08
Miscellaneous, Spain	do							3,128.00	50.32	3,128.00	50.32
Gratuities, etc.:											
Spain	do							3,725.00	59.31	3,725.00	59.31
Switzerland	Franc	641.00	148.37	491.15	113.68			128.40	29.71	1,260.55	291.76
Do	U.S. dollar						8.00		86.24		94.24
Bus hire, Switzerland	Franc					971.50	224.88			971.50	224.88
Per diem, chauffers, Switzerland.	do					800.00	185.18			800.00	185.18
Car hire, chauffers, Switzerland.	do					2,133.00	493.75			2,133.00	493.75
Lunches, dinner, chauffers, Switzerland.	do			1,644.15	380.59					1,644.15	380.59
Reception, chauffers, Switzerland.	do			5,831.00	1,356.57					5,831.00	1,356.57
Gratuities, miscellaneous	do							246.35	57.02	246.35	57.02
Total			449.41		2,150.39		1,046.98		339.80		3,986.58

[1] $80 of this amount reimbursed the U.S. Treasury by A. S. (Mike) Monroney—Katherine St. George, Chairman, American Group.

RECAPITULATION

	Amount
Other (22 U.S.C.A. 276)	$3,986.58

March 3, 1965.

J. W. Fulbright,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Senate Delegation, 10th NATO Parliamentarians' Conference, Paris, France, Nov. 14–22, 1964—Expended between Jan. 1 and Dec. 31, 1964

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
J. W. Fulbright: France	U.S. dollar		214.29		129.57		12.00		28.89		384.75
Birch Bayh: France	do		125.00		125.56		11.00		25.09		286.65
Quentin N. Burdick: France	do		89.29		110.69		8.00		21.63		229.61
John Sherman Cooper: France	do				7.00		55.00		9.00		71.00
Norris Cotton: France	do		72.87		132.45		8.00		20.55		233.87
Albert Gore: France	do		107.12		100.44		4.00		7.25		218.81
B. Everett Jordan: France	do		89.28		101.23		34.00		1.90		226.41
Thomas H. Kuchel: France	do		124.20		188.86		22.00		131.06		466.12
Karl E. Mundt: France	do		141.70		150.16		5.03		3.78		300.67
Claiborne Pell: France	do		123.98		134.86				12.88		271.72
Marke Trice: France	do		141.70		140.74		9.00		39.69		331.13
Donald G. Henderson: France	do		97.90		126.24		16.00		38.77		278.91
Seth Tillman: France	do		85.02		107.18		8.00		18.99		219.19
Milrae Jensen: France	do		97.98		84.88		8.00		7.50		198.36
Mildred Mitchel: France	do		97.16		59.77		4.22		7.27		168.42
Delegation expenses: France:											
Office rental	do								531.84		531.84
Gratuities	do								53.55		53.55
Overtime, Embassy personnel	do								268.94		268.94
Car rental	do								539.79		539.79
Office telephone costs	do								103.98		103.98
Personnel meals (office)	do								71.96		71.96
Official NATO reception (U.S. Senate share).	do								36.84		36.84
Total			1,607.49		1,699.63		204.25		1,981.15		5,492.52

RECAPITULATION

	Amount
Public Law 84-689	$5,492.52

MARCH 5, 1965.

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by a Committee on Government Operations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1964

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator A. Ribicoff: Switzerland	Franc	400	92.00	244.45	56.58			66.05	15.28	710.50	163.86
J. O. Newman:											
Switzerland	do	538	124.50	210	48.58	30	6.94	42	9.72	820	189.74
France	Franc (Swiss)	110	25.48	166	38.40	38	8.80	16	3.71	330	76.39
Do	Franc	274	55.24	41	8.26	683.09	140.33	38	7.65	1,036.09	211.48
United States-Switzerland	Mark					3,326.03	836.74			3,326.03	836.74
Total			205.22		95.24		992.81		21.08		1,314.35
H. Beaser:											
Venezuela	U.S. dollar		377.60		18.75		3.00		32.21		431.56
Chile	do		352.70		23.91				22.75		399.36
Do	Escudo			580	193.48	138	45.99	170	56.52	888	295.99
Peru	Sol	4,233	158.72	4,135	155.06			1,530	57.30	9,898	371.08
Transportation	Dollar						1,507.90				1,507.90
Total			889.02		391.20		1,556.89		168.78		3,005.89
H. Beaser:											
Colombia	U.S. dollar		167.98		66.91		37.92		23.45		296.26
Do	Peso	1,274	127.45	2,869	286.92	1,024	102.39	984	98.42	6,151	615.18
Ecuador	U.S. dollar		118.32		10.83				13.76		142.91
Do	Sucre			1,974	92.80			1,073	50.42	3,047	143.22
Transportation	U.S. dollar						701.30				701.30
Total			413.75		457.46		841.61		186.05		1,898.87
Senator E. Gruening:											
Venezuela	U.S. dollar		445.58		26.14				33.24		504.96
Chile	do		662.33		9.75				26.42		698.50
Do	Escudo			580	193.48			170	56.52	750	250.00
Peru	Sol	4,233	158.72	4,135	155.06	3,345	125.38	1,530	57.30	13,243	496.46
Transportation	U.S. dollar						1,873.12				1,873.12
Total			1,266.63		384.43		1,998.50		173.48		3,823.04
Senator E. Gruening:											
Colombia	do		293.14		43.18				38.49		374.81
Do	Peso	1,274	127.45	2,869	286.92	1,024	102.39	984	98.42	6,151	615.18
Ecuador	U.S. dollar		159.42		23.70				15.43		198.55
Do	Sucre			1,974	92.80			1,073	50.42	3,047	143.22
Transportation							701.30				701.30
Total			580.01		446.60		803.69		202.76		2,033.06
Total			3,446.63		1,831.51		6,193.50		767.43		12,239.07

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$4,328.95
Department of the Army	7,910.12
Total	12,239.07

MARCH 8, 1965.

JOHN L. MCCLELLAN,
Chairman, Committee on Government Operations.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Howard F. Corcoran, of Maryland, to be U.S. district judge for the District of Columbia; and

Edward Allen Tamm, of the District of Columbia, to be U.S. circuit judge for the District of Columbia.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services I report favorably the nominations of 112 flag and general officers in the Army, Navy and Air Force. I ask that these names be printed on the Executive Calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

John V. Smith, and sundry other officers, for promotion in the U.S. Navy;

Maj. Gen. Ralph Edward Haines, Jr., U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Vice Adm. Roy L. Johnson, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of admiral while so serving;

Rear Adm. Paul P. Blackburn, Jr., U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Major Gen. Charles Salvatore D'Orsa, Army of the United States (brigadier general, U.S. Army), and sundry other officers, for appointment in the Regular Army of the United States;

Rear Adm. Herschel J. Goldberg, Supply Corps, U.S. Navy, for appointment as Chief of the Bureau of Supplies and Accounts in the Department of the Navy;

Brig. Gen. Dale E. Shafer, Jr., Ohio Air National Guard, and sundry other Air National Guard officers, for appointment as Reserve commissioned officers in the U.S. Air Force; and

Rear Adm. George G. Burkley, U.S. Navy, retired, for appointment to the grade of vice admiral while serving at the White House.

Mr. SALTONSTALL. Mr. President, in addition to the above I report favorably the nominations of 1,907 Army officers for appointment and promotion in the grade of colonel and below; 1,989 Air Force officers for appointment to the grade of major and below, and 881 Marine Corps officers for temporary and permanent appointment in the grade of first lieutenant. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Carroll E. Adams, Jr., and sundry other officers, for promotion in the Regular Army of the United States;

Thomas C. Abbott, and sundry other officers, for permanent appointment in the Marine Corps; and

Jimmie D. Baggett, and sundry other persons, for appointment in the Regular Air Force.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON:

S. 1491. A bill to amend the Internal Revenue Code of 1954 to provide for the gradual reduction and eventual elimination of the tax on communications services; to the Committee on Finance.

(See the remarks of Mr. CARLSON when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 1492. A bill for the relief of Edward V. Amason and Emerita Cecilia Amador Amason; to the Committee on the Judiciary.

By Mr. JOHNSTON:

S. 1493. A bill to limit the use of temporary employees in the postal field service; and

S. 1494. A bill to make the provisions of section 1310(a) of the Supplemental Appropriation Act, 1952, as amended, inapplicable to the Postal Field Service; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON (by request):

S. 1495. A bill to permit variation of the 40-hour workweek of Federal employees for educational purposes; and

S. 1496. A bill to repeal the provisions of law codified in 5 U.S.C. 39, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JAVITS (for himself, Mr. KUCHEL, Mr. CASE, Mr. SCOTT, Mr. FONG, Mr. ALLOTT, and Mr. COOPER):

S. 1497. A bill to protect civil rights by providing criminal and civil remedies for unlawful official violence, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 1498. A bill for the relief of Nikolai Artamonov; to the Committee on the Judiciary.

By Mr. FONG:

S. 1499. A bill to amend title II of the Social Security Act so as to reduce, in the case of individuals becoming disabled before attaining age 31, the number of quarters of coverage required for entitlement to disability insurance benefits; and

S. 1500. A bill to amend title II of the Social Security Act so as to permit certain children, who become disabled after attainment of age 18 but before attainment of age 22, to receive child's insurance benefits; to the Committee on Finance.

(See the remarks of Mr. FONG when he introduced the above bills, which appear under a separate heading.)

By Mr. MCNAMARA (by request):

S. 1501. A bill amending Section 107 of the River and Harbor Act of 1948, relating to the support and maintenance of the Permanent International Commission of the Congresses of Navigation; to the Committee on Public Works.

By Mr. SCOTT:

S. 1502. A bill to provide for the establishment of a health insurance 65 program; to the Committee on Finance.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 1503. A bill for the relief of the estates of certain former members of the U.S. Navy Band; to the Committee on the Judiciary.

ELIMINATION OF EXCISE TAX ON COMMUNICATIONS

Mr. CARLSON. Mr. President, I introduce, for appropriate reference, a bill to eliminate the excise tax on communications in five consecutive yearly reductions.

During the debate on the Tax Extension Acts of 1961 and 1963, I called the attention of the Senate to the inequity of continuing this tax. Today there are nearly 55 million telephone customers in the United States paying an average of about $19 a year in Federal excise taxes. This constitutes a burden on the telephone-using public of over $1 billion a year. In the State of Kansas alone over $10 million annually is being collected from approximately 665,000 customers.

When Congress imposed and increased the communications excise tax to discourage civilian use of an essential service during World War II, no one contemplated the existence of this tax over 20 years later. As I pointed out in 1961, the mildest thing one can say about the telephone tax is that it is a nuisance tax and a monthly reminder to all citizens that they are still paying what was supposed to be a war tax. The telephone is a necessity to over 40 million American homes where telephones have been installed. It is also a necessity to the farmers of this Nation who live far from town, far from their markets and far from their source of supply. The daily operation of a modern farm, like the daily operation of any modern business, could not be conducted without the telephone.

This tax on communications is a selective tax. It is the only tax now imposed on any essential service. No other household utility is taxed.

In these days when the Government is looking for ways to encourage economic growth, the benefit which would come from the repeal of the excise tax on communications seems clearly evident. The Bureau of Census has published figures which show that as of March 1960, 86 percent of the households in the United States with telephones had incomes of less than $10,000 a year. Clearly, a tax which falls on families in lower income classes is burdensome and its repeal would increase the purchasing power of those families by many millions of dollars.

I firmly believe that this tax should be repealed at the earliest possible time. Recognizing that it may not be feasible to eliminate over $1 billion worth of revenue to the Federal Government at this time, I have introduced a bill for the purpose of reducing this tax 2 percent each year beginning with fiscal year 1966 and terminating at the end of fiscal year 1970.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1491) to amend the Internal Revenue Code of 1954 to provide for the gradual reduction and eventual elimination of the tax on communications services, introduced by Mr. CARLSON, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF DISABILITY PROVISIONS OF SOCIAL SECURITY ACT, RELATING TO YOUNG WORKERS AND DISABLED CHILDREN

Mr. FONG. Mr. President, today I am introducing two bills amending the disability provisions of the social security law relative to young workers and disabled children.

The first bill reduces the number of quarters of covered employment required for workers totally disabled before age 31. Under existing law, workers who become totally disabled must have worked at least 5 years in social security covered employment in the 10 years before the disability occurred in order to qualify for social security disability benefits.

This 5-year requirement makes it difficult or even impossible for young workers who have become totally disabled to obtain disability benefits under social security.

For example, a person who started work at age 21 and who becomes totally disabled at age 25 has only 4 years of covered employment and therefore cannot qualify for disability benefits under social security.

My bill will help close a gap in social security disability protection for young workers.

Under my bill, a worker disabled before age 31 would qualify if he has whichever is greater: First, six quarters—1½ years—of coverage in social security employment, or, second, quarters equal to one-half the time between age 21 and the age he becomes disabled. If disabled at age 30, for example, the work requirement would be 4½ years; at age 25, the requirement would be 2 years.

In the case of those totally disabled before age 24, the minimum covered work required would be 1½ years in the 3 years prior to disability.

Where disability occurs after age 31, a worker would have to be in covered employment for 5 out of the 10 years before he became disabled. This is in line with present law.

These provisions carry out a recommendation of the Advisory Council on Social Security in January 1965.

CHILD'S BENEFITS FOR THOSE DISABLED BEFORE AGE 22

The second bill I am introducing today would extend child's benefits to certain totally disabled children.

Existing law permits a disabled child over 18 years of age to receive child's insurance benefits under social security only if the child became disabled before attaining age 18 and is still disabled.

My bill would allow an eligible disabled child to receive a child's benefit under social security if he became disabled before attaining age 22 and is still disabled.

Other eligibility requirements for a child's benefit contained in present law would remain unchanged by my bill. These include a requirement that the disabled child be single, be so severely disabled that he is unable to do any substantial work for pay and is the child of a parent entitled to social security benefits.

The amount of benefit payments also would continue to be computed as at present. Existing law provides that in a family receiving social security survivors' insurance benefits, a child or an adult disabled in childhood generally receives 75 percent of the amount the worker would have received at retirement.

In a family receiving monthly social security retirement or disability benefits, the amount received by this type of beneficiary is 50 percent of the worker's benefit. However, the total amount payable on the worker's account cannot, in any case, exceed the family maximum established by law.

I am advised that the cost of raising the age limit to 22 would be negligible, for the number of totally disabled persons between 18 and 22 is small. While the total number of children affected may be small, the benefit to each of them would be significant. To the parent caring for a totally disabled child the benefit also would be significant.

I hope the Congress will make these needed improvements in the social security disability program.

These are only two of a number of social security amendments which I believe are urgently needed. Earlier in this session, I introduced four other bills improving social security.

Congress last year recognized the need for social security changes. Both the House of Representatives and the Senate passed a bill providing an increase in monthly social security benefits, extension of child's benefits to full-time students beyond age 18, benefits for some 400,000 persons age 72 and over who do not have the required six quarters of coverage, and other amendments too numerous to list here.

Unfortunately, that bill died in House-Senate conference last October during the struggle over medical care for the aged.

This year the administration has again tied social security amendments to a hospital insurance plan for the aged, introduced as S. 1 and H.R. 1.

The House Ways and Means Committee has already begun closed-door sessions on H.R. 1 and there is every indication the Senate will have an opportunity this year to consider both social security changes and a hospital care plan for the aged.

It is the Social Security Act changes which I shall discuss today, rather than medicare.

COST-OF-LIVING INCREASE

I strongly support a cost-of-living increase for all those receiving old-age, survivors, and disability benefits. Such increases are long overdue. There has been no general increase in social security benefits since 1958. Meantime, the cost of living had risen 7½ percent by last September when the Senate passed a $7-a-month social security increase.

The administration bill provides a flat 7 percent increase, as does a bill (S. 39) which I introduced January 6, the first day bills were accepted in the Senate. The increase would be retroactive to January 1, 1965.

The latest available figures, released January 28, show that the cost of living has risen 8.1 percent since 1958.

To restore social security benefits to a value comparable to 1958 benefits, Congress should now give consideration to an 8 percent increase, rather than 7 percent.

SOCIAL SECURITY FOR CERTAIN PERSONS AT AGE 72

Another social security change needed to help older persons is the provision voted by both House and Senate last year allowing certain workers and widows age 72 or older to receive $35 a month although they may lack the full six quarters of covered employment now required. Wives who qualify would also get a benefit of $17.50.

Most of these elderly people had reached retirement age in 1954 and they cannot meet the six-quarter minimum requirement because their jobs were excluded from social security coverage while they were working.

I regret very much that the administration failed to include in its bill this provision which both the House and the Senate passed last year.

I have introduced S. 764, which is now pending before the Senate Finance Committee, to accomplish this.

Under S. 764, men reaching age 76 or older in 1965 need have only three quarters of covered employment to qualify for the $35-a-month social security benefit; age 75, four quarters; age 74, five quarters. Those age 73 or younger in 1965 would have to have six quarters or more to qualify.

Women who are 73 or older in 1965 with only three quarters of coverage would qualify for the $35-a-month benefit under my bill; those 72, four quarters; those 71, five quarters. Those 70 or younger in 1965 would need six quarters or more of coverage.

A wife's benefit would be payable at age 72 to the wife of a worker who qualifies for benefits if she becomes age 72 before 1968.

The bill further provides that any widow, first, who is 72 or older in 1965 and, second, whose husband died or reached age 65 in 1954 or earlier may receive a widow's benefit, provided her husband had three quarters of social security-covered employment. Present law requires six quarters.

If the husband had died or reached age 65 in 1956, the requirement would be five quarters. If he died or reached 65 in 1957 or later, the minimum requirement would be six quarters, the same as the present law.

Widows reaching age 72 in 1966 and 1967 would be subject to requirements of four or five quarters of coverage respectively.

These benefits would become effective the second month after the month of enactment.

EARNINGS LIMITATION INCREASED

A third urgently needed social security revision is to increase the earnings limitation for those past 65.

Under present law, a person may earn $1,200 a year—$100 a month—without suffering any loss of his social security payment.

For every $2 he earns over $1,200 and up to $1,700, one dollar is deducted from his social security benefit. For every $1

he earns above $1,700, he loses $1 of his social security benefit.

The $1,200 ceiling was adopted in 1954. While the reduction formula has been liberalized since then, the ceiling has not.

I believe the $1,200 ceiling and reduction formula are unrealistic and unfair. The formula is too complicated for people to understand and the entire earnings limitation feature is expensive to administer. It operates contrary to our national efforts to wipe out poverty and allow people to become more self-reliant. The ceiling operates to deny millions of elder citizens economic resources for an acceptable standard of living.

I have proposed in my bill, S. 765, introduced January 27, that older persons be allowed to earn $200 a month up to $2,400 a year without suffering any reduction in their social security benefit.

The dollar-for-dollar reduction would only apply to earnings above $2,400.

I was disappointed that the administration failed to propose any increase in the earnings limit in its social security-medicare bill—S. 1 and H.R. 1.

BENEFITS FOR STUDENTS TO AGE 22

Another provision which I believe is very essential but which the administration failed to include in its social security changes would help children obtain education beyond high school.

The need for education and training beyond secondary school is increasingly evident. In S. 498, introduced January 15, I have proposed to allow children of deceased, retired, or disabled workers under social security to receive social security benefits up to age 22, provided they are full-time students.

At present the cutoff date is 18, except for children who were disabled before age 18 and still are disabled.

I believe a child over age 18 who is attending school full time is dependent just as a child under 18 or a disabled older child. It is not realistic to stop such a child's benefits at age 18.

A child who cannot look to a father for support—because he has died, is retired, or is disabled—is at a disadvantage in completing his education. Our national policy is to encourage young people to obtain as much education as possible so that they will be employable at their highest skills.

My bill is an important means of furthering that policy.

Child's benefits would be paid to full-time students age 18 to 22 taking vocational as well as academic courses at any public or accredited school, college, or university. Benefits would be paid during the normal school vacation as well as during the school year.

A child whose benefits have already terminated because he reached age 18 would be reentitled to social security benefits upon filing a new application if he is a full-time student and has not reached age 22.

This bill is similar to provisions of H.R. 11865, the social security increase bill of last year, which passed both the House and the Senate but died in conference in disagreement over the Senate-added medicare provisions.

An estimated 275,000 children age 18 to 21 on the effective date of this bill would be expected to claim benefits during the first year of operation. Benefit payments to these children would be about $175 million in the first year.

In conclusion, Mr. President, I hope the Senate Finance Committee and the Senate itself will give serious consideration to these changes I have proposed in the Social Security Act.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. FONG, were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 1499. A bill to amend title II of the Social Security Act so as to reduce, in the case of individuals becoming disabled before attaining age 31, the number of quarters of coverage required for entitlement to disability insurance benefits; and

S. 1500. A bill to amend title II of the Social Security Act so as to permit certain children, who become disabled after attainment of age 18 but before attainment of age 22, to receive child's insurance benefits.

HEALTH CARE FOR AGED BILL

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to assist aged individuals to purchase private health insurance policies which will enable them to provide adequate medical care for themselves. This bill is similar to one I sponsored in the 88th Congress.

Under my bill, any individual aged 65 or over would be eligible to receive from the Government cash payments financed from the general revenues to defray the annual premium cost of a health insurance policy purchased by or for him provided that such policy offers at least the benefits specified in section 5 and meets certain other standards spelled out in the bill.

Such payments would amount to one-half the annual premium of the policy or $90, whichever is smaller. These payments may be made directly to the individual beneficiary in reimbursement for the Government's share of the premium cost, or, if the beneficiary prefers, directly to the insurance company issuing the policy.

The Secretary of Health, Education, and Welfare would administer the program authorized by my legislation and would disburse the benefit payments provided thereunder.

To qualify for coverage under my bill, a health insurance policy must contain at least the following benefits during the year in which the policy is in operation: First, 75 days inpatient hospital services; second, $300 worth of surgical treatment; third, 60 days nursing home care; fourth, 30 days home health services—including visiting nurse; and fifth, outpatient hospital diagnostic services. I have been advised that the gross annual premium cost of a policy containing these benefits would be $175.

The cost of the program authorized under my bill during its initial year of operation would be approximately $1⅓ billion to the Federal Treasury, which is less than the cost of the administration bill.

My bill relies upon the proven capacities of our private insurance industry by giving it a chance to offer health insurance policies providing comprehensive and adequate health care coverage for our elderly citizens. At the same time, it recognizes the problem of mounting medical care costs and the inability of many of our senior citizens to meet them.

Mr. President, I, of course, would prefer to see my bill enacted, yet I recognize the realities of the present legislative situation. Nevertheless, I hope that Congress in its wisdom would see fit to incorporate the features of my bill into the health care package that is likely to become law this year. I therefore commend my bill to the attention of my colleagues.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD immediately following my remarks and that the bill lie on the table for 10 days so that other Senators may, if they so desire, join in cosponsoring it.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from Pennsylvania.

The bill (S. 1502) to provide for the establishment of a health-insurance-65 program, introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

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 "Health Insurance Sixty-five Act".

ENTITLEMENT TO BENEFITS

SEC. 2. (a) Every individual who—

(1) has attained age sixty-five;

(2) makes application for benefits under this Act; and

(3) at the time such application is made is the beneficiary of a qualified private health insurance policy with respect to which premiums are payable by him (or on his behalf);

shall be entitled to the benefits provided under the Health Insurance Sixty-five Program (hereinafter referred to as the "Program").

(b) Benefits provided under the Program to an individual entitled thereto shall consist of one or more money payments, made with respect to any enrollment year, to assist such individual in defraying the premium costs for such year of a qualified private health insurance policy of which he is the beneficiary.

(c)(1) The aggregate of the amounts payable to an individual as benefits under the Program for any enrollment year shall be equal to whichever of the following is the smaller (A) one-half of the premium costs of the qualified private health insurance policy of which he is the beneficiary, or (B) $90.

(2) Any payment of benefits under the Program to which an individual is entitled shall be made—

(A) directly to such individual by way of reimbursement, in case there has been paid by or on behalf of such individual the insurance premium on the basis of which he becomes entitled to such payment; or

(B) to the carrier offering the qualified private health insurance policy with respect

to which such premium is payable, in case such individual has authorized (in the manner prescribed by regulations) such payment to be made to such carrier.

ADMINISTRATION OF PROGRAM BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE

SEC. 3. (a) This Act shall be administered by the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary").

(b) The Secretary shall have authority to prescribe such rules and regulations as he may deem necessary or proper to carry out the provisions of this Act.

(c) Wherever, in this Act, the term "regulation", "regulations", "rule", or "rules" is employed, such term shall, unless the context otherwise indicates, refer to one or more regulations, as the case may be, or one or more rules, as the case may be, prescribed by the Secretary in carrying out the provisions of this Act.

QUALIFIED PRIVATE HEALTH INSURANCE POLICY

SEC. 4. (a) The term "qualified private health insurance policy" means a policy of health insurance which—

(1) is provided by a carrier or carriers authorized to do business in the State wherein such policy is issued;

(2) is authorized to be issued within such State under the laws and applicable regulations of such State;

(3) is approved by the Secretary as providing the benefits described in section 5;

(4) is provided by a carrier which, in areas served by such carrier, offers such policy to all individuals residing therein who are aged sixty-five or over;

(5) is offered to individuals aged sixty-five or over on a guaranteed renewable basis;

(6) contains provisions under which the carrier offering such policy to any individual aged sixty-five or over agrees not to increase, with respect to such individual, the rate of premiums payable therefor for one year following the date such individual subscribes to such policy.

(b)(1) As used in subsection (a)(5), the term "guaranteed renewable basis" refers to an insurance policy which is renewable at the time it otherwise would expire at the option of the subscriber of such policy and which cannot be canceled by the carrier except for failure of payment of premiums thereon; except that the reservation by a carrier of the right to terminate an entire policy in a State in accordance with applicable laws and regulations of such State shall not be construed as grounds for disqualifying such policy as being offered on a guaranteed renewable basis.

(2) No insurance policy for purposes of this Act shall be considered to be offered on a guaranteed renewable basis unless increases or decreases in amounts of premiums payable therefor are applied to all subscribers aged sixty-five or over without regard to health condition, health services utilized or claimed, or other personal characteristics, of the policyholder.

BENEFITS TO BE PROVIDED BY INSURANCE

SEC. 5. (a) No private health insurance policy shall be approved by the Secretary pursuant to section 4(a)(3) unless the Secretary finds that, under such policy, the beneficiary thereof for any enrollment year is entitled to have payment made by the carrier issuing such policy of the costs incurred by him during such year by reason of his having received any or all of the following services which his physician has determined to be medically necessary—

(1) inpatient hospital services (but not for more than seventy-five days unless such policy so provides);

(2) nursing home care, but not for more than sixty days unless such policy so provides;

(3) surgical services (but not in excess of $300 unless such policy so provides);

(4) outpatient diagnostic services (but not in excess of $90 unless such policy so provides);

(5) home health services (but not for more than thirty days unless such policy so provides).

(b) The Secretary shall approve, for purposes of section 4(a)(3), any private health insurance policy which complies with the requirements of subsection (a).

DEFINITIONS OF BENEFITS

SEC. 6. (a) The term "inpatient hospital services" means the following items furnished to an inpatient by a hospital—

(1) bed and board (at a rate not in excess of the rate for semiprivate accommodations) and includes any special foods necessary to fulfill any diet requirements prescribed by the patient's physician;

(2) general nursing services;

(3) drugs, biologicals, supplies, appliances, and equipment, for use in the hospital, as are customarily furnished by such hospital for the care and treatment of inpatients;

(4) use of operating, recovery, and other special rooms; and

(5) use of laboratory, X-ray, electronic equipment, and other related services for diagnostic purposes.

(b) The term "nursing home care" means the following items and services furnished by a nursing home to an indivdual who is an inpatient thereof, after transfer, upon the recommendation of his physician, from a hospital in which he was an inpatient for not less than seventy-two hours immediately prior to such transfer (but only, in the case of any individual, to the extent that the aggregate cost of such items and services does not exceed $15 multiplied by the number of days such individual is an inpatient in such nursing home)—

(1) nursing care provided by or under the supervision of a registered professional nurse;

(2) bed and board in connection with the furnishing of such nursing care;

(3) physical, occupational, or speech therapy furnished by such home or by others under arrangements with them made by such home;

(4) such drugs, biologicals, supplies, appliances, and equipment furnished for use in the nursing home as are customarily furnished by such home for the care and treatment of inpatients; and

(5) such other services necessary to the health of the patient as are generally provided by nursing homes.

(c) The term "hospital" means a hospital which is licensed as a hospital in the State in which it is located.

(d) The term "nursing home" means a nursing home which is licensed as such by the State in which it is located, and which (1) is operated in connection with a hospital, or (2) has medical policies established by one or more physicians (who are responsible for supervising the execution of such policies) to govern the nursing home care and related medical care and other services which it provides, and (3) provides nursing care by or under the supervision of one or more registered nurses.

(e) The term "outpatient diagnostic services" means diagnostic services which (1) are furnished by a hospital to an individual as an outpatient of such hospital, and (2) are customarily furnished by such hospital to its outpatients for the purpose of diagnostic study. For purposes of the preceding sentence, a service shall be deemed to be furnished by a hospital if such service is provided by others under arrangements with them made by such hospital, and if the service so provided is provided in facilities operated by or under the supervision of such hospital or its organized medical staff, or, in case the service provided is professional service, is provided by or under the responsibility of members of the hospital medical staff acting as such members.

(f) The term "home health service" means the following items and services furnished by a home health agency to an individual in a place of residence used as such individual's home—

(1) part-time or intermittent nursing care provided by or under the supervision of a registered professional nurse.

(2) physical, occupational, or speech therapy,

(3) medical social services, and

(4) medical supplies (other than drugs and biologicals), and the use of medical appliances.

(g) The term "home health agency" means an agency which—

(1) is primarily engaged in providing skilled nursing services or other therapeutic services,

(2) has policies, established by a group of professional personnel (associated with the agency), including one or more physicians and one or more registered professional nurses, to govern the services (referred to in paragraph (2)) which it provides, and provides for supervision of such services by a physician or registered professional nurse,

(3) maintains clinical records on all patients, and

(4) in the case of an agency in any State in which State or applicable local law provides for the licensing of agencies of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State or locality responsible for licensing agencies of this nature, as meeting standards established for such licensing.

MISCELLANEOUS DEFINITIONS

SEC. 7. For purposes of this Act, the term—

(a) "carrier" means a voluntary association, corporation, partnership, or other nongovernmental organization which is lawfully engaged in providing, paying for, or reimbursing the costs of, health care or services for individuals under health insurance policies in consideration of premiums payable to the carrier;

(b) "health insurance policy" means the policy, contract, agreement, or other arrangement entered into between a carrier and another person whereby the carrier, in consideration of the payment to it of a periodic premium, undertakes to provide, pay for, or reimburse the cost of, health care or services for the individual who is the beneficiary of such policy, contract, agreement, or other arrangement; and

(c) the term "premium" means the amount of the consideration charged by a carrier for coverage by health insurance policy offered by the carrier.

PAYMENT OF BENEFITS BY THE SECRETARY

SEC. 8. (a) The Secretary shall not make any money payment to or on behalf of any individual, as benefits provided by this Act, until he is satisfied that—

(1) such individual is entitled (under section 2(a)) to benefits under this Act;

(2) such payment is in reimbursement of, or will be used for the purpose of paying, one or more premiums payable for a qualified private health insurance policy of which such individual is the beneficiary.

(b) The Secretary shall establish such procedures as he deems appropriate under which interested parties may obtain a finding by the Secretary as to whether or not a particular private health insurance policy is a "qualified" private health insurance policy for purposes of this Act.

PRINTING OF REVIEW OF REPORTS ON FRANKFORT HARBOR, MICH. (S. DOC. NO. 16)

Mr. McNAMARA. Mr. President, I present a letter from the Secretary of

the Army, transmitting a report dated August 13, 1964, from the Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on a review of the reports on Frankfort Harbor, Mich., requested by a resolution of the Committee on Public Works, U.S. Senate. I ask unanimous consent that the report be printed as a Senate document with illustrations, and referred to the Committee on Public Works.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO FILE REPORT AFTER ADJOURNMENT TODAY—SUPPLEMENTAL AND INDIVIDUAL VIEWS—ADDITIONAL COSPONSORS OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate Committee on Labor and Public Welfare be authorized to file its report on Senate bill 974, the so-called manpower bill, with supplemental and individual views, after the Senate adjourns today, and that the name of the Senator from New Jersey [Mr. WILLIAMS] be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Mr. SIMPSON. Mr. President, on March 4 I introduced S. 1387, a bill which would authorize the payment to local governments of sums in lieu of taxes and other revenues lost by such governments by reason of certain actions on the part of the United States in connection with recreation.

At this time I ask unanimous consent to have the name of the Senator from Texas [Mr. TOWER] added as a cosponsor of the bill at the next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, on behalf of the junior Senator from Rhode Island [Mr. PELL], I ask unanimous consent that the name of the able and distinguished senior Senator from Texas [Mr. YARBOROUGH] be added as an additional cosponsor of the bill, S. 1483, to provide for the establishment of the National Foundation on the Arts and the Humanities and that his name be added as a cosponsor at the next printing of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF HEARINGS, SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS ON REAPPORTIONMENT OF STATE LEGISLATURES

Mr. BAYH. Mr. President, as chairman of the Subcommittee on Constitutional Amendments, I wish to announce that additional days of hearings shall be required to hear all the witnesses who desire to be heard on the reapportionment question.

I announce that we shall hold the first of these additional hearings on March 17 and 18, 1965. They shall be held in room 318 of the Senate Office Building at 10 a.m.

As soon as other dates can be determined they shall be timely announced.

HEARINGS ON HIGHER EDUCATION LEGISLATION

Mr. MORSE. Mr. President, the Education Subcommittee of the Senate Committee on Labor and Public Welfare will open its hearings on S. 600, the Higher Education Act of 1965, on Tuesday morning, March 16, 1965, at 10 a.m., in room 4232 of the New Senate Office Building by taking testimony from Secretary Celebrezze of the Department of Health, Education, and Welfare and other administration witnesses.

It is our plan thereafter to continue hearings on each segment of the higher education proposal on dates to be announced. I am making this statement this morning, Mr. President, because I know of the interest in this important part of the President's program for education which has been evidenced by Senators and members of the education community.

I also anticipate that the subcommittee will shortly be engaged in executive markup sessions on the elementary and secondary education bill, S. 370.

It is my expectation, which is more than a hope, that we shall have an elementary and secondary school bill to the floor of the Senate certainly by the 10th or the 15th of April at the latest.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (H.R. 2) to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 2) to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes, was read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADVERSE EFFECT ON AGRICULTURE AND ECONOMY OF KANSAS OF THE RECENT DOCK STRIKE ON THE EAST AND SOUTHERN COASTS

Mr. CARLSON. Mr. President, the Atlantic seacoast is a long way from Kansas but the recent dock strike which affected shipping on the southern and eastern coasts of the United States had a direct and adverse effect on the agriculture and economy of the State of Kansas. This is particularly true in regard to the export of wheat and flour.

A recent article which appeared in the March 9 issue of the Wichita Eagle, written by Gerald Fetterolf, mentions the loss as a result of our inability to ship 80 million bushels of wheat.

I am advised by John M. Holmes, export manager for the Kansas Milling Co. at Wichita, that the loss in wheat sales is multiplied several times in the loss of flour sales.

It is reported that many of the mills with flour accounts lost their sales during this strike to French, German, Australian, and Canadian mills, and they will be lost for the balance of the crop year.

This is an economic loss to our State and in addition, it is not going to help the agricultural situation in the United States or our balance-in-payment ratio with the rest of the world.

I ask unanimous consent that the article which appeared in the March 9, 1965, issue of the Wichita Eagle be made a part of these remarks.

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

STRIKE-LOST WHEAT SALES FEARED REAL

(By Gerald Fetterolf)

Wheat exporters this week tried to recoup wheat sale losses up to 80 million bushels caused by the 55-day gulf port dock strike which ended Saturday.

Rail embargoes were lifted Monday. Wheat was being loaded and grain was moving. But most of the lost sales during the 2-month dock tieup were gone for good, exporters fear.

Much of the loss was for Kansas and other Midwest elevator men, producers and shippers. Normal shipments of Midwest wheat from Texas gulf ports is about 40 million bushels a month.

Continental Grain Co., which uses Texas ports at Houston, Beaumont, and Galveston was relieved by the lifting of embargoes Monday, allowing rail shipments of wheat to move into those ports.

Cargill, Inc., a major exporter, uses Port Arthur as a gulf coast shipping point, and the firm hopes to clear soon.

Ira Elsham, branch manager for Cargill, Kansas City, said ship loading began Saturday afternoon at Port Arthur.

Public elevators in the Texas gulf coast area were clogged with grain cars.

M. D. Hartnett, assistant vice president of Continental Grain Co., Kansas City, said his firm had about 1,500 cars of wheat waiting to be loaded when the 55-day strike was called off.

By Monday morning, 400 of those cars had been unloaded and the grain loaded onto ships, he said.

Major exporter spokesmen believed the strike hurt not only exporters, producers and terminal elevators, but the general economy of the wheat areas.

"It is hard to say how much of the lost business can be made up," Hartnett said. "It is certain that France and Australia sold some of the wheat on which we had to demur."

"In our company, the loss in wages for our workers, demurrages we suffered and even interest on invested money that could bring no return, all hurt," he added.

Continental hopes to have a major portion of a stockpile of loaded wheat cars unloaded and onto ships in Texas ports by late

this week, possibly by Thursday, Hartnett said.

Lifting the rail embargo on wheat being moved to the Texas gulf coast was expected to bring at least a start on regular shipments for export throughout the world from Gulf ports.

At Cargill, Kansas City, Elsham said the 55-day strike meant most of the business was lost. Everything was moving at capacity before the strike began, but cannot possibly be regained, he said.

The Louisiana gulf port strike—only Baton Rouge remains closed—was less harsh in its affect on this section of the country, although soybeans are among items shipped from these points.

Most corn, soybeans, and oats move from Louisiana ports, the exporters said.

Particularly damaging to the Midwest was loss of export sales of wheat, Elsham said.

The pileup of grain in freight cars was circumvented early in the strike by embargoes which prevented wheat from moving to immobilized ports.

How long it will take for a return to normalcy and reestablishment of some of the lost markets apparently will be anyone's guess.

Terminal elevator men and shippers from this section of the country believe it will take at least 2 or 3 weeks to return to a normal operation.

TRIBUTE TO SENATOR MORSE

Mr. PROXMIRE. Mr. President, of all the Senators who have served in the Senate since I became a Member of this body, none has given me more delight, more pleasure, or more concern than the distinguished Senator from Oregon [Mr. MORSE]. The Senator from Oregon is so irascible, provocative, and stimulating that I often disagree with him vigorously; and I have agreed with him just as vigorously.

Perhaps a few Senators know that the Senator from Oregon is a native of Wisconsin and of Dane County, which is the county in which I live in Wisconsin.

Wisconsin is very proud of the rugged independence of the Senator from Oregon. We feel that the fact that he grew up in the great La Follette tradition has a great deal to do with his fine record.

The Milwaukee Sentinel has a feature article on the editorial page entitled "Brakes Applied to Ticket Fixing in the District of Columbia—Senator MORSE Puts a Foot Down After 38,410 Cancellations in 1964."

I shall read only the last two or three paragraphs from that editorial by Ray Kenney, which quotes the Senator from Oregon:

"It's basic in our system of justice," he told the Sentinel. "When a ticket has been issued, or when a man is arrested, he is taken before a magistrate and probable cause is determined. He must go through the judicial process."

"No one," he adds, "has the arbitrary right to cancel out the judicial process."

What's more, he notes, with all those extra $5 bills in the Capital till, "I figure we've already brought in between $200,000 and $300,000 in revenue."

I ask unanimous consent that the editorial to which I have referred, published in the Milwaukee Sentinel, be printed at this point in the RECORD.

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

BRAKES APPLIED TO TICKET FIXING IN DISTRICT OF COLUMBIA—SENATOR MORSE PUTS FOOT DOWN AFTER 38,410 CANCELLATIONS IN 1964

(By Ray Kenney)

In Washington, D.C., recently, police refused to release a dead man's parking ticket.

In the only city in the country in which public officials almost outnumber the public, the ticket fixing business is bankrupt. A year ago, it was flourishing.

During one 7-day period a few weeks ago, the metropolitan police department in Washington did not void a single ticket. Authorities are looking this year toward an 87-percent reduction in canceled tickets after 38,410 were set aside in 1964.

The difference has been Senator WAYNE MORSE, outspoken Oregon Democrat who is chairman of the subcommittee of the Senate's District of Columbia Committee, which has jurisdiction over the police department, health, and welfare agencies and the city's school system.

"Everybody figured it was a fair fight—Senator MORSE against the 2,900-man metropolitan police department—but everybody was wrong," noted the Washington Post. "The police department was overmatched."

MORSE has declared war on ticket fixers. He has directed the police to cancel no more tickets and designated the Corporation Counsel's Office as the sole agent with authority to set aside traffic citations.

MORSE outlined his philosophy in a telephone interview with the Milwaukee Sentinel. Ticket fixing, in Washington, he noted, "was becoming something of a racket." Worse yet, it was having a serious effect on police morale.

"How'd you like to be a traffic cop and carry out your duty and put tickets on cars violating the law, and find out the next day that your superior, under pressure from some politician, got the ticket canceled?" bellowed MORSE.

"You cannot maintain police morale if you don't back up the officers," he added.

Because his crackdown has boosted morale within the Washington Police Department, according to MORSE, the campaign against ticket fixing has the blessing of an "enthusiastic" police chief.

The Washington press has labeled the system established to block ticket fixing the "Morse code."

The system is simple.

With only the Corporation Counsel's Office authorized to release tickets, MORSE simply rides herd on the Office. And he has promised fixers he will denounce them, publicly and personally, on the floor of the Senate.

To keep the Senator off its back, the Corporation Counsel's Office has been trying to avoid quiet requests that tickets be canceled.

In a form letter, the motorist who feels he should be cleared without going to court is asked to fill out a complex form, in duplicate, and relate all details of the case.

The final question calls for a "signed statement by the offender" (which may be an inadvertent admission of guilt) as to the "reason why the case could not or should not be handled through the regular judicial processes."

"Extenuating circumstances of a personal nature are normally not grounds for adjustments," the letter warns, and the "not" is in bold type.

Now when requests are received, Police Chief John B. Layton refers the motorist—or the official intervening in the case on the motorist's behalf—to the Corporation Counsel.

"It turns out that people prefer to forfeit rather than go through all this rigmarole and all is relatively quiet on the ticket-fixing front," observed the Washington Post last month.

As indicated, extenuating circumstances must be extremely extenuating.

Assistant Corporation Counsel Clark F. King ruled last month that a $5 parking ticket placed on a man's car the day after he died must be paid. As a matter of fact, he said, the payment is late, so it will cost $10.

"We won't prosecute the dead," King told reporters. "But here we have a case in which someone apparently moved the car into an illegal spot after he died. If this is the case, someone will have to pay.

"I have to assume the dead man did not park the car there, because the area is patroled every day and the car would have been ticketed no later than the day he died if he put it there," King reasoned.

Unlike Washington, Milwaukee has no single clearing house for the release of tickets issued by the police department, according to Deputy Inspector Lloyd K. Lund of the traffic bureau.

Tickets issued for parking or moving violations may be canceled by all district commanders—a captain, lieutenant, or sergeant in charge at the time—or by Lund, if the motorist takes his "beef" to the traffic bureau. In most cases at the traffic bureau, Lund said, the matter is referred to the city attorney for a decision.

"They're the prosecutors," said Lund. "If they don't feel they should prosecute, there's not much we can do." Of 347,434 tickets issued by Milwaukee police in 1964, exactly 9,896 were canceled before the matter reached court. The list of canceled tickets includes many issued to police officers and officials "on official business."

MORSE made it clear he does not agree with that philosophy.

"There's no reason why a Federal marshal, for example, cannot park lawfully, unless he is in hot pursuit," MORSE told the Sentinel. "Of all people, persons connected with the administration of justice should not have tickets canceled."

MORSE is frankly hoping to eliminate the pretrial cancellation of tickets altogether."

"It's basic in our system of justice," he told the Sentinel. "When a ticket has been issued, or when a man is arrested, he is taken before a magistrate and probable cause is determined. He must go through the judicial process.

"No one," he adds, "has the arbitrary right to cancel out the judicial process."

What's more, he notes, with all those extra $5 bills in the Capital till, "I figure we've already brought in between $200,000 and $300,000 in revenue."

EFFORT OF DEPARTMENT OF DEFENSE TO REDUCE THE NET BALANCE-OF-PAYMENTS COST OF MILITARY PROGRAMS

Mr. PROXMIRE. Mr. President, yesterday we had a most interesting and illuminating discussion of the relation of our Defense Department and of our military policy to the balance-of-payments situation by Charles J. Hitch, who is not only Comptroller of the Defense Department, but the author of one of the finest books on practical economics and the economics of defense written in recent years—"Economics of Defense in the Nuclear Age."

In his testimony, Mr. Hitch delineated very carefully the precise contribution that our military policy is now making to our balance-of-payments difficulties. That includes both our expenditures for

our own troops and our military assistance and the contribution that that is making to our adverse balance of payments.

He also shows what a remarkable job the Defense Department has done in the last 3 or 4 years to bring that policy into accordance with our needs in light of our serious adverse balance of payments.

I ask unanimous consent that this short, concise, and helpful statement by Mr. Hitch, together with two tables, be printed at this point in the RECORD.

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

STATEMENT OF ASSISTANT SECRETARY OF DEFENSE CHARLES J. HITCH BEFORE THE SUBCOMMITTEE ON INTERNATIONAL FINANCE, SENATE BANKING AND CURRENCY COMMITTEE, MARCH 10, 1965

Mr. Chairman and members of the subcommittee, it is a pleasure for me to appear before this subcommittee to discuss with you the Department of Defense effort to reduce the net balance-of-payments cost of our military programs.

Since Secretary Dillon and others have discussed with you the overall U.S. balance-of-payments situation, I will confine my prepared statement to a discussion of those actions taken by the Department of Defense which serve to hold down or reduce foreign exchange expenditures and to increase receipts from sales of U.S. military goods and services.

The Department of Defense has been and continues to be deeply concerned about balance-of-payments matters. There is no question that oversea expenditures by the Department of Defense represent by far the largest element of Government expenditures abroad. Therefore, we believe that we have a special responsibility to act to reduce the impact of our oversea activities on the country's balance-of-payments position to the maximum extent consistent with the needs of national security.

Before turning to a discussion of some of the specific measures we have taken, I believe it is important that I place the Defense Department's balance-of-payments effort in perspective.

First, as you know, it is now and has long been national policy for the United States to maintain a substantial military presence overseas for our own security and in fulfillment of our commitments to help provide for the security of other nations. At the present time there are over 1 million U.S. military, civilians, and dependents overseas under various Department of Defense programs. In our efforts to reduce the adverse payments effect of our oversea deployments, our objectives have been to maintain our combat capability abroad and also to achieve reductions without creating undue hardships for the individual servicemen or his dependents.

Working within these ground rules, we have not been able to reduce the net adverse balance relating to our defense activities from about $2.8 billion in fiscal year 1961 to about $1.6 billion in fiscal year 1964. As shown in the attached table, this reduction was achieved by holding Department of Defense gross expenditures relatively constant since fiscal year 1961 while we increased cash receipts from sales of military goods and services almost fourfold over the fiscal year 1961 level. Also, during the same period, the Atomic Energy Commission substantially reduced its oversea purchases of uranium.

The statement that Department of Defense gross expenditures have been held relatively constant deserves some elaboration. As in other areas of Department of Defense operations, we have experienced substantial price and salary increases in maintaining our military presence overseas. For example, since 1961 there have been three U.S. civilian employee pay raises, two U.S. military pay raises and a personal income tax reduction in 1964. In the absence of other "offsetting" actions the resulting annual increases in "amounts available for spending overseas" by U.S. military, civilian, and dependent personnel would have been well over $100 million.

The wages of foreign nationals, direct and contract hire, have also risen substantially. In countries where we employ large numbers of foreign nationals, wage increases have been particularly steep. Based on an index of wage levels published by the International Monetary Fund, during the period calendar years 1961–64, the U.S. wage level rose less than 13 percent, but wage levels in France rose by about 27 percent, in Germany by about 30 percent, and in Japan by about 33 percent. For foreign nationals employed by the Department of Defense, in 1964 alone there occurred in January an 8-percent wage increase in Japan and in July, a 10-percent wage increase in France, and a 7-percent wage increase in Germany.

There have also been price increases in supplies and services we procure overseas. While foreign price increases have an eventual favorable impact on the U.S. competitive position in world markets, and hence on the U.S. balance of payments, for the Department of Defense they simply increase the cost (both budgetary and foreign exchange) of maintaining our defense posture overseas.

I would like to turn now to a more detailed discussion of the actions we have taken in recent years to hold down and reduce expenditures and to increase receipts.

REDUCTION IN SPENDING BY U.S. MILITARY, CIVILIAN, AND DEPENDENT PERSONNEL

Since early in 1961 we have encouraged participation by our personnel in voluntary programs designed to channel available disposable funds back to the United States. We have emphasized sales of U.S. savings bonds and savings in soldiers, sailors, and airmen deposits. In addition, we have promoted the sales of U.S. goods through the post exchanges and other U.S. retail outlets, thereby diverting back into dollar channels some funds which would otherwise be spent on the local economy. While sales of foreign goods in these outlets are permitted, their prices must be at least as high as they are on the local economy. This, in effect, permits a reduced "markup" and more attractive prices on U.S. goods in oversea post exchanges and commissaries. In fiscal year 1964, our procurement of foreign items for resale in post exchanges was about $40 million below the fiscal year 1960 level.

While the overall results of the voluntary savings program are extremely difficult to measure, we estimate that in the early years of this program, foreign exchange savings of about $50 million were achieved. We plan to place renewed emphasis on this program during the coming months.

REDUCTION IN EXPENDITURES FOR MATERIALS AND SUPPLIES AND MAJOR EQUIPMENT

Our efforts to reduce expenditures overseas for materials and supplies began as early as November 1960 when President Eisenhower directed that the Department of Defense reduce the level of defense procurement abroad during calendar year 1961.

Early in calendar year 1961, in implementing this directive, the Department of Defense established a policy that, subject to certain exceptions for emergency requirements, treaty obligations, etc., procurements of foreign goods and services for use overseas were to be "returned" to U.S. source whenever it was estimated that the cost of the latter (including transportation and handling costs) would not exceed the cost of foreign procurement by more than 25 percent. The 25-percent differential was applied also to offshore procurement for the military assistance program.

On July 16, 1962, this "standard" differential used in deciding between foreign and domestic procurement sources was increased from 25 to 50 percent. On purchases for use overseas, this percentage differential is now applied by all Government agencies except AID which, for all but administrative procurements, is following an even more restrictive "tied" assistance policy. In total, this program of reviewing proposed oversea Department of Defense procurements has, between January 1961 and June 1964, returned approximately $194 million of such procurements to the United States at an additional budget cost of $51.1 million, or about 26.3 percent.

Similarly, for Defense Department procurements of goods and services for use in the United States, case-by-case review procedures using the 50-percent differential as a "bench mark" were initiated in July 1962. The 50-percent differential has since been formalized as a part of our procurement regulations, with a clear statement that it will be kept at this level only as long as is required by our balance-of-payments situation. During fiscal years 1963 and 1964 approximately $9.7 million of procurements were returned to U.S. sources at an additional cost of approximately $2.8 million, or about 29 percent.

With respect to the procurement of major equipment, there is, of course, a most careful case-by-case review and decision by the Secretary or Deputy Secretary of Defense. I want to emphasize that balance-of-payments considerations cannot usually be controlling in decisions on major equipment, especially those which directly affect the military effectiveness of our forces. Still, there are cases where foreign exchange savings are possible. For example, in a review which validated a requirement for a certain type of patrol craft, it was determined that the engines to be installed could be supplied from U.S. sources, in lieu of foreign engines which had previously been procured for similar vessels.

REDUCTIONS IN EXPENDITURES FOR CONSTRUCTION AND OPERATION OF OVERSEA FACILITIES

Department of Defense efforts to reduce expenditures on oversea facilities have three principal focal points. First, while maintaining the level of combat efficiency and taking advantage of our increased technological support capabilities, we have attempted, through the consolidation of activities and other measures, to reduce to minimum required levels the number and functions of our existing oversea bases and facilities. Second, we have attempted to operate required facilities at minimum cost. Third, we have eliminated or deferred all construction not absolutely essential to military needs, and attempted to reduce the foreign exchange cost of essential construction, even where this involves additional budgetary costs.

This effort is part of the continuing emphasis placed on better utilization of all Defense Department facilities. You will recall that on November 19, 1964, the Secretary of Defense announced 95 actions to consolidate, reduce, or discontinue Department of Defense activities; 15 of these activities were overseas. In the United Kingdom, for example, a hospital, a depot for food supplies, and a U.S. Air Force radar traffic control unit will be closed down. An example of our efforts to reduce operating costs of facilities overseas is the Army's reorganization of its depot structure in Japan which resulted in a reduction of over 1,000 Japanese

employees, with no loss in capability of the depot system.

In the third category, proposed oversea construction programs are subject to special reviews as to essentiality, and those which are approved are designed so as to reduce the foreign exchange costs to a minimum. Under specially developed construction procedures, we are emphasizing the use of (a) U.S. contractors, (b) U.S. procured materials, (c) U.S. Government furnished materials and equipment, (b) U.S.-flag carriers, (e) prefabricated installations and structures manufactured in the United States, and (f) use of competent available troop labor.

With these revised construction procedures, balance-of-payments expenditures associated with the fiscal year 1965 oversea construction program, including family housing, are currently estimated at about $71 million. Under normal construction procedures, we estimate that balance-of-payments costs would have been about $107 million. Thus, we anticipate a reduction of $36 million, or approximately 34 percent, in the foreign exchange cost of these projects, at an estimated additional budgetary cost of about $12.6 million.

REDUCTIONS IN MILITARY ASSISTANCE PROGRAM PROCUREMENT

Offshore procurement for the military assistance program is also subject to a careful review. With certain exceptions, such as the fulfillment of U.S. commitments on existing government-to-government cost-sharing projects and procurements required under treaty or executive agreement between governments, the 50-percent differential applied to military procurement is also applied to military assistance procurement. We are limiting offshore procurement essentially to the fulfillment of prior commitments. The foreign exchange savings under this policy will be substantial this fiscal year and next.

REDUCTION IN SUPPORT AND ADMINISTRATIVE PERSONNEL OVERSEAS

During the past several years we have taken a number of actions to streamline our support and administrative structure overseas.

About 18 months ago, for example, we announced a reorganization of the line of communication (LOC) established by the Army for support of U.S. forces in Europe, as part of our program to improve logistics management on a worldwide basis. Under this reorganization, since completed, shorter more economical routes of supply are being used for the peacetime support of U.S. forces. As a result, over 5,000 U.S. Army troops who were performing logistics functions in Europe were freed for other duties, and the number of our foreign national employees in France was reduced by about 6,000.

During fiscal year 1964, we also completed a reduction of about 15 percent (2,600 personnel) in the staffs of U.S. military headquarters overseas.

We have also completed a rigorous review of the requirements for and utilization of foreign national employees overseas. As a result, we expect that by this coming July Department of Defense foreign national employment will be reduced about 15 percent below the June 30, 1963, level, or by 34,700 in 2 years. The governments of the countries affected were advised in advance of the actions contemplated, and U.S. Embassy and military officials have cooperated with local government officials to help find other employment for these personnel.

REDUCTIONS OBTAINED BY TAKING ADVANTAGE OF OUR OWN GROWING MILITARY CAPABILITIES

The Defense Department is also taking advantage wherever possible of the improvements and growth in our military capabilities to hold down and to reduce our foreign exchange costs. In Europe, for example, the availability of more modern and more effective artillery and missiles permitted the inactivation during fiscal year 1964 of several LaCrosse and 280-millimeter gun battalions, thus freeing well over 1,000 military personnel. Also, our B–47 bomber force in Europe was consolidated on 4 bases in June 1964 with a reduction of over 2,600 military personnel, and additional savings in U.S. civilians and foreign nationals.

Further, as previously announced, we plan this spring to return the remainder of the B–47 force in Europe to the United States. As a result, in the United Kingdom the air base at Upper Heyford will be changed to a reduced or "dispersed operating base" status and the air base at Brize Norton will be returned to the Royal Air Force. Last year the air bases at Fairford and Greenham Common were similarly returned to the United Kingdom.

In this connection, I also want to note that more U.S. air units are operating from bases in the United States rather than overseas, partly as a byproduct of the increased inventory and greater operating range of our latest airlift and tactical aircraft. Last year, for example, because of the expanding capability of the U.S. Military Air Transport Service (MATS), we were able to redeploy to the United States a C–124 squadron which had been based in Japan. Approximately 800 military personnel were involved in this action.

REDUCTION BY MAKING USE OF INCREASED MILITARY CAPABILITIES OF OTHER COUNTRIES

Since our own oversea force posture is determined, in part, by the availability and competence of local forces, we are taking advantage of the growing military capability in certain other countries, particularly in such fields as air defense, to phase out some of our own forces which have been engaged in these missions. During the course of the past year, for example, the Spanish have assumed the air defense mission which was previously the joint responsibility of Spanish and United States forces. As a result, three of our fighter interceptor units in Spain have been phased out, and operation of eight separate sites forming the aircraft control and warning (AC & W) network have been turned over to the Spanish. Similarly, in Japan, one U.S. fighter interceptor squadron could be phased out last year and two additional squadrons are scheduled to be withdrawn this year as a result of the growing capability of the Japanese Air Self Defense Force.

EFFORTS TO INCREASE RECEIPTS

Concurrent with the effort to hold down and reduce gross expenditures overseas, the Department of Defense early in 1961 undertook to increase sales of military equipment to friendly nations. The success of this effort is reflected in the increase in cash receipts from such sales from about $300 million in fiscal year 1961 to over $1.2 billion in fiscal year 1964. This achievement has been the chief reason for the reduction of the net adverse balance on defense account from $2.8 billion in fiscal year 1961 to $1.6 billion in fiscal year 1964. In order to maintain annual receipts above the $1 billion level, we are intensifying our sales efforts. In addition to balance of payments benefits, the military sales program, together with cooperative logistics support arrangements, provides an excellent opportunity for increased standardization of equipment and common logistics procedures among Allied nations, particularly those in NATO.

A large number of countries are now purchasing U.S. military goods and services. A substantial part of these purchases stem from our agreement with the Federal Republic of Germany to offset our military expenditures in Germany with equivalent military purchases from the United States. The most recent achievement of our military sales program was made known in announcements on February 9, 1965, that the United Kingdom and Australia had made arrangements to procure additional military equipment and services in the United States. We estimate that, together, these latter programs could amount to about $1 billion over the coming years.

USE OF EXCESS CURRENCY

The Department of Defense is attempting to make maximum use of excess currency holdings in place of dollars in oversea transactions. However, the bulk of the excess currencies held by the United States are in countries where both the numbers of U.S. forces and the magnitude of Department of Defense procurements are extremely small. In fiscal year 1964 we purchased approximately $7 million in excess currencies from the U.S. Treasury.

OTHER ACTIONS RELATED TO THE DEPARTMENT OF DEFENSE BALANCE-OF-PAYMENTS PROGRAM

During the past few years we have given considerable attention to improving the reporting and management procedures of the Defense Department relating to balance of payments. I wish here to cite three examples:

(a) During fiscal year 1964, we implemented a new comprehensive Department of Defense system for recording and reporting Department of Defense expenditures and receipts entering the international balance of payments. These reports are providing much more detailed and useful information on our balance-of-payments accounts.

(b) In the review of the proposed fiscal year 1964 budget, and in each subsequent year, as alternative courses of action were considered during the budget review, their balance-of-payments implications were measured and furnished to the Secretary as part of the background information needed to come to a final decision.

(c) The Secretary of Defense has assigned balance-of-payments expenditure and receipts targets to various components of the Department of Defense. These targets, which reflect approved actions, provide useful bench marks from which to measure our balance of payments efforts.

FUTURE ACTIONS

As noted in the Presidents' balance-of-payments message, the Secretary of Defense has been directed to intensify his program to reduce our net military expenditures abroad while fully protecting our security interests and discharging our responsibilities.

We are hopeful that this intensification, when added to other ongoing actions such as those cited in this statement, will permit a reduction in our net adverse balance to below the $1.4 billion mark in fiscal year 1966. Between fiscal year 1961 and fiscal year 1966, there would then be about a 50-percent reduction—from $2.8 to $1.4 billion—in the net adverse balance. This estimate, of course, does not include any allowance for unforeseen contingencies, particularly in southeast Asia, and assumes that receipts from sales of U.S. military goods and services continue at a level above $1 billion annually. It is clear, however, that, in terms of expenditures, any further substantial reductions could only be accomplished through a major realinement of our force structure overseas.

As a part of this intensified effort we are reviewing certain of our planned oversea procurement to insure that all returns feasible under acceptable price differentials are being made.

As a separate action, Lt. Gen. Andrew T. McNamara, formerly director of the Defense Supply Agency, will conduct an immediate review of Defense logistics and other support

activities in France, Spain, Italy, and Japan and report to the Secretary of Defense where he feels further reductions might be made in personnel, facilities, and materiel required by these activities. No combat units will be redeployed to the United States as a result of this study.

In summary, the Department of Defense continues to be deeply committed to the effort to rectify the U.S. balance-of-payments position. We are attempting to reduce our own net expenditures entering the balance of payments to the maximum, consistent with our responsibilities to others, to our own national security, and to our own personnel overseas.

While our past achievements have been substantial, we are not satisfied. We believe that still more can be done and we will strive to do it.

U.S. defense expenditures and receipts entering the international balance of payments, fiscal years 1961–64

[In millions of dollars]

	1961 (actual)	1962 (actual)	1963 (actual)	1964 (preliminary)
Expenditures:				
U.S. forces and their support:				
Expenditures by U.S. military, civilians and dependents [1]	781.1	771.5	803.2	849.2
Foreign nationals (direct and contract hire)	362.2	394.1	432.3	423.4
Procurement:				
Major equipment	61.0	66.7	75.8	91.4
Construction	158.0	121.7	100.9	80.0
Materials and supplies (include POL) [2]	561.3	586.6	558.7	474.7
Operation and maintenance (other) [3]	521.3	520.0	536.4	420.2
Other payments [3]				194.3
Subtotal	2,444.9	2,460.6	2,507.3	2,533.2
Expenditures—Continued				
Military assistance program:				
Offshore procurement	130.9	100.8	118.4	117.3
NATO infrastructure	104.6	35.3	88.3	61.5
Other	74.8	90.6	109.0	59.0
Subtotal	310.3	226.7	315.7	237.8
Net change in dollar-purchased foreign currency holdings	−2.0	+13.3	−6.3	−8.0
Total expenditures	2,753.2	2,700.6	2,816.7	2,763.0
Cash receipts [4]	318.9	898.6	1,334.4	1,273.6
Net adverse balance (DOD)	2,434.3	1,802.0	1,482.3	1,489.4
Other expenditures (AEC and other agencies included in NATO definition of defense expenditures)	343.4	276.0	248.1	134.0
Net adverse balance (NATO definition)	2,777.7	2,078.0	1,730.4	1,623.4

[1] Includes expenditures for goods and services by nonappropriated fund activities.
[2] In fiscal year 1964, data for materials and supplies include only expenditures for O. & M. supplies and stock fund purchases.
[3] In fiscal year 1964, "Operation and maintenance (other)" includes all O. & M. payments not included elsewhere and "Other payments" includes expenditures for retired pay, claims, research, and development, industrial fund activities, etc.
[4] Cash receipts data include only (1) sales of military items through the U.S. Department of Defense; (2) reimbursements to the United States for logistical support of United Nations forces and other nations' defense forces; and (3) sales of services and excess personal property. They do not include estimates of receipts for military equipment procured through private U.S. sources, except where these are covered by government-to-government agreements; i.e., with the Federal Republic of Germany beginning in fiscal year 1962. Fiscal year 1964 data also include approximately $24,000,000 reflecting barter transactions.

U.S. defense expenditures and receipts entering the international balance of payments, fiscal years 1961–64

[In millions of dollars]

Country	1961 (actual)	1962 (actual)	1963 (actual)	1964 (preliminary)
Australia [1]				10.5
Austria	6.1	5.6	4.4	3.8
Azores	6.8	5.4	5.4	5.4
Bahrain Islands	39.5	42.8	34.8	31.2
Belgium-Luxembourg	19.6	14.0	14.2	11.1
Bermuda Islands	13.1	14.0	13.1	11.7
Canada	396.9	321.6	322.0	272.0
China, Republic of	23.8	21.7	18.8	19.8
Denmark-Greenland	47.5	37.9	37.5	38.5
France	299.5	269.3	256.7	231.3
Germany, Federal Republic of	641.4	698.6	733.8	706.4
Greece	20.5	12.8	30.3	25.1
Iceland	14.1	13.6	10.5	13.9
Indochina [2]	7.5	25.8	42.5	
Italy	97.7	85.8	100.3	95.0
Japan	409.8	374.4	384.5	298.9
Korea	99.2	108.9	99.3	92.9
Morocco	21.4	19.8	17.5	11.3
Netherlands	35.1	31.8	29.0	33.7
Netherlands-Antilles	64.3	54.0	52.2	56.6
Norway	16.9	10.0	18.7	18.9
Pakistan	8.2	6.4	4.5	5.6
Philippine Islands	44.7	44.1	50.4	44.8
Portugal	8.4	6.8	4.4	3.4
Ryukyu Islands	84.1	97.9	101.6	126.1
Saudi Arabia	45.2	41.6	45.7	42.1
Spain	54.6	54.7	47.8	46.8
Switzerland	8.4	5.2	7.1	8.8
Thailand	4.7	15.8	29.0	27.4
Trinidad-Tobago	17.0	18.4	17.0	25.0
Turkey	65.4	56.6	45.0	62.3
United Kingdom	244.1	205.2	188.6	182.1
Venezuela [3]				33.2
Vietnam [2]				56.2
Other American Republics	60.6	63.2	73.7	52.5
Other	170.5	192.9	224.5	192.7
Total expenditures	3,096.6	2,976.6	3,064.8	2,897.0
Receipts	318.9	898.6	1,334.4	1,273.6
Net adverse balance	2,777.7	2,078.0	1,730.4	1,623.4

[1] Included in "Other" through fiscal year 1963.
[2] Includes Laos, Cambodia, Vietnam through fiscal year 1963; beginning fiscal year 1964, Laos and Cambodia included in "Other" and Vietnam separately identified.
[3] Included in "Other American Republics" through fiscal year 1963.

EXTENSION AND AMENDMENT OF CERTAIN EXPIRING PROVISIONS OF THE PUBLIC HEALTH SERVICE ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 112, the Senate bill 510.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 510) to extend and otherwise amend certain expiring provisions of the Public Health Service Act relating to community health services, and for other purposes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments on page 2, line 1, after the word "and", to strike out "such sums as may be necessary" and insert "$8,000,000"; on page 3, after line 7, to insert:

(e) Paragraph 1 of subsection (c) is amended by inserting "on the basis of estimates" after "advance"; by striking out the comma after the word "reimbursement" and inserting in lieu thereof "(with necessary adjustments on account of underpayments or overpayments),"; and by adding at the end of such paragraph the following sentence: "Nothing in this section shall be construed to require, or authorize any requirement of, any grantee to maintain a detailed record or provide a detailed report with respect to the age of individuals vaccinated with vaccines financed in whole or part under this section so long as such grantee maintains such records and makes such reports as the Surgeon General may require of the number of individuals actually vaccinated with such vaccines and which the Surgeon General finds that such number does not exceed the number of children estimated by him from time to time to be within the age group or groups

eligible under this section to receive such vaccines."

On page 4, after line 1, to strike out:

SEC. 3. Section 310 of the Public Health Service Act is amended by striking out "the fiscal year ending June 30, 1963, the fiscal year ending June 30, 1964 and the fiscal year ending June 30, 1965" and inserting in lieu thereof "each fiscal year ending prior to July 1, 1970", and by striking out "any year" and inserting in lieu thereof "any year ending prior to July 1, 1955".

And, in lieu thereof, to insert:

SEC. 3. (a) Effective with respect to appropriations for fiscal years beginning after June 30, 1965, section 310 of the Public Health Service Act is amended by striking out "for the fiscal year ending June 30, 1963, the fiscal year ending June 30, 1964, and the fiscal year ending June 30, 1965, such sums, not to exceed $3,000,000 for any year, as may be necessary" and inserting in lieu thereof "not to exceed $7,000,000 for the fiscal year ending June 30, 1966, $8,000,000 for the fiscal year ending June 30, 1967, $9,000,000 for the fiscal year ending June 30, 1968, and $10,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970,".

(b) Such section is further amended by inserting "including necessary hospital care, and" immediately after "agricultural migratory workers and their families," in clause (1) (ii) of such section.

On page 5, line 2, after "SEC. 4.", to insert "(a)"; and after line 5, to insert:

(b) The third sentence of subsection (c) of section 314 of such Act is amended by striking out "$2,500,000" and inserting in lieu thereof "$5,000,000".

So as to make the bill read:

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 "Community Health Services Extension Amendments of 1965".

IMMUNIZATION PROGRAMS

SEC. 2. (a) The first sentence of subsection (a) of section 317 of the Public Health Service Act is amended by striking out "and" before "$11,000,000" and by inserting "and $8,000,000 for each of the next five fiscal years" immediately after "June 30, 1965,". The second sentence of such subsection is amended by striking out "the fiscal years ending June 30, 1963, and June 30, 1964" and inserting in lieu thereof "any fiscal year ending prior to July 1, 1970". The third sentence of such subsection is amended by striking "and tetanus" and inserting in lieu thereof "tetanus, and measles", and by striking out "under the age of five years" and inserting in lieu thereof "of preschool age".

(b) Subsection (a) of such section is further amended by adding at the end thereof the following new sentence: "Such grants may also be used to pay similar costs in connection with immunization programs against any other disease of an infectious nature which the Surgeon General finds represents a major public health problem in terms of high mortality, morbidity, disability, or epidemic potential and to be susceptible of practical elimination as a public health problem through immunization with vaccines or other preventive agents which may become available in the future."

(c) Subsection (b) of such section is amended by striking out "of limited duration", by striking out "against poliomyelitis, diphtheria, whooping cough, and tetanus" and inserting in lieu thereof "against the diseases referred to in subsection (a)", and by striking out "who are under the age of five years" and inserting in lieu thereof "of preschool age".

(d) Such section is further amended by striking out "intensive community vaccination" wherever it appears in subsections (a), (b), and (c) and inserting in lieu thereof "immunization".

(e) Paragraph 1 of subsection (c) is amended by inserting "on the basis of estimates" after "advance"; by striking out the comma after the word "reimbursement" and inserting in lieu thereof "(with necessary adjustments on account of underpayments or overpayments),"; and by adding at the end of such paragraph the following sentence: "Nothing in this section shall be construed to require, or authorize any requirement of, any grantee to maintain a detailed record or provide a detailed report with respect to the age of individuals vaccinated with vaccines financed in whole or part under this section so long as such grantee maintains such records and makes such reports as the Surgeon General may require of the number of individuals actually vaccinated with such vaccines and which the Surgeon General finds that such number does not exceed the number of children estimated by him from time to time to be within the age group or groups eligible under this section to receive such vaccines."

MIGRATORY WORKERS HEALTH SERVICES

SEC. 3. (a) Effective with respect to appropriations for fiscal years beginning after June 30, 1965, section 310 of the Public Health Service Act is amended by striking out "for the fiscal year ending June 30, 1963, the fiscal year ending June 30, 1964, and the fiscal year ending June 30, 1965, such sums, not to exceed $3,000,000 for any year, as may be necessary" and inserting in lieu thereof "not to exceed $7,000,000 for the fiscal year ending June 30, 1966, $8,000,000 for the fiscal year ending June 30, 1967, $9,000,000 for the fiscal year ending June 30, 1968, and $10,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970,".

(b) Such section is further amended by inserting "including necessary hospital care, and" immediately after "agriculture migratory workers and their families," in clause (1) (ii) of such section.

GENERAL PUBLIC HEALTH SERVICES

SEC. 4. (a) The first sentence of subsection (c) of section 314 of such Act is amended by striking out "first five fiscal years ending after June 30, 1961" and inserting in lieu thereof "first six fiscal years ending after June 30, 1961".

(b) The third sentence of subsection (c) of section 314 of such Act is amended by striking out "$2,500,000" and inserting in lieu thereof "$5,000,000".

SPECIAL PROJECT GRANTS FOR COMMUNITY HEALTH SERVICES

SEC. 5. The first sentence of subsection (a) of section 316 of such Act is amended by striking out "first five fiscal years ending after June 30, 1961" and inserting in lieu thereof "first six fiscal years ending after June 30, 1961".

Mr. HILL. Mr. President, the Committee on Labor and Public Welfare has favorably reported S. 510, the Community Health Services Extension Amendments of 1965. This bill is a part of the President's health program and its enactment is urged by the administration. When hearings were conducted by the Subcommittee on Health the spokesmen for the Department of Health, Education, and Welfare as well as numerous health organizations and agencies urged its enactment.

This bill would extend four existing grant-in-aid programs that are authorized by the Public Health Service Act.

IMMUNIZATIONS

Section 2 of the bill would extend for 5 additional years, fiscal years 1966–70, the authority for assisting the States in financing immunization programs against polio, diphtheria, whooping cough, and tetanus, through amendments to the Vaccination Assistance Act of 1962.

When we first considered the legislation in 1962, the testimony presented to the committee showed that only one-third of the children of preschool age had been vaccinated against polio. Since that time we have made great progress. The yearly number of cases of polio between 1954 and 1964 is down from 38,476 to 121, and decreases in diphtheria, whooping cough, and tetanus are also reported.

We know what a terrible disease polio has been, how contagious it has been, how much heartache and suffering have resulted from it, and the large number of deaths it has caused. During the past year, due to the new vaccine and the great program inaugurated by Congress, and in large measure due to that program, there were only 121 cases of polio, whereas 10 years ago the number of cases was 38,476.

But while our progress is gratifying, much more work remains to be done. Two-thirds of the children of preschool age have been immunized against polio. There is no reason why we cannot intensify our efforts and reach the remaining one-third of the preschool children who remain unprotected against the crippling disease of polio, a disease that can be conquered.

Since this legislation was enacted in 1962, a vaccine against measles has become available. We are proposing, therefore, to add measles as a disease that may be included in immunization programs.

Each year some 4 million individuals in the United States are afflicted with measles. Not only does measles result in many deaths, but it also results in residual brain damage and other residual damage to the human body. Physicians estimate there is some residual brain damage in 1 of every 1,000 cases of measles, and some 400 deaths are attributed to measles each year.

It may be of interest to the Senate to know that a precedent for this kind of legislation was set for Congress as far back as February 27, 1813, through the efforts of the immortal Thomas Jefferson. He gave material assistance in introducing smallpox vaccination in America. The act of 1813 authorized any citizen to apply for vaccine matter through post offices and exempted mail carrying vaccine matter from postage fees.

The bill as introduced provided for an open end on appropriations. However, the committee recommends an authorization of $8 million for each of the 5 years, which is $3 million less than the $11 million authorized for the present year, fiscal 1965.

MIGRATORY WORKERS' HEALTH SERVICE

Section 3 of the bill would extend for 5 additional years, fiscal years 1966–70,

the program of grants authorized by Public Law 87–692 to assist in financing health services for domestic migratory agricultural workers and their families.

The health services provided by this program are largely of a public health nature, such as maternal and child health clinics, vaccination programs, and case-finding surveys in such areas as tuberculosis.

Information presented at the hearings showed that it would be desirable to extend the scope of the health services provided to include hospitalization in short-term hospitals. Hospitals located in areas with heavy concentrations of migratory workers have great difficulty in meeting the expenses involved in providing emergency medical care to migrant workers whose incomes are very limited.

The committee recommends, therefore, that hospital care be included among the health services financed with Federal assistance.

The fact that the bracero program has been terminated will, according to testimony before the legislative committee and the Appropriations Committee, increase the demand for additional domestic migratory farmworkers. Also, the demand for funds will increase as more counties participate under the program. At present only 100 of the 1,000 counties with significant numbers of migratory health workers are receiving health services through the program. The funds available for fiscal year 1965 for migrant workers health grants will not be enough to fund the approved applications on hand as of January 1, 1965.

In approving a 5-year extension in the program of project grants for health services for migratory workers and their families, the committee recommends appropriation authorizations of $7 million for 1966, $8 million for 1967, $9 million for 1968, and $10 million each for 1969 and 1970. S. 510 as introduced authorized such sums as may be necessary in each of the 5 years.

FORMULA GRANTS TO STATES

Section 4 would extend for 1 additional year, fiscal year 1967, the formula grants for general assistance, mental health, dental health, radiological health, chronic diseases, and public health schools. No change in the overall annual authorization of $50 million is proposed.

Only a 1-year extension is recommended by the committee pending the completion of two major studies.

One of these major studies is being carried out by the Association of State and Territorial Health Officers.

In addition, the 4-year study of the National Commission on Community Health Services will be completed within a year. This study to develop improved methods of providing community health services is under the direction of the well-qualified Mr. Marion Folsom. The sponsors are the American Public Health Association and the National Health Council.

In the case of the formula grants for schools of public health, however, the committee is of the opinion that to defer action would not be in the national interest. It is recommended, therefore, that the subceiling of $2,500,000 earmarked for schools of public health under section 314(c) of the Public Health Service Act be raised to $5 million with no increase in the overall appropriation authorization of $50 million under such section.

The 12 schools of public health are a national resource. They serve as a source of professional public health personnel for all of the State and local governments and for all of the Federal agencies including the Public Health Service, the Department of Defense, and the Veterans' Administration.

Senators may recall that there are only 12 schools of public health in the entire United States. In other words, of the 50 States, only 10 have schools of public health; the remaining 40 States must look to the 12 schools for the training of doctors and public health nurses, public health technicians, and other public health employees that they must have.

Last year Congress approved the graduate public health training amendments of 1964 that more than doubles the Federal support for public health training. The resultant expansion in professional public health students requires additional support to the schools of public health if they are to maintain the high level of training that is now offered.

In the near future two new schools of public health will be established. Unless the formula grants are increased there will be a reduction in the amounts available to the 12 existing schools of public health.

PROJECT GRANTS FOR COMMUNITY HEALTH SERVICES

The program of project grants for community health services were authorized by the Community Health Services and Facilities Act of 1961—Public Law 87–395. These grants finance studies, experiments, and demonstrations for the development of improved methods of providing health services to the chronically ill or aged persons.

Since these project grants, as well as the formula grants under section 314(c), are being studied by the State and Territorial Health Officers Association and by the National Commission on Community Health Services, this committee recommends no change at this time in the annual appropriation authorization of $10 million and a 1-year extension until June 30, 1967.

HEARINGS

The Subcommittee on Health conducted hearings on S. 510 on January 27, 1965. Representatives from the Department of Health, Education, and Welfare and its Public Health Service appeared and testified in favor of the legislation that is a part of the President's health program.

The enactment of the legislation was also urged by the Association of Schools of Public Health, the American Public Health Association, the State and Territorial Health Officers Association, the American Dental Association, the American Association of Dental Schools, and by interested individuals.

In testimony on an identical bill in the House of Representatives the American Medical Association recommended the enactment of the legislation and the extension of the four grant-in-aid programs.

AUTHORIZATION FOR APPROPRIATIONS

S. 510 would add $144 million in appropriation authorization over the years 1966–70. The existing authorization of $74 million for fiscal year 1965 for the four programs would increase to $75 million for fiscal year 1966 and to $76 million for fiscal year 1967.

Prior to fiscal year 1968 the committee will reconsider the appropriation authorizations for the formula grants under section 314(c) and the project grants under section 316. The present bill does not include authorizations for either of these grant programs for 1968, 1969, or 1970. The authorization under S. 510 for those years, therefore, is reduced to $17 million in the case of 1968 and to $18 million for each of the years 1969 and 1970.

When these programs come to an end after another year, there will be further study and consideration by the committee and by Congress.

Speaking on behalf of the Committee on Labor and Public Welfare, I urge the passage of the bill.

Mr. JAVITS. Mr. President, this bill is an extremely valuable and important one in respect of certain existing grants-in-aid programs. The provisions with respect to migratory workers and with respect to immunization are very important programs throughout the country.

I call attention to the fact that in the immunization program—and this will be important in a number of States, as it is in my State—we have made certain changes with respect to the eligibility of children which opens the program to more children. In short, we are dealing with preschool age children, instead of children under 5 years of age. Also, an amendment which I offered will permit the Surgeon General to relax the most burdensome bookkeeping requirements now imposed as to the ages of the children who receive federally financed inoculations. The Association of State Health Officers had testified to the difficulty which these requirements presently impose. This amendment will overcome the difficulty presented in cases in which, through fault of no one, a child requires immunization even though he has passed the age limit in the act.

I call attention to the significant inclusion by the bill of measles within the immunization program.

I am also very pleased that on my motion the annual authorization for the section 314 general public health services program has been increased from $2.5 to $5 million. This proposal was almost unanimously recommended by the distinguished witnesses at our hearings and by many other authorities in this field.

For these and other reasons, I know it is an excellent bill. It is most gratifying to me that the Senate will pass the bill. I have every expectation and hope that it may have favorable action in the House and speedily become law.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The question

is on agreeing to the first committee amendment.

Mr. MANSFIELD. Madam President, I ask that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 510) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. HILL. Madam President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FOREIGN OIL IMPORTS

Mr. TOWER. Madam President, I ask unanimous consent that there be printed in the RECORD a statement that I presented on March 10 to the Secretary of Interior during hearings on foreign-oil imports and a statement to the same hearing by Mr. J. A. Mull, Jr., of Wichita, Kans., chairman of the Liaison Committee of Cooperating Oil and Gas Associations.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JOHN G. TOWER TO THE SECRETARY OF THE INTERIOR DURING HEARINGS ON FOREIGN OIL IMPORTS FOR MARCH 10, 1965

As you know, my State is the largest oil producing State in the Nation. It has also suffered more than any other State in regard to the drastically declining oil and gas industry.

Since I have been in the U.S. Senate, I have received reams of mail and telegrams, hundreds of telephone calls, plus the many people who have called on me in my office concerned with the declining oil industry and the results that this situation has produced.

In my hometown of Wichita Falls, Tex., you will find former drilling contractors working as bank tellers, geologists working in grocery stores, petroleum engineers working as bookkeepers, and others in the industry working in fields other than their own.

There are other results as well. Due to the depressed condition of this vital industry, retail establishments and, in fact, whole towns are suffering. Business volume is down, real estate values are down, bank deposits are down; in fact, the whole economic picture in the affected areas is down.

For some time the independent oil producer has pleaded for help. No help has come forth. The major cause of their problem is the excessive oil import policy of this administration.

Total oil imports must be frozen, or rolled back if feasible, until health of the domestic oil producing industry has been restored and the trend toward greater exploratory drilling assured. In addition, appropriate means must be found and applied to neutralize the economic advantage of foreign-produced oil brought into this country. The present system is not working, and additional patchwork in what is already a crazy quilt of special deals is not the answer.

Today you have appearing before you the leadership of the independent oil industry, testifying in behalf of their failing industry. I ask you to give your fullest attention to their problems and to develop policies curtailing oil imports so this vital industry which is so important to our national security may survive.

STATEMENT BEFORE THE U.S. DEPARTMENT OF INTERIOR, WASHINGTON, D.C., RE U.S. OIL IMPORT PROGRAM BY J. A. MULL, JR., WICHITA, KANS., CHAIRMAN, LIAISON COMMITTEE OF COOPERATING OIL & GAS ASSOCIATIONS, MARCH 10–11, 1965

"An Appraisal of the Petroleum Industry of the United States" (January 1965) by John M. Kelly of the Department of Interior, states that the oil industry is in excellent condition and that imports are in balance. Unfortunately these statements are not true. The 12–2 ratio is terribly out of balance because of loopholes and exceptions and only pertains to zones 1 through 4 or only 45 percent of total imports. It is true that major integrated importing oil companies are showing the highest incomes ever experienced. But left out and given no consideration are two segments of the business we consider of utmost importance to the welfare of the Nation.

The independent oilman and independent refiner are dead ducks. The reason that imports are even partially in balance is that the Department of Interior considers offshore drilling as interior oil—85 percent of the national growth has been offshore. The independent oilman essentially cannot participate in offshore drilling because costs for leases and drilling start in the millions. The same integrated major companies who import oil also own the offshore oil, and since the import formula calls for a ratio it is immediately apparent that as a major integrated company increases its offshore production it automatically can increase its imports. In other words, the faster they dig in the gulf the more foreign oil they can bring in. They gain from both ends of the deal.

Sandwiched between these two propositions is the independent oilman. He has had no growth—but instead has lost his market because the major companies are taking their markets where they have their oil. Kansas, for example, 5 years ago had a demand of 327,000 barrels per day—this month there is a demand for 280,000.

The independent has found ever increasing costs of steel and labor—in fact, every item associated with his business has gone up and up. The only exception to his increasing costs is drilling and the independent owns the rigs. Yet the price of the independents produce has continued to deteriorate through actual price cuts, pipeline handling charges, amortization of pipelines and actual loss of market.

It should be borne in mind that the independent oilman historically has found 85 percent of all new reserves within the borders of the United States. Today, essentially no new reserves are being found. A typical State has lost reserves of an average of 30 million barrels per year and the trend swings downward. Kansas had 169 rigs running 5 years ago—today there are 42 rigs running. The independent oil business is being deserted like rats leaving a sinking ship. Our colleges throughout the Nation reflect that students are shying completely away from geology and petroleum engineering. In fact some of the schools are closing these departments.

Within the next 30 days 46 rigs are being auctioned in Texas. These rigs are being sold piecemeal to replace parts on rigs fortunate enough to still have work. They will bring approximately 15 percent of value. No new equipment is being sold.

What does this mean to a State like Kansas where oil is the second largest industry? Many counties within the State receive as high as 47 percent of tax revenue from oil, but no wells are being drilled and no new reserves are being found. It is obvious since oil is a diminishing supply that these counties within a few short years must find a new source of 47 percent of tax revenue. County assessors are frantic in their attempt to maintain income impossible to obtain. You cannot get blood out of a turnip. The effects are beginning to be felt throughout the Nation, and it is the concern of every citizen because he is going to have to bear this tax burden.

Mr. Kelly, and others, have passed off the demise of the independent oilman as due to inefficiency. The simple answer to this is that there is hardly an independent oilman in business today who does not have as an active partner a major importing oil company, and if the independent were not efficient, in fact much more efficient than the major oil company, he would not be left in the position of operator. Efficiency is not the answer. The answer is that conditions are such that it is impossible for him to compete.

We point out that the 22 largest major importing oil companies in 1962 paid an average of 4 percent—due largely to tax credits on foreign oil—credits not allowed to the independent because he cannot own foreign oil. At the same time the 10 largest nonoil companies, such as General Motors, in this same year paid an average of 44 percent. The answer is obvious.

We contend that every barrel of foreign oil brought into the United States is a $1.50 gift to the importing company and the independent oilman gets absolutely no benefit. Compete? Impossible. Gentlemen, something must be done to neutralize the advantage of foreign oil immediately.

The independent oilman observes, without understanding and without explanation, negotiations carried on by the State Department in regard to imports: Canada, Mexico, Venezuela. Frankly, we do not know who Mr. State Department is. We cannot find him, consult with him, or question the motives behind decisions. Nor can we understand imports that, as far as we can determine, do not benefit the Nation as a whole, but certainly eliminate our market.

We point out that the Department of Defense buys 216,000 barrels per day of foreign oil. Why can't at least a portion of this be bought from the interior of the United States?

We now seriously wonder if the small independent enterpriser, who built this great Nation, is considered dispensable. Because we note, with fear, many others in our same category suffering from imports: cattle, wool, steel, textiles, coal, soft woods, glass and even cotton. If the independent oilman is dispensable and is being wiped out—then what is the result to the Nation?

How important is it that our military machine be powered by interior oil? In case of a war how long could the Nation depend upon getting oil from the east, from Venezuela, or even from the gulf offshore? Could we expect to get oil from Canada when Canada only produces 75 percent of its consumption, but exports to the United States 300,000 barrels per day?

We are not authorities on military matters, but we do know that we don't have the reserves within the borders of the United States (eliminating offshore) to maintain domestic consumption, let alone a war machine.

Our decrease in reserves within the borders of the United States are alarming, and we reiterate, historically 85 percent of new reserves has been found by the independent oilman.

Although we do not fight the battle of the independent refiners, we are well aware that if he suffers, we suffer. The independent refiner within the borders of the United States today, in our opinion, is dying a slow death, and is barely kept alive by import quotas allowed them. We are well aware

that Canada 5 years ago had five healthy independent refineries while today there are none. Canada had no import quota allotted to these refineries—they died quickly.

It appears to us that since the general public has objected strongly to the money giveaway program, a new device has been found—giveaway markets, and that we, the independent oilmen, are paying the bill with our lives, as well as other small businesses in other related industries.

We look at recent events in regards to Puerto Rico as outrageous.

CONCLUSION

In our role as citizens of this great country we view with alarm the Nation's imbalance of payments. We know that oil imports are the biggest factor in this problem. The elimination of the individual businessman and the imbalance of payments spells only one thing to us—disaster.

Mr. TOWER. In addition, Madam President, I ask unanimous consent that the text of the statement made by the Honorable John Connally, Governor of Texas, be printed at this point in the RECORD.

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

STATEMENT OF JOHN B. CONNALLY, GOVERNOR OF TEXAS, APPEARING AS CHAIRMAN, INTERSTATE OIL COMPACT COMMISSION, AT OIL IMPORT ADMINISTRATION HEARINGS, MARCH 10–11, 1965, WASHINGTON, D.C.

My name is John B. Connally. I appear before you today as chairman of the Interstate Oil Compact Commission.

The Interstate Oil Compact Commission, the Nation's largest compact, was created in 1935 and now consists of 30 member States, and 2 States that are associate members. The Interstate Oil Compact Commission is dedicated to the conservation of oil and gas and to the prevention of physical waste of these resources. In addition, each State desires to do all within its power to help maintain the petroleum self-sufficiency of the United States. The strength and world leadership of the United States is dependent greatly upon the continued availability of sufficient domestic reserves of oil and gas to meet our civilian and military requirements of these energy sources.

This compact is vitally interested in these proceedings before the Department of the Interior, and I appear here today at the request of the executive committee of the compact to aid the Department of the Interior in assessing the effectiveness of the mandatory oil import control program.

The mandatory oil import program came into being 6 years ago today pursuant to Executive Proclamation No. 3279. One only needs to look at the proclamation and its factual support embodied in the findings of the Cabinet Fuels Study Committee to determine the economic conditions that existed in relation to a need for a program.

It was determined in 1959 that the domestic oil industry was in a deteriorating condition, and by reason thereof national security was endangered. To properly assess and evaluate the program in relation to purpose we must look today at the conditions that caused so much alarm in 1959.

To begin with, no one can successfully refute the oft announced proposition that an adequacy of available energy within the four corners of our Nation is essential to our security—our probable survival. Great concern was expressed in 1959 because:

1. The number of wells then being drilled in the United States was not keeping pace with prior years.

2. Domestic production was not being permitted its just position in the marketplace in relation to increased demand.

3. Additions to recoverable reserves were not being made in relation to increased withdrawals.

4. The number of active drilling rigs in operation in 1959 was declining alarmingly in relation to a healthy economic index.

These areas are the legal and factual basis of the program concept. If improvement has not been had in these valid areas of assessment, then national security of the United States and the free world requires an open-minded look toward meaningful changes. You are to be congratulated in taking that look here today.

This program is not for the oil producer—the oil refiner—the oil marketer—the oil State—the oil transporter—the industrial consumer—or the domestic consumer. It is a national security program to serve the best interest of all the people.

Because of demands for ever and ever more energy at the marketplace (see charts, not printed in the RECORD) we must fashion an economic climate that will supply these energy needs. Now is the time. I believe our ingenuity will not be overtaxed in doing this.

Standards and guides must be set up to serve announced aims and objectives without favoritism. Exceptions at the whim and fancy of an administration will not serve the public interest.

A competitive industry must be maintained. Government powers must not be used to destroy—they are to protect.

The Federal Government determines the level of imports. This level cannot and must not be watered by various exemptions. I doubt that a domestic barrel of oil that has been displaced at the marketplace knows whether he is the victim of "Brownsville turnaround," "Canadian exempt," "historical broker quota," "closed down refinery with quota," or any other myriad of administration rules permitting foreign oil to come into the United States.

In December of 1964, 3 months ago, the Governors' Special Study Committee of the Interstate Oil Compact Commission released its "Study of Conservation of Oil and Gas in the United States." This document is quite complete in its analysis of the young petroleum industry and the remarkably rapid progress that the States have made in improving their conservation regulations consistent with rapidly improving technology.

A little over 1 month ago the Department of the Interior released the very fine publication entitled, "An Appraisal of the Petroleum Industry of the United States—January 1965."

This document is a factual, accurate, and concise summary of the trends in the petroleum industry of the United States in recent years and contains, in my judgment, a reasonable forecast of our future needs for oil and gas for the 17 year period 1964 through 1980.

For the purpose of my remarks here today, I have taken certain of the more pertinent figures from your appraisal in order to bring into sharp focus the awesome responsibility of the Department of the Interior. I will also express the views of the Interstate Oil Compact Commission as they relate to that responsibility.

These figures are graphically portrayed on several charts (not printed in the RECORD). The first chart is entitled "Annual U.S. Energy Consumption." The left half of this chart shows the participation by the major energy sources in the total U.S. energy consumption.

In 1950, the total energy consumption in the United States was 34.1 quadrillion B.t.u.

Oil and natural gas liquids supplied 13.5 quadrillion B.t.u., or 39.5 percent of the total.

Natural gas supplied another 6.2 quadrillion B.t.u., or 18 percent of the total.

Oil and gas was the source of 57.5 percent of all the energy consumed in the United States that year.

By 1963 total energy consumption had risen almost 50 percent above the 1950 level to 49.8 quadrillion B.t.u.

That year, oil and natural gas liquids supplied 21.3 quadrillion B.t.u., or 44 percent of the total.

Natural gas supplied 14.1 quadrillion B.t.u., or 30 percent of the total.

Oil and gas and gas liquids supplied 74 percent of all the energy consumed in the United States in 1963.

On the right-hand half of this chart are the projections by the Department of the Interior of our needs to 1980. By that time, 17 years from 1963, our total energy requirement is estimated to be 85 quadrillion B.t.u., or 70 percent more than we actually consumed in 1963.

If oil and gas continue to serve about the same percentage of the energy market that they now do, oil and gas liquid requirements in 1980 will be 63 percent greater than 1963 and gas consumption will increase 74 percent over 1963. In terms of volume, this means that the total liquid hydrocarbon supply must increase from 10.8 million barrels per day in 1963 to 17.6 million barrels per day in 1980.

The population of the United States is growing every minute and at an ever increasing rate. The even greater expansion of technology in the phases of domestic and industrial life on this planet has resulted in the widespread use of petroleum and other fossil fuels performing more work today, cheaper and more effectively than yesterday. In 1900 there were about 8,000 automobiles in the United States. In 1935, the year the Interstate Oil Compact Commission was created, automobile registrations totaled about 22½ million and at the end of 1963, there were about 69 million automobiles registered or enough so that our entire population can be riding at the same time with no more than 3 people in each car.

The second chart is entitled "Distribution of the U.S. Oil (Liquid Hydrocarbon) Supply" and shows, on the left side, the distribution of the past oil supply between domestic sources and imports.

Domestic crude oil, condensate, and natural gas liquid production rose from 5.9 millions barrels per day in 1950 to a little over 8.6 million barrels per day in 1963, or about 46 percent. During this same period imports rose from 850,000 barrels daily to 2.13 million barrels daily, or 251 percent. This gain in the level of imports is reflected in the decrease of the total liquid hydrocarbon supply that came from domestic sources. In 1950 domestic liquids (oils, condensate, and gas liquids) amounted to 87.4 percent of the total supply and in 1963 domestic liquids decreased to 80 percent of the total supply.

The right side of this chart is a projection of the estimated future requirements of liquid hydrocarbons for the 17-year period 1964 through 1980. By 1980, according to your projection, the total hydrocarbon liquid requirement is estimated to be 17.6 million barrels daily. Of this amount some 2.2 million barrels daily will be supplied by natural gas liquids. The remaining 15.4 million barrels a day is to be supplied from domestic reserves of oil and condensate and oil and products imported from foreign sources. Although your appraisal projects these volumes on the basis of a continuation of the existing level of imports, it is probable that your assessment of the program during the past 6 years will result in some change from the present level. For that reason, I have not projected the extent of domestic oil that will be produced to supply the U.S. demand on this particular chart.

The third chart is entitled "Domestic Liquid Hydrocarbon Reserves" and, as do the

first two charts, graphically portrays the very important historical reserve trends from 1950 through 1963.

The bottom black line represents the yearly domestic production of oil, condensate, and gas liquids. Superimposed on this plot by the red line is the yearly addition to liquid reserves as reported by the API and the AGA. While the trend in production has been steadily upward, the general trend of reserve additions since 1950 has been downward. While we are producing more and more, our reserve replacements are less and less. In 1957, and again in 1962 and 1963, reserve additions were not large enough to replace production.

At the top of the graph, liquid hydrocarbon reserves at yearend have shown very little growth since 1959, since reserve additions have essentially equaled production in the 1960–63 period. The ratio of reserves to production (the green line) has shown a decline from around 14 to 1 in 1950 to 12 to 1 in 1963.

Looking ahead, the Bureau of Mines forecast of domestic liquids production indicates a growth from 3.29 billion barrels in 1965 to 4.98 billion barrels in 1980. If the assumption is made that maintenance of a reserve-to production ratio of 12 to 1 is desirable, then reserve additions must soon take a radical upward turn and continue increasing to a level of 5.94 billion barrels per year in 1980. This would provide an increasing trend of yearend reserves as shown at the top of the illustration, reaching 60 billion barrels by 1980.

The incentive required to produce this level of reserve additions does not now exist. Indeed, the ability of industry to accomplish this level of reserve additions, regardless of incentives, may be open to serious question. An important point, however, is that if we are to do no better than replace future withdrawals (the lower red and black lines would coincide), industry must certainly be encouraged to accelerate its activity in the area of exploring for new reserves.

As shown in the lower box, replacement of withdrawals would require yearly reserve additions of 4.1 billion barrels per year in the 1964–80 period, compared to the average additional rate of 3.5 billion barrels per year from 1950 to 1963. If we only replace withdrawals in the 1964–80 period, the reserves-to-production ratio would fall from 12 to 1 in 1963, to 7.8 to 1 in 1980. A 7.8-to-1 ratio of reserves to production implies that little or no spare capacity remains.

The fact that some incentive is needed in the area of exploration activity is shown on the next chart (chart No. 4). Plotted here is the trend of exploratory drilling and geophysical activity in the United States. Exploratory drilling climbed from 10,300 wells in 1950 to 16,200 in 1956, and has since declined to a level of 10,700 wells in 1962 and 1963.

The decline in exploratory drilling is not surprising in view of the decline in seismograph, gravimeter, and magnetic crews working in the United States. Until the downward trend of this basic exploratory activity is arrested, little hope can be held out for a significant long-term increase in exploratory drilling levels. The decline in exploratory drilling in spite of rapidly increasing consumption, has in turn provided fewer development well locations, so that the level of total wells drilled in the United States has been affected, as shown on the next illustration.

Shown on the next chart (chart No. 5) is the total drilling activity in the United States since 1950. Total drilling activity peaked in 1956, as did the purely exploratory drilling shown on the previous chart. The principal category of decline since 1956 has been in oil wells (30,700 in 1956 versus 20,600 in 1964) and in dry holes (21,800 in 1956 versus 17,500 in 1964). Gas wells increased from 4,500 in 1956 to 5,800 in 1962, but have fallen off to 4,900 in 1964. Service wells increased from 1,050 in 1956 to 2,300 in 1964. Unless incentives for increasing exploratory drilling become greater in the future, total drilling stands little chance of rising much above the 46,000 wells per year level.

Chart No. 6 is entitled "U.S. Petroleum Production" and shows the production of oil and condensate, natural gas liquids, and natural gas from domestic reserves for the period 1950 through 1963. The natural gas portion of this curve is shown in its thermal equivalent to oil. During this period of time the total energy from domestic reserves increased from 8,860,000 barrels daily to about 15,400,000 barrels daily.

Also during this same period of time the reserves-to-production ratio for both oil and natural gas declined with natural gas declining at a much more rapid rate than that of oil.

These six charts graphically and clearly compare the historical truth during the period 1950 through 1963 with the reasonable forecasts for the period 1964 through 1980. Chart 1 shows the growth of the production of natural gas and indicates its relative importance and position in the energy market. I invite your specific attention to the position of gas. During the year 1963, gas and the condensate and gas liquids recovered with the production of gas equaled, on a B.t.u. basis, the energy produced from our domestic oil reserves. Although gas and gas liquid production has increased at a much greater rate than the production of oil, the revenue to the industry is much less than the revenue from an equivalent heating value volume of oil.

The Department of the Interior study very clearly states this economic anomaly, on page 5, and I quote:

"The thermal equivalent of the 14.5 trillion cubic feet of gas produced in 1963 comes to over 2.7 billion barrels of crude oil—an amount equal to domestic production of crude in that year. Although it is true that the petroleum industry was paid for its gas, the amount is small when compared with the price commanded by its equivalent in liquid petroleum. Most of the cost to consumers of natural gas results from transportation and distribution so that the wellhead price received by the producer (about 16 cents per thousand cubic feet in 1963) is equivalent to a barrel of crude oil sold at 93 cents as compared with the prevailing market price of around $2.90. This is an oversimplification and other costs and compensations enter into the picture, but it is still fair to say that one of the industry's major problems arises from the fact that over the years its low-price item has crowded its bread-and-butter line out of a large share of the market increase."

The domestic producer therefore is today confronted with two major competitive forces. One is the industry's own production and sale of natural gas at a price of approximately one-third the price, on a thermal basis, he receives for oil that he produces and sells. This "too low" priced gas that he sells has in recent years displaced, in the market, substantial volumes of oil. The price that he receives for gas sold in interstate commerce for resale is controlled by the Federal Power Commission and he is now involved in several area rate proceedings. The outcome of these proceedings will influence greatly the level of future exploratory drilling by the industry.

The second competitive force is that of foreign oil. The rapid increase in the rate of foreign oil and products movement into the United States since 1950 has also contributed to the decline in exploratory drilling by the industry.

The next chart (chart No. 7) shows the percentage of total U.S. hydrocarbon liquid demand supplied by U.S. oil imports for the period 1948 through 1964. During this period U.S. oil imports climbed from 8 to over 20 percent of our total hydrocarbon liquid demand. Although the mandatory oil import program became effective in 1959, the percentage of the domestic demand supplied by imports has continued to increase.

The last chart shows the same information, but in its relationship to crude oil produced from U.S. reserves. In 1948 volumes of imported oil were equivalent to 9.3 percent of the oil produced from domestic reserves. At the end of 1964 imported oil was equivalent to about 30 percent of the volume produced from reserves in the United States.

Some say that the domestic producers plight is due in large measure to the great number of unnecessary wells that have been drilled. By today's technological and economic standards, and to meet today's domestic demand for oil, there have been more wells drilled in the past in some reservoirs than are needed to produce today's restricted requirement from domestic reserves of oil. In times of emergency it is possible that many of these so-called unnecessary wells will prove to be extremely valuable to increase the availability of our oil reserves and consequently to help maintain the self-sufficiency of petroleum in the United States.

Large numbers of wells in a specific reservoir contribute to the availability, or deliverability, of oil from the reservoir, but do not add materially to the oil ultimately recoverable from the reservoir. Since an oil reservoir shrinks a little bit every day from the time it is discovered until it is abandoned, the productive capacity of the reservoir declines in some relationship to its age, depending upon the recovery mechanisms at work.

If the present downward trend in domestic exploratory activity is not halted now, it is possible that the excessive criticism of unnecessary wells will be changed to praise for the farsightedness of the industry in providing needed deliverability of oil from our domestic deposits at some time in the future.

In conclusion, I submit these requests to the Department of the Interior on behalf of the Interstate Oil Compact Commission:

(1) The great timelag between exploratory planning and the actual flow of oil from new reservoirs—5, 10, 15, or even 20 years, is so great that oil for the 1970's must be planned in the 1960's. To meet projected requirements in the face of the downward trend in reserve additions, development drilling, and exploratory effort of the petroleum industry, it is necessary that the Interior Department now critically review the effects of its past administration of the import-quota system, and set import levels that will comply fully with the objectives of the Presidential directive establishing the mandatory oil import program to the end that the petroleum industry in the United States will regain its just level of economic health and that its exploratory vigor will be stimulated.

(2) I urge the Department of the Interior, in the administration of the oil import control program, to give full consideration to all liquid petroleum and products regardless of their particular physical form or composition and regardless of their method of entry into the United States, whether by water, pipeline, or overland, if these liquid hydrocarbons compete with crude and products produced from reserves in the United States.

(3) Levels of imports of foreign oil and products must be determined in the light of all of the facts and should be fixed with acute awareness of the positive as well as the negative effects on the domestic petroleum industry.

The balance of payments of this Nation and our relations with many countries will be affected by what you do. But at this point let me remind you that since 1959 while production of oil has gone up 7 percent in the

United States, production in Venezuela has increased 17 percent; oil production in Europe, including Russia, has increased 56 percent; oil production in the Middle East has increased 47 percent and oil production from Africa has increased 1,041 percent.

But regardless of these considerations, subsequent changes in the overall system should not further jeopardize the stability of the industry in the United States.

On the other hand, your actions should result in greater incentives to, and encouragement of, our own domestic industry by either immediately decreasing the present level of imports, or at the very minimum, freezing the present volume level of imports for a sufficient period of time until the downward trends in domestic exploration and reserve replacements are corrected.

To this point, I refer to Mr. John M. Kelly's letter of January 19, 1965, forwarding the Interior study to Secretary Udall. The last paragraph of this letter says: "No industry is more vital to our national security and economy, more complex in character and environment or more sensitive to law and regulation than the petroleum industry."

(4) And finally, I urge the Department of the Interior to again assess the effects of the mandatory oil import program at reasonable intervals in the future.

Thank you.

Mr. TOWER. Madam President, these are statements that I think should come to the attention of the Senate, in view of the serious problem that the importation of foreign oil has created for our domestic oil industry. It is a matter to which I hope the Senate will direct prompt attention.

GEORGIA NAVY MAN COMMENDED FOR COURAGEOUS ACTION

Mr. TALMADGE. Madam President, on Tuesday of this week I rose in the Senate to commend a young Chamblee, Ga., naval reservist who courageously went to the assistance of a girl being attacked in a Philadelphia subway. This young man, James R. George, a 23-year-old employee of the Communicable Disease Center in Atlanta and a college student, did not stand aside while the girl was being attacked as the others did. He saw his duty and carried it out in the face of overwhelming numbers and at great personal risk. All Georgia is extremely proud of him.

I wish to call to the attention of the Senate that I have been informed by officials of the city of Philadelphia that George will be officially commended by the city today at 4 p.m. at the Philadelphia City Hall. He also will be made an honorary citizen of the city of Philadelphia.

I ask unanimous consent that a telegram which I received from a representative of the city of Philadelphia, and a news article pertaining to George's heroism, published in the Tuesday, March 9, edition of the Atlanta Journal, be printed at this point in the RECORD.

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

[From the Atlanta (Ga.) Journal, Mar. 9, 1965]

CHAMBLEE RESIDENT: HE CARED ENOUGH TO HALT A CRIME

"He's one of the few that care," said the supervisor of a naval air reservist who gained national attention Monday after he battled a group of Negro youths attempting to rape a young girl while bystanders looked on.

Naval Airman James George, 23, of 3354 Burke Drive in Chamblee, was on 2 weeks training in Philadelphia, Pa., when he saw a group of Negro youths dragging a 15-year-old girl from a subway station.

He said in court that when he entered the subway he saw six men, all Negroes, standing on the platform and watching the hoodlums beat the girl and drag her away.

"They just stood there," he said. "I wanted to get help. I started toward the men but before I reached them, some of the boys jumped me, beat me with their fists."

When he got up, he said, he rushed up the stairs and summoned a patrolman who rescued the girl.

His mother, Mrs. Calvin George also of 3354 Burke Drive, said Tuesday that she "was certainly proud" of him.

She said his commander had called from Philadelphia and said he would receive a citation. "He said he was a hero," she commented proudly.

Mrs. George said her son is a laboratory technician at the Communicable Disease Center and attends Georgia State College at night. He intends to be a doctor, she said.

She said her son went to high school in Decatur where he was a member of the Beta Club, an honor organization for boys who exhibit leadership and academic excellence.

She added that he has not been involved in anything similar. "But I think he would if he saw something."

"I'm certainly proud," Mrs. George repeated. "It's wonderful he took the part of the young girl."

Dr. Gerald Taylor, Mr. George's supervisor at the CDC, said Tuesday that "he's one of the few who care."

Dr. Taylor said Mr. George had been in his department since September. "He's very conscientious, very dependable, very dedicated to his work."

Mrs. George, admitting to a mother's prejudice, said simply, "He's a very fine young man."

Eight Negro youths, charged with attacking the girl, were tried Monday as delinquents and seven were sentenced to institutions. The eighth was placed on probation.

The incident took place Saturday night.

PAT POTTER.

PHILADELPHIA, PA.,
March 10, 1965.

Hon. HERMAN E. TALMADGE,
U.S. Senate,
Washington, D.C.:

I am pleased to inform you that Naval Air Reservist James R. George who exhibited outstanding courage and a sense of civic duty by his actions last weekend is being officially commended by Mayor James H. J. Tate, of the city of Philadelphia, in ceremonies in city hall tomorrow, Thursday afternoon, at 4 p.m. He will be presented with an official commendation and also made an honorary citizen of Philadelphia for his exemplary actions. If your busy schedule permits your presence would be most welcomed.

FREDERIC R. MANN,
City Representative.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. YARBOROUGH. Madam President, I commend the young citizen of Georgia for his courageous action in going to the defense of a young girl who was being so brutally attacked by a group of boys.

I express shock that citizens have been attacked on the streets in the past few years by gangs, and some of them murdered while citizens have stood aside and not come to the aid of the attacked persons.

This is an example of courage that I think should be emulated all over the country. I hope that the example of this young citizen of the State of Georgia, who is being honored by the city of Philadelphia in a public ceremony, will be taken note of by all citizens.

We can stop lawlessness in the streets only if all the citizens of the country support the stoppage of this lawlessness and stop the action of people who are endangering lives of people in the streets of America.

Mr. TALMADGE. Madam President, I thank the Senator from Texas for his remarks. I wholeheartedly concur and agree with him. It has been a source of utter amazement and frustration to me to read almost daily of large groups of people standing idly by when people are assaulted, murdered, robbed, and mugged, none of the bystanders lifting a hand to go to the defense of helpless citizens.

Even in the animal kingdom, animals defend one another. When human beings stand idly by and watch the commission of crimes such as murder and rape without even taking the trouble to call the police, it is almost beyond human comprehension.

Mr. YARBOROUGH. Madam President, I agree with the Senator from Georgia.

Mr. MANSFIELD. Madam President, I join the distinguished Senator from Georgia [Mr. TALMADGE] and the distinguished Senator from Texas [Mr. YARBOROUGH] in the remarks they have made this morning about the courage shown by a young sailor in fighting off a gang of attackers in Philadelphia.

I also express my appreciation for the recognition given to this young man by the city of Philadelphia.

I have been somewhat disturbed over a period of more than a year at the attitude of many of our citizens toward crimes of various nature which occur in the streets and subways of our larger cities.

I would assume that this attitude is prevalent in some of our less populated areas as well. This is something which indicates to me that the fiber of the American people is not as tough as it used to be. There is such a thing as helping a fellow man. There is such a thing as calling a policeman, and there is even such a thing as using the telephone when events of that kind happen, as they do in the various metropolitan areas.

I would hope that out of the fine example set by this young man would come a sense of responsibility and maturity on the part of all Americans, and a greater appreciation of what the policeman has to undergo in this day and age in carrying out the duties which are officially his.

It seems that in many of our large cities, the lot of the policeman is becoming more difficult, and an appreciation of his responsibilities is becoming less understood.

The police forces in such cities, undermanned as they are, are entitled to a

great deal of credit and, I would hope, much more encouragement than they usually receive.

I join my colleagues in commending this young man who performed so courageously in an extremely difficult situation.

Mr. TALMADGE. Madam President, will the distinguished Senator yield?

Mr. MANSFIELD. I yield.

Mr. TALMADGE. I commend the distinguished majority leader for his significant and highly appropriate statement in its entirety.

I, too, would hope that citizens of our country when they see people in distress, being brutally attacked, sometimes murdered or raped, would recognize the fact that we live in a country of humanity and should aid one another in a time of peril and distress.

I would hope that our citizens generally would try to protect helpless human beings under those conditions and, if they fear bodily harm to themselves, at least they can go to the nearest telephone or hail the nearest policeman.

We have seen dozens of instances in the past few months in which people stood idly by and did not go to any trouble whatever to try to render any assistance to people who were being murdered, robbed, raped, or attacked under the most vicious possible circumstances.

The distinguished majority leader has made a highly significant statement. I hope that people generally will heed his advice and admonition.

MUTUAL BROADCASTING SYSTEM, THROUGH ITS PRESIDENT, ROBERT F. HURLEIGH, LAUDS COLD WAR GI BILL

Mr. YARBOROUGH. Madam President, on February 1, 1965, Mutual Broadcasting System broadcast, by its president, Robert F. Hurleigh, an excellent editorial endorsing the cold war GI bill. So far as I know, this is the first time that a major nationwide broadcasting agency has endorsed the GI bill. This concise, persuasive statement was presented by the president of that network, Mr. Robert F. Hurleigh.

I ask unanimous consent that the transcript of that editorial be printed at this point in the RECORD.

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

EDITORIAL BROADCAST ON MONDAY, FEBRUARY 1, 1965

Of all the arguments which can be put forward in support of a bill to provide educational benefits for veterans of the cold war, the most telling is one put forward by Senator YARBOROUGH, who wants to extend the Korean GI benefits to all who have served since expiration of that bill in 1955.

The Texas Democrat calls it unfair for the Government to take men out of the labor market for military service and then return them to "catch up as best they can" with those who either failed to enlist or found means of getting around the draft.

If, under the antipoverty program, Federal aid is to be extended to vast numbers solely on the basis of need, how much more valid are the arguments in favor of helping those who have contributed years in uniform.

Hundreds and thousands of veterans of World War II and of Korea are successful today only because a grateful Nation opened the doors of opportunity for them.

The Nation owes no less to those who have served since.

Mr. YARBOROUGH. Madam President, I shall read two or three sentences from the transcript. They read as follows:

Of all the arguments which can be put forward in support of a bill to provide educational benefits for veterans of the cold war, the most telling is one put forward by Senator YARBOROUGH, who wants to extend the Korean GI benefits to all who have served since expiration of that bill in 1955.

The Texas Democrat calls it unfair for the Government to take men out of the labor market for military service and then return them to "catch up as best they can" with those who either failed to enlist or found means of getting around the draft.

If, under the antipoverty program, Federal aid is to be extended to vast numbers solely on the basis of need, how much more valid are the arguments in favor of helping those who have contributed years in uniform.

Hundreds and thousands of veterans of World War II and of Korea are successful today only because a grateful Nation opened the doors of opportunity for them.

The Nation owes no less to those who have served since.

TWELFTH ANNUAL ASSEMBLY OF THE TEXAS COUNCIL OF CHURCHES EXPRESSES SHOCK AT BRUTAL METHODS USED IN LAW ENFORCEMENT

Mr. YARBOROUGH. Madam President, I saw fit the other day to deplore the great brutality and violence used by Alabama officials against peaceful civil rights demonstrators. It should have excited no surprise; because my State is sometimes considered southern does not mean that Texans applaud unprovoked brutality against those with differing views. I regret that some in our country are all too ready to jump to condemn the southern people for the disgraceful acts of relatively few. Texans and southerners no more applaud brutality and violence than any other Americans. As a demonstration of this, I ask unanimous consent to have printed at this point in the RECORD a telegram, dated March 11, 1965, that I have received from the 12th Annual Assembly, Texas Council of Churches, meeting in my home city of Austin, Tex.

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

AUSTIN, TEX.,
March 11, 1965.

HON. RALPH YARBOROUGH,
Senator of Texas,
Washington, D.C.:

The 12th annual assembly of the Texas Council of Churches, meeting in Austin, March 8–10, 1965, is shocked and concerned with the brutal methods used by law enforcement agencies in Selma, Ala., on March 7.

Appreciative of your wise and fearless leadership in civil rights in the past, we prayerfully trust that you will continue to use your office and influence to safeguard and preserve the lives and liberties of all our citizens in all our States.

THE TEXAS COUNCIL OF CHURCHES.

ABILENE, TEX., CHAMBER OF COMMERCE SUPPORTS GUADALUPE MOUNTAIN NATIONAL PARK

Mr. YARBOROUGH. Madam President, in my office I continue to receive daily increasing indications of interest and enthusiasm on the part of the people of Texas for the establishment of the Guadalupe Mountain National Park. This beautiful mountainland in west Texas should be preserved for future generations. Especially in view of the rapidly increasing population and urbanization of this country should this unusually beautiful area be set aside as a national park. Such action would benefit not only Texas, but the country as a whole. My bill, S. 295, would make possible this action.

As further evidence of the support this proposal has from the people of Texas, I ask unanimous consent that the Abilene Chamber of Commerce resolution supporting Guadalupe area as a national park, passed February 25, 1965, be printed at this point in the RECORD.

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

ABILENE, TEX., CHAMBER OF COMMERCE RESOLUTION SUPPORTING GUADALUPE MOUNTAIN AREA AS A NATIONAL PARK

On this day, on motion of Director C. G. Whitten, seconded by Director Oliver Howard, it is the opinion and feeling of this body that the following resolution be adopted in support of the Guadalupe Mountain area as a national park.

Whereas the Abilene Chamber of Commerce is highly interested in the preservation of areas containing outstanding natural beauty spots and believes we should preserve the reminders of the past to find strength for the future; and

Whereas the Guadalupe Mountains are located in west Texas and easily accessible to U.S. Highway 80; and

Whereas said area has met the criteria set by the National Park Service; and

Whereas the creation of such a park would enhance the tourist development for all west Texas including the city of Abilene; and

Whereas the board of directors of the Abilene Chamber of Commerce wholeheartedly endorses and supports the program now being implemented through Gov. John Connally's program to encourage tourism in Texas; and

Whereas the board of directors of the Abilene Chamber of Commerce, Abilene, Tex., desires to officially endorse said area as the national park site: Now, therefore, be it

Resolved, on the 25th day of February A.D. 1965, by the board of directors of the Abilene Chamber of Commerce, That the Abilene Chamber of Commerce go on record as actively and vigorously endorsing and supporting Senate bill 295 and H.R. 698, each of the bills calling for the immediate establishment of the Guadalupe Mountain National Park.

ABILENE CHAMBER OF COMMERCE.
C. E. BENTLEY, *President.*

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

THE CALENDAR

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 72 (S. 42) and proceed to consider succeeding bills on the calendar.

There being no objection, the Senate proceeded to consider the following measures on the calendar, which were acted upon as indicated.

GEORGE TILSON WEED

The bill (S. 42) for the relief of George Tilson Weed was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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 laws, David Tilson Weed shall be held and considered to have resided in the United States prior to the birth of his son, George Tilson Weed, on June 3, 1909, and, at all times since, the said George Tilson Weed shall be held and considered to have been a United States citizen.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to deem the beneficiary's father to have resided in the United States prior to his birth, thereby recognizing the beneficiary to have been a citizen since birth.

The beneficiary of the bill is a 55-year-old native of Japan who claims to be stateless. He presently resides with his present wife and daughter in Tokyo, Japan, where he is employed in the chemical sales division of Du Pont Far East, Inc., a Japanese subsidiary of E. I. du Pont de Nemours & Co., Inc. The beneficiary's father was a U.S. citizen who was a leader in the American colony in Japan and his mother was a native and citizen of Japan. He did not acquire U.S. citizenship at birth because his father had not resided in the United States prior to his birth. His grandfather, a native-born U.S. citizen, captained clipper ships in the Orient and established a home in Japan. The beneficiary received his education in the United States, spending 14 consecutive years in this country.

LUISA G. VALDEZ

The bill (S. 154) for the relief of Luisa G. Valdez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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, Luisa G. Valdez 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 quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Luisa G. Valdez. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

The beneficiary of the bill is an unmarried 39-year-old native and citizen of the Philippines, who entered the United States on January 31, 1961, at Honolulu. She presently resides there with one of her brothers, a naturalized citizen of the United States, and his wife. Her sister-in-law suffered a paralytic stroke more than 2 years ago and has been almost completely disabled since that time. The beneficiary has taken care of her since her entry. Her brother is a storekeeper at Pearl Harbor Navy Yard.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed next to consider Calendar No. 76 (S. 196).

The PRESIDING OFFICER. Without objection, it is so ordered.

GEORGES FRAISE

The bill (S. 196) for the relief of Georges Fraise was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the time Georges Fraise has resided and been physically present in the United States since September 1956 shall be held and considered to meet the residence and physical presence requirements of section 301(b) of the Immigration and Nationality Act.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to retain his U.S. citizenship, notwithstanding the interruptions of continuous physical presence in the United States occurring between September 1956 and November 1, 1967.

The beneficiary of the bill is a 25-year-old U.S. citizen, who was born in Madagascar. His mother is a U.S. citizen and his father is a French citizen. He presently resides in Cambridge, Mass., with his wife. He attended Trinity College in Connecticut and obtained a B.A. in 1962. He received a master's degree in business administration from Harvard in June 1964. He first entered the United States after his 14th birthday in September 1956 to attend school and thereafter through 1963 was absent for 3 months each year. He was in the United States on his 23d birthday, but has been absent for a short period since and will be unable to retain his citizenship under section 301(b) of the Immigration and Nationality Act if he is absent for more than 8 months before November 1, 1967, his 28th birthday. He will be unable to do this because he is committed to continue his studies in 1964–65 at the IMEDE Management Development Institute at Lausanne, Switzerland.

KALLIOPE KOSTIDES

The bill (S. 243) for the relief of Kalliope Kostides was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 25(a) of the Act entitled "An Act to amend the Immigration and Nationality Act; and for other purposes", approved September 26, 1961 (75 Stat. 650), Kalliope Kostides shall be held and considered to be an alien eligible for a quota immigrant status under the provisions of section 203(a)(3) of the Immigration and Nationality Act on the basis of a petition filed with the Attorney General prior to July 1, 1961.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable Kalliope Kostides to qualify for nonquota immigrant status under the provisions of section 25(a) of Public Law 87–301 as an alien whose third preference petition was filed prior to July 1, 1961.

The beneficiary of the bill is a 16-year-old native and citizen of Greece, who presently resides in Greece with an older sister. She is supported by her parents who were lawfully admitted to the United States for permanent residence on April 8, 1963. Two of her brothers are U.S. citizens. A third preference petition filed by her father was approved on May 28, 1963. She is registered on the Greek quota waiting list under a priority date of January 21, 1957. Information is to the effect that the beneficiary's mother has been seriously injured in an accident.

CHARLES CHUNG CHI LEE AND JULIA LEE

The bill (S. 244) for the relief of Charles Chung Chi Lee and Julia Lee was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Julia Lee and Charles Chung Chi Lee shall be held and considered to be the minor alien children of Mr. and Mrs. James K. Lee, American citizens.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable Charles Chung Chi Lee and Julia Lee to qualify for nonquota immigrant status as the minor children of citizens of the United States which is the status normally enjoyed by the alien minor children of citizens of the United States.

The beneficiaries of the bill are a 24-year-old brother and his 22-year-old sister, both natives and citizens of China. They are both unmarried and presently reside in Hong Kong where they are supported by their U.S. citizen parents. They are the beneficiaries of second preference petitions approved on October 9, 1962. The male beneficiary is also the beneficiary of a first preference petition which was filed on December 27, 1963, and approved on May 5, 1964. Their father entered the United States in 1947 and their mother in 1949. Their status was adjusted to lawful permanent residence on July 26, 1956, under the provisions of the Refugee Relief Act and they were naturalized on June 8, 1962.

MILAGROS ARAGON NERI

The bill (S. 262) for the relief of Milagros Aragon Neri was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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, the provisions of sections 202 (a) (5) and 202(b) shall be inapplicable in the case of Milagros Aragon Neri.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to qualify for a nonquota immigrant visa as the spouse of a native of Mexico.

The beneficiary of the bill is a 25-year-old native and citizen of the Philippines, who entered the United States on September 17, 1961, as an alien of distinguished merit and ability to perform as a professional dancer. She married a lawful permanent resident of the United States on January 4, 1963, and is the beneficiary of a third preference petition approved on February 28, 1963. Her husband is a native and citizen of Mexico who was admitted to the United States for permanent residence on December 21, 1961.

DENIS RYAN

The bill (S. 320) for the relief of Denis Ryan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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, Denis Ryan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 1951, and to have met the physical presence and continuous residence requirements of section 316 of that Act, notwithstanding his temporary periods of absence from the United States in the employment of the United States Armed Forces: *Provided,* That he file a petition for naturalization not later than one year following the date of the enactment of this Act.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Denis Ryan as of January 1951. The bill also provides that he shall be held and considered to have met the residence and physical presence requirements of section 316 of the Immigration and Nationality Act, thus making him eligible to file a petition for naturalization.

The beneficiary of the bill is a 44-year-old native and citizen of Canada, who has been employed by the U.S. Air Force as a personnel management specialist since May 12, 1949. He, his wife, and three children were lawfully admitted to the United States for permanent residence on October 6, 1961, and presently reside in Minot, N. Dak. Prior to coming to the United States, the beneficiary was employed at Air Force bases in Canada. He entered the United States for temporary visits in 1951, 1953, and yearly from 1955 to 1960 for the purpose of attending training conferences in connection with his employment. It is stated that acquisition of citizenship would greatly increase his effectiveness in his employment.

TERESA MARANGON

The bill (S. 389) for the relief of Teresa Marangon was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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, Teresa Marangon shall be 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 quota-control officer to deduct the required number from the appropriate quota for the first year that such quotas are available.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the Committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Teresa Marangon. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

The beneficiary of the bill is a 38-year-old native and citizen of Italy, who is a member of the Oblates of St. Francis De Sales. She resides with other members of this Catholic community in Delaware City, Del., where she performs duties as a housekeeper. She entered the United States on October 3, 1963, as a visitor destined for a visit at St. Paul's Convent in Delaware City. She has assisted the Sisters in the community and her services have proven of great benefit to the well-being of the school.

ALEXA DANIEL

The bill (S. 394) for the relief of Alexa Daniel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 322 of the Immigration and Nationality Act, Alexa Daniel shall be held and considered to be under eighteen years of age.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to have a petition for naturalization filed in her behalf by her father, Erno Daniel.

The beneficiary of the bill is a 20-year-old native and citizen of Hungary, who was lawfully admitted to the United States for permanent residence on July 27, 1960. Her father entered the United States for permanent residence in 1949 and was naturalized a citizen in 1954. Her mother and younger brother entered with her on July 27, 1960. They had all planned to petition for naturalization together after they had resided in the United States for 3 years, apparently unaware that the father could petition for naturalization of the children after their admission and while they were under 18 years of age. The beneficiary became ineligible for the benefits of section 322 of the Immigration and Nationality Act when she reached her 18th birthday on January 29, 1963. The mother desires to take the children to visit her 83-year-old mother in Hungary and desires citizenship for the beneficiary before departure.

SISTER AURORA MARTIN GELADO

The bill (S. 416) for the relief of Sister Aurora Martin Gelado (also known as Sister Nieve) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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, Sister Aurora Martin Gelado (also known as Sister Nieve) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of 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 quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Sister Aurora Martin Gelado (also known as Sister Nieve). The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

The beneficiary of the bill is a 44-year-old native and citizen of Spain, a professed

religious nun since 1941, who entered the United States from Canada on September 28, 1962, after fulfilling teaching assignments there, in Cuba and in Mexico. After her entry into the United States she was assigned to the Queen of Peace Mission Seminary in Jaffrey Center, N.H., to join other members of her religious community who had been forced to leave Cuba. She and five other sisters from Cuba perform the domestic work at the seminary.

KOON CHEW HO

The bill (S. 456) for the relief of Koon Chew Ho was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follow:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Ho Yee, a deceased United States citizen, shall be deemed to have resided in the United States prior to July 9, 1913, within the meaning of section 1993 of the Act of February 10, 1855 (Rev. Stat. 1878).

SEC. 2. For the purposes of the said Act, Koon Chew Ho shall be held and considered to be the natural-born son of the said Ho Yee, and shall be further held and considered to have been a United States citizen at all times since July 9, 1913: *Provided*, That the said Koon Chew Ho enters the United States for permanent residence within one year after the date of the enactment of this Act.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable Koon Chew Ho, the son of a deceased U.S. citizen, to assume his status as a U.S. citizen based upon his father's residence in the United States prior to July 9, 1913, the date of Koon Chew Ho's birth.

The beneficiary of the bill is a 51-year-old native of China, who claims U.S. citizenship as the son of a U.S. citizen who resided in this country prior to his birth on July 9, 1913. The beneficiary's father was allegedly born on September 15, 1891, in Honolulu, Hawaii. He departed to China in 1902 and returned to Honolulu in 1923, where he resided until 1946. He then returned to Hong Kong, where he died in 1948. The beneficiary's brother entered the United States in 1924, as the son of a U.S. citizen and in 1952, he was issued a certificate of derivative citizenship. The beneficiary is a self-employed merchant in Hong Kong and a leading businessman in that community. The beneficiary's brother is manager of an importing firm in Honolulu. The beneficiary, in assuming his U.S. citizenship, would contribute much to the American business community with his varied background and interests.

FRANK S. CHOW

The bill (S. 570) for the relief of Frank S. Chow was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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, Mr. Frank S. Chow shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 12, 1956.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Frank S. Chow as of October 12, 1956, the date he first entered the United States as a student.

The beneficiary of the bill is a 31-year-old native and citizen of China, who is married to a lawfully resident alien. They have four U.S.-citizen children. He entered the United States on October 12, 1956, as a student and his status was adjusted to that of permanent residence on February 1, 1963, on the basis of a first preference petition filed by his present employer, Warner-Lambert Pharmaceutical Co., in Morris Plains, N.J., where he is employed as a patent-agent trainee. He desires U.S. citizenship in order to qualify for admission to practice before the U.S. Patent Office.

DENISE HOJEBANE BARROOD

The bill (S. 571) for the relief of Denise Hojebane Barrood was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asembled, That, in the administration of the Immigration and Nationality Act, Denise Hojebane Barrood may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Denise Hojebane Barrood by Mr. and Mrs. Abraham Barrood, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the Committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to faciliate the entry into the United States in a nonquota status of an alien child adopted by citizens of the United States.

The beneficiary of the bill is a 4-year-old native and citizen of Lebanon, who was adopted in that country on October 4, 1963, by her paternal aunt and her husband, both U.S. citizens. Her adoptive mother was present at the adoption proceedings. The beneficiary presently resides in Beirut with her parents and three sisters. Her parents consented to the adoption because the father is in poor health and is unable to properly support her. Information is to the effect that the adoptive parents are financially able to care for the beneficiary.

BILL PASSED OVER

The bill (S. 574) for the relief of Lester W. Hein and Sadie Hein was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

ANDREAS, GREGORIOS, ELENI, NIKOLAOS, AND ANNA CHINGAS

The bill (S. 615) for the relief of Andreas, Gregorios, Eleni, Nikolaos, and Anna Chingas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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 Act of September 26, 1961 (Public Law 87–301), Andreas, Gregorios, Eleni, Nikolaos, and Anna Chingas shall be held and considered to be within the purview of section 25 of the said Act.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiaries to qualify for nonquota immigrant visas under the provisions of section 25 of Public Law 87–301 as aliens whose petitions were filed prior to July 1, 1961.

The beneficiaries of the bill are the 21-, 18-, 17-, 15-, and 14-year-old natives and citizens of Greece who are the children of an alien lawfully admitted for permanent residence. Their brother, who is their sponsor, is a naturalized U.S. citizen who has been educated in this country. The father was lawfully admitted on April 18, 1962, on the basis of a second-preference petition filed by his U.S. citizen son. The mother chose to remain with the children, although she could have entered with her husband. She still has nonquota status under Public Law 87–301. The children are the beneficiaries of fourth-preference petitions filed by their brother and approved August 30, 1960, and third-preference petitions filed by their father on June 11, 1962, and approved.

BILL PASSED OVER

The bill (S. 619) for the relief of Nora Isabella Samuelli was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

FLORA ROMANO TORRE

The bill (S. 632) for the relief of Flora Romano Torre, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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, Flora Torre 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 quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the com-

mittee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Flora Romano Torre. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

The beneficiary of the bill is an unmarried 51-year-old native and citizen of Italy, who presently resides with her U.S. citizen brother in Phoenix, Ariz. She entered the United States on September 19, 1961, and a third preference petition in her behalf filed by her resident alien mother was approved on December 13, 1961. Her application for an adjustment of status under section 245 of the Immigration and Nationality Act was denied on July 27, 1962, because that portion of the Italian quota had become oversubscribed. Her third preference status was revoked when her mother died on September 5, 1962. The beneficiary's brother is single and information is to the effect that he is able to support her. It is stated that she would face considerable hardship were she forced to return to Italy.

ZENON ZUBIETA

The bill (S. 640) for the relief of Zenon Zubieta was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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, Zenon Zubieta shall be deemed to be within the purview of section 101(a)(27)(B) of that Act and may be issued a visa and be admitted to the United States, notwithstanding the provisions of section 212(a)(22) of that Act.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to provide for the readmission to the United States for permanent residence of a former resident of the United States. The bill provides for a waiver of the excluding provision of existing law relating to exemption from military service.

The beneficiary of the bill is a 57-year-old native and citizen of Spain, who presently resides there and is employed as a laborer. He first entered the United States as a seaman on June 20, 1929, and remained, accepting employment as a cook with a cattle outfit in Nevada. As a citizen of a neutral nation he was exempted from military service during World War II. In 1948 his status was adjusted to permanent residence as of the date of his original entry by Private Law 350 of the 80th Congress. He made a trip to Spain in 1949 and was admitted to the United States with a reentry permit. He again departed to Spain on May 5, 1954. Because of his extended stay in Spain, he has been found ineligible to receive a nonquota visa as a returning resident alien and has also been found ineligible under section 212(a)(22) of the Immigration and Nationality Act relating to exemption from military service.

BILL PASSED OVER

The bill (S. 642) for the relief of Chung K. Won was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

PIETRINA DEL FRATE

The bill (S. 686) for the relief of Pietrina Del Frate was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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, Pietrina Del Frate 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 quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Pietrina Del Frate. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

The beneficiary of the bill is a 61-year-old native and citizen of Italy, who entered the United States on October 12, 1962, as a visitor. At the time of her entry to the United States, the beneficiary accompanied her brother, who had suffered a heart attack and paralytic stroke while visiting in Italy. The beneficiary was employed as an economist in Italy, and also completed a 3-year course training as a Red Cross nurse. The beneficiary's brother died on May 6, 1963. She now cares for her sister-in-law, who is a U.S. citizen suffering from an extensive arthritic condition. The beneficiary also cares for her niece, who suffers from a rheumatic heart condition, and her husband, who is a paraplegic whose body is paralyzed below the shoulders as a result of an accident suffered in 1955, while he was a member of the U.S. Army.

IVANKA PEKAR

The bill (S. 719) for the relief of Ivanka Pekar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the Immigration and Nationality Act, Ivanka Pekar 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 enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1965.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Ivanka Pekar. The bill provides for the payment of the required visa fee and for the deduction of one number from the number of refugees who may be paroled into the United States pursuant to Public Law 86-648.

The beneficiary of the bill is a 33-year-old native and citizen of Yugoslavia, who last entered the United States on November 3, 1961, as a visitor. She first entered this country on October 1, 1960, as a visitor, and departed to Canada on November 1, 1961. The beneficiary fled from Yugoslavia in 1957, and thereafter resided as a refugee in Italy and Switzerland. The beneficiary's brother was admitted to the United States for permanent residence on January 21, 1959, as a refugee-escapee. The beneficiary's parents, three brothers, and two sisters reside in Yugoslavia, but they have warned her not to return to Yugoslavia, because of certain reprisals.

DR. MARSHALL KU

The bill (S. 769) for the relief of Dr. Marshall Ku was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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 Marshall Ku shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1951, 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 quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Marshall Ku as of October 30, 1951, the date he first entered the United States as a student, thus enabling him to file a petition for naturalization. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

The beneficiary of the bill is a 39-year-old native and citizen of China, who entered the United States on October 30, 1951, as a student. He graduated from Baylor University College of Medicine, Houston, Tex., in May 1959 and was married to a native and citizen of China in Birmingham, Ala., April 30, 1961. He is the beneficiary of a first preference petition approved May 15, 1962, and is presently employed as a physician in the pediatric department at St. Louis City Hospital, St. Louis, Mo. He lives with his wife and two citizen children in St. Louis, Mo.

BILL PASSED OVER

The bill (S. 829) for the relief of Enrico Agostini and Celestino Agostini was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

CHRISTOS STRATIS

The bill (S. 840) for the relief of Christos Stratis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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 (1) of section 212(a) of the Immigration and Nationality Act, Christos Stratis may be issued an immigrant visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act: *Provided,* That this Act shall apply only to 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: *And provided further,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who is mentally retarded in behalf of the son of a U.S. citizen. The bill provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

The beneficiary of the bill is an unmarried 25-year-old native and citizen of Greece. His father, a U.S. citizen, resides in Worcester, Mass, with his wife and three other sons who are lawful permanent residents of the United States. The beneficiary has been found ineligible to receive a visa as one who is mentally retarded. He was unable to accompany the rest of his family to the United States. Adequate assurances have been given guaranteeing his support after admission. Without the waiver provided for in the bill he will be unable to enter the United States to join his family.

ESTATE OF R. M. CLARK

The bill (S. 856) for the relief of the estate of R. M. Clark was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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 estate of R. M. Clark, the sum of $39,567.67, representing the amount reported by the United States Court of Claims to the Congress in response to S. Res. 344, Eighty-fifth Congress (congressional number 10-58, decided July 17, 1964). The payment of such sum shall be in full satisfaction of the claim of the estate of the late R. M. Clark (an individual formerly doing business as Lenoir City Alcoa Bus Lines) against the United States for losses sustained as a result of the operation by the said R. M. Clark of motorbuses for the necessary transportation of nonresident employees of the Clinton Engineer Works, between points in or about Lenoir City, Tennessee, and the Clinton Engineer Works reservation (subsequently the Atomic Energy Commission installation) at Oak Ridge, Tennessee: *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.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to authorize and direct the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to the estate of R. M. Clark, the sum of $39,567.67, representing the amount reported by the U.S. Court of Claims to the Congress in response to Senate Resolution 344, 85th Congress (congressional No. 10-58, decided July 17, 1964). The payment of such sum shall be in full satisfaction of the claim of the estate of the late R. M. Clark (an individual formerly doing business as Lenoir City Alcoa Bus Lines) against the United States for losses sustained as a result of the operation by the said R. M. Clark of motorbuses for the necessary transportation of nonresident employees of the Clinton Engineer Works between points in or about Lenoir City, Tenn., and the Clinton Engineer Works reservation (subsequently the Atomic Energy Commission installation) at Oak Ridge, Tenn.

Similar legislation, S. 3064, 88th Congress, for the relief of the estate of R. M. Clark was reported favorably by the committee to the Senate on September 15, 1964, and passed the Senate on September 24, 1964, but no action was taken by the House of Representatives.

FRANCESCO MIRA AND HIS WIFE

The bill (S. 200) for the relief of Francesco Mira and his wife, Maria Mira was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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 first section of the Act entitled "An Act to facilitate the entry of alien skilled specialists and certain relatives of United States citizens, and for other purposes", approved October 24, 1962 (76 Stat. 1247), Francesco Mira shall be held and considered to be an alien registered on a consular waiting list pursuant to section 203 (c) of the Immigration and Nationality Act under a priority date earlier than March 31, 1954.

The title was amended, so as to read: "A bill for the relief of Francesco Mira."

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to qualify for a nonquota immigrant visa under the provisions of section 1 of Public Law 87-885, as an alien who has a registration date prior to March 31, 1954, and who has a fourth preference petition approved prior to January 1, 1962.

AMENDMENT

Amend the title of the bill so as to read: "A bill for the relief of Francesco Mira." The bill has been amended to delete the wife's name from the title because it is unnecessary.

STATEMENT OF FACTS

The beneficiary of the bill is a 34-year-old native of Italy and citizen of Canada. He immigrated to Canada on June 5, 1951, and resides there with his wife and three children, one of whom is a U.S. citizen. The beneficiary's father entered the United States in 1913 and was naturalized on June 22, 1929. His naturalization was canceled for concealment of material facts. His immigration status was subsequently adjusted and he was again naturalized on June 12, 1957. A fourth preference petition filed in behalf of the beneficiary was approved on May 6, 1959, and he has a registration date of February 4, 1958. The beneficiary's father and mother reside in West Virginia with a citizen brother and another brother who is a lawful permanent resident.

DR. VICTOR M. UBIETA

The Senate proceeded to consider the bill (S. 373) for the relief of Dr. Victor M. Ubieta, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Doctor Victor M. Ubieta 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.

SEC. 2. That, for the purposes of section 316 of the Immigration and Nationality Act, no period of residence or physical presence within the United States or any State shall be required of Doctor Victor M. Ubieta in addition to his residence and physical presence within the United States since July 9, 1949.

The amendment was agreed to.

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

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Victor M. Ubieta and to provide that his residence and physical presence in the United States since July 9, 1949, meets the requirements of section 316 of the Immigration and Nationality Act, thus enabling him to file a petition for naturali-

zation. The bill also provides for the payment of the required visa fee.

The beneficiary of the bill is a 49-year-old native and citizen of Cuba, who is presently employed as a clinical physician at Duval Medical Center in Jacksonville, Fla. He served as resident intern at St. Francis Hospital in Miami, Fla., from July 1951 to October 1953. He was resident physician at Orange Memorial Hospital, Orlando, Fla., from January to July 1961. He first entered the United States as a permanent resident on July 9, 1949, and thereafter reentered on six occasions on reentry permits. He abandoned his residence in October 1953 and was last admitted to the United States as a visitor on November 6, 1960. He desires residence and citizenship so that he can take the medical examination and engage in private practice.

MISS WLADYSLAWA KOWALCZYK

The Senate proceeded to consider the bill (S. 417) for the relief of Miss Wladyslawa Kowalczyk which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Miss Wladyslawa Kowalczyk shall be held and considered to have been paroled into the United States on the date of the enactment of this Act, as provided for in the said Act of July 14, 1960.

The amendment was agreed to.

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

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to provide that Wladyslawa Kowalczyk shall be considered to have been paroled into the United States as a refugee, on the date of the enactment of this act, under the provisions of the act of July 14, 1960.

The beneficiary of the bill is a 34-year-old native and citizen of Poland who entered the United States as a visitor on November 7, 1962. She is presently employed in Manchester, N.H., as an assembler for Minneapolis-Honeywell, Inc., and resides with a cousin. She claims that she might be subjected to physical persecution were she required to return to Poland.

BILL PASSED OVER

The bill (S. 440) for the relief of Jose L. Rodriguez was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

WILHELM KONYEN AND FAMILY

The Senate proceeded to consider the bill (S. 446) for the relief of Wilhelm Konyen, his wife Susanne Fritsch Konyen, and their children, Susanne Konyen and Willy Konyen which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Wilhelm Konyen, his wife Susanne Fritsch Konyen, and their children, Susanne Konyen and Willy Konyen shall be held and considered to be refugee-escapees within the purview of that Act.

SEC. 2. The provisions of section 212(a)(9) of the Immigration and Nationality Act shall not be applicable to Wilhelm Konyen and this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The amendment was agreed to.

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

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to provide for the parole into the United States of Wilhelm Konyen, his wife, Susanne Fritsch Konyen, and their children, Susanne Konyen and Willy Konyen as refugee-escapees under the provisions of Public Law 86-648. The bill also waives the excluding provision of existing law relating to one who has been convicted of crimes involving moral turpitude in behalf of Wilhelm Konyen. The bill has been amended in accordance with established precedents.

The beneficiaries of the bill are a 34-year-old husband and his 28-year-old wife who are natives of Rumania and citizens of Germany and their children, aged 6 and 4 years, who are natives and citizens of Germany. They all presently reside in Germany. In 1961 they were admitted to the United States as nonimmigrant visitors for the purpose of visiting relatives. The principal male beneficiary's parents, three sisters, and one brother were admitted to the United States for permanent residence in 1952 and are now citizens. He was found ineligible to receive a visa as a displaced person because of previous criminal convictions. He is a self-employed mechanic.

MRS. ANNA SOOS

The Senate proceeded to consider the bill (S. 694) for the relief of Mrs. Anna Soos which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mrs. Anna Soos. From and after the date of the enactment of this Act, the said Mrs. Anna Soos shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

The amendment was agreed to.

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

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to cancel the outstanding deportation proceedings in the case of Mrs. Anna Soos and to provide that she shall not again be subject to deportation by reason of the same facts on which the present proceedings are based. The bill as introduced would have granted the beneficiary permanent residence in the United States. It is the opinion of the committee that cancellation of deportation proceedings appears to be the appropriate relief.

The beneficiary of the bill is a 32-year-old native and citizen of Hungary, who fled from there in November 1956 during the revolt and obtained a refugee visa and was admitted to the United States for permanent residence on December 12, 1956. She was separated from her husband in 1956 and her 11-year-old son lives with her mother in Hungary. The beneficiary presently resides in Red Cloud, Nebr., where she is a housekeeper in the rectory of the Sacred Heart Church. In connection with her petition for naturalization she voluntarily disclosed her past membership in the Hungarian Workers' Party, a Communist organization. Thereafter, deportation proceedings were instituted against her on the ground that she had procured her visa by fraud by denying such membership. She claims that she withheld information concerning her Communist Party affiliation because she feared being sent back to Hungary. Her deportation was ordered withheld under the provisions of 243(h) of the Immigration and Nationality Act. She has asserted that she never was a true believer in communism and her record since entering the United States has been good.

IVAN RADIC AND FAMILY

The Senate proceeded to consider the bill (S. 720) for the relief of Ivan Radic, his wife, Ester Radic, and their daughter, Olivera Radic which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Ivan Radic, his wife, Ester Radic, and their daughter, Olivera Radic, shall be held and considered to have been paroled into the United States on the date of the enactment of this Act, as provided for in the said Act of July 14, 1960.

The amendment was agreed to.

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

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to provide that Ivan Radic, his wife, Ester Radic, and their daughter, Olivera Radic, shall be considered to have been paroled into the United States as refugees, on the date of the enactment of this act, under the provisions of Public Law 86-648. The bill has been amended in accordance with established precedents.

The beneficiaries of the bill are a 43-year-old father, his 42-year-old wife, and their 13-year-old daughter who are all natives and citizens of Yugoslavia and who are now seeking asylum in the United States. The father was last employed as an auditor by the Institute for Nuclear Materials in Yugoslavia. The family left there in 1961 with exit permits as tourists destined to Brazil. They entered the United States as nonimmigrants on February 25, 1962.

GERHARD HOFACKER

The Senate proceeded to consider the bill (S. 767) for the relief of Gerhard Hofacker which had been reported from the Committee on the Judiciary with an amendment on page 1, line 11, after the word "section," to strike out "213." and insert "213 of the Immigration and Nationality Act: *And provided further,* That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a) (4) of the Immigration and Nationality Act, Gerhard Hofacker may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That if the said Gerhard Hofacker is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General be deposited as prescribed by section 213 of the Immigration and Nationality Act: *And provided further,* That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendment was agreed to.

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

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to one who has a mental defect in behalf of the stepson of a U.S. citizen member of the U.S. Army. The bill provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge if he is not eligible for medical care under the Dependent's Medical Care Act. The bill has been amended to correct an error in printing.

The beneficiary of the bill is a 24-year-old native and citizen of Germany, who resides in Butzbach, Germany, with his mother and stepfather who is stationed there with the U.S. Army. His stepfather has been a member of the U.S. Army since 1951 and intends to make it his career. The beneficiary has been found ineligible to receive a visa because of a mental defect which is the probable result of childhood encephalitis. His stepfather anticipates rotation to the United States and without the waiver provided for in the bill, the beneficiary will be unable to accompany his family.

DEBRA LYNNE SANDERS

The Senate proceeded to consider the bill (S. 916) for the relief of Debra Lynne Sanders which had been reported from the Committee on the Judiciary with an amendment on page 1, line 8, after the word "Act", to insert a colon and "*Provided,* That if the said Debra Lynne Sanders is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act."; so as to make the bill read:

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 (1) of section 212(a) of the Immigration and Nationality Act, Debra Lynne Sanders 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: *Provided,* That if the said Debra Lynne Sanders is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. This section shall apply only to 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.

The amendment was agreed to.

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

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to one who is feebleminded in behalf of the adopted daughter of U.S. citizens. The bill has been amended to provide for the posting of a bond as a guaranty that the beneficiary will not become a public charge if she is not eligible for medical care under the Dependents' Medical Care Act.

The beneficiary of the bill is a 6-year-old native and citizen of Germany, who was adopted in Germany on October 30, 1963, by citizens of the United States. Her adopted father served in the U.S. Navy from November 11, 1944, to December 1, 1957, and since December 2, 1957, has served in the U.S. Air Force. The beneficiary is unable to receive a visa because she is feebleminded. Without the waiver provided in the bill, she will be unable to accompany her parents when her father is reassigned to the United States.

Mr. MANSFIELD. Madam President, that concludes the call of the Calendar.

I express my deep thanks to the distinguished Senator from Wyoming [Mr. SIMPSON] and the distinguished Senator from Arizona [Mr. FANNIN], members of the Legislative Review Committee, for their cooperation in getting this work done.

Mr. JAVITS. Madam President, may I ask whether Calendar No. 89, S. 619, was passed?

The PRESIDING OFFICER. Calendar No. 89, S. 619, was not passed.

EXECUTIVE SESSION

Mr. MANSFIELD. Madam President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, and also two other nominations which are at the desk.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

U.S. ATTORNEY

The Chief Clerk proceeded to read sundry nominations for U.S. attorney.

Mr. MANSFIELD. Madam President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA

The Chief Clerk read the nomination of Edward Allen Tamm of the District of Columbia, to be U.S. circuit judge for the District of Columbia.

Mr. MANSFIELD. Madam President, while Judge Tamm is listed as being from the District of Columbia, I should like the Senate to know that he has been a friend of Mrs. Mansfield and mine for more than 40 years.

Judge Tamm comes from Butte, Mont. He attended Boys Central High School, Carroll College in Helena, as well as Montana University in Missoula.

He received his law degree from Georgetown University in 1930. He was J. Edgar Hoover's right-hand man for a number of years. I believe that Judge Tamm was appointed to the District bench 17 years ago.

He has made an outstanding record on the district court. In my opinion, he will be one of the outstanding judges on the circuit court and on behalf of my colleague, Senator METCALF and myself, I urge the unanimous approval and confirmation by the Senate of this outstanding Montanan.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

U.S. DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA

The Chief Clerk read the nomination of Howard F. Corcoran, of Maryland, to be a U.S. district judge for the District of Columbia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. TYDINGS subsequently said: Madam President, I would like to add my endorsement of the nomination and confirmation of Mr. Howard F. Corcoran for the post of U.S. district judge of the District of Columbia.

Mr. Corcoran is a respected member of the bar in many jurisdictions including the District of Columbia. His contributions in the area of civic responsibility have earned him the respect and gratitude of community leaders from every walk of life.

I am certain that he will add eminence to and increased respect for the honored position he will shortly fill.

LEGISLATIVE SESSION

On motion by Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Without objection, it is so ordered.

MEDICARE AND ELDERCARE

Mr. YOUNG of Ohio. Mr. President, the resignation a few months ago of Dr. Hugh H. Hussey, the only American Medical Association member, from the Presidential Commission on the three top killing diseases, heart disease, cancer, and stroke, displays once again the underlying fear of the small clique of political doctors who control the AMA house of delegates that our Government might take steps to improve the general health of our people without first considering the monetary gains of the AMA and its members.

The Commission, composed of leading doctors, businessmen and public figures recommended 540 regional medical centers and local diagnosis and treatment stations to enable more doctors to give the best treatment to the most people. It also recommended a comprehensive campaign to educate the public regarding the hazards of cigarette smoking. The Commission pointed out that the deaths caused by these diseases cost the Nation at least $30 billion a year and that we spend only a little more than $1 billion combating them.

It seems that the recommendations of the commission are compassionate, necessary, and in the best interest of the general welfare of our citizens. It is evident, however, that they are not in accord with the views of Dr. Hussey and the policies of the directors of the AMA. It makes one wonder just what these policies are and on what basis they are formulated. Is the paramount concern of the AMA the health of the American people, or is it more wealth for the medical profession, whose members now have the highest average earnings of any group of professional men and women in our Nation?

For more than 20 years, the American Medical Association has been spending ever increasing sums to try to make the American people try to believe that they have no need for hospital and nursing home insurance financed by a social security payroll tax. With the amended administration bill providing hospital and nursing home care for the elderly under social security coverage, virtually assured of congressional consideration and passage, the AMA has begun another of its sporadic campaigns of education—"brainwashing" is probably a better term. It is estimated that the AMA public relations men have been given $4 million to spend to defeat or change by amendment this beneficent legislative proposal of the administration to provide hospital and nursing home coverage for the elderly under social security coverage.

At the same time, strange as it may seem, these political doctors are promoting a bill that they claim promises everything, but in reality, provides very little assurance to our citizens that they will have adequate hospital and nursing home care in their later years.

They term their proposal "eldercare." In reality it is a "don't care" program insofar as the elderly of this Nation are concerned. "Elder scare" would also be an appropriate name for their bill.

The list of progressive legislation which was unsuccessfully resisted by the AMA, seems endless. It includes free diagnostic centers for tuberculosis and cancer; Red Cross blood banks; Federal aid to medical education; voluntary health insurance; Blue Cross; school health services; and Federal aid to public health. A generation ago, the AMA opposed reporting tuberculosis cases to a public authority, although this has since become the basis of all TB control. It opposed the National Tuberculosis Act which Congress passed unanimously. What is progress to all other Americans is socialism to the managing dictators of the American Medical Association and like-thinking groups.

Mr. President, the small group that dictates the policies of the AMA has done a great disservice to the fine physicians and surgeons of our Nation in its adamant stand against progressive legislation for the welfare of all Americans, the latest example of which is its unyielding and hysterical opposition to the amended King-Anderson bill, now being considered in the Committee on Ways and Means of the House of Representatives.

Mr. President, this AMA ruling group has seen to it to date that physicians and surgeons are the only professional group in the United States which is not included under the beneficent coverage of our social security law. Yet, in every State of the Union where a referendum has been taken by the AMA, approximately two-thirds of the physicians and surgeons voting have announced their desire to be included. Of course, eventually, they will be. Eventually our social security law will be universally applied to all employed persons and self-employed persons.

Mr. President, every reliable poll indicates that the American people want the administration bill, providing hospital and nursing and home care for the elderly. They desire the defeat of the bill now proposed by the AMA, which would in some States give help to our elderly and in other States not give much help to them, and would be paid for by the taxpayers from general revenues.

The rulers of AMA would be far wiser to devote the millions of dollars which they are spending to defeat this program in advocating some constructive programs for the welfare of their organization and for the welfare and good health of all Americans.

In this morning's Washington Post there appeared an excellent article entitled "Medicare Gets Assist From Eldercare," written by Eve Edstrom.

I ask unanimous consent that the article be printed at this point in my remarks.

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

[From the Washington (D.C.) Post, Mar. 11, 1965]

MEDICARE GETS ASSIST FROM ELDERCARE

(By Eve Edstrom)

The irony of the move to expand medicare to cover doctors' fees and drug expenses is that the chief opponent of the measure is largely responsible for the broader health benefits now being proposed.

It has been the American Medical Association's current nationwide advertising attack against the administration's medicare plan that made visible the shortcomings of medicare and helped to generate the congressional steam to increase benefits.

In addition, Democrats on the House Ways and Means Committee have taken the punch out of the political strategy of the GOP by adding some of the chief features of a Republican-inspired health-care bill to the administration's plan.

Thus, as one top adviser to President Johnson said this week, bridge-playing experts could take lessons from Ways and Means Chairman Wilbur D. Mills, Democrat, of Arkansas, when it comes to the art of finesse.

Until late last week, it appeared that the Ways and Means Committee would report out a medicare bill limited to what the Administration had asked for. This would have increased payroll taxes under social security to finance hospital care and nursing home benefits for those over 65.

In attacking that plan, the American Medical Association focused on its lack of benefits for doctors' care and drug costs. The American Medical Association said its substitute proposal, Eldercare, would cover these costs:

But only a handful of Republicans lined up behind the Eldercare proposal because it depends on State financing and benefits would differ from State to State. Instead, House Republican Floor Leader GERALD L. FORD of Michigan and other potent Republicans backed a measure introduced by Representative John W. Byrnes of Wisconsin

ranking Republican on the House Ways and Means Committee.

BYRNES' bill would establish a voluntary health insurance plan covering both the hospital and medical care expenses of the elderly. It would be financed partly by monthly premiums paid by the aged who elected to participate, and, by funds from the general treasury.

To many longtime observers of the medicare battle on Capitol Hill, BYRNES' $3.4-billion proposal was viewed with cynicism. It was pointed out that it would be so costly that Congress would never pass it. Yet it would give the Republicans a talking point during any election year because they could say that their bill would have been more helpful to the aged, but the administration would not buy it.

If such strategy did exist, it was foiled last week when MILLS suggested adding optional doctor bill coverage to the administration's medicare plan. Under that proposal, hospital benefits would still be financed by a payroll tax. But beneficiaries who wanted major medical coverage could buy it for $3 a month, with the Federal Government paying a like amount from general revenues.

This is expected to cost the Federal Government about $600 million a year. In addition, proposed increases in social security monthly cash benefits, which are tied to the new medicare plan, would be at least $3 a month so that beneficiaries would not have to use current income to pay for the insurance.

Final details of this plan are expected to be worked out in executive sessions of the Ways and Means Committee, beginning today. It is also anticipated that the legislation with the optional doctor bill coverage will be reported out of the committee sometime next week.

Whether Republicans like BYRNES will vote for the bill is questionable. BYRNES has said that he was pleased that Democrats on the committee have agreed on the principle of financing medical care benefits out of general revenues. But he said he is still opposed to splitting off the hospital benefits and financing them through a regressive payroll tax which is applied to the first dollar of earnings.

Furthermore, hearings on medicare may be much lengthier than anticipated when the measure reaches the Senate.

But the new Mills plan raises such troublesome issues as what controls, if any, are needed over the fee-charging habits of doctors. Insurance, hospital, medical and labor spokesmen will want to be heard on these issues.

AUTHORIZATION FOR DISPOSAL OF ZINC FROM THE NATIONAL STOCKPILE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 1496, the strategic stockpile bill, which has been so ably managed during the past 2 years by the distinguished senior Senator from Missouri [Mr. SYMINGTON], and which was reported unanimously today by the Armed Services Committee. I do this with the full approval of the minority leadership.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 1496) authorizing the disposal, without regard to the prescribed 6-month waiting period, of zinc from the national stockpile and the supplemental stockpile.

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

There being no objection the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with an amendment, to strike out all after the enacting clause and insert:

That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, from either the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) or the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)), or from both such stockpiles, (1) approximately one hundred and fifty thousand short tons of zinc, (2) approximately one hundred and fifty thousand short tons of lead, and (3) approximately one hundred thousand short tons of copper (part or all of which may be supplied in the form of brass and bronze, taking into account only the copper content thereof). The disposals authorized by this section may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, but the time and method of the disposals shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of procedures, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. The Administrator is also authorized, without regard to the provisions of the Strategic and Critical Materials Stock Piling Act, to make available an additional fifty thousand short tons of zinc and an additional fifty thousand short tons of lead now held in either the national stockpile or the supplemental stockpile, or both such stockpiles, for direct use by agencies of the United States Government.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. BYRD of West Virginia. Mr. President, I appreciate this opportunity to discuss the compelling reasons which prompt me to support H.R. 1496 and which prompted me to introduce S. 1041, a bill to authorize the sale, without regard to the 6-month waiting period prescribed, of lead proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act.

Studies undertaken under the auspices of the Department of State, with assistance and close cooperation of other concerned Federal agencies, such as the Department of the Interior, have resulted in a general finding of an anticipated shortage of 150,000 tons of lead in terms of world supply during the calendar year 1965, with the major short fall concentrated in the United States.

I do not wish to complicate the discussion of the need of this legislation by interjecting other issues. However, it is germane to the problem that the absolute ceiling on imports of lead during any one calendar year is a contributing factor in the U.S. shortage, in light of past insufficient domestic supplies. At present, domestic production is not considered adequate to meet nationwide requirements, although I am informed that the entire supply picture may be expected to change within, possibly 5 years. It is reported that the most significant find of lead during this century has been made in the United States, in southeast Missouri, and it is forecast that, by 1970, the anticipated U.S. market demand will be met from domestic supply. It is, moreover, possible that within the foreseeable future the United States may become a lead exporter.

This encouraging view of future supply is not today helpful to domestic users presently unable to operate at normal capacity because of lack of availability of lead supplies. Nor is it helpful to those workers who are being laid off when plants are temporarily closed, or production sharply cut back due to lack of basic raw materials for manufacture. Nor is it helpful to the communities which now are suffering a lowering in economic level because of suspension of industrial operations, partial loss of revenue normally flowing through commercial channels, and the general retardation of municipal growth.

These adverse effects could be accepted more philosophically if there were an overriding national requirement for retaining or enlarging our national stockpiles of lead. I am assured by commenting Federal authorities that such requirement for defense purposes does not now exist. This same determination has been reached by the Senate Armed Services Committee based on comprehensive explorations made during the past inquiry into the strategic and critical materials stockpiles of the United States conducted by the Stockpile Subcommittee.

The Congress authorized the release of 50,000 tons of lead last year, but this release did not satisfy industry deficiencies. It merely offered a temporary measure of relief.

As a case in point, the Evans Lead Corp. of Charleston, W. Va., was shut down for 3 weeks beginning December 21, with resulting loss of manufacturing revenue and damaging unemployment.

Upon being so advised by officers of that corporation, and upon being visited by labor representatives seeking means to resolve the unemployment situation attendant upon still another closure of Evans Lead plant, I introduced S. 1041, to provide for immediate release of lead from stockpiles. However, I was informed that, in the interim, the lack of lead supplies would result in other work stoppages in the future.

The Evans Lead Corp. has now resumed operations; however, on March 1, the president of that organization communicated with me once again, informing me that his plant would be forced to suspend operations, in all probability, during future months if emergency release of lead supplies could not be effected.

His sincere plea for assistance in securing lead supplies in order to avoid more crippling work stoppages is eloquent. I wish to read, for emphasis, some paragraphs of the statement, which are as follows:

Our plant has operated continuously in the same location in Charleston for more than 40 years. We currently employ 60 people. Our annual payroll is in excess of $350,000. The average age of our hourly employees is 47½. These people would, gen-

erally speaking, be unemployable should our plant be closed.

Our annual gross sales range from $5 million to more than $7 million. Inbound freight on our single raw material—lead—amounts to more than $1,500 a day. Freight on our finished goods amounts to more than $1,000 per day. We pay State and local taxes in excess of $50,000 per year. Our Federal income tax ranges from $250,000 to $400,000 per year.

The above facts and figures should give some idea of the significance of our operation to the State and National economy. We feel that we are a valuable employer in a depressed area and a valuable economic asset not only to our State but to the economy as a whole.

Because of the nature of our process, our plant cannot be operated at a reduced input rate. Since April of last year, we have not been able to buy sufficient lead for continuous operation. For example, beginning December 21 we had a 3-week shutdown. At the time of that shutdown, we had on hand 13 tons of lead—roughly 4 hours' supply. During the shutdown, we attempted unsuccessfully to build up our raw material stocks. We again ran out of lead on Friday, February 12, and were forced to close the plant until Monday, February 22. At the present time, we have only sufficient lead at our plant or in transit to our plant to last until March 16. The next shipments of lead we expect will not begin until March 4. Transit time on this lead ranges from 12 to 21 days. We may or may not be forced to close again before the end of March. Only time will tell.

In my position as a U.S. Senator representing the State of West Virginia, I cannot help but feel sharply the importance of coordination of Federal programs and actions to assure the achievement of stated governmental goals and the successful accomplishment of tasks undertaken. On the one hand, Federal funds and Federal energies are being expended to restore my State to reasonable economic levels, to increase employment, and to stimulate industrial growth. It would appear to be the course of wisdom and good economics to take immediate action to make available raw materials which would eliminate unemployment, economic loss, and industrial retardation in instances such as this.

I am not asking for preferential treatment for my State. I use the example of this firm in West Virginia because of my personal knowledge of the problem involved and my close personal concern to bring about the earliest possible solution. I am aware that similar circumstances obtain elsewhere in regard to the lead industry, and I am indeed hopeful that through quick action by the Congress early relief can be provided.

Mr. President, as a member of the Senate Committee on Armed Services, I appeared before Senator Symington's subcommittee when it was conducting hearings on this legislation, and I presented a statement at that time urging passage of this legislation. I was also present today when the full committee met and reported H.R. 1496 as amended. I wish to express my gratitude to Senator SYMINGTON for his kind consideration of my interest in this legislation and for the courtesies which he and the members of his subcommittee accorded me at the time I testified. I trust that the Senate will now act very quickly to approve the bill before us.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

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

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to authorize the release of certain quantities of zinc, lead, and copper from either the national stockpile or the supplemental stockpile, or both".

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an excerpt from the report on the bill be printed in the RECORD at this point.

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

AUTHORIZING DISPOSAL OF ZINC FROM THE NATIONAL STOCKPILE

The Committee on Armed Services, to whom was referred the bill (H.R. 1496) to authorize the disposal, without regard to the prescribed 6-month waiting period, of zinc from the national stockpile and the supplemental stockpile, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

AMENDMENT

The amendment is as follows:

Strike out all after the enacting clause and insert an amendment in the nature of a substitute.

Amend the title so as to read:

An Act to authorize the release of certain quantities of zinc, lead, and copper from either the national stockpile or the supplemental stockpile, or both.

EXPLANATION OF AMENDMENT

The amendment combines in one bill the authority to dispose of surplus zinc, lead, and copper.

PURPOSE

This bill would (1) provide congressional approval for the disposal from the national and supplemental stockpiles of (a) 200,000 short tons of lead, (b) 200,000 short tons of zinc, (c) materials having a copper content of 100,000 short tons; and (2) waive the 6-month waiting period ordinarily required before disposals of strategic and critical materials can be accomplished.

DISPOSALS FROM THE NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Congressional approval is required for the disposal of materials in both the national stockpile and the supplemental stockpile except in those instances where the proposed disposal action is based on a determination that the material has become obsolescent for use during time of war.

Since the proposed disposal of these materials is not based on obsolescence, the proposed disposal requires the express approval of the Congress.

In addition, the bill would waive the waiting period of 6 month ordinarily required of disposals from the stockpile after publication of notice in the Federal Register. Thus, the waiver will permit the immediate disposal of zinc, lead, and copper upon enactment of H.R. 1496.

LEGISLATIVE HISTORY

S. 1041 of the 89th Congress, which was introduced by Senator BYRD of West Virginia, would authorize the disposal of 150,000 short tons of lead.

S. 437, which was introduced by Senator DODD, would authorize the disposal of 150,000 tons of zinc.

S. 296, which was introduced by Senator MANSFIELD, for himself and Senator METCALF, Senator BAYH, Senator BIBLE, Senator DODD, Senator FANNIN, Senator HARTKE, Senator HAYDEN, Senator JAVITS, Senator LAUSCHE, Senator MONTOYA, Senator MORSE, Senator PELL, Senator RIBICOFF, and Senator WILLIAMS of New Jersey, would authorize the loan of 100,000 tons of copper.

To reduce the number of bills dealing generally with the same subject, the committee has combined authority for the disposal of lead, zinc, and copper and recommends this combined authority as an amendment to H.R. 1496, which related only to the disposal of zinc in the form that this bill was referred to the committee.

LEAD

Inventory, objectives, and excesses: The stockpile objective for lead was reduced by the Office of Emergency Planning from 286,000 short tons to zero on June 17, 1963. As a consequence, the current inventory of approximately 1,328,000 short tons of lead is excess to estimated requirements.

Industry needs: Consumption of lead in the United States has been increasing in recent years with the available domestic supply being exceeded because of domestic demand by nearly 40,000 short tons per year in recent years. The total U.S. consumption of 1,195,000 short tons in 1964 was the highest since 1955 when the record of 1,212,000 short tons was established. The committee was informed that there is a critical lead shortage in the commercial market. Consequently, the present circumstances seem favorable for an orderly disposal of lead surpluses. Common uses of lead are in automotive batteries, where more than 38 percent of the lead used in this country is consumed. Gasoline additives account for approximately 17 percent of the domestic consumption. The paint pigment industry accounts for about 8 percent. The rest is consumed in other products such as solder, pipes, ammunition, and toothpaste tubes.

Method of sale: The method of sale of lead is outlined in House Report No. 53, dated February 18, 1965, on H.R. 1658, beginning at page 4 and ending at page 6.

Price structure: The current market price is reported to be $0.16 per pound, which is the highest since 1956.

Fiscal data: Disposal action will enable the Federal Government to convert into cash 150,000 short tons of lead originally acquired at an average cost of $0.1440 per pound.

ZINC

Inventory, objectives, and excesses: The zinc proposed for disposal is excess to stockpile needs. The current stockpile objective for zinc is at zero. The inventory for zinc in the various stockpiles is approximately 1,500,000 short tons.

Within the last several years, U.S. consumption of zinc has reached near record levels—1,031,821 short tons in 1962, 1,105,113 short tons in 1963, and 1,170,000 short tons in 1964. The previous record level of consumption was in 1955 when 1,119,812 short tons were used.

The consumption of zinc in the United States is primarily by the automotive industry, which uses the material in die casting. Use of zinc in the production of automobiles is increasing as reflected by the record zinc consumption in 1964.

Industry needs:

Domestic mine production of zinc ore is insufficient to meet our requirements. As a result, the United States depends upon foreign sources of supply for almost one-half of the smelting ores required.

The U.S. consumption of zinc has exceeded production in the years 1962 and 1963 by about 100,000 short tons per year. In 1964, the U.S. consumption of zinc exceeded domestic production by about 170,000 short tons. Consumers in the United States are

experiencing difficulties in securing needed supplies. The excess zinc in the Government stockpiles is more than adequate to satisfy consumer needs that the producing industry is now unable to fulfill. This condition affords the Government an opportunity to dispose of surplus zinc from the stockpile without an unfavorable impact on the market and at the same time to satisfy important industrial requirements.

Method of sale: The method of sale of zinc is outlined in House Report No. 54 on H.R. 1496 dated February 18, 1965, beginning at page 4 and continuing to page 6.

Price structure: The current market price for zinc ranges from $0.1450 to $0.1575 per pound.

Fiscal data: Disposal action will enable the Federal Government to convert into cash 150,000 short tons of zinc originally acquired at the average cost of $0.1404 per pound. Current market shortages of zinc will probably permit this disposal to be made at the highest price in several years. The current market price is reported to be approximately $0.1450 to $0.1575 per pound.

COPPER

Inventory, objectives, and excesses: The copper proposed for disposal is excess to the national stockpile objectives. The current stockpile objective for copper, established on June 17, 1964, is 775,000 short tons. The first such objective was established November 20, 1944, at which time a maximum objective was set for 1,250,000 short tons. The objective for copper has been revised from time to time, having been increased to a high of 3.5 million short tons on September 19, 1954. Since that time it has been successively reduced to the present 775,000 short tons.

There have been no disposals of copper from the national stockpile. However, there have been disposals from the Defense Production Act inventory in an aggregate amount of 127,445 short tons since 1960. All but 20,000 short tons of such disposals were to Government agencies, primarily to the U.S. Bureau of the Mint for coinage purposes. The 20,000 short tons of copper not disposed of through direct Government use was sold to consumers under an authorization from the Office of Emergency Planning dated December 16, 1964, that was designed to relieve a severe domestic supply shortage.

The current inventory of copper in the national stockpile, supplemental stockpiles, and the Defense Production Act inventory, after taking into consideration current sales commitments is 1,032,184 short tons. Accordingly, the inventories contain a surplus of 257,184 short tons from which the disposal contemplated herein can be made. Approximately 181,000 short tons of surplus is fire-refined copper; about 70,000 short tons is in the form of brass and bronze and the balance is in miscellaneous forms.

Industry needs: The U.S. consumption of refined copper in 1964, which reached a near record level, is estimated at approximately 1,807,000 short tons. Wiremills are the primary consumers of refined copper in the United States, which consume upward of 60 percent of all refined copper used here. Brassmills use the bulk of the balance of refined copper consumed in the United States.

Domestic mine production of copper ore is insufficient to meet the domestic consumption demands. Last year, for example, the production was 1,250,837 short tons, which was a near record, but was still insufficient to meet U.S. refinery needs. The committee is informed that domestic consumers are experiencing severe difficulties in securing needed supplies of refined copper and that a continuation of this situation threatens shutdown of vital segments of our national economy.

Price structure: Prices of refined copper now stand at approximately $0.34 per pound and are higher than at any other time since 1956. In 1956 prices averaged about $0.42 per pound.

Long-term supply and demand: The long-range forecast as to supply and demand for refined copper indicates a continuation of the present tight supply situation. The domestic mining industry is expanding its operations to the maximum extent possible, and an increase to an annual rate of 1,540,000 short tons is anticipated by 1968. However, increases in consumption are forecasted at between 2 and 4 percent per year, which would place U.S. consumption of refined copper well in excess of 2 million short tons per year and would still indicate a heavy reliance upon foreign ores to meet domestic needs. The foreign source of supply during this same projected period, of course, will be called upon to satisfy anticipated increased world consumption. Therefore, all indicia are that the deficit in supply will continue on a long-term basis.

Fiscal data: Disposal action will enable the Federal Government to convert into cash 100,000 short tons of refined copper originally acquired at an average cost of $0.2620 per pound. The current market price is reported to be approximately $0.34 per pound.

COMMITTEE ACTION

In compliance with a recommendation by the Office of Emergency Planning the committee has amended the authorization for the disposal of copper to permit the disposal of not only copper, but of brass and bronze, all of which could have a copper content of not more than 100,000 short tons. This action is intended to assure that the copper remaining in Government inventories is of the appropriate type, quality, and form that would be required for the most immediate and flexible use in the event of an emergency.

Another effect of this change is that an additional quantity of approximately 30,000 tons of zinc and smaller quantities of lead and tin would be made available for disposal. The committee has not charged these additional quantities against the zinc and lead authorized to be disposed of in other parts of the bill because the stockpile objective for lead and zinc is zero and it seems desirable to dispose of additional quantities of these materials at a time when they are in great demand.

The committee was urged to authorize the disposal of copper in the form of a loan instead of as a sale. The committee considered a loan inadvisable for several reasons, including the difficulty of the Government's securing repayment of the loan in an emergency and the recognition that the copper is not needed to meet current stockpile objectives.

One of the reasons advanced in support of a loan instead of a sale is that the loan might create employment in the mining industry at some time in the future when private demand for copper may have diminished. The committee recognizes the desirability of stimulating high employment in the domestic mining industry and elsewhere. Since the stockpile is for defense purposes, however, the committee was of the view that it should not authorize a loan that would result in the Government's being repaid copper that is not now required for defense purposes. Moreover, it is possible that any future distress in the copper mining industry might be relieved by a reduction in imports of copper ores, and refined copper.

Earlier this year the committee recommended, and the Senate approved S. 28, a bill that would revise and consolidate the laws relating to stockpiling. If this bill becomes law it will be unnecessary for the Congress to take affirmative action before the disposal of surplus materials owned by the Government can be accomplished. The current domestic demand for lead, zinc, and copper is so great that time is of the essence in the release of these materials if unemployment and economic disruption are to be avoided. The urgency of the demand for these materials causes the committee to recommend specific action on authority for the release of surplus quantities of these materials before action on the general stockpiling legislation can be finished.

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MOSS. Mr. President, I move to lay that motion on the table.

Mr. SYMINGTON. Mr. President, I move to lay the motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

SUNDRY NOMINATIONS IN THE ARMED SERVICES

Mr. MANSFIELD. Mr. President, sundry nominations in the Armed Forces are on the desk. I ask unanimous consent that the Senate proceed to their consideration.

The PRESIDING OFFICER. The nominations will be stated.

The legislative clerk proceeded to read sundry nominations in the Army, Navy, Air Force, and Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and agreed to en bloc.

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

The PRESIDING OFFICER. Without objection, the President will be so notified.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

AUTHORIZATIONS FOR APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—THE THRUST GAP

Mr. MOSS. Mr. President, the Committee on Aeronautical and Space Sciences this week is holding hearings on the authorization bill for the program of the National Aeronautics and Space Administration for the fiscal year beginning July 1.

We are currently spending some $5 billion a year to advance America's position in space. Our citizens are con-

cerned about this huge expenditure. They expect us to obtain full value for every dollar we expend.

Many words have been spoken over the past several years about so-called missile gaps. We started out behind the U.S.S.R. in the development of rocket engines which develop tremendous thrust. Apparently we remain second to Russia in this respect.

I do not say these things to criticize the scientists, engineers, and technicians who have been working on rocket and missile development. Since the first Russian sputnik was placed in orbit, I believe we can show near-miraculous achievements.

It now appears, however, that so-called economy moves may make it harder to close the thrust gap between Russia's capability and ours. I refer to the recently announced decision of NASA to discontinue further solid rocket propulsion development and to continue to rely exclusively on liquid fueled motors.

For a moment, let us recall how we overcame the threatened missile gap in our defenses. It was done with solid propellant rockets—with the Minuteman and the Polaris. Only solid fuel could provide the stability and the reliability needed for this first line of our intercontinental defense.

Nearly 1,000 solid propellant Minuteman missiles will be in silos at hardened underground sites at the end of the present production program.

The instant missile can be fired in defense of our country on a moment's notice, without any costly and time-consuming fueling period necessary. There are no small valves on the Minuteman which control fuel flow and which can shut off unexpectedly, at the wrong time, and cause the destruction of a rocket. We saw an example of how a little valve did just this recently at Cape Kennedy, causing the loss of millions of dollars' worth of rocket, launch pad, and other equipment, and causing delays in the space program.

The reliability of solid fueled rockets was demonstrated at Rapid City, S. Dak., last week, when a Minuteman missile was fired from an underground silo. This is the first time such a rocket has been fired from an inland site. The completely successful test by the Strategic Air Command was a controlled flight, the missile only traveled 6,500 feet. All test objectives apparently were met fully.

Other successful tests of full-range flights by Minuteman and solid-fueled Polaris missiles have been conducted with almost monotonous regularity with this country's rocket knowledge increasing each time a test is conducted.

Liquid fuel has been utilized in our space probes because liquid fuel technology was further advanced when we moved into space.

Taking a look at currently funded space launch vehicles, we find the Saturn 1B is capable of lifting 35,000 pounds. The next big booster toward which funds are directed is Saturn 5, which will lift 285,000 pounds into low earth orbit. These are both liquid-fueled rockets.

But solid fuel technology has been gaining rapidly. Two recent tests of huge rocket boosters have proven many scientific experiments relating to feasibility of solid propellants to perform in larger packages than ever before. In December of last year, I witnessed the firing of a 13-foot in diameter motor at Thiokol's Wasatch Division in Utah. The test uncovered a problem in the material of the nozzle, but otherwise it was successful. The nozzle was fully gimbaled, or, in other words, it moved in an arc of 45°. This factor in itself is quite an achievement. This motor fired in Utah developed over 1 million pounds of thrust for 1 minute.

In late February of this year, Thiokol test fired the largest motor ever fabricated, in terms of thrust, at its Brunswick, Ga., operation. This motor developed over 3 million pounds of thrust. The test has been called an unqualified success.

The achievements were part of Government and privately financed research in a very limited extent.

The technology achieved in development of these smaller motors has been applied now by Thiokol and others to the 156-inch and 260-inch booster programs. These research and development gains have been taken over by NASA, and all but shelved. Some of the achievements with the two firings by Thiokol in Utah and Georgia include the ability to mix 800,000 pounds of propellant in a few days and load a steel rocket casing. A special nozzle has been developed to withstand temperatures in excess of 5,500 degrees throughout extended burning periods of the fuel. The latest Thiokol test achieved over 3 million pounds of thrust, enough to make it the largest single stage ever fired by America.

Both these tests have given credence to industry and Government claims about the reliability and high gain of solid propellant motors when compared to liquid fueled competitors.

Thiokol plans to test a still larger motor, its 260-inch, later this summer at its Georgia facility. This motor will develop over 3 million pounds of thrust over a burning time of about 2 minutes. This single stage could propel 55,000 pounds into orbit by itself.

In considering various applications to which these huge boosters could be put, Thiokol engineers say a cluster of six, 260-inch motors could provide a booster with a first-stage thrust of 44 million pounds. This complex could lift a space vehicle and second or third stages weighing a million pounds into earth orbit.

No liquid fueled system anywhere near the testing stages has the ability to lift such tremendous weight at the present time. It is conceivable, however, that within several months, Thiokol could prepare to test one of these massive boosters.

Certainly it is time that Congress, the Department of Defense, and NASA take a second look at announced cuts in the large solid booster program. I am informed that for reasons of "economy," Congress will not receive budget requests for solid fuel programs in boosters. We are urged to fund only liquid fueled motors. Solid fueled rockets are important as far as the military is concerned. Certainly the national space program can benefit by use of the technology we have gained in the Minuteman and Polaris programs.

I most strongly urge the administration and Congress to take a second look at the obvious application to space exploration which solid propellants can offer.

Greater future reliance on solid fuel rocket motors could serve the double purpose of closing the thrust gap that now exists between ourselves, the Soviet Union, and reducing the cost of placing huge space vehicles in orbit.

Out of the $5 billion space budget, I believe we must find funds which can be devoted to a continuation of the improvement of solid fuel technology. Such a program will cost less than one-tenth of 1 percent of our space expenditure.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 12 O'CLOCK NOON ON MONDAY, MARCH 15, 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

REVIEW BY SENATOR GRUENING OF THE BOOK "RUSSIAN AMERICA: THE GREAT ALASKAN ADVENTURE, 1741–1867"

Mr. HOLLAND. Mr. President, I am glad I happened upon an article in the Book Review magazine of the Washington Post of last Sunday, March 7. The article, entitled "Large Bear Tracks in the 49th State," was written by our able colleague, the Senator from Alaska [Mr. GRUENING], who, besides all his other accomplishments, is a talented writer, as all Senators know. This particular review is of a new book about Alaska, our 49th State. The title of the book is, "Russian America: The Great Alaskan Adventure, 1741–1867," and the way in which Senator GRUENING describes it, it is a book that all of us will, I am sure, read with much enjoyment.

The book was written by Hector Chevigny, who is also the author of two earlier most interesting books about Alaska that I have had the privilege to see: "Lost Empire: The Life of Nikolai Rezanov," and "Lord of Alaska: Baronov

and the Russian Adventure." The latter book describes the settlement, exploitation, and attempted permanent occupancy of Alaska, which were in Baronov's mind but which, of course, did not develop; and all Americans are happy that they did not.

I feel certain that the history of Alaska, entrancing as it is, is not well known to most Senators or to the American public generally. Alaska is the first place where the clash between the Great Bear of Europe and Asia and the new democracy of the New World took place.

I ask unanimous consent that Senator GRUENING'S review of Chevigny's new book be printed at this point in the RECORD.

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

LARGE BEAR TRACKS IN THE 49TH STATE

(By ERNEST GRUENING)

("Russian America: the Great Alaskan Venture, 1741–1867," by Hector Chevigny, Viking, 274 pages, $5.95.)

No one in our day has done so much to publicize the neglected Russian occupation of North America as Hector Chevigny. His two previous excellent volumes, "Lost Empire: The Life of Nikolai Rezanov" and "Lord of Alaska: Baronov and the Russian Adventure," used the biographical method in recording the lives and works of two of the three outstanding figures of the Russian episode. Now he has covered the entire period from the discovery of Alaska by a Russian expedition headed by Danish-born Vitus Bering in 1741 to the close of the Russian rule with the sale of "Russian-America" to the United States in 1867.

This knowledgeable compilation while adding little new to the facts brought out 80 years ago by Hubert Howe Bancroft in his massive history of Alaska and in the subsequent research of Frank Golder, nevertheless supplies for the first time a readable, interesting, comprehensive account of a little-known chapter in history which is increasingly pertinent in view of the subsequent and current developments in that growingly important area.

Russian-American relations have changed greatly since the negotiations for the transfer began in the 1850's, and are likely to change again in the future. Both geography and history make the earlier period significant, and Chevigny has rendered a real service in making it pleasingly available to the general reader. Only specialists will now trouble to pore through Bancroft—definitive as his work is to date—and the variety of autobiographical narratives, many of them untranslated, of the earlier participants in the far northwestern adventures. But Chevigny's popularization makes it possible for that growing number of Americans and others whose eyes are turned to the 49th State and who wish to be informed about it to start at the beginning of the last discovered populatable area on earth.

One would expect valuable material from the hitherto untranslated and unanalyzed Russian sources. But the Russians have shown little interest in portraying a venture that ended in failure—the only retreat in centuries of unremitting Muscovite expansion. Yet considering the times, the distances, and the other complicating factors, the Russian performance is by no means discreditable. Indeed it contrasts not unfavorably with the shocking neglect and discrimination that characterize the performance of the United States toward Alaska for the remainder of the 19th century, little improved in the 20th, until the colonial policies visited on "the last frontier" induced a political revolt on the part of Alaskans which culminated in statehood.

One of the most useful contributions of Chevigny's latest work is the account of what the Russians did in their last 50 years. The lives and actions of Rezanov and Baranov have hitherto overshadowed the Russian-American exploit. Rezanov died in 1807 and with him a possible great future for his country's entry into the Western Hemisphere. Baranov was relieved and died in 1818, a victim of intrigue and ingratitude. But the following half century saw the rise of another great figure whose life could well and deservedly constitute a third Chevigny biography—that of Joann Veniaminov, dedicated priest, educator, historiographer, scientist, administrator, bishop, and later metropolitan of the Russian Orthodox Church—the outstanding "mover and shaker" in the era of naval governments of Russian-America that followed Baranov. Chevigny brings out how his leadership tended to transform Russian-America from an exploited commercial appendage into what might have become an outpost of Russian civilization.

International events changed all that, and who shall gainsay in the 20th century's third quarter—despite grave past errors and omissions—that they have not been for the better? In attaining, at long last, the promised equality of statehood, Baron Edouard de Stoeckl's "sucked orange" which he sought to sell to the United States, and "Seward's Folly" which Uncle Sam reluctantly bought, proved, by the extension of democracy to the continent's farthest north and west that America was still young, still dynamic, still on the march, and no less dedicated to the principles which gave our Nation birth.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

THE STRANGE ACTIONS OF GENERAL DE GAULLE

Mr. SYMINGTON. Mr. President, every thinking American views with increasing regret the continuous antagonism against the United States, as expressed in the acts as well as the words, of Gen. Charles de Gaulle, head of the Republic of France.

General de Gaulle has been one of the outstanding leaders of his country since 1940, when the Germans forced France into defeat. His record has been one of courage and patriotism. He is the last of the Allied leaders of World War II to survive and continue in a position of great power and influence.

I have long been one of the general's admirers, because he brought France from a time of defeat and disintegration to a period of great influence. It is probably fair to say that his dedication to the reestablishment of France as a great power has been the guiding motivation of his life.

When General de Gaulle, in exile, was the leader of the free French in their fight against Hitler's Germany, he had in mind not only that his country should be freed of the German invaders, but also that France should be restored as a great power in the councils of the Allied powers; and his actions were always devoted to this end.

When General de Gaulle returned to France at the end of the war, he started that nation toward recapture of its former glory. And by the time the general left office in 1946, although he had not managed to restore France to her prewar eminence, he had assured her of a permanent seat in the Security Council of the United Nations and had given her a strong voice in the councils of the occupying powers.

During the following 12 years, when General de Gaulle was out of office, the French Government often seemed without a leader. The continuity of its government was interrupted by a succession of Prime Ministers who literally changed with the seasons. The French empire was in the process of disintegration.

But when the general returned to power in 1958, he stabilized French domestic politics and brought order to the process of liquidating her overseas empire.

He managed to preside over the last phases of that liquidation in such a way as to maintain French influence in her former colonial areas, and largely to preserve the French cultural influence overseas. To many, including students of those countries which once constituted French Indochina, this was one of his most extraordinary accomplishments.

For all these things one would commend General de Gaulle. But it is not the purpose of these remarks to praise this man, because I believe his greatness is now being tarnished by his efforts, at the expense of his friends and allies, to attain world power for his nation.

In his ambition to have France treated as a great power General de Gaulle has distracted the French people from their domestic problems; and his emphasis on French independence and nationalism is destroying much of the hope of the world for a permanent peace.

Nationalism is a force which can destroy as well as build; and it is a fact that, in this world today, General de Gaulle has carried his nationalism to the point where he is destroying the shield of NATO, fragmenting Western Europe, participating in the disintegration of the United Nations, and destroying confidence in the world's monetary system.

I would hope, Mr. President, that someone could make General de Gaulle see that his place in history will be determined by the productive things he can do, not by his able use of the crowbar and the hammer to destroy the hopes of Western civilization.

General de Gaulle's greatest disruptive influence has been in the political field. It was in September 1958, that he told President Eisenhower and Prime Minister Macmillan he believed the United States, the United Kingdom, and France should develop a world strategy which would, in effect, provide for the great power domination of smaller nations and other regional groupings. Apparently he has never gotten over the rejection, by the leaders of the two countries that saved his country, of his proposal for such a grand alliance.

In any case, he has been increasingly bitter in his attacks on the U.S. policies in Latin America, the Congo, Cyprus, and in the Far East.

In lieu of cooperation with the United Kingdom and the United States, he now seems firmly resolved to keep both Great Britain and the United States out of Europe, so as to preserve that domain of influence exclusively for France.

In the military field General de Gaulle has been trying to develop his own nuclear capacity, and has been unwilling to even discuss, let alone work out, reasonable plans for the joint use of his nuclear force with those of NATO.

He has associated himself with Communist China in refusing to sign the nuclear test ban treaty.

In the councils of NATO in recent years General de Gaulle has failed the alliance. Denying that he wishes to destroy it, he has nevertheless failed signally to meet its goals.

He has fallen short in meeting French ground force goals by some 12 divisions.

He has disengaged French naval forces from NATO command.

He withdrew the French Mediterranean fleet from NATO in March of 1959.

In June of 1963 he announced the withdrawal of the French Atlantic and Channel Fleet from SACLANT command.

And in April of last year he withdrew all French naval officers from alliance command positions.

More recently, he has refused to let the French participate in important NATO naval exercises.

It is sad but true that after France had made extensive commitments to NATO, and had permitted the construction of basic communications and transportation facilities in France. General de Gaulle is now in the process of destroying that organization itself.

It is he who has seriously impaired European confidence in the American commitment, in the North Atlantic Treaty, to come to their defense should they be subject to military attack.

Nor has General de Gaulle offered anything in the place of that commitment. Indeed, while talking of the need of European unity, and the desirability of Europe standing on its own feet, time and again he has opposed practical steps toward that end.

Apparently the Europe he envisages is a Europe dominated by France.

It can only be a matter of time until this attitude destroys the movement toward European unity and substitutes for it that violent nationalism which has twice within the century brought devastation to Western Europe and promoted Nazi and Communist imperialism.

The tragedy is that all this occurs at a time when the West was achieving tremendous progress toward creation of an Atlantic community which could have become the framework for promoting the total Western ethic.

As the situation in the United Nations goes from serious to critical, it is essential that Western nations equip themselves jointly to meet those threats which have been making much headway in the underdeveloped world.

If the West cannot stick together in meeting Communist aggression in all its forms, whether in Malaysia, Vietnam, or a former French colony in Africa such as Mali, we could all well fall separately; and fall at a time when the monolithic nature of communism itself is more and more becoming a myth.

On the economic side General de Gaulle thinks not in terms of a European community, or an Atlantic community. Rather he seems to believe that somehow each country can work out for itself relationships which on their overall impact will benefit all nations. He carries this so far, however, that the only nation he seems to want to benefit is France. As but one example, there is serious doubt whether the French have any desire to see the Kennedy round succeed.

At this time, when General de Gaulle is disrupting the activities of NATO in Europe, he has also disengaged France from SEATO. In fact one can now safely predict that he will oppose almost any American policy.

Most recently, the general's antagonism toward Britain and this country has reached new heights. He knows that, whereas in the past 30 years the amount of world gold has risen but $14 billion, world trade has risen some $250 billion. Nevertheless he demands that we return to a pure gold standard; and is currently subjecting the United States to a series of complicated and dangerous actions in the field of international monetary affairs.

The record shows that France too has had economic troubles; and that record also shows that the policies of the United States have been consistent in effort to support French effort to handle those troubles.

In that connection, I ask unanimous consent that an article, "French Franc's Record Poor," by Miss Sylvia Porter, be printed at this point in the RECORD.

I also ask unanimous consent that a statement, "France and the World War I Debt," be printed at this point in the RECORD.

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

[From the Washington (D.C.) Star, Feb. 28, 1965]

FRENCH FRANC'S RECORD POOR

(By Sylvia Porter)

A central aim of President de Gaulle's latest exercise in knifethrowing at the United States is to give the world the impression that France is dealing from a position of great economic stability, that the French franc is a powerful currency and the U.S. dollar is no longer to be trusted as the pivot for the West's monetary system.

This objective is implicit in De Gaulle's painstaking efforts to dramatize to the fullest France's exchanges of accumulated U.S. dollars into our gold and in De Gaulle's proposal that the world return to the long-discredited system of settling international financial accounts only in gold.

But what are the facts about France's economic stability and economic independence, her currency record and gold habits? Here are the facts which show that De Gaulle's knives are made of soft rubber, not steel.

RECORD IS POOR

France's franc: The franc's record during the 20th century has been awful. Between 1910 and today the French franc actually has lost 99 percent of its value in terms of the U.S. dollar—99 percent. Specifically: 1910, 20 cents; 1920, 9 cents; 1930, 4 cents;, 1940, 2 cents; 1950, three-tenths of a cent; 1960–65, two-tenths of a cent.

In 1960 France decreed that 100 old francs be turned in for one "new" franc in order to make the currency look harder. With the zeros arbitrarily erased, the "new" franc is now worth 20 cents—but that doesn't alter the record.

France's gold habits: Because the paper franc has been so untrustworthy, the French people have traditionally been major hoarders of gold; they don't even trust their banks. For the same reason, the French Government has traditionally tended to hoard gold. There's nothing extraordinary about De Gaulle's affection for gold. Incidentally, France doesn't use her gold to help develop world trade—as we do, and as England has done. The French are just hoarders.

France's economic independence: France has been one of the leading beneficiaries of the post-World War II international currency system and network of central bank cooperation.

Without the help we have given in aid, in investments, and in currency assistance, France couldn't possibly have rebuilt her economy, expanded her trade abroad, accumulated U.S. dollars. Whatever strength she has today can be traced in large part to us.

France's economic stability: Only a few statistics will demolish De Gaulle's exaggerations here.

UNITED STATES OUT IN FRONT

Between 1958 and 1964, the cost of living in France jumped 28 percent. In the United States the cost of living rise was 8 percent—almost stability over so prolonged a time in an economy as complex as ours. In the same period, wages in France rose 56 percent. The rise in this country was 13 percent. The increase in France's money supply (the fuel of inflation) in 1958–64 was 116 percent. Our increase was held to 13 percent.

Obviously, we glitter in comparison. Obviously too, France isn't even in our league when it comes to economic output, foreign trade, size of gold reserves, and of capital markets.

It could be that De Gaulle's soft rubber knives will irritate us into speeding up essential reforms and refinements of the free world's monetary system. If so, that'll be a plus.

Meanwhile, though, as De Gaulle rereads ancient monetary history, he also might reread the ancient Greek myth of Midas.

King Midas, you may recall, found the miraculous power to turn everything he touched into gold—such a curse (even his food became gold) that he had to beseech his patron god for deliverance.

FRANCE AND THE WORLD WAR I DEBT

As of June 30, 1964, approximately $4.5 billion was due and unpaid on the French World War I debt to the United States. This figure represents about $1.9 billion in principal and $2.6 billion in interest. In addition there is close to $2 billion in unmatured principal still outstanding. Prior to 1932 (the Hoover moratorium), France paid slightly over $226 million in principal and $260 million in interest.

By way of background, on April 29, 1926, the United States and France entered into an agreement to refund the latter's World War I debt of $3.3 billion plus unpaid interest. This agreement provided for the issuance of bonds in the principal amount of $4,025 million repayable over a period beginning June 15, 1926, and ending June 15, 1987. Interest on the bonds payable semiannually, was to be 1 percent beginning on June 15, 1930, with the rate gradually increasing over the amortization period and finally reaching 3½ percent during the last 22 years.

France made payments of principal and interest on these bonds up to June 15, 1931. The payments of interest due on December 15, 1931, and principal and interest due on June 15, 1932, were postponed pursuant to the provisions of an agreement concluded with France on June 10, 1932, under the authority of the Hoover moratorium (47 Stat. 3, Dec. 23, 1931). The agreement provided that the $50 million due during this period was to be repaid in 10 equal annuities at 4-percent interest beginning in 1933.

On December 14, 1932, the French Chamber of Deputies adopted a resolution which deferred the interest payment due the next day. The following June, the French defaulted on interest and principal and no payments have been made since.

Mr. SYMINGTON. Mr. President, is it not ironic that France, twice saved from foreign domination and twice reconstructed after the demolition of war, should now turn on its chief benefactor, and seek to destroy our stability as well as our influence?

The general does not confine himself to criticism of American policy on important matters. He and those people operating under his direction seem to be making it a fetish to be anti-American. State-owned French radio and television networks now present American policies in a distorted and unfriendly way, and go to great lengths to be friendly to those nations most opposed to the West.

Mr. President, I could continue in this vein, but it is not my purpose to attack General de Gaulle in anger. I make these remarks more in sadness. It seems only yesterday that during the Battle of Britain I saw the tall and impressive figure of the general moving through the streets of London, a true hero to all those desiring to preserve liberty.

I am sad because there is so much to bind the French and we Americans together. This Nation owes many of its present freedoms to the ideas which our forefathers took from his country. Our language is filled with French phrases, our aims and ambitions with French thought. We have been so proud to have the French as our friends.

General de Gaulle has vast opportunities, for good or for evil. What a tragedy that the direction his policies have been taking during recent years may be throwing out the last great opportunity for peace, along with the preservation of the values of our Western society.

Surely we have the right to ask, "What will it gain you, or the French people, or any free people, if you succeed in your continuing economic and political aggression against the United States?"

Everyone knows that President Johnson is working around the clock to establish a just and lasting world peace. Working in turn together, the Presidents of these two great Republics could give vital leadership to the attainment of that goal.

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

Mr. SYMINGTON. I am glad to yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I have listened with interest. I have also read several times the speech which the distinguished senior Senator from Missouri has just made.

I can see in his remarks and in the reading of his speech how torn he is between his admiration for a great man and his concern, if not dismay, at some of the policies which President de Gaulle has adopted in recent years.

I would agree with the distinguished Senator that there is room for more cooperation between the United States and France. I would say further that as far as this country is concerned, as the Senator has so cogently indicated, President Johnson has shown that he is ready to go more than halfway to arrive at an understanding which will be beneficial to both countries.

The questions affecting the Congo and Cyprus, are most pertinent. The question of the gold outflow is of tremendous significance. In that respect I commend the distinguished Senator for a series of speeches he has made on this subject, speeches which, in my opinion, have received all too little attention, speeches which are entitled to a great deal of consideration.

This is one of the most important problems which confronts our country at the present time, and this is one of the matters which has caused a significant difference between the United States and General de Gaulle.

I hope the effect of this speech would be read and considered with great care. I commend and compliment the distinguished Senator for performing a public service on a subject to which I am sure he had to give much consideration and much soul searching.

Mr. SYMINGTON. Let me express my deep appreciation to the distinguished Senator from Montana, one of the most respected Members of this body, and especially in the field of foreign relations.

As he knows, the core of the defense of the West lies in NATO and its military adjunct, SHAPE.

Under the regime of the great man who is now President of France, his policies nevertheless have reduced the power and the position of NATO to a point where, unless the previous standards designed to justify its expensive existence were entirely wrong, SHAPE is now incapable of defending Europe, on the basis of those original plans.

In our way of life, our physical strength can only come from our economic strength; and I would hope that President de Gaulle believes the overall strength of the United States is important to all free people.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTECTION AGAINST OFFICIAL VIOLENCE ACT

Mr. JAVITS. Mr. President, I send to the desk, for appropriate reference, and ask that it may be appropriately referred, a bill to deal with the question of excessive police action and what might be done about it in the Federal Establishment, entitled "Protection Against Official Violence Act," introduced by myself, the Senator from California [Mr. KUCHEL], the Senator from New Jersey [Mr. CASE], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Hawaii [Mr. FONG], the Senator from Colorado [Mr. ALLOTT], and the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1497) to protect civil rights by providing criminal and civil remedies for unlawful official violence, and for other purposes, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

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 "Protection Against Unlawful Official Violence Act."

PROTECTION AGAINST VIOLENCE UNDER COLOR OF LAW

SEC. 2 (a) Section 242 of title 18, United States Code, is amended by inserting "(a)" immediately before "Whoever", and by adding at the end thereof the following:

"(b) Whoever, under color of any law, statute, ordinance, or regulation or custom knowingly performs any of the following acts depriving another person of any of the rights, privileges, or immunities secured by the Constitution and laws of the United States shall be fined not more than $1,000 or imprisoned not more than one year, or both:

"(1) Subjecting any person to physical injury for an unlawful purpose;

"(2) Subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody;

"(3) Subjecting any person to violence or maliciously subjecting such person to unlawful restraint in the course of eliciting a confession to a crime or any other information;

"(4) Subjecting any person to violence or unlawful restraint for the purpose of obtaining anything of value;

"(5) Refusing to provide protection to any person from unlawful violence at the hands of private persons, knowing that such violence was planned or was then taking place; or

"(6) Aiding or assisting private persons in any way to carry out acts of unlawful violence."

(b) The enactment of this section shall not be construed as indicating an intent on the part of the Congress to prevent any State, any possession or Commonwealth of the United States, or the District of Columbia, from exercising jurisdiction over any offense over which they would have jurisdiction in the absence of the enactment of this section.

FEDERAL CIVIL REMEDIES FOR UNLAWFUL OFFICIAL VIOLENCE

SEC. 3. Section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) is amended by inserting "(a)" immediately after "SEC. 1979.", and by adding at the end thereof the following:

"(b) Every city, county, or political subdivision of a State or territory which has in its employ a person who, under color of any statute, ordinance, regulation, custom, or usage of such State, subjects, or causes to be subjected, any citizen of the United

States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress to the same extent as the person employed is liable to the party injured."

PROTECTION OF FEDERAL OFFICERS AND UNIFORMED MEMBERS OF THE ARMED SERVICES FROM INJURY AND THREATS

SEC. 4. (a) Chapter 73 of title 18 of the United States Code is amended by adding at the end of such chapter the following new section:

"§ 1510. Injuring or threatening to injure officers of the United States

"Whoever, by force, intimidation, or threat, prevents or attempts to prevent any person from accepting or holding any office, trust, or place of confidence under the United States, or attempts to induce by like means any officer of the United States to leave the place where his duties as an officer are required to be performed; or whoever injures or attempts to injure or threatens to injure any such person or the property of such person on account of the lawful discharge of the duties of his office, or while such person is engaged in the lawful discharge thereof; or whoever injures or attempts to injure or threatens to injure the property of any such person so as to molest, interrupt, hinder, or impede such person in the discharge of his official duties shall be fined not more than $5,000 or imprisoned not more than six years, or both."

(b) The analysis of chapter 73, immediately preceding section 1501 of title 18 of the United States Code, is amended by adding at the end thereof the following:

"1510. Injuring or threatening to injure officers of the United States"

(c) Section 1114 of title 18 of the United States Code is amended by striking out "officer or enlisted man of the Coast Guard" and inserting in lieu thereof "uniformed member of the Army, Navy, Air Force, Marine Corps, or Coast Guard".

Mr. JAVITS. Mr. President, we have together made the following statement:

The tragic week in Selma, Ala., which began with the brutal suppression of a peaceful march for voting rights last Sunday and is seemingly ending with a Boston clergyman, attacked by segregationist toughs, lying mortally wounded—has shocked all decent citizens. Such acts also demonstrated once again the total inadequacy of our Nation's law in the field of excessive police action, as have the attempts to prosecute those accused of murdering three civil rights workers in Mississippi last summer.

It is a travesty on our Constitution that the question can be asked—as it is by thousands of our constituents every day: "Why can't the Federal Government put a stop to this kind of thing?"

The answer is that, short of sending in Federal troops, Federal law is not adequate to meet this kind of deprivation by violence and terror of the rights guaranteed by the 14th and 15th amendments, and that without law our Constitution is not sufficiently self-enforcing.

The bill we are introducing today would remedy the most glaring defects in the law to give the Federal Government, and the victims of unlawful official violence, a series of remedies against the kind of police terror seen in Selma last Sunday.

(At this point Mr. TYDINGS took the chair as Presiding Officer.)

Mr. JAVITS. Mr. President, the bill carries out the unanimous recommendations of the U.S. Commission on Civil Rights in its exhaustive report on the Administration of Justice in 1961 and repeated in its 1963 report. The bill would:

First. Amend the existing criminal statute—section 242 of title 18, United States Code—which prohibits deprivation of constitutional rights, to make that provision specifically applicable to particular unlawful acts of police officers. The statute was restrictively interpreted by the Supreme Court in the case of Screws against United States to require specific intent to deprive of a constitutional right, rather than the usual general criminal intent, and the bill would remedy that defect so as to make the statute usable.

The Screws case involved the killing of an individual by a sheriff. The Government contended and a jury found, that the killing was in violation of section 242. The Supreme Court reversed the verdict and the sheriff was released because no proof had been given that he had killed the man with the specific intent to deprive him of a particular constitutional right. Therefore, in order to deal with that decision, we seek to amend the law.

The acts specified as crimes would include: Subjecting any person to unnecessary injury for an unlawful purpose, subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody, refusing to provide protection to any person from unlawful violence at the hands of private persons, knowing that such violence was planned or was then taking place, or aiding private persons in any way to carry out acts of unlawful violence. That would cover, of course, the situation alleged to have taken place with respect to the three young men murdered in Mississippi last summer.

Second. Amend the existing civil statute—section 1973 of title 42, United States Code—to make any county, city, or other local government entity jointly liable for damages in suits by victims of police brutality against its police officers.

At present, the statute, which authorizes such civil suits only against the officers for deprivation of constitutional rights, is virtually useless because few such officers are able to pay a substantial money judgment. The bill would correct this situation in conformity with the usual rules of agency law, under which an organization is liable for the unlawful acts of its employees.

Third. The bill would also protect officers of the United States who are not covered by laws prohibiting interference with the carrying out of their duties, such as various attorneys of the Department of Justice and members of the armed services, other than the Coast Guard, which, interestingly enough, is the only one now covered. Some years ago an attorney of the Civil Rights Division of the Justice Department was beaten and injured during a civil rights crisis and the absence of this criminal sanction was underscored, as it is today, with members of the Division continually required to be present in crisis situations which may explode into violence.

Mr. Doar, whose nomination we recently confirmed as head of the Civil Rights Division of the Department of Justice, was himself present in the confrontation yesterday between the marchers and the police at Selma, Ala. He could have easily became involved in an element of violence at that time, standing there as a distinguished and important officer of the United States.

That completes the statement made jointly by the Senators who are introducing this bill.

The people of the country have reacted strongly and quite properly to the terror in Selma, Ala., with complete understanding that enforcement of the law does not require excessive action. Indeed, it would throw the law into disrespect and jeopardize its enforcement if there was excessive action or the substitution of terror for law. There has been a great outpouring of indignation and protest by many Americans of the most distinguished kind, especially clergymen, priests, and nuns, joining with the marchers in Selma to give a demonstration of solidarity not too frequently seen—even in our own country—which certainly should give the people locally great pause.

Nonetheless, it is true that people still have the right to look to us and say, "Have you examined your own laws under the Federal Establishment?" They know full well that we cannot have a national police force and that we cannot substitute ourselves for the local police. Nonetheless, people still have the right to say to us, "Have you looked over the National Establishment to do everything that you can to see that there are more safeguards than apparently now exist against this kind of situation?"

With my colleagues, we have looked over our laws and the recommendations of the U.S. Commission on Civil Rights and we have come forth with these tightening and correcting revisions which we believe can be helpful in this situation.

At the very least, they will serve clear notice to those who participated in what happened to the marchers in Selma, that they cannot shrug off their responsibility on the ground—heard so often wherever terror has been perpetrated—that it was done on orders of their superiors. The individual has a duty, too, when he is asked by his superiors to commit an act which is obviously questionable on its face in terms of morality, and equally questionable in terms of the law.

As this affects debate and the fundamental right of citizens of the United States, and as it relates to the safety and security of every American—as has been so dramatically and sharply brought into focus at Selma, Ala.—I know that I speak for all my colleagues, who jointly and as equal partners have introduced this bill, when I say that we have a right to expect early and favorable action by Congress on this bill.

Mr. CASE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I am glad to yield to the Senator from New Jersey.

Mr. CASE. Let me express my appreciation to the Senator from New York for his initiative in this vitally important matter and to state for myself—and I know for all Senators who cosponsor his

bill—that we shall press to the very limit of our strength and ability to obtain action.

I invite the attention of the Senate to the fact that the proposals made are, in substantial part, a repetition of several proposals which were a part of the package of civil rights bills introduced by a number of Senators in 1963—nearly 2 years ago—at which time a number of Senators introduced special bills, particular individual bills, and other Senators cosponsored them.

The Senator from New York [Mr. JAVITS] introduced a bill which included the specific provisions which he is introducing today as a part of this proposed legislation.

I hope very much that we shall have action—and we shall certainly do everything we possibly can to see that we will get it—by the Judiciary Committee of the Senate, and by the Senate itself, in the light of the evidence, so that it will no longer be possible for individual officers, special deputies, and the governmental units which employ them, to engage with impunity in depriving American citizens of their constitutional rights.

Mr. JAVITS. I am grateful to the Senator from New Jersey.

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

Mr. JAVITS. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I am very happy to join the Senator from New York, the Senator from New Jersey, and other Senators in the introduction of the bill. As the Senator has said, it is a very appropriate time, if late, to introduce the bill and to obtain action on it, coming as it does after the examples of the excessive brutality and force, of which the whole Nation has been informed in the last few weeks.

I may say that this kind of action has not only occurred in the last few weeks, because all of us remember that 2 years ago we were shocked by similar examples of force and brutality in Birmingham.

This type of bill might seem to represent or to pose a dilemma, because we do know that States and communities, under their police power, have the authority to enact legislation and adopt ordinances which place limits upon demonstrations. Yet, as I said on the floor 2 years ago, at the time of the Birmingham incident, we can hardly suppose that ordinances are adopted or ought to be adopted to prevent expressions by people seeking to exercise their constitutional rights. I do not think this is contradictory, because the purpose of the bill is to secure carefully the constitutional rights of persons who may be seeking to exercise other constitutional rights—for example, the right to vote.

The purpose of this bill is to provide restraint upon official persons who use excessive force and brutality, and by carrying out the unanimous recommendations of the 1961 report of the U.S. Commission on Civil Rights, repeated in 1963, it would also protect officers of the United States who must carry out their duties in connection with situations in which citizens seek to exercise constitutional rights.

The substantial problem at the base of all these demonstrations, and the violence that follows is the failure of the States to give to the citizens their right to vote. If Alabama and other States wish to avoid these problems, as they protest, there is a simple remedy, and that is to give the people an effective means of registering and to provide full opportunity to exercise the right to vote. I believe that is the basis of the whole problem.

I hope very much that there will be enacted at this session of Congress a voting law which can be effective. I know that my friends who have spoken, the Senator from New York and the Senator from New Jersey, along with many others of our colleagues, have introduced bills and have worked for them for several years. Although laws were enacted in 1957, 1960, and 1964, the voting rights of all of our citizens are not yet assured, and this Congress must work to fulfill this responsibility.

I know that we will join together again to obtain, so far as it is possible in Congress, the assurance that voting rights will be confirmed to all of our citizens who have the right to them, and I believe that this is an important step toward meeting these needs and securing these rights.

Mr. JAVITS. Mr. President, I am grateful to my colleague from Kentucky. I am grateful to both Senators who have spoken. They have distinguished reputations for fairplay, as well as knowledge of the law, and represent tremendous forces for righting injustice in this country, and have manifested them constantly in their extremely important and active participation in matters of this kind.

We are also cognizant of the fact that other legislation is needed to deal with the deprivation of voting rights, which is at the root of the marches and other activities which have engendered such dreadful situations as the marches around Selma, Ala. We shall in due course deal with that aspect, and we will do so in the same spirit in which we are introducing the present bill. We felt that because the proposed legislation, which had been agreed upon among ourselves, was ready, and urgently required, it was our duty to offer it as promptly as possible. We have done so, even though we realize that it is a part, rather than the whole, of what will have to be done by legislation.

Mr. CASE. Mr. President, will the Senator yield further?

Mr. JAVITS. I am happy to yield to the Senator from New Jersey.

Mr. CASE. I ask the Senator to yield to me again only because I wish to underscore what the Senator has said and what the Senator from Kentucky [Mr. COOPER] has said about the need for further Federal legislation to make effective the voting rights of all American citizens.

It has been weeks, and perhaps months, since we have had assurance from the highest quarters in Government that such legislation would be proposed with the support of the administration. We have yet to see a bill. We do not say that our action is being taken on a partisan basis. Members of the party represented by the majority on the other side of the aisle feel very strongly about this situation. We shall continue to press the administration to come forward with its specific legislative proposal in the voting rights field. This is absolutely essential. We cannot any longer tolerate the deprivation of voting rights in any part of the country based upon color, national origin, or any other improper or discriminatory tests.

A number of us have proposed specific remedies to the Department of Justice. We have yet to hear from the Department or to get its views. Time is fast running out—indeed, I think it has run out—when we should have legislative proposals from them, so that Congress may consider them, and not wait until the pressures which have expressed themselves so far in a very moderate way, horrible, as some of the incidents have been, are impossible to contain.

Finally there is a certain type of mind which tries to look upon incidents like the Selma incident as occurring in a vacuum, considering only whether the march was a lawful one.

This is as if people were to look upon the Boston Tea Party from the standpoint of whether the participants were breaking a Massachusetts law or a Boston ordinance, without regard to the fact that they were protesting the deprivation of one of the great rights of human beings.

Great as were the rights that were being violated and which gave rise to the Boston Tea Party, far greater are the rights that have been violated for generations, and which gave rise to the protests 2 years ago in Birmingham and now in Selma. Unless we get right with ourselves and recognize the root causes, we shall find ourselves in much worse trouble as a country than we have up to the present time.

I hope very much that action will be taken on the proposed legislation, and on the matter of voting rights.

Mr. JAVITS. I am very grateful to the Senator from New Jersey. I know that he feels as both the Senator from Kentucky [Mr. COOPER] and I do. We have always done our utmost to contribute in a legislative sense to the efficacy of what is done, both procedurally and substantively. It would certainly be very simple for us this afternoon, at the same time that we introduce this bill, to introduce what we believe to be the proper prescription for the voting right. But we have a deep sense of responsibility with respect to this subject. We wish to see it prosper. So we felt it was the prudent and advisable thing to proceed along this line, which apparently was not being discussed in other quarters, and which seems peculiarly to us to require being done, at the same time that we are considering a greater means for implementing the opportunity to obtain the voting right.

I join the Senator from New Jersey [Mr. CASE] and the Senator from Kentucky [Mr. COOPER] in their assertion of its critical importance to the survival of our Nation's freedom.

It is an old adage that when a right is denied to any minority, it is denied to

every one of us, whether a member of a minority race, color, religion, or otherwise. Therefore, it is of critical importance to the health of our country as well as to justice in our country that the voting right be secured at long last.

On the question of excessive police action, I should like to conclude by saying that where police in a community, by excessive action, in effect take the law into their own hands, not only the Negro community, which happens to have been the immediate object of it now, but also the white community, must beware. This is no way in which law, order, and domestic tranquility may be encouraged in the community.

I deeply believe that it is critically important that we have been assured here on the floor in recent days that there is a great sentiment in the South which begins to see the consequence to the whole society there of these deprivations and what is done in their name. The most fervent hope of any American Senator must be that this stirring of conscience will have a decisive effect, and it would be so much more preferable for everyone—for the Nation—if what is done could be done organically from the local community, or at least the State community itself. One of the things that has distressed me and so many of us the most is that often on the level of government we have had the expression of an idea which has been so incompatible with the search for justice under our Constitution, which I think so many of us have been making here.

Mr. President, I ask unanimous consent that there be printed in the RECORD as a part of my remarks on the bill now introduced, excerpts from the reports of the U.S. Civil Rights Commission of 1961 and 1963 bearing out the necessity for this bill and the recommendations of the Commission on that score.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

FINDINGS, 1961

UNLAWFUL OFFICIAL VIOLENCE

1. The actions of most policemen demonstrate that effective law enforcement is possible without the use of unlawful violence.

2. Nonetheless, police brutality by some State and local officers presents a serious and continuing problem in many parts of the United States. Both whites and Negroes are the victims, but Negroes are the victims of such brutality far more, proportionately, than any other group in American society.

3. While police connivance in violence by private persons is becoming less of a problem than in the past, such denials of equal protection still occur.

4. American citizens in some places live in fear of police violence and of mob violence with police connivance.

5. State and local officials—police commanders, prosecutors, and others in positions of authority—who have the immediate responsibility and most effective means for preventing such abuses sometimes do not use their powers. Police commanders at times take a protective attitude toward miscreant officers, and local prosecutors rarely bring criminal actions against them.

THE PROFESSIONAL QUALITY OF STATE AND LOCAL POLICE FORCES

6. The most effective "remedies" for illegal official violence are those that tend to prevent such misconduct rather than those which provide sanctions after the fact. The application of professional standards to the selection and training of policemen is one such preventive measure.

7. Complaints rarely are made against Federal police agents, in part because these officers have had professional training and have been selected according to professional standards.

8. The professional level is high in some States and local police forces also, but in many others it is low due to low pay, ineffective recruit selection standards and ineffective training programs.

9. The establishment of professional standards for police forces can be aided by such positive programs as good pay, high recruit selection standards, and training in scientific crime detection, in human relations, and in police administration. These programs would be encouraged by Federal financial assistance to police departments that seek the development of more effective selection standards and training courses.

FEDERAL CRIMINAL REMEDIES FOR UNLAWFUL OFFICIAL VIOLENCE

10. Although many acts of violence by policemen are violations of constitutional rights and of Federal statutes, the Federal criminal sanctions for such misconduct have not proved to be effective remedies. This is due to difficulties inherent in the cases such as the problem of proof; to the policies and procedures of the Department of Justice; and to weaknesses of the statutes.

11. Among the policies and procedures of the Department of Justice that have hampered Federal criminal prosecutions for unlawful official violence have been excessive reliance on signed complaints from aggrieved individuals despite the fact that many victims of policy misconduct are unaware of their rights, or fearful to press them; a tendency to close some cases without complete investigation; and deference to State authorities which results in withholding any investigation pending State action even at the risk of allowing evidence to grow stale.

12. FBI agents, charged with the duty of Civil Rights Acts investigations, are sometimes placed in a difficult position when they must investigate allegations of misconduct against local policemen. The cooperation of local officers is essential to the FBI in investigating and apprehending those who violate Federal criminal statutes not related to civil rights. Moreover, victims and witnesses of police misconduct are sometimes hesitant to give information to Federal authorities because of the cooperative relationship between the FBI and local policemen.

13. Since section 242, the principal criminal Federal Civil Rights Act defines only a misdemeanor, prosecution can be instituted by information (a sworn statement setting out the specific charges against the defendant) as well as by grand jury indictment. The former method avoids the delay and the hazard of one more hostile jury, involved in a presentment to a grand jury, and allows the facts to be brought to the attention of the affected community in a public trial. An information has been used by the Department of Justice only once and then successfully.

14. Difficulties also arise from the language of section 242, as interpreted by the Supreme Court in *Screws* v. *United States*. The requirement of "specific intent"—as opposed to the usual general criminal intent—for conviction under the statute severely limits the statute's applicability. Moreover, there is confusion among judge, jurors, and lawyers as to the meaning of specific intent. Some Federal trial judges have issued instructions to juries which seem to interpret specific intent more narrowly than is required by the Screws decision.

15. A more specific statute supplementary to section 242 spelling out certain conduct proscribed by the 14th amendment would more effectively protect the constitutional right to security of the person against official misconduct.

FEDERAL CIVIL REMEDIES FOR UNLAWFUL OFFICIAL VIOLENCE

16. The Federal civil rights acts providing civil liability for unlawful official violence have not proved to be effective remedies. Relatively few suits are filed under the principal civil statute, section 1983, which allows suits by the victims of police brutality against officers for monetary damages. Successful suits are rare.

17. One deterrent to the filing of civil suits is the fact that even if a victim of official violence sues successfully, few police officers are able to satisfy a substantial money judgment. This can be corrected by an amendment to section 1983 which would render counties, cities, and other local governmental entities liable for the misconduct of their policemen.[1]

DISCRIMINATORY EXCLUSION OF MINORITY GROUPS FROM JURY SERVICE

18. The practice of excluding Negroes from juries on account of their race still persists in a few States. The burden of combating such racial exclusion from juries now rests entirely on private persons—almost invariably defendants in criminal trials.

19. Only criminal remedies are available to the Federal Government to combat unconstitutional jury exclusion. The Federal Government has successfully invoked a criminal statute only once, in the late 1870's.

20. Civil actions instituted in the name of the United States would constitute a more effective method of preventing discriminatory exclusion from juries.

RECOMMENDATIONS, 1961

THE PROFESSIONAL QUALITY OF STATE AND LOCAL POLICE FORCES

Recommendation 1: That Congress consider the advisability of enacting a program of grants-in-aid to assist State and local governments, upon their request, to increase the professional quality of their police forces. Such grants-in-aid might apply to the development and maintenance of (1) recruit selection tests and standards; (2) training programs in scientific crime detection; (3) training programs in constitutional rights and human relations; (4) college level schools of police administration; and (5) scholarship programs that assist policemen to receive training in schools of police administration.

FEDERAL CRIMINAL REMEDIES FOR UNLAWFUL OFFICIAL VIOLENCE

Recommendation 2: That Congress consider the advisability of enacting a companion provision to section 242 of the U.S. Criminal Code which would make the penalties of that statute applicable to those who maliciously perform, under color of law, certain described acts including the following:

1. Subjecting any person to physical injury for an unlawful purpose.

2. Subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody.

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[1] *Lincoln County* v. *Luning*, 133 U.S. 529 (1890); *Hopkins* v. *Clemson Agricultural College*, 221 U.S. 636 (1911); *Frame* v. *City of New York*, 34 F. Supp. 194 (S.D.N.Y. 1940). Some States have statutes providing that the victims of mobs may sue the State in local courts for damages so incurred. An example is Ill. Rev. Stat., ch. 38, secs. 512–517 (1959). It is doubtful if liability could be extended by congressional action to State governments. *Hans* v. *Louisiana*, 134 U.S. 1 (1890); *Palmer* v. *Ohio*, 248 U.S. 32, 34 (1918); *In re State of New York*, 256 U.S. 490, 497 (1920); *Monaco* v. *Mississippi*, 292 U.S. 313, 328–30 (1934).

3. Subjecting any person to violence or unlawful restraint in the course of eliciting a confession to a crime or any other information.

4. Subjecting any person to violence or unlawful restraint for the purpose of obtainiy anything of value.

5. Refusing to provide protection to any person from unlawful violence at the hands of private persons, knowing that such violence was planned or was then taking place.

6. Aiding or assisting private persons in any way to carry out acts of unlawful violence.

FEDERAL CIVIL PENALTIES FOR UNLAWFUL OFFICIAL VIOLENCE

Recommendation 3: That Congress consider the advisability of amending section 1983 of title 42 of the United States Code to make any county government, city government, or other local governmental entity that employs officers who deprive persons of rights protected by that section, jointly liable with the officers to victims of such officers' misconduct.

EXCLUSION OF MINORITY GROUP MEMBERS FROM JURY SERVICE

Recommendation 4: That Congress consider the advisability of empowering the Attorney General to bring civil proceedings to prevent the exclusion of persons from jury service on account of race, color, or national origin.

EXCERPT FROM CIVIL RIGHTS COMMISSION REPORT, 1963

JUSTICE

The rights of citizens to speak freely, to assemble peaceably, and to petition government for the redress of grievances are guaranteed by the first amendment to the Constitution. These rights are protected against State encroachment by the 14th amendment. Official actions taken to stop recent civil rights protest demonstrations in the name of peace and order often have infringed upon these protected rights.

To determine the extent of these infringements, and to study the dilemma often caused by the need to guarantee private rights while maintaining public order, the Commission focused its administration of justice study on five cities where protest demonstrations have taken place. They are Birmingham, Ala.; Cairo, Ill.; Baton Rouge, La.; Jackson, Miss.; and Memphis, Tenn. In its study, the Commission found that existing legal remedies for blocking official interference with legitimate demonstrations are insufficient and that protests against civil rights deprivations are being frustrated. The study also demonstrated that effective legal remedies must be fashioned if unwarranted official interference is not to result in the total suppression of constitutional rights to protest.

During its current term, the Commission also investigated the participation of Negroes in the administration of justice. The Commission found that in many places, Negroes have been discriminated against as lawyers; as law enforcement, court, and prison employees; and as prisoners. The results of this study also are presented in this chapter.

Civil rights protests and State action

On February 1, 1960, four college students in Greensboro, N.C., entered a variety store, made several purchases, sat down at the lunch counter, ordered coffee, and were refused service because they were Negroes. They remained in their seats until the store closed. In the spring and summer of 1960, young people, both white and Negro, participated in similar protests against segregation and discrimination wherever it was to be found. They sat in white libraries, waded at white beaches, and slept in the lobbies of white hotels. Many were arrested for trespassing, disturbing the peace, and disobeying police officers who ordered them off the premises. Thus began the sweeping protest movement against entrenched practices of segregation.[1]

Since the equal protection clause of the 14th amendment prohibits State-enforced segregation, it is clear that convictions under a statute or ordinance requiring segregation cannot be sustained.[2] In general, officials who acted to suppress demonstrations in the cities studied did not attempt to apply such laws directly. But any arrest, even without a conviction, operates as a sanction, since the imprisoned protester still must stay in jail or post bail, retain counsel, and defend himself.

The Supreme Court, following the School Segregation cases,[3] has consistently held that State and local governments may not segregate publicly owned or operated facilities.[4] It has recently held that a municipality may not arrest and prosecute Negroes for peaceably seeking the use of city owned and operated facilities.[5] But in both Jackson and Memphis, police arrested protesters seeking desegregated use of public facilities. The charge in most of these cases was breach of the peace or disorderly conduct. In finding the protesters guilty, a city judge in Jackson found that, while they had been orderly, their conduct could have provoked a breach of the peace by others.[6] However, the mere "possibility of disorder by others cannot justify exclusion of persons from a place if they otherwise have a constitutional right (founded upon the equal protection clause) to be present."[7] The exercise of the first amendment freedoms of speech and assembly cannot be abridged "unless shown likely to produce a clear and present danger of a serious substantive evil that rises far above public inconvenience, annoyance, or unrest."[8]

The right to use vehicles and terminal facilities in interstate commerce on a nonsegregated basis is another right that has been established by Federal court decisions and specific orders of the Interstate Commerce Commission.[9] In Baton Rouge, Memphis, Jackson, and Birmingham, when protesters sought to use such facilities, they were arrested. They were charged, not with violation of segregation laws, but with breach of the peace. In Jackson, more than 300 demonstrators were arrested during the 1961 Freedom Rides. Local authorities claimed that they committed a breach of the peace by refusing to obey police commands to leave the interstate bus terminal's segregated waiting rooms. The riders claimed their Federal rights peaceably to seek and obtain unsegregated service as did protesters in the other cities. An early application to the Supreme Court for an injunction to stay the State criminal prosecutions in Jackson was denied.[10] The lengthy route through the Mississippi courts is still being pursued some two and a half years later.

The constitutionality of arrests and prosecutions of those who seek desegregated service at privately owned facilities open to the public has also been questioned. These protests have included lunch counter sit-ins, which have occurred throughout the country and in four of the five cities studied by the Commission. While this type of demonstration has formed only a part of the total civil rights protest movement, it has presented one of he most difficult constitutional problems arising from protest activities. The question these cases raise is whether the arrest and conviction of protesters peacefully seeking such desegregated service represents unlawful "State action" under the 14th amendment.

Having disposed of the first sit-in cases[11] on other grounds, the Supreme Court in May 1963 approached the question in a series of sit-in cases from Greenville, S.C.; New Orleans, Birmingham, and Durham.[12] The protesters had been convicted, not for breach of the peace, but for trespass on the private property of those who operated restaurants and lunch counters. Confronted with an apparent conflict between the proprietors' property rights and the protesters' right to be free from State-enforced segregation, the Court found that State action was involved and reversed the convictions.

The Greenville and Birmingham cases involved ordinances requiring operators of eating places to segregate. Although not directly invoked, these ordinances were found to have left such operators no choice but to segregate. The Court held that the use of the State's criminal processes to arrest and convict the protesters had the effect of enforcing the segregation ordinances and was consequently prohibited State action in violation of the equal protection clause of the 14th amendment. In New Orleans, where there was no law requiring segregation in eating places, the Court ruled that city officials' public statements that attempts to secure desegregated service would not be permitted had the same effect as segregation ordinances.

These decisions have removed virtually all doubt about the validity of trespass convictions in situations such as Birmingham, where there are laws requiring segregated eating facilities. Moreover, the principle of the New Orleans case apparently applies to situations such as the Commission found in Baton Rouge and Jackson, where city officials were publicly committed to using State criminal processes to maintain segregation. But the applicability of the 1963 sit-in decisions to situations such as Cairo is not clear. Here, the voice of the State has clearly spoken for desegregation. The mayor of Cairo has personally urged proprietors to obey the Illinois law prohibiting discrimination in places of public accommodation. Yet students were arrested for trespass when they sought service at a private restaurant.

Many cities either do not have or have repealed segregation ordinances. Many officials either have never made or have stopped making public statements committing the

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[1] For a brief history of civil rights protest movements in America, see U.S. Commission on Civil Rights, "Freedom to the Free" (1963).

[2] See, *e.g.*, *Gayle* v. *Browder*, 352 U.S. 903 (1956).

[3] 347 U.S. 483 (1954).

[4] *E.g.*, *Watson* v. *City of Memphis*, 373 U.S. 526 (1963); *Holmes* v. *City of Atlanta*, 350 U.S. 879 (1955); *City of Baltimore* v. *Dawson*, 350 U.S. 877 (1955).

[5] *Wright* v. *Georgia*, 373 U.S. 284 (1963).

[6] N.Y. Times, Mar. 30, 1961, p. 20.

[7] *Wright* v. *Georgia*, *supra* note 5, at 293; *Taylor* v. *Louisiana*, 370 U.S. 154 (1962); *Garner* v. *Louisiana*, 368 U.S. 157, 174 (1961). See also *Buchanan* v. *Warley*, 245 U.S. 60, 80, 81 (1917).

[8] *Edwards* v. *South Carolina*, 372 U.S. 229, 237 (1963) (quoting *Terminiello* v. *Chicago*, 337 U.S. 1, 4 (1949)).

[9] *E.g.*, *Turner* v. *City of Memphis*, 369 U.S. 350 (1962); *Bailey* v. *Patterson*, 369 U.S. 31 (1962); *Boynton* v. *Virginia*, 364 U.S. 454 (1960); *Morgan* v. *Virginia*, 328 U.S. 373 (1946); *Mitchell* v. *United States*, 313 U.S. 80 (1941); 49 CFR 180a (1961) (ICC regulations).

[10] *Bailey* v. *Patterson*, 368 U.S. 346 (1961). One of the issues was whether the complainants had "standing" in the court to challenge the arrests since they, themselves, had not been arrested.

[11] *Taylor* v. *Louisiana*, *supra* note 7; *Garner* v. *Louisiana*, *supra* note 7.

[12] *Peterson* v. *City of Greenville*, 373 U.S. 244 (1963); *Lombard* v. *Louisiana*, 373 U.S. 267 (1963); *Gober* v. *Birmingham*, 373 U.S. 374 (1963); *Avent* v. *North Carolina*, 373 U.S. 375 (1963).

State to maintenance of segregation. This has brought to the Court the broad question of whether the State has any right to arrest and prosecute protesters for seeking equal access to places of public accommodation.[13]

In these situations, the protesters acted to secure immediate desegregated use of a facility. But different problems may be presented when protesters engage in street demonstrations against discrimination in general. One such incident occurred in March 1961, when 187 Negro students marched on the South Carolina State House to make their grievances known to the public and the legislature, which was then in session. Refusing to disperse, they were arrested and convicted for breach of the peace. Their appeals were decided by the Supreme Court in February 1963. The Court found that the protesters had been orderly, that they had not obstructed pedestrian or vehicular traffic, and that there had been no clear and present threat of violence by bystanders which the police were unable to control. Reversing the convictions, the Court held that "in arresting, convicting, and punishing the petitioners under the circumstances disclosed by this record, South Carolina infringed the petitioners' constitutionally protected rights of free speech, free assembly, and freedom to petition for redress of grievances." [14]

Application of this Supreme Court decision to events in the five cities is difficult because the material facts differ in each case. On many occasions Memphis and Cairo officials did not interfere with mass demonstrations on public streets. Cairo police arrested protesters under an ordinance requiring parade permits which was enacted after the demonstrations started. The Illinois attorney general joined in an NAACP suit challenging the constitutionality of the ordinance. State and local officials and protest leaders later consented to dismissal of the suit on the understanding that the charges against the arrested protesters would be dismissed and the ordinance would not again be invoked against peaceful street demonstrations. Baton Rouge officials did not interfere with mass street demonstrations during the 1960 protests. In 1961, official policy changed. Conduct that had been permitted in 1960 resulted in arrests.

The official policy in both Jackson and Birmingham, throughout the period covered by the Commission's study, was one of suppressing street demonstrations. While police action in each arrest may not have been improper, the total pattern of official action, as indicated by the public statements of city officials, was to maintain segregation and to suppress protests. The police followed that policy and they were usually supported by local prosecutors and courts.

DISCRIMINATION IN PROCESSES OF JUSTICE

Denials of equal protection may arise not only from attempts by officials to enforce segregation but also in the processes of justice when an official treats a person differently because of his color, race, religion, or national origin.

In civil rights demonstrations, the role of the policeman has been significant; his actions often speak for the community. When a policeman acts to deprive a person of his constitutional rights, he violates Federal law. Moreover, police inaction which results in a failure to provide adequate protection to persons asserting their constitutional rights may also constitute a violation of Federal law. When Montgomery police failed to provide protection for the freedom riders in 1961, a Federal district judge declared, "The failure of the defendant law enforcement officers to enforce the law in this case clearly amounts to unlawful State action in violation of the equal protection clause of the 14th amendment." [15]

Testimony at the Commission's Memphis hearings disclosed that none of the protesters there was subjected to physical mistreatment by the police. Nor were there any allegations of lack of police protection for demonstrators. On one occasion in Cairo, protesters complained of police beatings and the use of tear gas. They also charged that State police and sheriff's deputies failed in another instance to protect demonstrators against a crowd of violent whites. Commission investigations found some evidence to support these allegations; however, such instances were not part of a pattern of action by law enforcement officials in those cities.

There have been few complaints of police mistreatment of protesters in Baton Rouge. In fact, a leader of the 1960 protests praised the police for their conduct. But in 1961, students complained of police misconduct in dispersing a protest assembly and of mistreatment of arrested demonstrators by jail guards.

The situation was different in Jackson and Birmingham. There, the Commission found a pattern of police abuse of civil rights protesters. In Jackson, there were continuing police efforts to disperse by force many forms of demonstrations and there was evidence of mistreatment of students, both in the county jail and State penitentiary.

Evidence also showed there was continuing abuse of protesters by Birmingham police. In 1963, dogs, clubs, and firehoses were used to disperse mass demonstrations. Violent reaction by Negroes followed. The reaction was directed not against white bystanders, but against the city police.

Prosecutors claimed that Negro students received the same treatment in the criminal process as anyone else. But in October 1962, the district attorney in Baton Rouge told Commission investigators: "I'm going to make it just as hard on these outside agitators as I can. And I don't know a judge or official [in Baton Rouge] who doesn't agree with me."

His statement was addressed primarily to the fixing of bail requirements for arrested demonstrators. Discriminatory use of bail requirements raises a question of denial of equal protection.

In neither Memphis nor Birmingham did bail requirements present a serious problem, although the aggregate bond cost was high when mass arrests were made. In Cairo, most students were released on their own recognizance. The 1961 mass arrests of freedom riders in Jackson presented a serious bail problem. Surety bonds were required, and exhaustive efforts by protest leaders were unsuccessful in finding a company anywhere in the country to write the bonds. The result was that most of the riders spent extended periods in the county jail and State penitentiary.

HUMAN RELATIONS AGENCIES

State and local human relations agencies are important instruments for orderly resolution of civil rights problems. These organizations which employ the techniques of persuasion and mediation to solve racial problems are increasing in number throughout the Nation. The President has called upon the Nation's mayors to establish biracial human relations committees in every city, and he has asked Congress to create a Federal Community Relations Service to provide mediation guidance to communities. The usefulness of mediating agencies, both to eliminate discrimination in places of public accommodation and to control possible civil rights violations by justice officials, is illustrated by the experience of Cairo, Ill.

There, a State agency was available as a mediating force from the time demonstrations began. Supported by the Governor and State attorney general and bolstered by a broad public accommodations law, the Illinois Commission on Human Relations investigated complaints of discrimination and mediated differences between protesters and local officials and proprietors. Pending prosecutions against the demonstrators were dropped and discrimination in all places of public accommodation in the city was ended, largely because of the work of the agency.

In Memphis, a private biracial group—the Memphis Committee on Community Relations—performed an important service in promoting negotiations to end discrimination in many facilities. Although it operated without support from the city administration, it was able to bring about a peaceful change in the city's tradition of segregation by maintaining communications between Negro leadership and the management of places of public accommodation.

A similar contribution was made during the Birmingham disorders by the Civil Rights Division of the Department of Justice. Mediation has its limitations, however. Where protest demonstrations continue to be met with repressive official action, legal remedies are needed to protect protesters and to prevent invasions of their civil rights.

STATE AND FEDERAL LAWS

Under State law, legal remedies are available for assault and battery, false arrest, or malicious prosecution. These laws were not effectively utilized to curb alleged official abuses in any of the five cities studied. None of these remedies is generally effective where the prevalent official attitude is one of antagonism to the protesters' aims.

Federal law provides both civil and criminal sanctions against unlawful official action. Sections 241 and 242 of the Federal Criminal Code make it a crime for officials, those acting with official assistance, or, in some instances, private persons, to violate constitutional rights of individuals. These sanctions might be invoked against officials who violate the rights of protesters. In its 1961 report, the Commission reviewed these laws and their administration with regard to unnecessary official violence and found that "Federal criminal sanctions for such misconduct have not proved to be effective remedies." Nothing discovered during the Commission's present study contradicts this conclusion.

Federal civil statutes, comparable in scope to the criminal sections, permit actions for money damages to be instituted by the victims of civil rights violations. As pointed out in the Commission's 1961 report, these civil remedies have been neither widely nor effectively used. Further, it is often unlikely that an individual defendant will have the financial resources to satisfy any substantial judgment that might be entered against him.

Among the Federal civil remedies presently available is a private suit for injunction against unlawful official action. It permits protesters to seek relief in a Federal court against the action of local officials who, by intimidation, arrest, and prosecution, interfere with the right to seek desegregated service in public facilities and with the first amendment rights of speech, assembly, and

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[13] The following cases presenting this issue are now pending before the Court: *Griffin* v. *Maryland*, 373 U.S. 920 (1963); *Barr* v. *City of Columbia* (S.C.), 374 U.S. 804 (1963); *Bouie* v. *City of Columbia* (S.C.), 374 U.S. 805 (1963); *Bell* v. *Maryland* (Baltimore), 374 U.S. 804 (1963); *Robinson* v. *Florida* (Miami) 374 U.S. 803 (1963).

[14] *Edwards* v. *South Carolina*, *supra* note 8, at 235. For a case involving protest demonstrations in the downtown business district of another city in South Carolina, see *Fields* v. *South Carolina*, 126 S.E. 2d 6 (S.C. 1962), *vacated and remanded*, 372 U.S. 622 (1963), *affirmed*, 131 S.E. 2d 91 (S.C. 1963), *pet. for cert. filed*, 32 *U.S.L. Week* 3070 (1963).

[15] *United States* v. *U.S. Klans*, 194 F. Supp. 897, 902 (M.D. Ala. 1961).

petition. But injunctive relief is an extraordinary remedy. Federal courts are extremely hesitant to interfere with the operations of State agencies of justice. The most significant limitation on this remedy, however, is its availability only to private parties. This places the burden of seeking such relief on private persons who are limited to their own resources and whatever assistance they may be able to get from civil rights organizations.

The power of the U.S. Government to obtain Federal injunctions prohibiting civil rights violations by local officials is clear only in the areas of voting and interstate commerce. However, there is evidence that the rights of free speech, assembly, and petition, and the right to equal protection of the laws also have been frequently violated by local officials.

Another Federal statute (28 U.S.C. 1443) permits a defendant in a State civil or criminal case to remove the action to a Federal district court for trial when he cannot enforce his rights in the State court. This statute, however, has proved to be virtually useless as a remedy. Federal courts have interpreted it as requiring the denial of equal rights to be apparent in the laws of the State,[16] but such State laws are rarely employed against protesters.

PARTICIPATION IN AGENCIES OF JUSTICE

Participation by Negroes in the agencies of justice as police officers, prosecutors, judges, jurors, and other officials and employees has often been prohibited or limited. This exclusion raises equal protection issues; so does segregation of Negroes in justice facilities such as police stations, courthouses, jails, and prisons. Such segregation has been widely practiced in many parts of the country. Concerning such practices, the Commission pointed out in its 1961 report: "This can hardly contribute to impartiality in the administration of justice or to respect for the agencies of law on the part of those who are excluded."

The Negro protest movement also has highlighted the inequalities suffered by Negro lawyers in the administration of justice. Thousands of demonstrators have required the services of legal counsel. The greatest burden of providing these services has fallen upon local Negro lawyers.

In order to determine whether counsel was available to civil rights protesters and whether their counsel suffered any special difficulties because of involvement in civil rights litigation, the Commission conducted a study based upon a questionnaire survey of 17 Southern and border States and upon field investigations in the five cities where large-scale protest demonstrations had occurred. Questionnaires were sent to 3,555 lawyers, of whom about one-eighth were Negroes. There were 242 responses from Negro lawyers and 1,081 responses from whites, constituting a total return of 37.2 percent. Among the respondents, only 14 percent (184 lawyers) answered that they had represented Negro clients in civil rights cases within the preceding 8 years. One-third of this group reported having suffered threats of physical violence, loss of clients, or social ostracism as a result.

The Commission's study shows that Negro lawyers have played an active role far out of proportion to their numbers in handling civil rights cases in the South in recent years. Many have suffered reprisals as a result.

In those same States, Negro lawyers have faced difficulty in gaining admission to law schools, impediments to admission to the bar, and severe limitations on their professional associations and contacts.

[16] *Virginia* v. *Rives*, 100 U.S. 313 (1880); *Hull* v. *Jackson County Circuit Court*, 138 F. 2d 820 (6th Cir. 1943).

In the five cities where the Commission conducted field investigations, protesters who were arrested and prosecuted were in most cases represented by Negro lawyers. The Commission's survey disclosed that, among the respondents who had taken civil rights cases, 86 percent were Negroes.

Between 1940 and 1960, the number of Negro lawyers in the Southern and border States increased by 75 percent. Yet, in proportion to the total Negro population, the number is still very small. Several factors appear to contribute to this situation. Until World War II, nearly all of these States not only excluded Negroes from publicly supported law schools, but also failed to establish segregated institutions. They provided funds for a limited number of qualified Negroes to receive their legal education elsewhere, mainly in the North.

Twenty-seven percent of the questionnaire responses from Negro lawyers claimed that "occasionally" or "infrequently" Negroes were excluded from admission to the bar on racial grounds. Most complaints referred to the discriminatory screening of bar examination applicants or to examination grading based upon a racial quota. However, only 6 percent of the white respondents indicated that racial discrimination has been a factor in limiting Negro admissions to the bar. Most of these answers cited inadequate educational and economic backgrounds as the underlying factor.

Most of the Negro lawyers are almost entirely dependent on Negro clientele. The economic position of the rural Negro is such that it is often impossible for a Negro lawyer to subsist professionally in smaller southern towns. Added to this is the problem, related by many of the Negro respondents, that Negro clients often seek out white lawyers because they feel them to be more capable, or because they feel that Negro lawyers are at a disadvantage against a white adversary and before a white judge and jury.

The opportunities for professional contracts and continuing legal education that attend bar association membership appear to be severely limited for Negro lawyers. Except where State bar association membership is a prerequisite to practice, exclusion of Negroes from State and local associations seems to be common throughout the Southern and border States. Even where Negroes are admitted to membership, they are usually excluded or discouraged from participation in social and educational programs sponsored by the associations.

NEGRO EMPLOYMENT BY AGENCIES OF JUSTICE

To determine the extent of Negro employment in agencies of justice, the Commission sent questionnaires to the chief justice of the State's highest court, to the attorney general, to the superintendent of State police, and to the administrators of the State's prison and parole agencies in every State in the Nation. Questionnaires were sent to the court of original criminal jurisdiction, the prosecutor, and the sheriff in each county in the United States with a Negro population of over 5,000. Questionnaires also were sent to police departments in all cities with a Negro population of over 5,000.

Police departments of 124 Southern and border State cities responded, as did 106 departments in Northern and Western States. The responses show that, on the basis of population proportion, relatively few Negroes are employed in northern and western departments. In southern and border departments, their participation is generally token.

In its study of Negro employment by the county sheriffs' departments the Commission received questionnaire responses from 170 departments in Southern and border States and from 102 departments in the North and West. The questionnaires disclosed a common practice in the South of assigning Negro sheriff's deputies, as was the case with Negro police officers, to law enforcement duties in segregated areas. Many departments also place limitations on the Negro deputy's authority to apprehend white suspects. Such limitations were found to be almost nonexistent in the North and West.

State police and highway patrols employed almost no Negroes. One Negro officer was reported in the 12 Southern and border States which responded. There were 33 Negro officers found in 19 Northern and Western States.

The Commission's survey disclosed that Negro employment in county prosecutors' offices throughout the country was extremely limited. In 289 counties in Southern and border States, only 7 Negro lawyers, 3 investigators, and 2 stenographers were reported. Among the Northern and Western States, 103 prosecutors responded. Their offices employed 35 Negro investigators and 88 secretaries. Twenty-seven counties employed Negro lawyers. Many with substantial Negro populations employed no Negroes in any professional or administrative capacity.

The Department of Justice serves the Federal Government as prosecuting agency. There are U.S. attorneys' offices in each Federal judicial district. Three Negroes were serving as U.S. attorneys. At the close of 1962, 35 of 778 assistant U.S. attorneys were Negroes. Other offices in the Department employed 1,372 attorneys, of whom 34 were Negro. While Negro participation is low, it has increased substantially since 1960.

Negro employment in State courts was rare in the Southern and border States. No Negro judges or court clerks were reported. Among the positions of jury commissioner, bailiff, and secretary, Negroes occupied 3 percent or fewer of the jobs. For probation officers, the percentage was slightly higher.

In the North and West, Negro employment in State courts was considerably higher. This was especially so in California, Indiana, Iowa, Minnesota, and New Mexico. In probation positions, Negro representation was particularly high.

The Commission also surveyed Negro employment in Federal courts. The administrative office of the U.S. courts advised that "each court has its own employment practices." In all Federal courts responding from Southern and border States, no Negro judges or Negro court employees were found with the exceptions of one probation officer in the southern district of West Virginia and a few court criers. In courts in the District of Columbia, Negroes served as judges, clerks, secretaries and clerical workers, bailiffs, and probation officers. However, among Federal courts reporting from the North and West, little Negro employment was found.

At State adult correctional institutions in Southern and border States, Negro employment was rare. Two-thirds of the small number reported served in Maryland. In Arkansas, Alabama, Georgia, Kentucky, Louisiana, Mississippi, Oklahoma, and Tennessee, no Negroes were found in administrative, professional, or clerical positions or as correctional officers. At juvenile institutions—where separate facilities are more often established for each race—Negro employment was considerably higher. Among adult institutions reporting from Northern and Western States, about one-thirtieth of the administrative, professional, clerical, and correctional officer positions were filled by Negroes. Negro employment at juvenile institutions accounted for about 12 percent of the positions tabulated.

Token employment of Negroes also was found at Federal correctional institutions in Southern and border States. The Commission received data from 15 facilities with 2,390 employees, of whom only 70 were Negro. At 18 Federal institutions in the North and West, Negro employment was slightly lower. Only at the facilities operated by the

Bureau of Prisons, the Department of Correction, and the Department of Public Welfare in the District of Columbia was there substantial Negro employment.

SEGREGATION IN FACILITIES

While discrimination exists in employment, segregation occurs in the facilities of justice. Criminal suspects are usually first detained in police department jails or lockups. Of 114 departments in Southern and border States responding to the Commission survey, 83 percent reported racial segregation in these facilities. In contrast to this were the responses of 105 northern and western departments, 95 percent of which reported no segregation.

Comparable figures were received on segregation in county jails, which are customarily used for the detention of persons awaiting trial or serving short sentences. Of 152 responses from Southern and border States, 87 percent reported segregated facilities; 83 percent of the respondents in the North and West (99 counties) reported no segregation.

Responses also were received from State adult and juvenile correctional institutions throughout the country. These included reception and assignment centers, prisons, work farms and camps, reformatories and training schools. A total of 145 institutions reported from Southern and border States. Of these, 93 were completely segregated. Forty-one institutions maintained partial segregation in housing and in one or more other areas such as dining facilities and work details. Only 13 institutions reported no segregation. All of these are in the States of Delaware, Kentucky, Maryland, Missouri, Virginia, and West Virginia. Of 236 institutions reporting from Northern and Western States, 220 were totally desegregated. The remainder segregated living quarters.

As late as 1954, inmates were segregated throughout the Federal correctional system, particularly in the use of living quarters, dining areas, and auditoriums. Today, all Federal institutions are completely desegregated with the exception of a single cell block at the U.S. Penitentiary in Atlanta, where desegregation is underway. Administrators of Federal facilities in the South reported that very few problems attended desegregation and that the process has assisted in rehabilitation.

Clerks of criminal courts of original jurisdiction in the counties surveyed reported on racial segregation in courthouse facilities. In Southern and border States, courtroom segregation was reported in 17 percent of the returns, waiting room segregation in 14 percent, segregation in jury boxes in 5 percent, and segregation of restrooms in 63 percent. In responses from counties in the North and West, no racial segregation in any courthouse facilities was reported.

In April 1963, the Supreme Court reversed the conviction of a Negro found guilty of contempt in a Richmond, Va., traffic court for refusing to sit on the side of the courtroom reserved for Negroes. The Court said:[17]

"Such a conviction cannot stand, for it is no longer open to question that a State may not constitutionally require segregation of public facilities. * * * State-compelled segregation in a court of justice is a manifest violation of the State's duty to deny no one the equal protection of its laws."

SUMMARY

The right of citizens to assemble freely and to express grievances is a fundamental guarantee of the Constitution. In recent years persons concerned with civil rights have exercised their first amendment rights to assemble and protest against segregation and discrimination. In some circumstances, demonstrations may exceed the boundaries of free speech and interfere unduly with public peace and order. In the cases studied by the Commission, however, protests, with few exceptions, have been peaceful and orderly and well within the protective guarantees of the first amendment.

Where protests such as sit-ins involve entry into places of public accommodations, other issues may arise. The Commission's study reveals that breach of peace and trespass ordinances, on their face unrelated to the preservation of segregation, have been employed by local officials to maintain it. That this use of breach of the peace and trespass ordinances may be prohibited by the 14th amendment has now been recognized by the Supreme Court in a series of cases decided in 1963.

The Commission's statistical survey establishes that law enforcement agencies throughout most of the Nation are staffed exclusively or overwhelmingly by whites. This fact may influence the administration of justice, but, whether it does or not, the attitude of the Negro toward local law authorities is affected.

RECOMMENDATIONS

Recommendation 1: That Congress empower the Attorney General to intervene in or to initiate civil proceedings to prevent denials to persons of any rights, privileges or immunities secured to them by the Constitution or laws of the United States.

Recommendation 2: That Congress enact a program of grants-in-aid to assist State and local governments, upon their request, to increase the professional quality of their police forces. Such grants-in-aid should be conditioned upon nondiscriminatory administration by the recipient and might apply to the development and maintenance of (1) programs to encourage applications by qualified persons for appointment as police officers; (2) recruit selection tests and standards; (3) training programs in scientific crime detection; (4) training programs in constitutional rights and human relations; (5) college level schools of police administration; and (6) scholarship programs that assist policemen to receive training in schools of police administration.

Recommendation 3: That Congress amend section 1983 of title 42 of the United States Code to make any county government, city government, or other local governmental entity that employs officers who deprive persons of rights protected by that section, jointly liable with the officers to victims of such officers' misconduct.

Recommendation 4: That Congress amend section 1443 of title 28 of the United States Code to permit removal by the defendant of a State civil action or criminal prosecution to a district court of the United States in cases where the defendant cannot, in the State court, secure his civil rights because of the written or decisional laws of the State or because of the acts of individuals administering or affecting its judicial process.

[17] *Johnson* v. *Virginia*, 373 U.S. 61, 62 (1963).

EXTENSION OF STATUTE OF LIMITATIONS IN THE GERMAN FEDERAL REPUBLIC

Mr. JAVITS. Mr. President, I draw the attention of the Senate to the fact that the Bundestag of the German Federal Republic yesterday acted affirmatively by an overwhelming vote in taking the necessary parliamentary step to bring about an extension of the statute of limitations so that there should be no time limitation at all applied to prosecutions for murder and genocide. Three hundred and thirty-three of the four hundred legislators present voted to send to committee proposals to eliminate entirely the statute of limitations as it applies to these crimes.

This action of the Bundestag is convincing proof of the desire of the German people to take the necessary steps to prevent any Nazi criminal who can be found from escaping prosecution for his acts. The Bundestag of the German Federal Republic is to be highly commended for the forthright stance it has taken on the side of justice.

I ask unanimous consent that newspaper articles on that subject may be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 11, 1965]

BUNDESTAG BACKS NAZI PROSECUTION—SENDS BILLS TO COMMITTEE ON LIMITATION STATUTE'S END

(By Arthur J. Olsen)

BONN, March 10.—The West German Parliament, challenged by a member to acknowledge that we all share the guilt, registered overwhelming support today for the principle of unlimited prosecution of Nazis accused as murderers.

At the end of an all day nationally televised debate, the Bundestag, or lower house, sent to committee two similar draft bills that would wipe out the present 20-year statute of limitations on murder.

This procedural action had the effect of putting the chamber on record in favor of legalizing prosecution for Nazi murders in cases opened after May 8, 1965—20 years after the end of World War II.

Only the 67 Free Democrats among the 400 deputies present declined to vote to send the bills to committee. The Free Democrats, who are expected to hold firm, are the minority party in the coalition government.

What began as a grudging and spiritless debate was raised to a notable political event by two sharply contrasted deputies.

The first was Ernst Benda, at 40 years of age one of the youngest members of Parliament. The other was Adolf Arndt, a 61-year-old Social Democratic deputy, who until a few days ago had argued on legal grounds against extension of the statute of limitations.

Mr. Benda introduced a bill that would eliminate any time limit on the prosecution of crimes punishable by West Germany's maximum penalty—life imprisonment.

He cited the opinion endorsed by 76 prominent jurists that the bill would not violate article 103 of the constitution, which forbids prosecution of crimes under laws enacted after the punishable act.

REPLY EVOKES APPLAUSE

Minister of Justice Ewald Bucher had made that objection in a speech opening the debate in which he made the painful acknowledgment that some Nazi murderers not yet charged might be discovered after May 8.

Opposing an extension of the legal net to catch such persons, Mr. Bucher suggested that the Parliament was being asked to do violence to the basic law under pressure from abroad.

To ringing applause, the boyish-looking Mr. Benda replied that the members were acting only under the pressure of their own conviction.

"The sense of justice of the people would be intolerably corrupted if murder were to remain unpunished," he said.

"The honor of the nation would be for me the last reason to cut them off with a statute of limitations," he said. "The German people are not a nation of murderers. They have the duty, therefore, to free themselves from murderers, and they can do it. That belongs to the honor of the nation."

The emotional high point of the debate was reached in the speech by Mr. Arndt. The Social Democratic legal expert argued in behalf of his party's bill that would strengthen a law raising the statute of limitations on murder with a constitutional amendment declaring murder and genocide punishable without a time limit.

NAZIS CRIMES DESCRIBED

Mr. Arndt said that such an amendment would eliminate any possible conflict of conscience and law. Replying to Thomas Dehler, elder statesman of the Free Democratic Party, who had called for a decision based on "strict law," Mr. Arndt said, "In this case we must speak with the heart."

The gray-haired Berlin lawyer, who said he had helped some persecuted persons to emigrate from Nazi Germany, described in graphic detail the nature of the Nazi crimes.

"Let there be no confusion with talk of war crimes," he said. "The German nation was not at war against Catholics, against the fundamentalist churches, against Jews or gypsies or infants."

Not every German was legally guilty of these crimes, Mr. Arndt said, but the whole nation shared "historic and moral guilt."

"I know I share that guilt," he continued in a low, tremulous voice. "Did I run into the street and cry in protest when I saw Jews loaded into trucks to be transported? Did I put on the yellow star?"

"I cannot say that I did enough, and I do not know who can say that for himself," he declared.

[From the New York Herald Tribune, Mar. 11, 1965]

NAZI DEADLINE EXTENSION ASSURED—BUNDESTAG MAJORITY BACKS ACTION

BONN.—A clear majority emerged in the West German Parliament yesterday for action to extend the hunt for Nazi mass murderers beyond the May 8 deadline.

By a show-of-hands vote, the Bundestag Lower House of Parliament directed its legal committee to study proposals to end time restrictions on the prosecution of war criminals and draft legislation that would win the approval of both Parliament and the courts.

The only dissent from the motion came from the Free Democrats, minority members in Chancellor Erhard's coalition government.

The preliminary vote came at the end of 7 hours of debate on two propositions to eliminate the 20-year statute of limitations on all crimes punishable by life imprisonment—there is no death sentence in West Germany. Such crimes include murder and genocide.

One proposal, by Ernst Benda, a West Berlin lawyer and a member of Dr. Erhard's Christian Democratic Party, was simply to amend the penal code. The other, offered by the opposition Social Democrats, called for amending the Constitution to the same effect.

The legal committee was expected to report back to the Bundestag on the proposals in about 20 days.

Although Dr. Erhard was present during most of the debate, he did not take part and was absent when the vote was called.

Social Democrat Fritz Erler criticized the Chancellor for allegedly failing to bring the authority of his office to bear on the problem.

In opening the debate, Justice Minister Ewald Bucher told the Bundestag Dr. Erhard's Cabinet would not make any proposal of its own on how to deal with Nazi war criminals after May 8, the 20th anniversary of Germany's surrender in World War II, but would abide by any parliamentary decision.

"A legal decision must be found," Mr. Bucher said, reiterating his view that the prosecutions could be continued only if the Constitution were amended.

Mr. Benda, who studied at the University of Wisconsin, disagreed with Mr. Bucher.

"In this somewhat authority-loving country," Mr. Benda said, "people tend to think that if the Justice Minister says something, it is so."

He cited more than 60 law professors who said it would be constitutional to extend the war-criminal hunt for 10 years.

Until the debate began, Mr. Benda had advocated a 10-year extension of the statute. But yesterday, except for their technical difference, he took the same position as the Social Democrats in calling for an end to all time restrictions.

An earlier suggestion by former Chancellor Konrad Adenauer was endorsed by Rainer Barzel, Christian Democratic leader in the Bundestag. This would count the statute's 20 years when the Bonn Republic was formed, or 1955, when it was granted sovereignty by the Western Allies. Justice Minister Bucher had said this would be unconstitutional.

In Karlsruhe, meanwhile, a 22-year-old West German was held yesterday as the suspected sender of leaflets threatening death to members of the Bundestag who vote to extend the war-crime statute. The Federal Prosecutor's office said a search of the suspect's home produced 200 more of the leaflets, illustrated with swastikas.

THE AGRICULTURAL CONSERVATION CUTS: A RETURN TO THE DUST BOWL?

Mr. CURTIS. Mr. President, to the hard-pressed farmers of America, the Great Society may literally as well as figuratively mean the return of the dust bowl days—at least if the Bureau of the Budget has its way. Contained in this year's agriculture budget requests are Budget Bureau inspired cuts in our vital and long-established agricultural soil conservation programs which threaten to undo much of the good work accomplished over the last 30 years.

The specter of the dust bowl is a haunting memory and may become a harsh reality, both as to the economic plight of the farmer and the neglected soil conditions which gave rise to the great dust storms of the 1930's. Yesterday, the senior Senator from Kansas [Mr. CARLSON] inserted into the CONGRESSIONAL RECORD an article by Mr. McDill Boyd of the Phillips County Review in which he described the dust blowing off silt deposits of the Harlan Reservoir at Alma. Alma is in Nebraska at the Kansas border. Dust storms have been of increasing frequency in the Plains States in the past few years. Certainly, this is no time to cut back on conservation practices when, despite all that has been accomplished, so much more needs to be done.

First is the deep slash of $100 million—a decrease from $220 to $120 million—in the agricultural conservation program. To add insult to injury the administration also proposed to cut another $20 million from the Soil Conservation Service budget and to establish a so-called technical assistance revolving fund. The revolving fund, if established, would not only reverse the long-standing policy of 30 years that has been a great benefit to farmers across the country, but would almost certainly mean a drastic curtailment of the technical assistance activities now carried on by the Soil Conservation Service.

I have obtained a detailed breakdown, by county, for the State of Nebraska of the present technical assistance activities now being conducted in the State. The tabulations indicate that the cost to Nebraska farmers alone would approach $500,000 if the new plan went into effect and the present program continued. Mr. President, I ask unanimous consent that this tabulation be inserted into the CONGRESSIONAL RECORD at this point.

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

SCS funds expended for technical assistance to farmers and ranchers applying conservation practices during fiscal year 1964

NEBRASKA

SWCD	SCS office	Total	50 percent
AREA 1			
Papio	Blair	$17,673	$8,836
Douglas	Elkhorn	10,103	5,051
Stanton	Stanton	13,662	6,831
Wayne County	Wayne	10,339	5,169
Thurston	Walthill	8,116	4,058
Cedar County	Hartington	13,606	6,803
Dixon County	Wakefield	12,577	6,288
Burt	Lyons	13,194	6,597
Colfax	Schuyler	8,982	4,491
Dodge County	Fremont	8,425	4,212
Dakota County	Dakota City	6,887	3,443
Cuming	West Point	9,342	4,671
AREA 2			
Pawnee County	Pawnee City	14,288	7,144
Richardson County	Falls City	21,688	10,844
Cass	Weeping Water.	16,351	8,175
Otoe	Syracuse	22,742	11,371
Lancaster	Lincoln	19,518	9,759
Nemaha	Auburn	14,835	7,417
Johnson County	Tecumseh	15,649	7,824
Seward County	Seward	11,743	5,871
Butler County	David City	16,891	8,445
Sarpy	Papillion	8,533	4,266
Saunders	Wahoo	18,298	9,149
AREA 3			
Boone County	Albion	8,104	4,052
Platte County	Columbus	12,381	6,190
Greeley-Wheeler	Spalding	10,124	5,062
Madison County	Madison	7,864	3,932
Howard County	St. Paul	19,871	9,935
Antelope County	Neligh	10,247	5,123
Nance County	Fullerton	7,126	3,563
Sherman County	Loup City	11,643	5,821
Merrick County	Central City	7,704	3,852
Pierce County	Pierce	5,790	2,895
Knox County	Creighton	19,635	9,817
AREA 4			
Thayer County	Hebron	11,022	5,511
Nuckolls County	Nelson	13,672	6,836
Gage County	Beatrice	25,225	12,613
Polk County	Osceola	11,523	5,761
Saline County	Wilber	11,640	5,820
Fillmore County	Geneva	12,084	6,042
Jefferson County	Fairbury	12,162	6,081
York County	York	16,463	8,231
Hamilton County	Aurora	9,866	4,933
Clay County	Clay Center	4,479	2,239
AREA 5			
Custer County	Broken Bow	19,252	9,626
Valley County	Ord	10,735	5,367
Garfield-Loup	Burwell	9,469	4,734
Holt	O'Neill	10,503	5,251
Boyd County	Butte	6,780	3,390
Blaine-Thomas	Halsey	4,054	2,027
Keya Paha-Brown-Rock.	Ainsworth	11,345	5,672
Logan-McPherson	Stapleton	5,161	2,580
Cherry	Valentine	5,252	2,626
Grant-Hooker	Mullen	4,348	2,174
AREA 6			
Harlan County	Alma	11,818	5,909
Beaver-Sappa	Beaver City	12,274	6,137
Franklin County	Franklin	10,272	5,136
Buffalo-Ravenna	Kearney	12,103	6,051
Chaeo	Arapahoe	9,965	4,982
Phelps County	Holdrege	9,637	4,818
Kearney County	Minden	10,305	5,152
Dawson County	Lexington	13,324	6,662
Gosper County	Elwood	10,634	5,317
Hall County	Grand Island	10,791	5,395
Webster County	Red Cloud	14,243	7,121
Adams County	Hastings	11,412	5,706

SCS funds expended for technical assistance to farmers and ranchers applying conservation practices during fiscal year 1964—Continued

SWCD	SCS office	Total	50 percent
AREA 7			
Morrill County	Bridgeport	$15,306	$7,653
Deuel County	Chappell	5,889	2,944
Sugarloaf	Crawford	3,500	1,750
Scotts Bluff	Scottsbluff	20,006	10,003
White River	Chadron	15,261	7,630
Box Butte County	Alliance	10,430	5,215
Cheyenne County	Sidney	9,089	4,544
Sheridan County	Rushville	9,493	4,746
Garden County	Oshkosh	8,012	4,006
Kimball County	Kimball	9,117	4,558
Banner County	Harrisburg	5,677	2,838
AREA 8			
Red Willow	McCook	14,003	7,001
Palisade	Palisade	5,904	2,952
Chase County	Imperial	7,215	3,607
Hitchcock	Trenton	11,625	5,812
Frontier	Curtis	9,436	4,718
Keith-Arthur	Ogallala	9,778	4,889
Lincoln County	North Platte	13,469	6,734
Dundy County	Benkelman	8,115	4,057
Perkins County	Grant	6,808	3,404

Mr. CURTIS. Mr. President, I also ask unanimous consent that an editorial appearing in the Omaha World-Herald of March 9, 1965, be printed in the RECORD. It comments forcefully on the proposed cuts and what they would mean to our farmers.

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

[From the Omaha (Nebr.) World-Herald, Mar. 9, 1965]

A SLAP AT CONSERVATION

Senator HRUSKA last week observed that the proposal by the Budget Bureau to require farmers and local groups to pay up to 50 percent of the cost of technical service by the Soil Conservation Service would reduce SCS costs by about $20 million.

He also noted that while the administration expresses a desire to shortchange the conservation movement, it proposes to supplement rent payments by some city apartment dwellers who make $10,300 a year.

And he charged that the administration is attempting to finance the Great Society at the expense of the struggling farm economy.

This newspaper long has stood behind every reasonable proposal to eliminate unnecessary spending and to abolish wasteful practices at every level of Government. We do not believe that the technical engineering service which the Government has provided to the Nation's soil conservation districts for approximately 30 years falls into those categories.

If the Government transfers 50 percent of the cost of technical conservation assistance to individual farmers or local conservation groups, the pace of soil and water conservation will be seriously curtailed.

Such action would retard watershed development, slow progress toward the reduction of stream pollution.

Moreover, such a move would revoke contracts between the Federal Government and local conservation districts which have been the basis for most of the on-the-farm conservation that has been established throughout the Nation. Such a revocation might well wreck the soil and water conservation movement, which still has difficult tasks to perform.

America's free technical service to agriculture in foreign countries spans the globe. We suggest that if the Government wants to cut its agricultural expense, it curtail or eliminate that free foreign service before it takes its savings out of the hides of America's conservation farmers.

MANDATORY OIL IMPORT CONTROLS

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which the Senator from Wyoming, MILWARD L. SIMPSON, delivered yesterday at the hearings on the mandatory oil import control program. Along with that statement I would like to have printed the statment submitted by the great Governor of the State of Wyoming, Clifford P. Hansen.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT BY U.S. SENATOR MILWARD L. SIMPSON AT THE MANDATORY OIL IMPORT CONTROL HEARINGS HELD AT THE DEPARTMENT OF THE INTERIOR MARCH 10, 1965

Mr. Secretary, at the outset I wish to thank you for this opportunity to express my views on this vital issue—the oil import program.

I can assure you that I would not be here today if I were not genuinely concerned over the domestic petroleum producing industry and the harmful impact that the growing tide of oil imports is having on the health and strength of this vital industry.

I am alarmed over the adverse trends that persist in this industry in my own State of Wyoming as well as the Nation as a whole.

In the past decade, there has been a deterioration in every principal economic indicator of the industry. Today we must recognize that on a national basis:

1. Geophysical and core drilling crews active in exploration is more than 46 percent below 1956.

2. Wells drilled in 1964 were 22 percent below 1956. Exploratory drilling has dropped 29 percent in this period.

3. Rotary rigs active in 1964 were 43 percent below 1956.

4. Employment in the production of oil and gas is 10 percent below 1956.

5. The price of domestic crude oil in 1964 was 20 cents a barrel below 1957.

6. The cost of drilling and equipping a well is up 8 percent over 1956.

7. The cost of labor has risen 16 percent since 1956.

8. The rate of return on invested capital for the domestic petroleum industry has fallen below the average for manufacturing industries in general.

9. During the last 5 years, there has been an unhealthy trend toward sellouts and mergers in the producing segment of the domestic oil industry.

Further, because of the serious conditions existing in the U.S. oil-producing industry, Wyoming and all other so-called public land States are witnessing a severe reduction in the number of acres under oil and gas lease.

Oil and gas leasing on the public domain has declined sharply from a high of 120 million acres in 1959 to slightly more than 80 million acres in 1964—a drop of about 33⅓ percent. This drop is just another sign pointing to the sour economic conditions existing in the domestic petroleum-producing industry—particularly the independent branch of this industry.

I recognize that it is not realistic nor correct to attribute these declines entirely to excessive oil imports nor for that matter to any other single cause.

But, there is no doubt that the flood of foreign oil coming into our U.S. markets is a principal cause of these conditions.

This was recognized by the special Cabinet Committee which investigated the oil import situation back in 1957.

In its report, this committee concluded:

"In summary, unless a reasonable limitation of petroleum imports is brought about, your committee believes that:

"(a) Oil imports will flow into this country in ever-mounting quantities, entirely disproportionate to the quantities needed to supplement domestic supply.

"(b) There will be a resultant discouragement of, and decrease in, domestic production.

"(c) There will be a marked decline in domestic exploration and development.

"(d) In the event of a serious emergency, this Nation will find itself years away from attaining the level of petroleum production necessary to meet our national security needs."

As a result of this report, a national policy to curb petroleum imports was established. This policy remains today. Excessive petroleum imports have been of concern for many years, and the present special Cabinet Committee sought effective answers. But it is now apparent that the actions taken following the Cabinet Committee conclusions, as outlined above, have been entirely inadequate.

The following is evidence that the level of oil imports (excluding residual fuel oil) permitted under the present program is excessive.

Total United States: Oil imports have continued to increase in relation to domestic crude oil production.

	Percent
1954	11.0
1959	16.6
1964	18.9
1965 1st half (estimate)	20.0

Districts 1 to IV (United States east of the Rockies): Imports have remained at approximately the same ratio to domestic production for the past 5 years. Yet drilling and other domestic activity have seriously declined during this period indicating that the present level should be reduced.

District V (United States west of the Rockies): Imports have increased in relation to crude oil production very rapidly even under the present program, as follows:

	Percent
1954	5.8
1959	30.3
1964	55.0
1965 1st half (estimate)	58.0

A substantial reduction in imports is needed to prevent increasing and unnecessary dependency on foreign oil. In addition, the resulting increase in domestic production would provide additional incentive to explore for and develop needed reserves.

I am particularly disturbed by the enormous growth in imports into district V in relation to crude oil production. I would hope that the Department of the Interior can take effective action to encourage the use in district V of the vast oil capability existing in the Rocky Mountain area, particularly my State of Wyoming. I would hope that it would be possible to reduce greatly district V imports which now are running at the rate of 58 percent of the crude oil production for that area.

The mandatory oil import program which was designed to implement this policy has been helpful in stemming the tide of foreign oil. Without this program and the fine manner in which you have administered this program, Mr. Secretary, I am confident that the domestic petroleum producing industry—especially the independents—would be in shambles today. This mandatory oil import program has served its purpose well. But, it is a long way from its goal as laid down by

our President when it was established in 1959, as follows:

"The new program is designed to insure a stable, healthy industry in the United States, capable of exploring for and developing new hemispheric reserves to replace those now being depleted. The basis of the new program, like that of the voluntary program, is the certified requirements of our national security which make it necessary that we preserve to the greatest extent possible a vigorous, healthy petroleum industry in the United States of America."

In spite of the goal laid down in 1959, when the mandatory oil import program was established calling for reserves to replace those now being depleted, the domestic industry has suffered such a deterioration that, in 4 of the past 7 years, this Nation has had a deficit in crude oil reserves. By that, I mean we have found and developed less crude oil than we have produced in 4 of the past 7 years. This is a serious situation and must be corrected. One of the most important ways to restore the incentives needed to search for new oil reserves is to make meaningful adjustments in the mandatory oil import program.

Mr. Secretary, we have a good broad based oil producing industry. It is worth preserving. As I mentioned earlier, there has been a great sellout and merger trend over the past few years in this industry. I am told that several billion dollars worth of oil properties have been purchased from the smaller oil companies by the giant oil companies in the past half dozen years. This is not a healthy development. This country needs the thousands of independent oilmen to scour this Nation in the search for oil. This Nation's greatest oilfields, such as East Texas, might still be unknown were it not for the independent oilmen.

Mr. Secretary, your own report, recently released, states and I quote:

"The independent has traditionally been the front-runner for the industry's exploration activities. He does most of the wildcatting and, according to industry estimates, finds most of the oil, perhaps 80 to 85 percent."

This is good. Here is an industry that shows great competitive effort. An industry where men still are willing to risk all of their economic wealth in the search of this vital commodity—petroleum. We must maintain the independent if this industry is to meet the awesome future demands for crude oil and natural gas.

How do we do it? Simply by permitting the independent oilmen to sell their products at a fair price and in quantities sufficient to generate the funds needed to search for petroleum. Today he is not able to do that, principally because of excessive imports of cheap foreign oil.

Mr. Secretary, I have searched my mind on how best to restore some health to the independent. I am sure you have also been scratching your head on what to do.

I have talked with oilmen back in Wyoming. I have talked with my fellow Members of Congress, and we all agree that a substantial reduction in oil imports will go a long way toward reversing the adverse trends in the domestic petroleum producing industry. I recognize that this may not be a simple thing to do in view of our many international commitments, but it is a must if this vital national security industry is to survive and prosper.

Finally, I wish to bring to your attention another situation which I consider uncalled for and one which needs to be rectified. Today, our Military Establishment purchases from foreign sources over 200,000 barrels daily of jet fuel and gasoline which is about 35 percent of its requirements. Of this total purchased abroad, 35,000 barrels daily are imported into the United States where these products are readily available at reasonable prices. These excessive purchases not only are harmful to the domestic petroleum industry, but they also are aggravating our very serious balance-of-payments deficit.

I believe that the military should:

1. Forego the importation of 35,000 barrels daily.

2. Purchase no more than 15 percent of its requirements from foreign sources, thereby resulting in increased domestic production and increased incentives to explore for and develop needed reserves.

I have studied the 11-point program submitted to you by the Independent Petroleum Association of America. To me it seems reasonable and valid. I recommend that you give it serious consideration in your efforts to meet this pressing oil import problem.

STATEMENT OF CLIFFORD P. HANSEN, GOVERNOR OF WYOMING, REGARDING THE MANDATORY OIL IMPORT CONTROL PROGRAM, MARCH 10–11, 1965

As Governor of the State of Wyoming, the fifth largest oil-producing State in the United States, I should like to submit the following evidence to show that the mandatory oil import control program as now enforced has been detrimental to the interests of my State in particular, and to this country in general.

Wyoming, like many other States, is highly dependent economically upon the level of oil exploration and production. Table I, attached, shows the amount of money paid annually as property taxes on production within our State since 1959, and the percentage of this figure to all the property taxes collected. This table illustrates the significance of oil production to our State and county governments.

Table II shows that production within Wyoming has steadily declined since 1961. It is even more alarming that the proven reserves within our State (table III) have also declined during the same period. The reason for this decline in reserves is apparent from a study of table IV, which shows the number of exploratory wells drilled in Wyoming since 1959. Except for a very modest increase in 1964, this trend has been steadily downward for the past 5 years.

In the opinion of many experienced observers of the oil economy, the reason for the decline in domestic drilling must be tied directly to the oil import program. While allowable production from many domestic States is on the decline, the level of imports from foreign countries is constantly increasing.

The high level of cheap foreign imports has made a perpetual oversupply of crude oil available that has put constant downward pressure on the price structure of domestic crude oil. This has trapped the domestic operator between rising prices of materials and labor and the declining price for his product. The recently released report of the Department of the Interior on the oil industry recognized that under these circumstances the position of the domestic operator is untenable.

I wish to make the following recommendations to the Department:

1. That the level of imports of crude oil and crude oil products (except residual oil) into this country be fixed at 10 percent of domestic production.

2. That the 10-percent figure be based on actual production during the preceding period rather than upon an estimate of the succeeding period.

3. That the military branch of the Federal Government be required to increase their purchases of domestic production, thus stimulating the domestic market and at the same time assisting President Johnson's program to improve our overall balance of trade and arrest the drain on U.S. gold reserves.

4. That no new foreign trade zone areas for petrochemical facilities be established, in order that the domestic industry might share in any increase in demand by virtue of petrochemical operations.

5. That overland importations be limited to actual certificated volumes rather than the nonrestrictive estimates currently in use.

We believe that if these recommendations are followed, the domestic oil industry would experience a significant increase in activity which would benefit a large section of the Nation's economy. Further, we believe that adherence to these proposed mandatory limitations would make a substantial contribution to improving our balance-of-trade deficits and dwindling gold reserves.

TABLE I.—*Wyoming property taxes on oil production*

Year	Cost	Percent of total property tax
1959	$10,433,626	26.8
1960	11,540,355	27.6
1961	12,484,673	28.0
1962	13,266,964	27.9
1963	12,873,843	25.6
1964	13,567,337	25.5

Source: Wyoming State Board of Equalization.

TABLE II.—*Wyoming crude oil production*

Year:	*Barrels*
1959	124,862,652
1960	130,972,284
1961	141,107,000
1962	134,400,000
1963	132,000,000
1964	130,263,275

Source: Petroleum Information, Denver, Colo.

TABLE III.—*Wyoming crude oil reserves*

Year:	*Thousands of barrels*
1959	1,408,717
1960	1,402,938
1961	1,427,375
1962	1,380,498
1963	1,297,023
1964	1,254,306

Source: IPAA.

TABLE IV.—*Exploratory wells drilled in Wyoming*

Year:	
1959	419
1960	378
1961	388
1962	366
1963	352
1964	360

Source: Petroleum Information.

ONE YEAR LATER—"THE UNITED STATES SHOULD GET OUT OF VIETNAM"

Mr. GRUENING. Mr. President, this is a speech which 1 year ago I had hoped I would never have to make.

Exactly 1 year ago yesterday, I delivered the first major speech in the Senate on the subject of the tragic war in South Vietnam. That speech was entitled "The United States Should Get Out of Vietnam."

Events in wartorn South Vietnam since I first spoke out on March 10 a year ago have served only to underscore the soundness of my original admonition. Twelve months later—after the expenditure of an additional $450 million, and after incurring at least 771 additional casualties in U.S. fighting men killed or injured—the United States is in an even worse position to take the war in

Vietnam to the conference table than it was when I first urged that course of action on March 10 a year ago.

In my speech at that time, I set forth a detailed analysis of how the United States had gotten itself mired in the steamy jungles of southeast Asia in a bloody foot war.

I pointed out that up to 1954, during the time France had been fighting to reconquer Vietnam after the war, we were helping France in that adventure with money.

I pointed out then that Vietnam had been cruelly ruled and abused by China for a thousand years, and that those who predicted that, if the Vietnamese conflict were taken to the negotiating table, Ho Chi Minh would immediately invite the Chinese Communists to refasten the yoke of subjugation around his neck, just were not taking into account the facts of history.

In my speech on March 10 a year ago, I pointed out that the war in South Vietnam was a civil war, with South Vietnamese relatives fighting South Vietnamese relatives. The majority of the Vietcong are South Vietnamese. That was true a year ago, and it is true today, even though in the interim the number of North Vietnamese infiltrators in South Vietnam may have increased even as has the number of so-called U.S. "advisers."

I said then, and I repeat: The war in South Vietnam is not, and never has been, a United States war. It is, and must remain, a fight to be fought and won by the people of South Vietnam themselves. The will to fight and to win must come from the spirit of the South Vietnamese. The United States cannot instill that will in them.

Since the fall of Diem on November 1, 1963, there has been no stable government in South Vietnam. And the dictatorship of Diem itself, before his fall, had become increasingly cruel and oppressive. No government anywhere can instill in its people a love of country and of government by wholesale deprivation of civil rights, through the harsh use of secret police or through the napalm bombing of women and children suspected of harboring the Vietcong, oftentimes their near relatives.

What was happening in South Vietnam on March 10 of last year, when I urged that the issues there be brought to the conference table? It was little over a month since General Khanh's coup of January 30, 1964; and the New York Times was headlining the situation as "Vietnam Still Groping Month After Coup—Khanh Regime Fails To Justify Takeover by Military Gain." In the year since then, the headlines indicated in big type, day after day, week after week, month after month, the incompetence of the leaders of South Vietnam to form a government capable either of governing efficiently or of gaining the support of the people. The same black headlines alternately signaled the ups and downs of the Khanh regime, his bickering with U.S. officials, with protest riots permitted and suppressed, and so on and on, through 12 dreary months of erosion of our position in that country.

During this year, the facts fed to the American public were less than frank about the steadily deteriorating situation in South Vietnam. The fact that the number of South Vietnamese becoming sympathetic with the Vietcong cause was growing daily was shrouded in the headlines that Secretary of Defense McNamara was "optimistic over the outcome," or "tells Johnson of gain in Vietnam."

But both before the last year and during the last year, our own conduct—as well as that of the North Vietnamese—was not in accord with the provisions of the Geneva accord of 1954, which, among other things, limited the size of foreign military personnel in Vietnam, and promised elections to be held by July 20, 1956.

On the ground that the situation in North Vietnam would not permit the holding of free elections, the South Vietnamese Government has continued to oppose the holding of the elections called for by the Geneva agreement.

Our so-called military advisers in South Vietnam were steadily increasing, even before the current escalation. The pretense that our military men in South Vietnam were mere advisers was kept up before all the world, long after it became well known that they were in the front lines, fighting—and being killed and wounded—alongside South Vietnamese soldiers.

Our actions in South Vietnam have tarnished our image before the world as a law-abiding nation.

U.S. adherence to the United Nations imposed upon it certain legal obligations under the charter of that organization. That document, the primary purpose of which was to prevent war, imposes certain prerequisites upon the parties to any dispute "likely to endanger the maintenance of international peace and security." There can be little doubt that the activities in South Vietnam constitute a dispute "likely to endanger the maintenance of international peace and security."

What are the duties imposed by the charter of the United Nations upon parties to such a dispute?

First, they must seek a solution by inquiry. This, the United States has not done.

Second, they must seek a solution by mediation. This, the United States has not done.

Third, they must seek a solution by conciliation. This, the United States has not done.

Fourth, they must seek a solution by arbitration. This, the United States has not done.

Fifth, they must seek a solution by judicial settlement. This, the United States has not done.

Sixth, they must seek a solution by resorting "to regional agencies or arrangements." This, the United States has not done.

Seventh, they must seek a solution by resorting to "other peaceful means of their own choice." This, the United States has not done.

Instead, we have escalated the fighting by senseless bombings of installations in North Vietnam, which have succeeded only in frightening and alienating our friends and allies. If the presence of the 7th Fleet off the coast of North Vietnam cannot serve as a deterrent, how can strikes against military staging areas—easily replaceable—accomplish that purpose?

In South Vietnam we are going it alone. Only American fighting men are at the front, being wounded and getting killed, in addition to the South Vietnamese. Our allies of the Southeast Asia Treaty Organization have not sent their troops to fight at the side of the U.S. troops. We do not see in the frontlines in South Vietnam the fighting men from Australia, France, New Zealand, Pakistan, the Philippines, Thailand, or the United Kingdom—the other signatories, along with the United States, of the Southeast Asia Collective Defense Treaty. Of these signatories, only the United States has its men fighting along with the South Vietnamese.

The voices of the people for a negotiation of the war in Vietnam are growing ever greater.

In an excellent article published in the Long Island Press for February 28, 1965, the columnist and radio commentator, Bob Considine, asked the question: "Why Not Negotiate in Vietnam?" He answered the question this way:

> It's time to fish or cut bait, a time to halt not doing either, and to hell with face.

There is also a remarkable parallel between our actions in Vietnam and those of the French up until the disaster at Dienbienphu. True, we are not, and never have been, trying to reimpose colonialism upon the Vietnamese people. But Diem was our man—we told the world so—and we were using AID money to propagandize the countryside, thus building up a false image for Diem, at the very time when his secret police were cruelly harassing the people, and the Vietnamese Air Force—in U.S. planes—was bombing women and children. Diem's image became our image.

Is there any wonder why so many of the South Vietnamese lack the desire to fight—why South Vietnamese soldiers cannot be trusted to protect sleeping U.S. troops?

In an interesting introduction to a new book, entitled "The Battle of Dienbienphu" by the French author Jules Roy, Mr. Neil Sheehan, of the New York Times, sets out admirably the parallel between the French and the U.S. situations.

In the Nation for March 1, 1965, Mr. Frederick Kuh analyzes the "Prospects in Vietnam." In discussing possible Chinese intervention as a result of our continued air strikes into North Vietnam, Mr. Kuh states:

> Chinese interventions could come in phases: First, air support in attacking U.S. aircraft and air strikes against South Vietnam; then the assignment of so-called volunteers to North Vietnam, freeing the North Vietnamese army to move south; finally, the Chinese themselves might move south with the North Vietnamese.

The able and distinguished Senator from South Dakota [Mr. McGOVERN], has written for the Progressive of March 1965, an excellent, thought-provoking article entitled "Affirmative Alternative in Vietnam." I commend him highly

for the astuteness shown in the article and for the stand he has taken.

On March 7, 1965, there appeared in the New York Times an excellent editorial entitled "The One-Way Street." One of the major conclusions of this editorial is the statement:

If the present American policy of widening the war and refusing to consider negotiations at this time forces Moscow back toward the East, Communist China will be the gainer.

Yesterday morning's New York Times contained a leading editorial entitled "A Negotiation is a Negotiation." The editorial pointed to the precipitate haste with which the Department of State had rejected out of hand the proposal by the Secretary General of the United Nations for a seven-nation parlay on Vietnam. The editorial points out that the United States will negotiate only if our terms are accepted before negotiations begin. So why negotiate?

As has been pointed out, all wars ultimately end in negotiations. Why not negotiate the Vietnam crisis now?

The New York Times editorial refers to President Kennedy's remarks on September 2, 1963, to the effect that the Vietnamese must win this war since it is their war. But the editorial then points out:

President Johnson, on the contrary—

Despite the statement that we want no wider wars—

has now changed this policy and is trying to win the war with American arms and American forces on behalf of the South Vietnamese. This is impossible, because as Mr. Kennedy said, "It is their war"—although it is of course true that the North Vietnamese are supplying increasing help to one side, as the United States is to the other.

I ask unanimous consent that the article published in the Long Island Press for February 28, 1965; the introduction to the book, "The Battle of Dienbienphu," by Jules Roy; the March 1, 1965, article in the Nation, by Frederick Kuh; Senator McGOVERN's article in the Progressive of March 1965; and editorials in the New York Times of March 7, 1965, and March 10, 1965, be printed in the RECORD at the conclusion of my remarks.

Mr. President, 1 year ago today, I called for an end to the senseless killing in South Vietnam. From time to time during the year that has passed, I have renewed that call for an immediate ceasefire and the beginning of negotiations on Vietnam. I again renew that call, in the same words I used a year ago: The time has come to cease the useless and senseless losses of American lives in an area not essential to the security of the United States, the whole of which is not worth the loss of a single American soldier.

There being no objection, the matters submitted by Mr. GRUENING were ordered to be printed in the RECORD, as follows:

[From the Long Island Press, Feb. 28, 1965]

WHY NOT NEGOTIATE IN VIETNAM?

(By Bob Considine)

So what's wrong with negotiating over our predicament in Vietnam?

Are we worried over loss of face? A nation which could turn the enemy world into cinder if we ever went berserk instead of benign, which has more money, goods, know-how, prestige, generosity and compassion than the rest of the powers put together, does not have to worry about loss of face. But if we continue to support the insupportable chaos of Vietnam, we will lower the high regard our allies hold for us as sensible, hard-nosed realists.

The United Nations may need an oil change and a motto tuneup, but it is still enough of a vehicle to carry us out of the hapless bind we've found ourselves in for a decade. It was formed 20 years ago to take care of all the little Vietnams that were to follow in mankind's existence.

There is in its charter and varied committees every bit of machinery needed to effect a settlement that will permit us to become one of many overseers of that troubled area of the earth, not the principal foreign participant and bankroll.

It would not be a settlement to end all doubts and troubles. They don't build settlements like that any more. But it would be one which would permit us, with dignity, to pull back to what might be a board of directors, instead of serving as president and chief executive officer.

SEATO was put together in 1954 for this specific area cancer. We are no more nor less a part of the pact than is Great Britain, France, Australia, New Zealand, Pakistan, the Philippines, and Thailand. But alongside our contribution in blood and treasure the efforts of other free world countries in Vietnam have been miniscule.

If the U.N. took up the question of this war between the rival Viet mobs—the Reds in the north of the country against the musical chairs generals and mandarins in Saigon—we would not have to sit at the same table or break bread with Red China. They don't belong to the club.

If there came a day when we pulled out our 23,500 "advisers," after some kind of accord along the lines of the Korean armistice and the rickety but existing neutrality of the remainder of old Indochina, it would not automatically follow that the "Red Chinese would take over."

The peoples of southeast Asia have been fighting Chinese of all ideological hues for several thousand years. They are not going to stop resisting them the day the ink dries on a negotiated peace. What the ordinary people of North and South Vietnam desperately want is an end to a war that is of scant interest to them when compared to the overwhelming burdens of daily work, feeding themselves and their children, trying for a little better life, and avoiding as much as they can the taxation and tyranny imposed on them as much by their own troops as by the enemy.

There are many sincere people who believe that if we "pull out" of Vietnam we'll be jerking the rug from under Japan and Taiwan and setting up a situation which may one day see us fighting Communist hordes on Waikiki Beach.

If anything remotely that awful loomed, it's a cinch we wouldn't wait until they advanced that far, nor would allies who would have equally as much or more to lose by not pitching in. Those allies, I'm convinced, would include the Soviet Union. The Russians would have the most to lose in any huge eruption of the Asian peoples and dislocation of present-day spheres of strength in Japan, Taiwan, Okinawa, Philippines, Australia, and so forth.

Secretary Rusk says "no negotiating until the North Vietnamese cease aggression." Former Ambassador Henry Cabot Lodge, whose low estimate of President Diem proved depressingly wrong, says it would be as senseless to negotiate with the North Viets now as to try to cure smallpox with cold cream.

We have given up the pretense of not using American-manned jets against Vietcong guerrillas and are publicly blasting away. One proud announcement claimed we had mowed down 100 of the VC's in a low-level raid made at close to the speed of sound, if not supersonic. The communique did not list the number of friends we probably killed in the process.

You can't bomb communism, any more than an enemy attack on this country would destroy democracy, or the Luftwaffe's blitz on London destroyed British pride. But communism can be contained. We proved that when we helped France, Italy, Brazil, Venezuela, and a host of other countries to surmount its challenge.

We would bring a world of talent and persuasion to the Vietnam peace table, dominate it if we chose—which is something we're most reluctant to do in Vietnam. It's time to fish or cut bait, a time to halt not doing either, and to hell with face.

THE BATTLE OF DIENBIENPHU

(By Jules Roy)

In July of 1963, 9 years after the debacle at Dienbienphu, Denis Warner, the Australian journalist, told me how astounded he was to find the American generals in South Vietnam deluding themselves with the same false optimism the French generals had professed during the first Indochina war.

Warner, who has spent the last 15 years covering southeast Asia, had just returned from a trip through the villages and rice paddies of the Mekong Delta south of the capital. The delta was the most important area in the country. The majority of the population and the bulk of the economic resources were concentrated there and the outcome of the struggle in the delta would decide the war. Warner noted sadly that the Saigon government's position was crumbling there just as rapidly under the hammer blows of the Vietcong guerrillas as the French position in the Tonkin Delta in North Vietnam had eroded under pressure from the Vietminh insurgents in 1952.

On his return to Saigon, however, Warner had been shocked to hear the American generals assure him with the same false confidence the Frence had shown, that they were winning the war in the delta. They had cited similarly meaningless statistics on the number of guerrillas supposedly killed and on the number of fortified hamlets that had been built. "I'll bet I could dig out my old notebooks and find almost identical statements by the French," Warner said.

Nine years after the disaster at Dienbienphu had ended more than 80 years of French rule in Indochina, much remained unchanged. The French generals and diplomats had departed, leaving their reputations moldering in the rice paddies. But they had been followed by American generals and diplomats who suffered, or were about to suffer, the same fate for similar reasons. The young French officers and foreign legionnaires who had soothed their frayed nerves in the cabarets and bars on Catinat Street were gone or resting forever beneath the Tricolor in the military cemetery near the airport. But the slim Vietnamese prostitutes, their long black hair gracing the shoulders of skintight tunics, were still swinging their legs from the bar stools and still warming their beds with foreign soldiers.

The decadent emperor, Bao Dai, was living in exile on the Riviera, but he had been replaced by the Ngo Dinhs, a stiff-necked and self-righteous family who ruled with the unbending arrogance of the ancient mandarins. The head of the family, President Ngo Dinh Diem, a plump little man who waddled like a duck when he walked, was sitting in his air-conditioned office in the presidential palace, isolated from the people by his own choice, surrounded by sycophants and security policemen and convinced he ruled by divine right.

In a nearby office sat his younger brother, Ngo Dinh Nhu. Nhu was a French-educated

intellectual. He was delicately built. His long and graceful fingers perpetually held a cigarette and he spoke in a low, rasping voice. He had become a victim of his own talent for intrigue, however, and of his contempt for the rest of the human race. Each day he was plunging the regime further into a suicidal struggle with the Buddhist clergy which would end in the overthrow of the family and the assassination of himself and his brother 4 months later. His beautiful wife, Madame Ngo Dinh Nhu, who fancied herself the rightful empress of Vietnam, goaded Nhu and her brother-in-law deeper in their folly. She had poured all her woman's passion into the pursuit of power and was consumed by rage at those who dared to challenge her. She taunted the priests and dared them to "barbecue" another of their number.

Each time a Buddhist priest spilled gasoline over his body and lit himself afire in protest against the family's arrogance, the restlessness and anger of the population grew until finally the generals moved their battalions into the city and the infantry stormed the presidential palace as the tank guns barked.

The enemy were no longer called the Vietminh. They were now known as the Vietcong (Vietnamese Communists), but they were the same black-clad little men, lean and hardened by years of warfare, determined to finish the revolution they had begun against the French in 1945 and to unite Vietnam under their rule. They were just as cunning and resourceful and just as intensely self-critical as they had been when they stood on the heights and looked down into the valley of Dienbienphu. They were still just as willing as they had been then to pay the price to achieve their ends and, most important of all, they were again winning the war.

At home in the United States, most Americans, just as the French before them, were too preoccupied with their own lives to become interested in a war in a small Asian country thousands of miles away which they felt didn't concern them directly. Many probably didn't even know where Vietnam was.

Malcolm Browne, of the Associated Press, had recently received a letter from an American business firm addressed to him at "Saigon, French Indonesia." Malcolm immediately sat down and wrote a lengthy reply, patiently explaining that Saigon was in a country called Vietnam, in a region called Indochina, that there had been a long war in Indochina in which thousands of Frenchmen and Vietnamese had died and that there was another long war raging there now in which Americans were dying.

A helicopter pilot back from leave in the United States laughed and told how one of his civilian neighbors had asked him where he was stationed. When he said he was stationed in Saigon, the neighbor had replied: "Well, it's a good thing you're not in that Vietnam. They're shooting down a lot of helicopters over there."

The U.S. Information Service theater was showing a documentary film entitled, "The End of An Empire." Much of the footage had been filmed by Russian cameramen who had accompanied the Vietminh battalions in the war against the French. There were scenes of the Vietminh, thousands of them, singing as they dragged their cannons across the mountains toward Dienbienphu, fading into the jungle when the French planes appeared and then rushing forward in screaming waves to overwhelm the French garrison. Many of us who saw the film were frightened by it. It showed us how formidable was the enemy our country was now facing.

Jules Roy's account of the battle of Dienbienphu is an important book for the American reader, primarily because it will help him to understand his own country's often bewildering role in South Vietnam.

The 9 years of war between the French and the Vietminh, which climaxed at Dienbienphu, brought 17 million people in North Vietnam under Communist rule and left the economy of Indochina in chaos. Most important, the fact that the Communists had led the anticolonial struggle enabled them to claim it was they who had driven the French from the nation's soil and that they thus constituted the true nationalist elite within the country. This gave them enormous political credit with the Vietnamese peasantry, who have deep nationalist feelings. The President of North Vietnam, Ho Chi Minh, is still the greatest nationalist leader in the country to much of the peasantry, and the Communists drew deeply and successfully on this credit with the peasantry when, in 1957, they launched what might be called the Second Indochina War against the U.S.-backed government of the Ngo family.

Tens of thousands of Vietnamese men and women who might otherwise have shunned the Communists, had also joined the fight against the French because of an overwhelming desire to achieve national independence. Among them were many of the most talented and patriotic individuals in the country. During the war they had either been absorbed into the Communist ranks or cleverly and brutally silenced in the purges which followed the final victory. Other nationalist elements had either atrophied because they refused to take either side or had joined the French in the fight against the Communists, hoping to achieve independence later by political means, but instead compromising themselves in the eyes of the population because of their collaboration with the hated foreigner.

Thus, when the United States assumed responsibility for South Vietnam in 1954, the human resources the Americans could work with to attempt to build a viable nation-state constituted a mere residue. It was a residue shrunken by years of hesitation, compromise, and collaboration, riven by factions and intrigue, its moral fiber weakened by the corruption which had flourished under the French in the venal administration of Bao Dai.

Unfortunately, the United States was to worsen an already perilous situation by committing a series of blunders of its own. Under the pressure of a renewed Communist revolution, these blunders were to lead toward the impending defeat which is now threatening us in South Vietnam. And this impending defeat, although it will in all likelihood lack the drama of Dienbienphu, may be just as calamitous in its effects.

I believe that historians who search in years to come for the causes underlying the American defeat in South Vietnam will find themselves discovering reasons somewhat similar to those which Roy believes brought the earlier French defeat at Dienbienphu.

The debacle occurred, Roy explains, not because of a shortage of men, guns or bullets, but for other, more important and intangible reasons. These were the arrogance and the vanity of the French military and political leaders, their self-delusion and moral weakness and their contempt for the Asian enemy.

The most significant aspects of this book, therefore, are not the details of the battle itself, which unfolded with the grim fatalism of a Greek tragedy once the combatants met, but the motives and reasoning which led the French to deliberately risk battle with the Vietminh at Dienbienphu and to commit their best parachute and Foreign Legion battalions to that valley from which so many failed to return.

General Henri Navarre, the French Commander in Chief in Indochina, decided to risk battle at Dienbienphu, Roy writes, because he believed, on the basis of classic Western military axioms, that he could inflict a stunning defeat on the Vietminh there. According to General Navarre, the Vietminh commander, General Vo nguyen Giap, lacked the logistic capacity to concentrate enough troops to overwhelm the garrison. General Navarre believed the French artillery and airpower would pulverize any artillery the Vietminh attempted to emplace on the heights overlooking the valley. He was certain that these weapons, in combination with his tanks and machineguns, would decimate the Vietminh infantry battalions once they descended into the valley itself. He thought he would be able to keep the two airfields in the valley open during the battle to supply and reinforce the garrison. Dienbienphu ended the search for the classic, set-piece battle in which the French hoped to bring the destructive power of modern technology to bear on the elusive Communist enemy and smash him with an iron fist.

General Navarre and his staff grossly underestimated the skill and the resources of their enemy. They did not realize that these Western military axioms would not only fail to succeed against the revolutionary, politico-military strategy of the enemy, but would actually lead to disaster.

Ironically, as I recall from my 2 years in Vietnam as a reporter, the responsible American diplomatic and military officials there knew very little of the earlier French experience. If they had bothered to study it they might have seen some of the fatal weaknesses of the French reflected in themselves and drawn back before it was too late.

Listening to the Americans one got the impression that the French had fought badly and deserved to lose. In any case, they said, the French had been attempting to maintain an outdated colonial system and thus were doomed to failure. They, the Americans, knew how to fight wars, since they had defeated the Nazis and the Japanese and had bludgeoned the Chinese Communists to a stalemate in Korea. They were also fighting for democratic ideals and deserved victory since communism is bad and democracy is good.

The Americans, however, did not know that the French Expeditionary Corps had usually fought with more bravery and determination than the Vietnamese Government troops they were arming and advising. The Americans did not realize that courage alone was not enough to defeat an enemy with the cunning and resourcefulness of the Vietminh, or the Vietcong as they were now called. The Americans also forgot that many Vietnamese peasants saw little difference betwen the corrupt and brutal administrators of the Ngo family regime the United States was trying to preserve and those who had plagued them during the earlier French days.

The basic reason for the steady growth of Communist control and influence over the South Vietnamese peasantry from 1957 to 1961 had been the corruption, the nepotism, and the maladministration of the Ngo family government. At the time the United States began its massive commitment of men, money, and prestige to South Vietnam in the fall of 1961, however, Washington made only a halfhearted attempt to force the Ngo family to carry out critically needed political and administrative reforms. The reforms might have won the regime the support among the peasantry it so desperately needed.

When the attempt failed, Washington and its generals and diplomats in South Vietnam somehow convinced themselves that the Ngo family has been popular anyway. President Ngo Dinh Diem was "widely respected in the countryside," journalists were told and the regime was rallying its people around it in "a great national movement" to sweep the Vietcong from the country, to quote the former American Ambassador in Saigon, Frederick Nolting, Jr.

Like the French before them, the Americans placed their faith in classic Western

military axioms and in practice sought a conventional military solution. They paid lipservice to the political and psychological aspects of the war, but in their hearts they believed they could safely ignore these and somehow overwhelm the Vietcong with their vast amounts of money and materiel, their thousands of advisers, and the helicopters, fighter-bombers, armored vehicles, and artillery batteries they were pouring into the country.

I remember with what confidence Secretary of Defense Robert S. McNamara assured us, in a briefing at the end of his first visit to Vietnam in May of 1962, that the war was being won. Still dressed in the khaki shirt, trousers, and hiking shoes he had worn during a tour of the countryside, his notebooks filled with information gathered by hundreds of questions, Mr. McNamara was certain that the massive American aid program, then barely 5 months old, was already having effect and that the Vietcong would soon begin weakening under the pressure.

When a skeptical reporter said he could not believe Mr. McNamara was this optimistic the Secretary replied: "Every quantitative measurement we have shows we're winning this war."

The American commander in South Vietnam, Gen. Paul D. Harkins, and his staff sat in their air-conditioned offices in Saigon and waxed optimistic on the same kind of supposedly impressive statistics the French had comforted themselves with during the first Indochina war. They pointed to the number of operations the Government commanders were launching, to the mobility the American helicopters and armored personnel carriers had given the Government infantry, and to the thousands of guerrillas they were supposedly killing with their fighter-bombers, artillery, and automatic weapons. Like his French predecessor, General Navarre, General Harkins was a polite and urbane man who had built a reputation as a brilliant staff officer. Perhaps they also both shared the limitations of the Western-trained staff officer confronted with the subtleties of an Asian-style Communist revolution.

Just as bad news was not tolerated in the tranquil rooms of General Navarre's headquarters, so it was also not tolerated in General Harkins' headquarters or in the American Embassy in Saigon. In this unreal atmosphere, where doctrine and theory were defended as facts, anything which contradicted the official optimism was simply ignored or derided as false or inconsequential.

Roy relates how General Navarre refused to believe intelligence reports from the staff of his subordinate in Hanoi, Maj. Gen. René Cogny, that the Vietminh were concentrating the bulk of four infantry divisions on Dienbienphu—a formidable force which would seriously threaten the garrison. "Cogny's team was accused of adopting a spurious pessimism in order to exaggerate the importance of Tonkin and to warn Navarre's team not to infringe on its jurisdiction."

The concentration of four Vietminh divisions at Dienbienphu was regarded by the French as a "utopian project." The French had calculated on the basis of Western military doctrine that the enemy simply did not have the logistic capabilities to supply and maintain such a force far from its bases. General Navarre, Roy writes, "believed that he would be faced with only one division, though considerably reinforced; in other words, about a dozen battalions with a few heavy guns. That was nothing to be alarmed about." Unfortunately for General Navarre, the Vietminh did concentrate and maintain the bulk of four divisions at Dienbienphu, by improvising unorthodox but effective means of moving supplies and overwhelmed his garrison.

With similar dogmatism, General Harkins and his staff ignored or derided reports in the late summer of 1963 from junior officers in the field that the Vietnamese government's position in the Mekong Delta was deteriorating seriously and that the vaunted strategic hamlet program which was to separate the guerrillas from the peasantry was crumbling under Communist attacks. The reports also warned that the Vietcong were creating large but highly mobile infantry battalions armed with captured American-made weapons which would soon pose a grave challenge to the government forces.

Miss Marguerite Higgins, then covering the war for the Herald Tribune, whose dispatches from South Vietnam faithfully reflected the official point of view, wrote in August of that year:

"But as of this moment, General Harkins and his staff flatly contradict published reports that South Vietnam's U.S.-backed fight against the Communists—particularly in the rice-rich delta—is 'deteriorating' and that a Vietcong buildup is taking place to the point where the Communists will be able to conduct mobile warfare with battalions as well equipped as the government's."

As late as October General Harkins assured another journalist: "I can tell you categorically that we are winning in the Mekong Delta."

That November, taking advantage of the dislocation immediately following the fall of the Ngo family regime, the Vietcong unleashed their battalions in a series of dazzling attacks which inflicted irreparable damage on the government's already fragile position in the delta.

The junior American officers who realized what was happening and attempted to bring their superiors in Saigon to their senses, just as some of the lower-ranking French officers had tried to warn General Navarre of the debacle he was creating, wasted their energy. Their reports aroused only irritation and Saigon focused its attention on silencing them instead of abandoning its own illusions.

"Nobody believed in the strategic mobility and logistics of the Vietminh," Roy writes. "Nobody, or scarcely anybody, in the French Army had enough imagination to guess at the enemy's cunning and wisdom."

He notes that Lt. Gen. Raoul Salan, General Navarre's predecessor as commander in chief in Indochina, regarded the Vietminh commander, General Giap, "as a noncommissioned officer learning to handle regiments" and that General Navarre himself made only a halfhearted attempt to understand General Giap.

"Navarre should have kept a photograph of Giap before him at all times in his study," Roy comments, "as Montgomery kept a photograph of Rommel before him during the Egyptian campaign. Perhaps he thought that this would have been paying too much honor to a man who had not attended courses in military strategy and to whom the title of general was given only in quotation marks."

Most of the American generals likewise despised the enemy. They were fond of asserting that the Vietcong commanders were unsophisticated Asians who lacked knowledge of modern warfare. The Vietcong were frequently referred to as "those raggedly little bastards in black pajamas."

"The Vietcong aren't 10 feet tall, they're only 5 feet tall," journalists were told, "and we're going to cut them down even further before we're through." I recall how one American general confidently assured me that "the Vietcong are Vietnamese too and they've got the same failings as these government guys we're supporting. You've got to remember that these people are all pretty unsophisticated and they don't have the military tradition we've got."

Many of the Americans also did not believe in the mobility the Vietcong had gained through their control and influence over the peasantry, their clever use of motorized sampans along the thousands of canals which crisscrossed the countryside, their ability to fight at night and the stamina they had drilled into their infantry.

Miss Higgins quotes one of General Harkins' officers as saying:

"What is mobility? Mobility means vehicles and aircraft. You have seen the way our Vietnamese units are armed—50 radios, 30 or 40 vehicles, rockets, mortars and airplanes. The Vietcong have no vehicles and no airplanes. How can they be mobile?"

Finally, there were the governments back home in Washington and Paris. The successive, weak French cabinets did not want to think very much about Indochina and carefully avoided troublesome decisions on the conduct of the war. Nine years later, the administration in Washington similarly did not want to hear disturbing news about its war in South Vietnam and scrupulously dodged politically sensitive decisions.

"Once in a while Washington remembers that there is a war in South Vietnam," Max Frankel of the New York Times reported in July of 1963. "But for long stretches, the war against Communist-led guerrillas in Vietnam fades from memory here, not because no one cares, but because the men who care most decided long ago to discuss it as little as possible.

"It [administration] concedes that President Ngo Dinh Diem has often treated his own intellectuals and officers as more dangerous than the guerrillas, that he resists the decentralization of authority and that he has not done nearly enough to win the loyalists of his largely rural population.

"But every reluctant comment here ends on the same note: that there is no alternative, no intention to seek one, no change of policy and no further comment.

"All they want, officials indicate, is to get on quietly with the war."

The Vietminh commander, General Giap, said to Roy in 1963 as he was leaving Hanoi for a visit to the old battleground at Dienbienphu:

"If you were defeated, you were defeated by yourselves." Perhaps General Giap will make a similar remark to an American writer someday.

NEIL SHEEHAN.

(Mr. Sheehan was the correspondent for United Press International in Vietnam from April 1962 until April 1964, and is currently with the New York Times.)

[From the Nation, Mar. 1, 1965]

PROSPECTS IN VIETNAM

(By Frederick Kuh)

The United States is in a period of doubt, confusion and danger concerning Vietnam. What are the prospects?

1. The reaction to America's present program of airstrikes may be so intense in other countries—in the United Nations, Britain, the U.S.S.R. and France—that the United States will be forced by these third parties to come to a negotiating table either at the United Nations, at Geneva or elsewhere. There may be a strong call for a cease-fire and an attempt to get each side at least privately to indicate its basic conditions for negotiations. Britain has sent one of its responsible Foreign Office officials, George Thompson, to Moscow for talks with the Soviet Government.

2. A massive Chinese intervention and a U.S. response could mean full-scale war in southeast Asia. It would be a ground war because Chinese intervention would move rapidly from air to ground since its air power is not great.

This, it is believed, would force the United States into a ground response like Korea and would present it with grim decisions as to what weapons to use. Here again, third powers would try to bring about a cease-fire and negotiations, but this would be far more

difficult once Chinese and U.S. ground forces were committed.

Chinese interventions could come in phases: First, air support in attacking U.S. aircraft and air strikes against South Vietnam; then the assignment of so-called volunteers to North Vietnam, freeing the North Vietnamese army to move south; finally, the Chinese themselves might move south with the North Vietnamese.

3. South Vietnamese initiative could take the form either of a coup d'état, replacing the present government with a neutralist regime that would invite the United States to leave; or South Vietnamese private conversations with the Vietcong might arrange a settlement behind Uncle Sam's back and halt the war before it grows bigger.

Informed authorities regard this alternative as relative unlikely at the moment, since the country is enjoying a temporary unity and euphoria as a result of the American air strikes against the North. However, it might come as a reaction to the second alternative—as the South Vietnamese became concerned about turning the whole country into a massive battlefield.

4. This alternative—called "very unlikely" in Washington—would be for the United States to pull out under domestic, for instance, congressional pressure.

Two lines of development are going on simultaneously. One is intensification of U.S. strikes against the North, leading at some point to Chinese Communist intervention and more general warfare. The second is domestic and international pressure toward a negotiated solution. The key question is whether the pressure will bring negotiations before the Chinese intervene—that is, at what point will the United States be forced to stop its air strikes and sit down at the conference table?

[From the Progressive, Mar. 1965]

AFFIRMATIVE ALTERNATIVE IN VIETNAM

(By SENATOR GEORGE S. MCGOVERN)

To anyone taking a hard-headed, realistic look at the situation in South Vietnam it is somewhat puzzling that the terms "hard line" and "soft line" seem to be reversed when discussing that nation on the other side of the world. Where Vietnam is concerned, those who discount the present and offer only hopes for the future are considered "hard" whereas those who look at the actual situation and point to the current map of Communist-controlled areas of Vietnam are accused of following a "soft line."

It is both hard—in the sense of being difficult—and hard-headed—in the sense of being realistic—to admit honestly to ourselves what the facts are.

We are not winning in South Vietnam. We are backing a government there that is incapable either of winning a military stuggle or governing its people. We are fighting a determined army of guerrillas that seems to enjoy the cooperation of the people in the countryside and that grows stronger in the face of foreign intervention, be it Japanese, French, or American. In this circumstance, the proposal to expand the American military involvement would be an act of folly designed in the end to create a larger, more inglorious debacle.

For nearly a quarter of a century, southeast Asia has been torn by military and political conflict. First, there was the Japanese invasion of World War II. Then came nearly a decade of struggle with the French culminating in the collapse of the French army at Dienbienphu in 1954. The French lost the cream of their army in an unsuccessful effort to reestablish French control over Indochina. U.S. aid totaling $2 billion financed eighty percent of the French war effort.

Then came the gradually deepening American involvement in Southeast Asia in the ten years after 1954. American expenditures in Vietnam, in addition to $2 billion in aid to the French, now approach $4 billion, and 248 American have died trying to counsel and assist the Vietnamese forces.

Yet we are further away from victory over the guerrilla forces in Vietnam today then we were a decade ago. The recent confrontation of the Vietcong Communist guerrillas and the South Vietnamese army at Bin Ghia was a painful, dramatic demonstration that the struggle is going badly for our side. Government prestige was hurt seriously in that battle. Communist stock has gone up. Concerned Americans are asking, "What has gone wrong?" and it seems a fair question.

In my judgment, the first answer is that South Vietnam is not basically a military problem but a political one. Neither the Diem regime nor its successors has won the political loyalty and active support of the people of South Vietnam, especially those who live outside town and city limits.

There are rarely military answers to political dilemma of this nature. Military proposals in South Vietnam, whether for special forces, strategic hamlets, insurgency programs, or more suitably-designed airplanes are not likely to overcome the political weaknesses of the existing South Vietnamese Government. Even the sophisticated weapons of the nuclear age cannot overrule the basic precepts of successful government.

This is a political problem, and it is a South Vietnamese problem. The United States can accomplish much through foreign aid and military support, but we cannot create strong, effective, and popular national leadership where that leadership either does not exist or does not exert itself. That is not only expensive and impractical, it is just plain impossible.

For 9 years the U.S. helped the Diem government at a cost of $8 billion. Diem's rule was marked by the achievement of some measure of economic stability, but principally by an increasing political disaffection. That disaffection was encouraged by North Vietnam, but basically Diem's own arbitrary rule made possible Vietcong gains. The very fact that Vietcong strength was and still is greatest in the Mekong Delta and around Saigon—more than a thousand miles away from North Vietnam—indicates that there is basic popular support for the guerrillas among the South Vietnamese peasants.

It is not isolationism, either of the old variety or the new, to recognize that U.S. advisers, however able, are simply no substitute for a competent and popular indigenous government. It is not idealism either; it is simply realism. Only the Vietnamese themselves can provide the leaders and the sustained support to defeat the Vietcong. The United States can at most only hold a finger in the dike until the South Vietnamese find themselves. Therefore, even at this 11th hour, when there is mounting pressure to send more U.S. troops to South Vietnam and enlarge the conflict, we must be hard-headed realists.

Americans in Asia are basically aliens, of a different race, religion, and culture. Moreover, the Vietnamese are nationalistic and race-conscious in their outlook. As an on-the-scene observer pointed out, "If you imagine a Chinese sheriff speaking Cantonese and trying to keep order in Tombstone, Ariz., in its heyday, you will begin to understand the problem."

More American troops, in addition to the 25,000 now in South Vietnam, would not necessarily mean more success, because victory in the Vietnam countryside depends on accurate intelligence information, peasant support, and quick action by Vietnamese troops. These factors cannot be controlled by Americans. They must depend on the South Vietnamese, and we must recognize that fact.

The more Americans are brought in to do what should be the responsibility of the Vietnamese Government, the greater will be the tendency of the Vietnamese Government to rely on United States advisers rather than on able Vietnamese; the greater will be the prestige of the Vietcong and North Vietnamese for holding at bay not merely their own countrymen but also the gathered might of the United States; and, finally, the greater will be the grassroots reaction against Americans. In theory, our Government has recognized that the South Vietnamese bear primary responsibility for the war and civilian policies. In practice, Americans have assumed roles of increasing influence and leadership with slight military gains but disturbing deterioration on the local political level.

I for one am very much opposed to the policy, now gaining support in Washington, of extending the war to the north. I am disturbed by the recent reports of American air strikes in Laos and North Vietnam.

Attacks on North Vietnam will not seriously weaken guerrilla fighters a thousand miles away, fighters who depend for 80 percent of their weapons on captured United States equipment and for food on a sympathetic local peasantry. The principal foe is not the limited industrial capacity of North Vietnam, not the North Vietnamese who have remained at home, nor even their training camps and trails. It is the 30,000 individual guerrilla fighters from North and South who have no trouble finding sanctuary within South Vietnam or the neighboring states of Laos and Cambodia. Bombing North Vietnam is not calculated to reduce their determination, but undoubtedly it would antagonize many other Asians and could easily lead to increased Communist Chinese involvement in the whole Indo-Chinese peninsula.

The only viable policy for the United States in Vietnam is negotiation and a political settlement. Until such time as negotiation is possible and a settlement can be devised which does not surrender South Vietnam to communism, the United States would doubtless not find it feasible to withdraw. But the aim of our current policy must be seen as a prelude to diplomatic settlement and not an occasion for war against North Vietnam, or, even worse, Communist China.

There are many different ways to approach such a diplomatic settlement. Last August, I suggested we might take up French President Charles de Gaulle's proposal for an international conference, including the United States, the Soviet Union, Britain, France, China, Malaya, Thailand, Laos, Cambodia, Burma, Canada, Poland, India, and North and South Vietnam. More recently, Walter Lippmann raised the possibility of a Congress of Asia. The groundwork for any such gathering would have to be carefully laid and therefore, for the present, the first step should probably be informal approaches to the interested nations and preliminary private talks.

What are the objectives or terms on which we might be willing to put an end to fighting in South Vietnam? If military victory is impossible—as I believe it is—we can settle only on the kind of terms that would be generally acceptable to North Vietnam. Yet, equally clearly, we cannot simply walk out and permit the Vietcong to march into Saigon.

The minimum terms which might be acceptable on both sides would probably include:

Closer association or confederation between North and South Vietnam, not under a unitary Communist government from the North, but with local autonomy for the South as well as the North.

Renewed trade and rail links between North and South Vietnam, which admittedly would be most useful to the North where there is a pressing need for the food grown in the South.

Cooperative planning to benefit North and South Vietnam from the Mekong River development. For the South, it would mean primarily flood control. For the North, now outside the Mekong watershed, it could mean hydroelectric power for industry.

Neutralization of North and South Vietnam, including guarantees that foreign troops and military advisers would gradually be eliminated. Although this is a key point, it would not by any means eliminate all U.S. military forces from Asia nor would it bar AID and other civilian advisers. At the same time it would represent some protection to North Vietnam from the north as well as the south.

Establishment of a United Nations presence or unit in southeast Asia with the right to enter every country, to guarantee national borders, to offer protection against external aggression, and, insofar as possible, to insure fair treatment of tribal and other minorities.

Would such terms be acceptable to North Vietnam? Why should Ho Chi Minh settle for even half a loaf if he sees the prospect for ultimate victory or thinks the United States might soon be ready to pull out altogether?

Actually, North Vietnam cannot benefit, any more than South Vietnam, from a prolonged conflict; both have much to fear from any spread of the war, even subversion or infiltration. The North Vietnamese know what happened to the people and resources of North Korea during that war.

Moreover, although Hi Chi Minh, of North Vietnam, is closely allied to Communist China, the Vietnamese have for centuries regarded the Chinese with suspicion. Obviously, Peiping's desire to exert hegemony over Indochina runs directly contrary to all Vietnamese ambitions. Escalation of the war by the United States would make North Vietman increasingly dependent on China and strengthen, not Ho Chi Minh's influence, but, rather, Mao Tse-tung's. In fact, apart from China, no nation has anything to gain from a long drawn out struggle in Vietnam. Only China gains from continuing confusion and weakness in Vietnam. Only China gains, in time and resources so that it will be better able at some future time to exert its influence in southeast Asia.

France, with considerable property in North and South Vietnam, is eager for peace, putting economic stability ahead of almost any political denouement. Great Britain, which has a conflict between Malaysia and Indonesia, has never really endorsed U.S. policy in South Vietnam.

Even the Soviet Union can be expected to give quiet support to policies designed to prevent expansion of the fighting and to reduce Peiping's influence in southeast Asia. In fact, new links between Moscow and Hanoi are being forged right now, both economic and diplomatic. Moscow's influence could well be thrown, as it was in 1954, toward a negotiated settlement in southeast Asia.

The United States certainly is not anxious for broader commitments on the Asian mainland, but the key element in U.S. thinking is whether a negotiated settlement would merely pave the way for a Communist takeover in South Vietnam or elsewhere. To that question there can be no simple answer, for it would depend on the abilities of the South Vietnamese to form a government with popular support and with the ability to cooperate in some fields with the North without losing its own independence. To be realistic any settlement in the foreseeable future will have to replace the present hostility between North and South with greater economic cooperation and more political acceptance. The policies and directions that Vietnam takes will depend on the character of the leadership from Saigon as well as Hanoi. The United States can help that leadership in a number of ways, but in this nationalistic era, the United States cannot offer American leadership or American soldiers as a substitute for popular and effective government from Saigon.

[From the New York Times, Mar. 7, 1965]

THE ONE-WAY STREET

The wider war which the United States is now fighting in Vietnam is, in present circumstances, a one-way street.

If the present American strategy of carrying the war to North Vietnam works, Hanoi will cease training and supplying the Vietcong and will do what it can—which may not be nearly so much as the United States hopes—to call off the guerrillas. Despite what Washington keeps saying, there really is a species of civil war in South Vietnam. It takes the now common form of revolutionary guerrilla warfare, which the populace—in this case the peasantry—either passively accepts or actively aids. So even if American strategy in North Vietnam is successful, there is no reason to suppose that the Vietcong in South Vietnam will end their internal war against whatever government happens to be installed in Saigon.

But if the strategy does not work, the United States will face the necessity of escalating the war against North Vietnam still further. To do anything less would be to admit defeat.

Yet there is inherently a tacit admission of failure in this new American strategy. It became clear that the original purpose in aiding South Vietnam—to help establish an independent, strong, viable, peaceful country—was not being fulfilled. The situation was deteriorating for a number of reasons, and not just because North Vietnam was helping the Vietcong. Now the United States is trying to win in North Vietnam the war that was gradually being lost in South Vietnam.

Both sides can and do claim that no new policy is involved. Hanoi has been helping the Vietcong for years and the United States has been defending South Vietnam. But there has been a change in degree that is so great that it amounts to a change in policy: The war has been escalated. The United States has taken it from the ground in South Vietnam to the air in North Vietnam, as big a change as the decision of President Kennedy in 1961 to put a sizable number of American military into Vietnam. The newest decision is to step up the war in the belief and hope that Hanoi will be forced into a willingness to negotiate and that China and Russia will hold off.

At this point the dangers in American policy become evident. It is doubtless true, as S. L. A. Marshall argues in the New Leader, that the Chinese are in no position to pour ground troops into Vietnam as they did in Korea. But there are other things China can do; and in any event, Hanoi would not need a Chinese ground army. North Vietnam has a well-trained army of about 300,000 men which is already at hand. The Soviet Union could furnish arms and planes, along with Russian "advisers."

The more the war is escalated, the greater its political effects are bound to be. Granted that politics is an art and not a science, it is still possible to predict that the more pressure the United States exerts on Hanoi and the greater the danger of destruction to North Vietnam, the more likely it becomes that Moscow will be driven closer to Peiping. By the same token, the promising détente between Moscow and Washington will be weakened. If the present American policy of widening the war and refusing to consider negotiations at this time forces Moscow back toward the East, Communist China will be the gainer.

More and more questions torment the mind. Is the United States choosing the best battleground for resisting Communist aggression? Can just a little escalation produce the required results? Can escalation in fact be controlled once it has begun? And how far is this country prepared to pursue the one-way street in which it is letting itself be trapped?

[From the New York Times, Mar. 10, 1965]

A NEGOTIATION IS A NEGOTIATION

The words were hardly out of Secretary General Thant's mouth when the United States rejected his proposal. He had recommended a seven-power conference on the Vietnamese conflict.

The State Department spokesman gave the same old reply. "We still await some indication that the aggressors are prepared to talk about stopping the aggression," he said, adding that Washington would require advance evidence that negotiations would produce an agreement acceptable to the United States in Vietnam. In other words, the United States will negotiate if our terms are accepted before negotiations begin. So why negotiate?

This futile game of diplomatic chess thus remains in stalemate while the war itself escalates. Yet all wars, including the Vietnamese type, must end in some form of parley. The questions are when and how? President Johnson and his chief advisers believe the time is not ripe and that present circumstances find the United States—strong as it is—in an unfavorable position. American policy therefore is to improve the position and then consider negotiation from a vantage point where terms can be extracted to fit American demands.

On both sides the game is being played as if it can be won or lost. In reality, there can be no "victory" except at a shattering cost in lives and treasure.

President Kennedy put the problem accurately in a speech he made on September 2, 1963. "In the final analysis," he said, "it is their (the South Vietnamese) war. They are the ones who have to win it or lose it. We can help them; we can give them equipment; we can send our men out there as advisers, but they have to win it—the people of Vietnam—against the Communists."

President Johnson, on the contrary, has now changed this policy and is trying to win the war with American arms and American forces on behalf of the South Vietnamese. This is impossible, because, as Mr. Kennedy said, "it is their war"—although it is of course also true that the North Vietnamese are supplying increasing help to one side, as the United States is to the other.

The conference that Secretary Thant has recommended may or may not be an answer. It certainly deserves a more sympathetic exploration than it is getting from Washington.

There must be many Congressmen who are unhappy but reluctant to say so, and many, if not most, of the American people who would surely opt for negotiation if the issues—all the issues—were made clear to them. The American public has not been sufficiently informed and it cannot be until President Johnson speaks to the Nation.

No one can ask that he tell exactly what he plans to do, or that he divulge military secrets, or say just what terms would be acceptable, but when the President does not speak the people lack leadership. They have become confused while the Vietnamese conflict has become crucial and dangerous.

THE OUTRAGE IN SELMA

Mr. GRUENING. Mr. President, I have today received from one of my constituents a forthright letter on the subject of the brutality and lawlessness perpetrated by so-called law-enforcement officers in two Southern States. This letter expresses the righteous indignation which all decent Americans must feel.

I also have received a telegram expressing similar feelings, from four residents of different States, including Alaska.

I ask unanimous consent that Mr. George E. Fowler's letter of March 9, 1965, as well as the telegram from San Francisco, be printed at this point in my remarks in the RECORD.

There being no objection, the letter and the telegram were ordered to be printed in the RECORD, as follows:

PALMER, ALASKA,
March 9, 1965.

Senator GRUENING,
Washington, D.C.

DEAR SENATOR GRUENING: I don't want any more of my taxes spent to support the States of Alabama and Mississippi. I don't want my taxes to build highways to beat Negroes on. I don't want my taxes to build schools to keep Negroes out of. I don't want my taxes to build dams, airports, post offices, powerplants, harbors, or anything else in those States until every last Negro can vote freely, without delay, or fear, or reprisal.

Damn it, Senator, I want my Government to stop this sickening treatment of my fellow citizens right now, not tomorrow or a hundred years from now, and I want you to not stop until those poor people have full protection of the police and full protection from the police.

Today I'm ashamed to be a white man. I'm even ashamed to be an American.

Sincerely,

GEORGE "E" FOWLER.

SAN FRANCISCO, CALIF.,
March 9, 1965.

Senator ERNEST GRUENING,
Washington, D.C.:

We hold these truths to be self-evident. That all men are created equal, even in Selma, Ala., U.S.A.

BETSY KINCAID LOONEY, Austin, Tex.; RICHARD H. ELLIS, Salem, Oreg.; RICHARD CONNOLLY LAFORCE, Downey, Calif.; FRANCIS M. LOTTSCFELT, Anchorage.

SENATOR BARTLETT'S DEDICATED CAMPAIGN AGAINST AIR POLLUTION BY RADIOACTIVE FALLOUT

Mr. GRUENING. Mr. President, how pure is the air we breathe? How safe is the food we eat? Do we really enjoy "the right to breathe air as nature provided it, the right of future generations to a healthy existence?" as John Kennedy asked in his historical June 10, 1963, address at American University, in Washington, D.C.

These questions must be answered. I am very happy today to pay tribute to my colleague from Alaska [Mr. BARTLETT] who—more than any other person in the land—has pressed our Government agencies for answers to these questions, which are of such vital concern to mankind.

BOB BARTLETT has spoken on these questions many times. On April 4, 1963, he discussed the "Danger in the Arctic as Radioactivity Mounts." He said:

> A grave and potentially dangerous situation exists in the Arctic regions of our Nation. American citizens of Eskimo and Indian stock who live in inland Alaska rely upon caribou meat as their principal food stock. There is reason to believe that the caribou are becoming increasingly contaminated with strontium 90 and cesium 137. This contamination cannot be of good effect, and may well be of harm to these people and to their descendants.

The "dangerous situation" to which Senator BARTLETT referred is of particular concern to Alaskans, especially the Eskimos, many of whom hunt for the meat they eat. The Arctic food chain is simple: It links directly the food of the caribou, the lichen, and the Alaskan Eskimo, who hunts and kills the caribou which provides his principal food. Survival in the Arctic, never easy, should not be complicated or endangered after the caribou has been killed.

But man is endangering his fellowman in an unexpected and potentially injurious way. Atomic fallout from past tests, containing strontium 90 and cesium 137, falls on the lichen-caribou-man food chain in the Arctic regions of Siberia, Canada, Europe, and the United States. The nuclear test ban, unsigned by China and France cannot stop the fallout from atomic bombs already exploded nor can it stop the atomic buccaneers from dropping more.

No one knows the true extent of the fallout; but BOB BARTLETT, to his everlasting credit, and to our everlasting better health, is persisting in his efforts to direct the attention of the Federal Government agencies toward solving the radioactive fallout problem in the Arctic. He is in constant communication with the Division of Radiological Health, of the U.S. Public Health Service, because Eskimos of the Arctic continue to receive several times more strontium 90 and cesium 137 into their systems than do residents of other States. The reason, of course, is that in spite of the test ban treaty, the winds continue to carry the poisons of past tests, sprinkling them across the Arctic. Strontium 90 eventually is absorbed by the bones of the human body, and it is particularly dangerous to children. Concentrated, it can cause leukemia or bone cancer. Cesium 137 spreads throughout the body, and can produce mutations of the gene structure, causing possible deformities in newborn children.

Senator BARTLETT says, and I concur, that any strontium 90 is bad, more is worse, and to deny the fact is foolish. He correctly states:

> It is both foolish and inhumane not to investigate with very great care situations involving continued substantial intake of the isotope.

On March 4, BOB BARTLETT called for "an immediate and substantial Federal research program into the problems caused by fallout in the Arctic." He has pledged that as a member of the Appropriations Committee of the U.S. Senate, he will work to see that our radiological health studies receive all the funds and all the assistance they may require.

I share BOB BARTLETT'S concern; and I support his unremitting battle to learn the facts, and to see what more can be done thereafter.

The Public Health Service is unable to supply information as to the total exposure Eskimos have received at Anatuvuk Pass, in the Brooks Range.

The Public Health Service does not know what will be the effect of continued Chinese testing. China is not a signatory of the test ban treaty.

The Public Health Service suggests that reindeer meat, if uncontaminated, could be substituted for contaminated caribou meat; but Senator BARTLETT has been advised that—

> Based on the limited data secured from our expanded surveillance of reindeer herds, our tentative judgment is that this measure would not be effective, because levels in reindeer are comparable to those in caribou.

Available facts, and they are few, indicate that the contamination level in the Arctic will increase. Many biologists share the concern of Senator BARTLETT, as I do.

The fiscal year 1965 budget of the Public Health Service includes $153,000 for specific use in Alaska, for the radiation surveillance network of air stations, pasteurized milk sampling, the institutional diet network station, expanded caribou and reindeer sampling programs, human bone sampling for strontium 90, and cesium, and additional analyses of native diets.

In addition, the Public Health Service reports that analysis of findings in the Arctic is made at laboratories in Nevada and Washington—for which no financial figures are available.

Such programs are a beginning; but we must go far beyond penny financing if we are to have the knowledge required concerning the levels of contamination man can experience and survive, and to learn what steps can be taken to counteract the exposure to radiation which confronts man and animal.

We have to have the facts. With the leadership of men like Senator BOB BARTLETT, I am confident that we shall get these facts and an adequate Federal program to cope with the problems they present.

In an article appearing in the winter, 1964–65, issue of Indian Truth, there is a discussion of the radioactive-fallout threat in the Arctic. I quote from the article:

> Senator BARTLETT is right in urgently calling attention to this situation and in asking, "What does the Government intend to do about the mounting hazards in the Arctic?"

Mr. President, I ask unanimous consent that the article be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, the new pollution research laboratory and the Arctic Health Research Center, both on the campus of the University of Alaska, will be ready in a few months. They are both Federal projects. Let us hope that they will be provided with the necessary funds to assist actively in meeting this serious aspect of pollution, as well as all the other incidences of pollution in the 49th State.

EXHIBIT 1

[From Indian Truth for the winter of 1964–65]

RADIOACTIVE FALLOUT THREAT TO ESKIMOS

Recent newspaper reports and statements by Senator BARTLETT, of Alaska, in the CONGRESSIONAL RECORD again call attention to

the serious situation developing from radioactive fallout in certain Arctic regions.

"Cesium 137, a relatively long-lived radioactive material produced in an atomic explosion is one of the major constituents of fallout from atmospheric weapons testing. Since the material tends to concentrate in the body muscles, where it can irradiate the reproductive organs with its gamma radiation, it poses a genetic hazard."

Measurements taken in July of 27 Eskimos show that the average level of cesium 137 in the population of Anaktuvuk Pass has reached 1,170 micromicrocuries, a level which is substantially above a safe limit.

This situation in Anaktuvuk Pass is due to unusual geographic and ecological factors. Its extreme northern latitude causes a high rate of fallout from Russian testing. The cesium is absorbed by the lichens. During the winter the caribou eat the lichens. The Eskimos in turn eat the caribou meat. At each step there is a concentration of the cesium.

Since 1962 the Commission's Hanford, Wash., laboratory has continued to observe the cesium levels in four Alaska villages. By 1963 the levels reached a point at Anaktuvuk Pass where A. M. Parker, manager of the Hanford laboratory, warned Congress that the Government ought to consider countermeasures to protect the population. The levels measured July 1964 were almost exactly double those observed in July 1963.

Senator BARTLETT is right in urgently calling attention to this situation and in asking, "What does the Government intend to do about the mounting hazards in the Arctic?"

DISCRIMINATORY FREIGHT RATES

Mr. McGOVERN. Mr. President, the establishment of discriminatory freight rates, disrupting the historical balance between wheat and flour shipping costs, is threatening the flour-milling industry in the Middle West by forcing millers to relocate plants near large centers of population and consumption.

The tremendous disruption this can cause to our South Dakota economy is shown by the fact that we have 1,800 elevators and mills in the State.

The concern of South Dakota over the situation is reflected in Senate Concurrent Resolution 8, which has been adopted by the South Dakota Senate and House of Representatives and transmitted to me today.

I ask unanimous consent that it be included in the RECORD.

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

SENATE CONCURRENT RESOLUTION 8

Concurrent resolution memorializing the Congress of the United States in regard to legislation pertaining to national transportation problems

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring therein):

Whereas a strong, efficient transportation system is essential to the well-being and defense of our Nation; and the economic stability and growth of the Nation is threatened unless satisfactory, long-range solutions to problems of competition and rates can be found; and

Whereas regulation of freight rates by all carriers engaged in commercial transportation is necessary to protect the public interest; and it is a matter of national transportation policy that all shippers should be protected from unfair rate discrimination, place discrimination, and size discrimination; and

Whereas it is desirable and practical to limit the application of the agricultural commodity exemptions and provide the producer the unrestricted right to haul his own produce to market; and

Whereas to meet nonregulated competition, regulated carriers have disrupted and deviated from the historical wheat-flour rate parity and it is further proposed to cease regulation of rail rates on agricultural commodities—all of which is unjustifiable and discriminatory in its effects on industry in South Dakota and the entire Great Plains area; and

Whereas it is recognized and attention is directed to the extreme importance of the wheat flour-milling industry to the South Dakota economy and as a preferred market for South Dakota wheat producers, providing a ready market for wheat grown in South Dakota each year; and

Whereas South Dakota produces the finest hard milling wheat and wheat flour in this area and more than 1,800 country elevators and flour-milling companies in South Dakota and adjacent thereto contribute materially to the economy of the State of South Dakota; and

Whereas it is evident that a discriminatory differential in wheat and flour rates threatens the Great Plains area with the loss and relocation of the flour-milling industry and associated industries as well; and such changes would be disruptive of a simplified rate structure adapted to the best interests of producers, consumers, railroads, and millers; and

Whereas the Governor of South Dakota has recognized the threat to industry in South Dakota and the Great Plains area, and has appointed Mr. Lem Overpeck, Lieutenant Governor of South Dakota, as a member of a 10-State committee to promote rate parity on grain and grain products, prevent the effects of deregulation which would be detrimental to industry in the wheat growing area of our Nation, and preserve the flour-milling industry in South Dakota and the surrounding States; and

Whereas in connection with the flour milling industry as a byproduct and by reason thereof there is available and there is produced large amounts of livestock feed out of the byproducts of said flour-milling industry, the loss of which would increase the costs to livestock growers in the State of South Dakota: Now, therefore, be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring therein), That we respectfully submit that the effects of deregulation of commodity traffic and the chaos which would result from this action would cause a serious dislocation of industry from the Great Plains area and irreparable harm to the economy of our Nation; and that we respectfully urge and request the Congress of the United States to enact legislation providing for fair and equitable regulation of all modes of commercial transportation and provide the Interstate Commerce Commission with the greater authority needed for full enforcement; and that such legislation should provide for the protection of the interests of the primary producer; be it further

Resolved, That the secretary of state be directed to transmit an enrolled copy of this resolution to the Vice President of the United States, the Speaker of the House of Representatives of the United States, the Secretary of Agriculture of the United States, the Secretary of Commerce of the United States, the chairman of the Committee on Interstate and Foreign Commerce in the House of Representatives of the United States, the chairman of the Committee on Agriculture, and the chairman of the Committee on Commerce in the Senate of the United States, the Governors of Minnesota, North Dakota, Montana, Wyoming, Nebraska, Colorado, Missouri, Oklahoma, Kansas, and Texas, and to each member of the South Dakota delegation in the Congress of the United States.

Adopted by the senate February 16, 1965.

Concurred in by the house of representatives February 27, 1965.

LEM OVERPECK,
President of the Senate.

Attest:

NIELS P. JENSEN,
Secretary of the Senate.

CHARLES DROZ,
Speaker of the House.

Attest:

WALTER J. MATSON,
Chief Clerk.

NEEDED: AN AMERICAN FREEDOM ACADEMY

Mr. MUNDT. Mr. President, last week I spoke of the need to enact something like the Freedom Academy bill so that our people working in foreign relations might be better prepared to understand techniques of nonmilitary aggression in its incipient stages when appropriate counteraction would more effectively enervate the aggressors, more effectively isolate them from potential success.

Today I would like to consider briefly another function proposed for the Freedom Academy, intensive training of foreign nationals. We would bring servants of friendly governments to this country, persons asking for the training, and teach them how Communists and other practitioners of nonmilitary aggression undercut independent governments which they have targeted for destruction.

The sponsors of the Freedom Academy bill, Messrs. CASE, DODD, DOUGLAS, FONG, HICKENLOOPER, LAUSCHE, MILLER, PROUTY, PROXMIRE, SCOTT, SMATHERS, and newly joining us, MURPHY, besides myself, a group broadly representative of the whole Senate, do not intend that such training for foreign nationals be limited to government employees only. We would include others—journalists, perhaps, or educators, civic leaders, people upon whom a friendly, nontotalitarian nation must depend for the insightful and wise leadership which is requisite for a nation to retain its independence in this new day of calculated disrespect for national sovereignty clothed in terms of sanctimonious honor for self-determination.

The Freedom Academy bill proposes intensive research into the methods of nonmilitary aggression, into methods of psychological warfare and all which goes with that, and concurrent training to disseminate findings, knowledge, and awareness — sophistication — accumulating from this research.

The free world needs such an institution. Let me read a letter symptomatic of the need. Addressed to a respected Washington journalist, whom I will not identify, the letter is signed by a foreign citizen who is studying in this country. I will not identify the nationality of the writer, respecting his request.

The letter is dated February 15, 1965. It goes:

DEAR MR. ———: I was very much impressed by your (recently published article) • • •.

Even though I could not wholly agree with what you say, I do realize that the most effective way to fight communism is using their own methods.

Here I interject to say that the Freedom Academy bill does not propose to mimic Communist violence. We propose to study Communist methods to understand them and to arm the people upon whom we depend for defense with understanding to better prepare them to cope with the challenge we face.

Returning to the letter:

It is the future of my country * * * that compels me to write this letter. What is going to happen if * * * [the political leader] is dead? I assume then the Communists will make a break to get in power. Who is going to stop them? Or will it be another Korea or Vietnam? I believe we, who still believe in freedom, have to prevent * * * [his country] from falling into Communist hands.

Unfortunately, we do not know and do not have the means how to fight the Communists.

I have written to the American Institute for Free Labor Development, but that organization is for Latin America only.

Could you please tell me how I can join the Freedom Academy?

I am a medical fellow in this country and I want to return to my country not only with the medical knowledge, but also how to fight communism.

This opinion of mine is shared by many of us who study in your country.

I thank you beforehand and God bless you.

The journalist attached this note:

Senator MUNDT, now what can we do with a letter like this?

Right now my journalist friend can do nothing with the letter except write more articles. And about all I can do is talk to the Senate. Our Government affords remarkably little in the way of political training for this man. Probably at least part of the cost for his medical training is borne by our Government, but we refuse to recognize his coexistent need for realistic political education.

This week's press supplies further current evidence that the need I am discussing is real. It exists. It is not a bogey in the mind of professional anti-Communists. It is as real as anything in the political sphere.

The Lloyd Garrison story in the New York Times of March 9, datelined Brazzaville, the Congo Republic—across the river from Leopoldville in the Republic of the Congo—is fully pertinent.

Garrison writes:

The youths came in about 20 minutes after midnight. They wore khaki shorts and Chinese peaked caps with a red star on a black shield. [They were] * * * recognized * * * as members of the Jeunesse, the militant arm of the National Revolutionary Movement, the sole legal party in this country, the former French Congo.

One group broke down the door of the home of Joseph Pouabou, president of the supreme court. The youths pummeled (him) into submission. Then they beat Mrs. Pouabou and her children and dragged Mr. Pouabou unconscious to one of three waiting cars.

[The] * * * scene [was] * * * repeated at the homes of (the) Attorney General * * * and * * * [the] director of the Government's information agency. Both were found dead 2 days later * * *. Mr. Pouabou is * * * presumed dead.

The killings took place the night of February 15 (the date of the letter I read earlier).

They marked the climax of a campaign to seize total control over the Government of moderate Socialists. One French observer here described the seizure of power as "a classic Communist-style takeover."

With guidance from Peiping's Embassy here, the radicals at first appeared content to play a minority role in a government that the moderates hoped would reflect "all shades of national opinion."

But when delegates assembled to form a broadly based one-party system, they found themselves outmaneuvered and outvoted.

Communists came to dominate the party's policymaking body, formerly known as the Political Bureau and as the Politburo. In quick succession, the Politburo decreed the establishment of one trade union, one youth group, one women's organization * * *.

Where fear has not enforced conformity, money has been dispersed freely as an added incentive. * * *.

Nowhere in West Africa today is the Chinese presence so dominant. According to one reliable French source, Peiping's counselor of the Embassy * * * now sits in on all of the Politburo's closed-door deliberations.

A classic Communist-style takeover. How much better if we could provide our willing and independent friends with understanding of what constitutes a classic takeover, what must precede it, what the tactics and techniques of takeover are.

Garrison's dispatch was continued in the New York Times of March 10:

The Chinese Communists are the dominant diplomatic force beyond this country's "scientific Socialist" regime. Many widely held assumptions about how they operate have proved false.

For one thing, they are not linguists * * *.

There is no attempt to live simply or play on the image of the austere revolutionary. The Chinese * * * occupy big villas and drive chauffered limousines * * *.

They are never seen in the open-air dance halls with other diplomats, who drink the local beer, dance the cha cha, and mix with the Africans. * * *

Africans find it impossible to strike up friendships with the Chinese.

Garrison notes, too, that China is quick to provide well-directed aid. For example, they have provided $20 million to set up "Chinese-run small industries."

Excellent vehicles for further infiltration. He concludes:

The most informed concensus is that the Chinese will go only as far as is necessary to insure that the regime continues to be virulently anti-Western and affords them a secure base for subversion in the biggest prize of all—the former Belgian Congo, which lies just across the Congo River.

Mr. President, I ask unanimous consent that these two articles by Lloyd Garrison, "Brazzaville: Story of a Red Takeover," from the New York Times of March 9, 1965, and "Chinese Aloof in Brazzaville," from the New York Times of March 10, 1965, be printed in full at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 9, 1965]

BRAZZAVILLE: STORY OF RED TAKEOVER

(By Lloyd Garrison)

BRAZZAVILLE, THE CONGO REPUBLIC, March 5.—The youths came about 20 minutes after midnight. They wore khaki shorts and Chinese peaked caps with a red star on a black shield. Most were armed with wooden staves and empty quart-size beer bottles.

Awakened neighbors easily recognized them as members of the Jeunesse, the militant arm of the National Revolutionary Movement, the sole legal party in this country, the former French Congo.

One group broke down the door of the home of Joseph Pouabou, president of the supreme court. The youths pummeled Mr. Pouabou into submission. Then they beat Mrs. Pouabou and her children and dragged Mr. Pouabou unconscious to one of three waiting cars.

The scene was repeated at the homes of Attorney General Lazar Matsocota and Anselme Massouemi, director of the Government's information agency. Both were found dead 2 days later beside the Congo River. Mr. Pouabou is still missing and presumed dead.

The killings took place the night of February 15. To experienced diplomats here they marked the climax of a campaign by the pro-Peiping African Communists to seize total control over the Government of moderate Socialists who ousted Abbé Fulbert Youlou's corrupt and discredited regime 2 years ago.

One French observer described the seizure of power as "a classic Communist-style takeover."

With guidance from Peiping's Embassy here, the radicals at first appeared content to play a minority role in a government that the moderates hoped would reflect all shades of national opinion.

But when delegates assembled to form a broadly based one-party system, they found themselves outmaneuvered and outvoted.

Communists came to dominate the party's policymaking body, formerly known as the Political Bureau and as the Politburo. In quick succession, the Politburo decreed the establishment of one trade union, one youth group, one women's organization.

Only the Boy Scouts have yet to be absorbed into the party fabric.

Some prominent moderates, such as Paul Kaya, former Minister of the Economy, have slipped across the border into exile. Others have been retained in the civil service, where they do the Government's bidding in political silence.

Under threat of reprisal if they don't comply, several Congolese in private occupations have been "persuaded" to fill key second-echelon posts.

Where fear has not enforced conformity, money has been dispersed freely as an added incentive.

The Government still maintains a facade of moderation. President Alphonse Debat, a mildly leftist former schoolteacher who holds the French Legion of Honor, occasionally balances the Communists' anti-Western tirades with warm references to President de Gaulle and French aid.

But he and Premier Pascal Lissouba are powerless to initiate even the smallest decision without the rubber-stamp approval of the 10-man Politburo.

Nowhere in West Africa today is the Chinese presence so dominant. According to one reliable French source, Peiping's counselor of the embassy, Col. Kan Mai, now sits in on all of the Politburo's closed-door deliberations.

[From the New York Times, Mar. 10, 1965]

CHINESE ALOOF IN BRAZZAVILLE—SCORE BIG SUCCESS DESPITE LIMITED AFRICAN CONTACTS

(By Lloyd Garrison)

BRAZZAVILLE, CONGO REPUBLIC, March 5.—Peiping's diplomatic style has many Western observers wondering why the Chinese have been so startlingly successful in this former French colony.

The Chinese Communists are the dominant diplomatic force behind this country's

scientific Socialist regime. Many widely held assumptions about how they operate have proved false.

For one thing, they are not linguists, at least in French, for there are many interpreters attached to their Embassy. Neither the Ambassador, Chou Chiuyen, nor his principal aide, Col. Kan Mai, speaks French.

In their propaganda the Chinese have striven to project themselves as the purest and most down-to-earth Marxists whose skin color should make them the Africans' natural allies.

But there is no attempt to live simply or play on the image of the austere revolutionary. The Chinese dress in Western style, occupy big villas, and drive chauffered limousines.

They are hardly outgoing. None indulge in comradely back slapping and joke swapping with the Africans the way the Russians do. They are never seen in the open-air dance halls with other diplomats, who drink the local beer, dance the cha cha, and mix with the Africans.

BRING THEIR OWN SERVANTS

Unlike almost all the other diplomats, the Chinese employ no African servants and have brought their own cooks, launderesses and even gardeners.

Africans find it impossible to strike up friendships with the Chinese. All members of the staff are required to travel in pairs even when going for a haircut.

Why the success of the Chinese?

Western officials agree on two points.

First, they stress the fact that the radicals in power here had long been warmly disposed toward the Chinese.

"Of course, the Chinese have been clever," one Western observer said. "But the table was already set for them when they arrived, and all they had to do was sit down and eat and mind their manners."

The second point is that the Chinese work incredibly hard.

From a handful, the Embassy staff has grown nearly to 50 officials, each a specialist assigned to work closely with a ministry or organization, ranging from agriculture to children's groups.

SWIFT OFFER TO HELP

Compared with other Communist states, China moved swiftly in offering aid.

First came a $5 million loan to help balance last year's budget. Recently the Government has accepted a $20 million loan for setting up Chinese-run small industries. Each loan is interest free, with 10 years' grace on repayment.

The Soviet Union has offered an $8 million agreement for financing, at 2.5 percent interest, such long-term, prestige projects as a luxury hotel and a hydroelectric dam that the Americans turned down as economically unfeasible.

What are Peiping's objectives?

Most Western experts doubt that the Chinese want to replace the French here completely. The Congo is a poor small country, and to assume the major responsibility for aid and budget subsidies would prove extremely expensive.

The most informed consensus is that the Chinese will go only as far as is necessary to insure that the regime continues to be virulently anti-Western and affords them a secure base for subversion in the biggest prize of all—the former Belgian Congo, which lies just across the Congo River.

Mr. MUNDT. Mr. President, techniques of takeover appear quite diverse. For example, I read from a recent United Press International dispatch:

PUNO, PERU, February 26.—A report published here today indicated Latin American "volunteers" trained in Cuba are fighting on the Communist side in South Vietnam.

The family of Julian Jimenez Ochoa, a young Peruvian who went to Cuba for guerrilla training, has been notified unofficially of his death in battle in Vietnam.

The report of Jimenez' death was contained in a letter purported to come from other young Peruvians who were serving with the Reds in South Vietnam.

One must wonder what the future holds for these young Latin American fighters for communism. They will likely utilize these skills in their homelands. Hopefully, non-Communists in Latin America will have timely opportunity to prepare themselves for confrontation with experienced guerrillas.

But although techniques of takeover are diverse, as with all else in human relations, there must be identifiable patterns in them.

We should identify these patterns and lay them open to full comprehension.

More important, we should make this knowledge available to persons who can use it to defend their own countries' sovereignty and, in so doing, to contribute to our own defense.

We have here a mutual interest.

PAY SCALE OF EMPLOYEES OF SENATE RESTAURANT

Mr. MORSE. Mr. President, for some time employees of the Senate working in Senate restaurants have conferred with me about their pay scale. I have sought information from the Senate Committee on Rules and Administration with regard to some of the problems that they raised. I sought first, as I always do, in connection with any complaint, to ascertain the facts. The first thing I needed to know was the facts about the pay scale in the Senate restaurants. So I made a request of my very able counsel, Mr. Richard Judd of the District of Columbia Committee, of which I have the privilege of being a member. I speak of him as my counsel; he is counsel for the entire committee, but the chairman of the committee has made him available to me for the work of my subcommittees, particularly the work of my subcommittee which deals with law enforcement, public welfare, and educational problems in the District of Columbia. I asked that able counsel, Mr. Richard E. Judd, if he would proceed to obtain for me information from the Committee on Rules and Administration and also from the accounting officer for the Architect of the Capitol dealing with the pay scales of certain employees in Senate restaurants.

Under date of March 3, 1965, Mr. Daniel J. Geary, accounting officer to the Architect of the Capitol, wrote in reply to Mr. Hugh Q. Alexander, chief counsel of the Committee on Rules and Administration, the following letter:

MARCH 3, 1965.

Hon. HUGH Q. ALEXANDER,
Chief Counsel, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. ALEXANDER: I am enclosing herewith a tabulation of hourly rates of Senate restaurant employees. This includes all employees who are employed on a timeclock basis, but excludes administrative and managerial personnel. As a result of my conversation with Mr. Richard Judd, I believe this tabulation will supply the information which Senator MORSE requested the committee to furnish him.

Sincerely yours,

DANIEL J. GEARY,
Accounting Officer for the Architect of the Capitol.

I am deeply appreciative of the wonderful cooperation I have received from Mr. Alexander, chief counsel of the Committee on Rules and Administration, and also from Mr. Geary, accounting officer for the Architect of the Capitol.

I ask unanimous consent that the entire tabulation be printed at this point in the RECORD.

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

TABULATION OF HOURLY RATES OF PAY OF SENATE RESTAURANT EMPLOYEES

A decision of the Comptroller General of the United States held that employees of the restaurants were employees of the United States in the legislative branch and not employees of the Architect, therefore Senate restaurant employees are compensated at annual rates under the provisions of 5 U.S.C. 84.

Hourly rates as shown in this tabulation are computed on the actual number of hours worked in a normal pay period when no reduction for absence without pay occurs.

All employees receive meals in addition to monetary compensation. Full-time employees receiving two meals and part-time employees one meal a day. Many employees also receive gratuities or tips which contribute substantially to their earnings.

Job title:	*Effective hourly rate*
Cook	$2.27
Night baker	2.19
Boiler cook	2.02
Short order cook	2.00
Baker	1.96
Second cook	1.93
Steward	1.67
Head waiter	1.63
Cashier (full time)	1.56
Assistant cook	1.54
Assistant baker	1.43
Senior salad girl	1.43
Fry cook	1.41
Cashier (full time)	1.41
Relief cashier	1.37
Stock clerk	1.36
Grill girl	1.31
Salad girl	1.25
Pantry girl	1.23
Storeroom assistant	1.23
Assistant butcher	1.22
Senior counter girl	1.19
Cooks helper	1.19
Telautograph reader	1.14
Counter girl (full time)	1.13
Bus girl (full time)	1.13
Counter girl (part time)	1.13
Bus girl (part time)	1.13
Waitress	1.13
Pantry boy	1.07
General utility	1.02
Dish washer	1.02
Pot washer	1.02
Butcher helper	1.02
Waiter (full time)	1.00
Waiter (part time)	1.00

Mr. MORSE. Mr. President, I wish to discuss some of the information set forth in the tabulation concerning the hourly rates of pay of Senate employees. An explanatory introduction to the tabulation reads as follows:

A decision of the Comptroller General of the United States held that employees of the restaurants were employees of the United

States in the legislative branch, and not employees of the Architect. Therefore, Senate restaurant employees are compensated at annual rates under the provisions of 5 United States Code 84. The hourly rates as shown in this tabulation are computed on the actual number of hours worked in a normal pay period when no reduction for absence without pay occurs.

All employees receive meals in addition to monetary compensation. Full-time employees receive two meals, and per diem employees one meal a day. Many employees also receive gratuities or tips which contribute substantially to their earnings.

I say good naturedly that conversations with Senate restaurant employees seem to indicate that Senators are not the best tippers in the world. They may be the best tipsters, but not the best tippers, because if the restaurant employees were dependent upon any substantial enlargement of their weekly take-home pay from the tips they receive, they would not fare as well as waiters working in downtown restaurants. The truth of the matter is that very few restaurant employees receive any tips at all.

For some time now Congress has underwritten a national minimum wage policy providing for a minimum wage of $1.25 an hour. I do not think we can, with good grace, pay Senate employees less than $1.25 an hour. Yet that is what we are doing. I do not know whether or not it is being done elsewhere in the Senate.

I am pursuing this subject and shall continue to pursue it, because obviously it is not the last comment I shall make on it, for this condition will call for some action on the part of the Committee on Rules and Administration as well as the Appropriations Committee. Once we can have answered the questions I wish to submit to the Committee on Rules and Administration, if they will favor me with their answers based upon the research that I hope they will assign to appropriate staff members, we shall then be in a better position to discuss this problem, because we shall then have more of the facts.

The tabulation shows that the minimum wage of $1.25 an hour is paid to the salad girl. The job classification before that, starting with cook, is $2.27 an hour, which I am advised is below the pay received by a cook employed in any so-called medium-class restaurant in the District of Columbia, and is considerably below the pay of cooks in what are considered first-class or top-quality restaurants.

The night baker receives $2.19 an hour. I shall ask my able counsel, Mr. Judd to prepare an exhibit, for future reference, comparing the $2.19 an hour with the pay that is received by night bakers in comparable eating establishments in the District of Columbia.

It may be asked why I should make any comment today, since we do not have all this material available and cannot get all of it for some time. I am always a hopeful person. I am always hopeful that a public disclosure of such information as I shall disclose this afternoon might possibly result in some wage negotiations between the U.S. Senate, through its representatives who have charge of the restaurants of the Senate, and the employees. If ever there was a place where some needed labor negotiations should take place, I respectfully submit that this is a good place to start. It is probably a good illustration of how desirable it is that the Senate move into the modern era in labor relations vis-a-vis the Government and underpaid Government workers.

As one who represented the U.S. Government in the first arbitration case between the Government and a labor union, back in 1942, I believed long before that that the Government ought to be willing to negotiate at least the bread and butter costs of dedicated public servants, who work for the Government in what many may think to be rather menial job classifications. But they are job classifications of great dignity and ability, for the most part, with culturally dignified American citizens.

I respectfully say that they are entitled to a better "break in their bread," so to speak. They are entitled to better pay. In my judgment, we cannot justify seeking to capitalize on the prestige of Government employees by paying them wages that are not fair and adequate. We do capitalize on that prestige. It is easy for us to forget that. We would be surprised to learn how many people puff up their chests and expand them a little when someone asks, "Whom do you work for?" and the reply is, "I work for the U.S. Senate." But that does not buy bread for them. We ought to be proud to have them working for the U.S. Senate without having them in any way subsidize the Senate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I am delighted to yield.

Mr. LONG of Louisiana. As the Senator from Oregon well knows, under the Taft-Hartley Act it is illegal for Government employees to strike.

Mr. MORSE. I did not vote for the Taft-Hartley law.

Mr. LONG of Louisiana. I know the Senator from Oregon did not vote for it. I was not a Member of the Senate then, so I could not vote on the bill one way or the other. In most instances, Government employees are well paid. And they have some choice about the matter. But when it comes to the point at which the Government is competing with the ordinary sweatshop, it seems to me that we ought to amend that law so that the restaurant employees could go on strike. My guess is that that would help to correct a somewhat unfortunate situation.

Mr. MORSE. Mr. President, I assure my friend that they should not have to go on strike. I do not think they will ever have to go on strike once such information as I propose to make available here this afternoon, and in the future, to my colleagues in the Senate is considered by the Senate. I have a hunch that my raising this problem this afternoon and presenting the information I shall present may very well cause my colleagues in the Senate to say to the members of the Committee on Rules and Administration, "Please do something about this one, for that fellow WAYNE MORSE will never keep still if you don't." I assure Senators that that will be true, speaking jocularly.

Returning to the matter of the Taft-Hartley law, it is true that it provides that Government employees cannot strike. Government employees, in my opinion, should be given a much stronger guarantee for real effective collective bargaining, including grievance procedure, whereby they can bring grievances against the Government when they find that working conditions and wages are unfair. Also, I would go this far now. Included in the grievance procedure there ought to be an agreement on the part of both the Government and the Government employees to include voluntary arbitration of their differences.

When the Government, acting in a proprietary interest, operates a restaurant or participates in many other proprietary interests, we get it on a much larger scale. This is true in connection with some of these very important public utility operations, such as the Bonneville Administration in my State. It has been a long hard pull in these Government agencies to get them to recognize that the Government has no moral right, and it should not be given the legal right to refuse to bargain simply by saying, "These are the orders. We are not going to bargain with you. We are not going to set up any grievance procedure. We are not going to arbitrate with you." Yet, we use other enforcement instrumentalities by way of law upon private utilities and the private segment of the economy, in connection with their legal operation, to bargain and agree to fair grievance machinery.

I am not talking about policemen. I am not talking about the class of cases that all of us who have worked in the field of labor law know is surrounded with certain exceptional circumstances that make it, from the standpoint of security, desirable to provide for more restrictions. Even there I am a strong advocate for the maximum of economic intercourse of labor relations between the employee and Government that is possible. But certainly when we are dealing with restaurant employees, we cannot justify, in my judgment, not having negotiations, grievance machinery, and provision for voluntary arbitration.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

The PRESIDING OFFICER (Mr. MCGOVERN in the chair). The Senator from Louisiana is recognized.

Mr. LONG of Louisiana. Mr. President, I recall one time when the late Senator Hennings, of Missouri, pointed out that on occasion they used to keep Graham crackers and some cream on the table, all of which was free. I recall the Senator telling the story of a Senator, or, perhaps more than one, when Mr. Hennings was chairman of the Rules Committee, coming to the dining table, picking up some Graham crackers in his fist, pouring some cream on them, and eating them. When the check would come, the tab was zero. The Senator would then proceed to write a 5-cent tip on the ticket for the woman. Compared

to the price on the check, that was perhaps a 1,000-percent tip.

Mr. MORSE. Mr. President, going back to the day employment cook with a wage of $2.02 an hour, and without repeating each job classification, I make a blanket observation. I shall either support it or modify it when my counsel, Mr. Judd supplies me with the tabulation later. But the preliminary inquiries seem to bear out my general statement that all the job classifications with the wage rates that I announce are somewhat lower than job classifications in private and commercial restaurants downtown.

I point out that in the Senate we have supported labor legislation providing that prevailing wage rates must be paid, for example, on Government contracts. In every labor arbitration in which I was ever involved, and there were scores of them, invariably we got to the issue of prevailing wage rates for like or similar employment in the employment area. I therefore mention this factor as I discuss these wage rates, because my preliminary information is that the wage rates are somewhat below the wage rates for comparable jobs prevailing in the Washington, D.C., labor area.

Mr. LONG of Louisiana. Mr. President, the Senator very well knows that many of the waiters in the restaurants have jobs on the side. They have to have two jobs in order to make ends meet.

Mr. MORSE. I have a section in my speech which comments on that. It is very interesting that we have already received some comments from those in employing positions here in the Capitol, pointing that out as justification for their low wage rates.

It would be very interesting to see them in a real collective-bargaining conference in which it was said, "You must take a lower rate; then you can moonlight and work another 6 hours somewhere."

Although I seem to be very good natured about it, I am sad about it. After all, fallacious arguments sometimes are funny.

I am delighted to see present in the Senate Chamber, the chairman of the Subcommittee on Labor of the Committee on Labor and Public Welfare [Mr. MCNAMARA]. No one in this body could be more fascinated with the discussion I am giving the Senate this afternoon. The Senator has not heard the beginning of my remarks. I want to say to him that I am pointing out some of the facts of the low standard of pay in the Senate restaurants, with which we are not too familiar and are only indirectly responsible for. I have hopes. In fact, perhaps merely raising the problem on the Senate floor will result in some change in these wage scales.

I have been going down the list of an exhibit furnished me, showing the wage scales for certain job classifications which I am informed are somewhat below the going rates of pay in comparable commercial restaurants in this area.

I am having a counsel of the Senate District of Columbia Committee, Mr. Judd, prepare an exhibit that I can introduce in my second speech on this subject. This speech will be the start of a series of speeches on this matter if some corrective action is not taken by the Senate.

All I am pleading for is that we do a little bargaining with these free men and women to see if we cannot correct what I am afraid the facts will show are inequities.

The argument has already been made that a few employees get tips in connection with their job. I suggest that Senators may be good tipsters, but they are not good tippers, by and large.

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

Mr. MORSE. I yield.

Mr. MCNAMARA. I want to thank the Senator for making this speech on behalf of the Senate employees in the restaurant. I wish to ask him a question. Does the Senator recognize that if the Senate goes out of session early in the year, their salaries stop at that time?

Mr. MORSE. Yes, to some extent. Not all Senate employees lose their jobs because there are Senate employees to be fed during the remainder of the year and vacations must be taken.

Mr. MCNAMARA. Their salaries are quite low. In addition, the jobs are more or less part time.

Mr. MORSE. I started to say that some arguments have been presented to me, in good faith, by some individuals, to the effect that "Senator, all the jobs do not last when the Senate is not in session." My question is, "Do you think they ought to have low wages because of that?"

The fact that some of them are part-time employees who are available should cause them to receive more pay than the going rate in the area, rather than less.

Mr. MCNAMARA. I agree thoroughly with the Senator. They are performing a great service.

Mr. MORSE. I am very fond of and have great admiration for the supervisors. They are dedicated, too. But, so far as I can learn, they have never had to participate in the rough and tumble of the real bargaining negotiations that the owner of a restaurant downtown has to participate in. Talk to owners of restaurants downtown who employ part-time employees. The unions recognize that they are entitled to higher rates because they have no guarantee that they are going to be able to get some of these moonlight jobs that we hear about.

Mr. MCNAMARA. Is it true that when they are hired for the banquet business, if I may call it that, they are paid beyond the normal scales for the very reason that it is part time?

Mr. MORSE. Yes. Of course, Senators have done that. Mrs. Morse and I have done it many times. We have hired one of these Senate restaurant waiters, to take charge of serving or cooking a dinner in our home for a party group. We are delighted to do it. But they get much more for that work than they do working in the Senate restaurant.

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

Mr. MORSE. I yield.

Mr. MCNAMARA. The Senator mentioned tips. The volume of business done in the Senate restaurant is a minor operation. It is practically a one-meal operation. Most of the day they stand around. No matter what the tips are, the tips cannot amount to much.

Mr. MORSE. I eat, on an average, three or four breakfasts a week in the Senate restaurant when we are in session. I start my breakfast at 8 o'clock with constituents from home who have problems with the Federal Government. The best time to talk with them is early in the morning. I often have my administrative assistant or Mrs. Morse with me. We have the schedule for the day outlined. By the time breakfast is over, my administrative assistant takes them to the office and makes appointments with whatever officials are necessary, and they are on their way at 9 o'clock Then I am engaged in handling mail until the committees meet at 10 o'clock.

I think it would be an understatement to say that from 8 o'clock in the morning to 9 o'clock in the morning in the Senate restaurant there are even more than 10 people, at the most, and very often no one is there but the 4 or 5 at my table and 1 or 2 or 3 other Senators.

Of course, if those employees are going to rely on tips for breakfast, they are not going to take home very much pay.

Mr. MCNAMARA. I again congratulate the Senator from Oregon for his efforts. I assure him I share his thinking in the matter, particularly as regards tips. The volume of business is not there to justify any dependence on tips. Therefore, they should be given consideration in salaries.

Mr. MORSE. May I say good naturedly I have told some of these employees who have come to me to talk about it that I have been a source, from time to time, of a little enlargement of their hourly workweek. As the Senator from Michigan may know, I have an arrangement with the Senate restaurant that whenever I think it is necessary to speak at some length in the Senate, I send a page boy to the restaurant and he asks the employees for a red rose that the Senate restaurant always keeps in its icebox for me. When the page boy says, "Senator MORSE wants a red rose," the Senate employees know they had better be prepared for a night session; that we are going to have an educational session. I try to make it educational. Some people call it a filibuster. I call it simply stopping a steamroller. I put these people in the restaurant to work at night. They say, "All right, you have kept us up all night. Now, this is our wage situation."

Mr. MCNAMARA. If the Senator will yield, I well remember the red rose not too long ago when I had to preside in the chair. I did not get any compensation for it except education, and that was enriching.

Mr. MORSE. I always thank the Senator for presiding when I speak at night.

To continue with this list, the baker gets $1.96 an hour.

The second cook gets $1.93 an hour.

The steward gets $1.67 an hour.

The headwaiter receives $1.63 an hour.

The cashier—full time—receives $1.56 an hour.

The assistant cook receives $1.54 an hour.

The assistant baker receives $1.43 an hour.

The senior salad girl receives $1.43 an hour.

The fry cook receives $1.41 an hour.

The cashier—full time—receives $1.41 an hour.

The relief cashier receives $1.37 an hour.

The stock clerk receives $1.36 an hour.

The grill girl receives $1.31 an hour.

The salad girl receives $1.25 an hour.

We are down to the minimum wage. Listen to how far we go below the minimum wage now.

The pantry girl receives $1.23 an hour.

The storeroom assistant receives $1.23 an hour.

The assistant butcher receives $1.22 an hour.

Senior countergirl, $1.19; cook's helper, $1.19; telautograph reader, $1.14; countergirl, full time, $1.13; busgirl, full time, $1.13; countergirl, part time, $1.13; busgirl, part time, $1.13; waitress, $1.13; pantry boy, $1.07; general utility, $1.02; dish washer, $1.02; pot washer, $1.02; butcher helper, $1.02; waiter, full time, $1.00; waiter, part time, $1.00.

This is an interesting exhibit.

Mr. President, in my judgment, not a single one of these job classifications represents a fair wage.

The Senator from Michigan [Mr. McNAMARA] has pointed out some of the exceptional problems which exist in part-time work, a small number of individuals, relatively speaking, compared with the commercial record for serving, and its relationship to tipping.

Mr. President, of course it can be argued that if they do not earn so much money, then the work is not so hard. They are not objecting to working. They are objecting to the fact that they do not receive sufficient take-home pay.

Let me say for the benefit of those who are responsible for their employment, that we really have left the area of American collective bargaining when we stop at the talk of an hourly rate of pay. The hourly rate of pay is of much less importance and significance than the take-home pay.

It is the take-home pay that feeds the wife and children. It is the take-home pay that determines the standard of living of the family. In my judgment, we do not set a very good example with as small a take-home pay as that to which we limit our Senate restaurant workers.

Mr. President, I intend to protect confidences. I have received a considerable amount of information from some persons who have become concerned about their jobs if their names were to be used; but one very wonderful and dedicated lady gave me the following information, showing the stamped returns that the restaurant supervisory officer places upon her envelope covering her gross pay for 2 weeks:

One hundred seven dollars and nine cents for 2 weeks, from which retirement of $6.96 is deducted; Federal tax $11.10; D.C. tax $1.39; group life insurance 81 cents; health benefits $3.16—leaving her with a net pay of $83.67.

I am not saying that these deductions are not assets. Of course they are. Even the taxes are, really, an asset, in the sense that I have been heard to say so many times on the floor of the Senate that the paying of taxes is for the benefit of the taxpayer as well as the benefit of the Government, because that is what keeps the economy strong.

Nevertheless, after making these deductions we must face what this wonderful lady—who has a family and is the only wage earner in the home—has left with which to support that family: $83.67 for a 2-week period.

She pays a monthly rent of $80. That does not include the utilities and the extra expenses, which, of course, is not uncommon. A large percentage of Senate employees working in the restaurants have similar financial problems.

I received this letter from a worker:

MY DEAR MR. MORSE: I am appealing to you for help in securing a better job. I am now working in the Senate cafeteria in the Senate Office Building.

Then she gives the exact number of years she has been working, but I shall modify that to say, "I have been there a number of years."

She is particularly concerned about her job security—

Although I like the job, there is no chance for advancement. My job is the only income I have. My salary is not adequate to support me. Attached you will find a statement of my earnings semimonthly.

Mr. President, I have just made the figures known.

I do hope that the Rules Committee will put someone to work on this problem and that as a result of it, in the future data I shall make available to the Senate and the Rules Committee, we can do something about being more fair and equitable to these dedicated Government employees.

Comparisons have their limitations, but when we take a look at the take-home pay of these Senate employees, if they work 52 weeks in the year, the annual rate of pay is much less than other Senate employees. However, as has already been pointed out by the Senator from Michigan [Mr. McNAMARA], a large number do not work a full year.

All I am saying, in essence, is that for the weeks that they do work, with the employment disjointures their layoffs may cause because of Senate adjournment, we should see to it that they get higher pay.

The Senate chauffeurs for the officials of the Senate who are supplied with cars, receive an annual income of more than $6,605.76. It would appear from the material that Counsel Judd has prepared for me that the classification of laborer in the Senate is at the annual rate of more than $4,652, compared with the salary of the Senate employee I just mentioned of $2,784.34.

Mail carriers for the Senate receive more than $5,306—pages, $4,652—messengers or doorkeepers, $5,800.

I only hope that by raising this problem this afternoon it will bring forth some fruit by way of better pay for Senate restaurant employees.

I shall continue to press for action on this matter, because I do not see how, as Senators, we can justify countenancing a payroll—for which we have to assume the ultimate responsibility—which is as low as the wages paid to our restaurant employees.

ADDRESS DELIVERED BY KENNETH E. BELIEU, ASSISTANT SECRETARY OF THE NAVY, AT THE PROPELLER CLUB LUNCHEON

Mr. MORSE. Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point the remarks by the Honorable Kenneth E. BeLieu, Assistant Secretary of the Navy, at the Propeller Club luncheon in my State on January 21, 1965.

It is an excellent speech, containing a great deal of factual information that we Senators need to know about in carrying out our work in connection with the maritime industry and in connection with the Navy.

I commend Secretary BeLieu. I have spoken about him in the past. I am very proud of him. He is a resident of my State. He has performed wonderful service for the Navy and, through the Navy, for the people of this country.

I congratulate him on the speech, and ask unanimous consent that there be printed, preceding the insertion of the speech in the RECORD, some biographical material about Secretary BeLieu which outlines his fine background.

There being no objection, the biographical sketch and the address were ordered to be printed in the RECORD, as follows:

KENNETH E. BELIEU, ASSISTANT SECRETARY OF THE NAVY (INSTALLATIONS AND LOGISTICS)

Mr. BeLieu was born in Portland, Oreg., on February 10, 1914. He is the son of Ila Jean BeLieu and the late Perry G. BeLieu of Oregon. He is married to the former Margaret Katherine Waldhoff of Anoka, Minn., and has two sons, Kenneth E., Jr., and Christopher Michael.

He attended Roosevelt High School (class of 1933) in Portland, Oreg., the University or Oregon, Eugene, Oreg. (class of 1937) and the Harvard Business School (advanced management program, 1955).

After 3 years in business in Portland, in 1940, Mr. BeLieu volunteered for active duty with the U.S. Army and was commissioned a 2d lieutenant of infantry. His World War II service carried him from the Normandy landings through the campaigns in France, the Battle of the Bulge, and into Germany and Czechoslovakia. He was awarded the Silver Star, Legion of Merit, Bronze Star, Purple Heart, and Croix de Guerre for gallantry in action. He was discharged from the Army in 1945 with the rank of lieutenant colonel.

Shortly after returning to civil life, he was offered a commission in the Regular Army, which he accepted in July 1946. He was ordered to Washington, D.C., where he served in various assignments in Department of the Army headquarters. In July 1950, Mr. BeLieu volunteered for action in Korea and, while there lost his left leg below the knee in November of 1950 and was returned to the United States. While in Korea, Mr. BeLieu was decorated by both the United States and Korean Governments. From the spring of 1951 until his retirement in

October of 1955, he served as executive officer to two Secretaries of the Army.

In November 1955, Mr. BeLieu became a professional staff member of the Senate Armed Services Committee. In January 1959, he assumed two principal responsibilities. First, he became staff director of the Senate Committee on Aeronautical and Space Sciences—the committee which has jurisdiction to survey and review all aeronautical and U.S. space activities and analyze all legislation dealing with the National Aeronautics and Space Administration. Second, Mr. BeLieu became staff director of the Preparedness Investigating Subcommittee of the Senate Committee on Armed Forces. This committee has broad authority to review, investigate, and make recommendations on all aspects of the Nation's military policies, programs, and operations. The Senate Committee on Aeronautical and Space Sciences and the Preparedness Investigating Subcommittee of the Senate Committee on Armed Forces were chaired by the then Senator Lyndon B. Johnson.

Mr. BeLieu was confirmed by the U.S. Senate on February 6, 1961, and sworn in as Assistant Secretary of the Navy for Installations and Logistics on February 7, 1961.

REMARKS BY THE HONORABLE KENNETH E. BELIEU, ASSISTANT SECRETARY OF THE NAVY (INSTALLATIONS AND LOGISTICS), PROPELLER CLUB LUNCHEON, JANUARY 21, 1965

Mr. Clark, members and distinguished guests, it is an honor to be here with you today. The Propeller Club has long been noted for its warm hospitality and progressive membership. Today has proven no exception to this reputation, I can attest it is well deserved.

I could start off this speech by reading statistics, showing that MSTS in fiscal 1964 moved over 78 percent of our dry cargo aboard privately owned U.S.-flag vessels for which we paid commercial operators over $345 million. Every speaker is inclined to inform you what his organization has been doing for you. This sounds impressive—but you've heard it before.

In a way I would have to agree with you, the past is fine but what of the future.

It is to the future I address this talk, not statistics, but the general needs and programs that I believe should prevail if this Nation is to have a progressive maritime future. That this is major concern of this administration as borne out in the President's state of the Union message, when he referred to a new policy for our merchant marine.

Our Nation cannot long endure without foreign commerce nor could it long endure without protection of our shores. Still far in the future is an air armada that can replace our merchant marine with its ability to place men and materials where and when needed to the far corners of the world.

Freedom of the seas is a long-standing principle accepted by all nations and vital to the interests of this Nation.

But freedom of the seas, recognized since the beginning of recorded history, carries with it the implied right of any nation to engage in maritime trade over the oceans of the world. In particular it applies to those nations whose boundaries are formed by the oceans and whose commerce and trade rely on their traditional need for a strong, effective merchant fleet. America stands in the forefront of this need by virtue of its geographical location and its need for worldwide commerce. Our country's heritage dictates a strong merchant fleet. Our history is replete with the tradition of clipper ships and trade expansion; yet sadly this same heritage is filled with the almost continuous endeavors of those who would decry and even destroy the very principles and demand a strong merchant fleet.

Once again we stand on the threshold, advanced technology portends a great future, a rebirth if you will, of the clipper ship days. We can march ahead of other nations and possess a modern, efficient, and economical merchant fleet. Or we can again sink into the doldrums that would lead us to being a second-rate maritime power. This, of course, leads to the extinction of the spirit that has carried our flag around the world on American merchant vessels.

We must remain alert and set forward-thinking goals. We cannot allow lethargy to prevail. We must also be aware of the inherent rights of other nations to possess maritime capabilities, and respect and honor their traditions and their heritages.

We cannot stand alone opposing every other maritime nation on the theory that we can grant exclusive patronage to our maritime interests. We know full well we can then expect retaliatory measures that would defeat our goals.

There is no final or easy solution. The struggle to achieve a strong balanced merchant fleet must be continuous. Our responsibilities to achieve this will be enormous.

The Government alone cannot provide all the answers. The various congressional committees seek objective approaches, which industry at times takes exception to. I am encouraged by statements within the last few months by responsible shipping executives endorsing the fine work being done by these congressional committees and seeking with them solutions to the problems facing our maritime industry.

In defense, our interest and needs for a strong modern merchant fleet is of paramount consideration. We cannot bury our heads in the sand, and seek vessels that are not economically feasible. We realize that an economically sound merchant marine is based on a solid foundation which can stand, not only the test of time, but the test of competitiveness.

You have heard the old tired cliches about the clipper ship days.

Today we have a lot more going for us, we are producing through Kings Point and the State Maritime School ships a fine group of officers, who enhance and fulfill the need for a strong Naval Reserve officer cadre.

Maritime unions are also struggling with the problems that face our maritime future. We should seek their advice and assistance before we embark on new programs, not later as has happened in the past.

Government help, so important through the years, will continue to aid in solving your problems. You cannot accept this aid, however, without the regulations that of necessity must follow.

Pie a la mode is fine, but bear in mind the ice cream adds to its cost.

What should we seek? For one thing we must revitalize our domestic trade. We must also use these luncheons and other forums not primarily as social gatherings but to generate and renew our ambitions and thoughts that will provide incentives to those who would help seek solutions for an efficient merchant fleet. We must create in the younger generation an interest in the future of the merchant fleet and offer them a helping hand for the torch they must someday carry for us. Next, we must work closely with and give full cooperation to the Maritime Administration and congressional committees whenever they seek advice. It is not enough to wave the flag and hide behind its folds, we must accept just criticism and be prepared to admit our faults, for only then do we achieve the rights for which that flag stands.

Today, with new technological advance in ship propulsion and cargo handling, we can return to the preeminence we enjoyed during the days of the clipper ship. Our merchant fleet can be competitive in the oversea and domestic trades. The future can be measured, not in the number of ships we possess, but in the kind of ships.

It is not inconceivable that with a fleet of economically feasible vessels the day will come when we can reduce materially our layup fleet and thereby reduce the costs to the taxpayers for its support. We can then achieve the ideal two-pronged solution—a strong merchant fleet at a lesser cost to the taxpayer for its support.

Along with this new fleet we should agree on vessel designs that will provide us with competitive ships and ships that can also be used, if need be, for this Nation's defense.

New ships are not enough. We must encourage our ports to modernize and provide efficient terminal facilities, for the terminal is like the classification yard to the railroad, it can be the bottleneck or it can complement the ships that it serves.

I have spoken to many of you personally in my office during the recent months. I can assure you that my interest in your future is sincere.

The Propeller Club is a true forum representing the collective interest of the merchant marine industry and in this talk you have provided me the opportunity of addressing a cross section of the industry. I cannot provide you with answers to the difficulties you face but I will always be willing to discuss these matters of mutual interest on behalf of the Navy.

Together we can stand as a bulwark against the enemies of this country and together we can make "freedom of the seas" not just an idle phrase, but words backed with our know-how and ability that will provide the flesh to the bones of this freedom.

A FAILURE TO RELAX

Mr. MORSE. Mr. President, I ask unanimous consent that there may be printed in the RECORD an article which appeared in the Chicago Sun-Times of March 7, 1965, written by George F. Kennan, entitled "Our Strategic Folly: A Failure To 'Relax.'"

The Presiding Officer (Mr. McGOVERN in the chair) knows the frequency in recent years with which George Kennan has been lauded on the floor of the Senate and before Senate committees as one of our outstanding experts and knowledgeable public officials in the field of foreign policy.

His views have always had great weight with me as a member of the Foreign Relations Committee. He and I have not always agreed, but that does not mean that he was wrong. Seldom, however, have I found myself disagreeing with the point of view expressed by this keen, intelligent man.

Those who are interested in the problems of Asia—and who should not be among our citizenry at the present time—particularly those in the Senate who find themselves in disagreement with the senior Senator from Oregon over the Vietnam problem, should read this statement by George Kennan.

I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

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

[From the Chicago (Ill.) Sun-Times, Mar. 7, 1965]

OUR STRATEGIC FOLLY: A FAILURE TO RELAX

(NOTE.—George F. Kennan, a veteran diplomat, educator and author, is generally recognized as one of the world's leading author-

ities on communism. A former ambassador to the Soviet Union and Yugoslavia, he is the author of several books, among them the Pulitzer Prize-winning "Russia Leaves the War." This article was excerpted from a recent lecture at Princeton University, where he is now a member of the Institute of Advanced Study.)

(By George F. Kennan)

The Soviet Union today is faced with the heaviest possible Communist Chinese pressures to cease peaceful relations with the West. The Chinese aim is the provocation of hostilities between Russia and the West.

The Soviet leaders are aware of this. They understand its dangers. They propose, I am sure, to resist these pressures to the best of their ability.

But there is one area of world affairs where they are extremely vulnerable, where the Chinese have important tactical advantages and where the Soviet leaders can be, and are being, pressed constantly into positions and actions that compromise their relations with the United States in particular. This is the area of the so-called antiimperialist movement.

What is involved here is the question of leadership among the various anti-Western and anti-American political forces now competing for ascendancy in the newer or less developed countries of Asia, Africa and Latin America.

To the extent that these conflicts, these so-called antiimperialist struggles, are highlighted before world opinion; to the extent that they engage the attention of the great powers and become theaters and testing grounds of great-power rivalries; to the extent that it becomes impossible for the Soviet Union to ignore or remain aloof from them, Moscow sees no choice but to come down strongly on the anti-Western side, even at the cost of damage to its relations with leading Western countries.

One may well ask why this should be so; what importance these new countries have for Moscow that could justify so costly a reaction. I can give you only a partial answer, because I myself believe this reaction to be exaggerated, oversensitive, and not fully warranted even by the political self-interest of the Soviet regime. Nevertheless, to a certain extent one can see and understand, if not approve, its rationale.

In Europe and North America, the Communist movement, as a dynamic advancing political force, is dead. If it has a future anywhere, it is in these developing areas and particularly in the new states, where firm political traditions and institutions have not yet formed; and here the possibilities, from Moscow's standpoint, lie less in the prospect of creating real Communist systems (for this, the prerequisites are lacking) than in the possibility of dominant influence being exerted from some Communist center over these inexperienced regimes; of their being developed as instruments of major Communist policy in the game of international politics.

Moscow believes—Moscow is almost obliged by doctrinal conviction to believe—that these anti-Western forces, euphemistically referred to as the anti-imperialist ones, are bound to be generally successful, politically, on the local scene, at least in the struggle against Western influences.

The great question, in their view, is: Which Communist center is to preside over these various victories and to reap the various fruits?

To abandon this field of political contest, or even to neglect it, means, as they see it, to present it on a silver platter to the Chinese. For this, they are not prepared.

Moscow's foreign relations operate in three great areas: The world Communist movement, the underdeveloped and new nations and the Western World. In the Communist movement, their position is already under heavy and effective Chinese attack. Their relations with the West, while valuable to them, cannot at this historical juncture, at any rate, be expected to carry the entire burden of their international position. A Soviet foreign policy based exclusively on relations with the West would practically undermine the rationale for the maintenance of Soviet power in Russia itself.

Aside, therefore, from the fact that they regard the governments of the new nations as their natural and traditional clients, the Soviet leaders cannot afford, for wider reasons, to stand aside from the struggle for predominance over them. Any such passivity could easily be made to look like indifference to the prospering of the Communist cause generally and would at once be exploited by the Chinese as a means of discrediting Soviet policy and completing the destruction of Moscow's influence and leadership in the world Communist movement.

And beyond that, it would risk the loss of access to this entire theater of international politics, where a continued Soviet presence could alone make the difference between effective Soviet participation in world affairs and a total and ruinous isolation.

In summary, then, we have before us, in the person of the Soviet leadership, a regime subject to strong compulsions toward better relations with the West yet conscious of its extremely sensitive flank in Asia and Africa which it can protect only at the expense of its relations with the West. It is walking a tightrope among these conflicting pressures, vacillating, weaving this way and that; responsive to the shifts in the world scene. Its behavior, for this reason, is in part the product of the way the West plays its hand and in this sense susceptible in some degree to the West's influence.

Two possibilities now present themselves. One is that the West's relationship with Moscow deteriorates; that Moscow, as a consequence finds it necessary to hold more closely to Peiping in order to compensate for the loss of its Western card, that Moscow then throws itself even more frantically and, having little to lose, even more recklessly and wholeheartedly, into the anti-imperialist struggle, heedless of the effect on Soviet-American relations. Moscow would come to regard as its major objective not the preservation of an effective balance between the Chinese and the Western nations as factors in Russia's external situation, but rather successful competition with the Chinese for leadership in the political struggle for destruction of the West.

This alternative would not satisfy in all respects Chinese goals, for the Chinese-Soviet rivalry would continue to be operable in many forms. But it represents in general the direction in which the Chinese, as well as many neo-Stalinists in the Soviet Union, would like to see Soviet policy move.

It would militate for increased unity throughout the Communist bloc as well as for sharper and more uncompromising tactics toward the West. It would compound the effectiveness of the forces now marshaled against the West. It is difficult to see what ultimate conclusion it could have other than a world war.

The other possibility is, of course, a continued improvement of Russia's relations with the West. This is one that would strengthen the hands of both powers with relation to the Chinese: The Russian hand, because the value of the Soviet alternative to the acceptance of Chinese pressures would be enhanced; the Western hand, because the intensity of the forces ranged against it would be reduced and because Soviet interests might even work in many ways to reinforce its position.

In drawing the picture of these alternatives, I should like to avoid the impression that they are absolutes. There is nothing I can conceive of, short of a world war, which could throw the Russians entirely into the Chinese camp. Conversely, any improvement in Russia's relations with the West should not be expected to go so far as to produce any total break with Peiping.

What I am talking about here are tendencies rather than finalities; but they are tendencies of great importance, and the fact that neither would be likely to be carried to a point of absolute finality does not obviate the enormous significance that attaches to the choice between them.

We should recall at this point that the present unhappy state of Western relations with China, hopelessly anchored as it appears to be in the circumstances of the moment, should not and must not be regarded as a final and permanent state of affairs. The Chinese are one of the world's great peoples, intelligent and industrious, endowed with enormous civilizing power and with formidable talents, cultural and otherwise. It is wholly unnatural that the relations between such a people and the West should be as they are today.

As dismal as the immediate prospects are, we must look forward to the day when the West comes to terms in some way with the prevailing political forces on the Chinese mainland. This, however, like any other adjustment of international relations, will take bargaining and compromise.

Only if the Soviet Union is kept in the running as an independent force in world affairs, enjoying and valuing a constructive relationship with the West and thus being not solely dependent on the Chinese connection and not helpless in the face of Chinese demands will the West have a chance of working out a long-term relationship to China on a reasonably satisfactory basis.

If this view be accepted, it becomes an urgent requirement of American policy to ease in every proper and constructive way the relationship between the Soviet Union and the United States. This has nothing to do with fatuous one-sided concessions designed to win gratitude on the Soviet side. As one of my foreign service colleagues used to say, you can't bank good will in Moscow and I would be the last to advocate anything of that sort.

But what you can do is to hold out to Moscow a plausible prospect of accommodation in those issues that are theoretically susceptible of solution in this way, and avoid the accenting of those that are not. This, as I see it, means serious effort by the West to provide a reasonable basis for accommodation in the great issues of Germany and of nuclear weapons control—in those issues, in other words, that affect primarily the European theater and are central problems of Russia's relationship with the West.

At the same time, an effort must be made to deemphasize wherever possible conflicts that fall under the Communist category of the antiimperialist struggle, conflicts in the face of which Moscow, when its hand is forced, is bound to come down formally on the anti-American, if not the pro-Chinese, side.

It does not appear to me that American policy of recent years stacks up very well in relation to this requirement. I have not seen the evidence that we have done all we could do to find agreement with the Soviet Union in matters of Germany and disarmament.

Needless irritations, such as the "captive nations resolution" and various antiquated trade restrictions, are still permitted to impede the development of Soviet-American relations. And our present involvement in Vietnam is a classic example of the sort of situation we ought to avoid if we do not wish to provoke in Moscow precisely those reactions that are most adverse to our interests.

It is largely as a consequence of these strategic errors that we find ourselves in the

dangerous and unpromising position we occupy today.

I can think of nothing the West needs more, at this stage, than a readiness to relax: not to worry so much about these remote countries scattered across the southern crescent, to let them go their own way, not to regard their fate as its exclusive responsibility, to wait for them to come look to the West rather than fussing continually over them. The more we exert ourselves to protect them from communism, the less the exertion they are going to undertake themselves.

The West is not, after all, their keeper. They have in general much more to demand than they have to give. And others, even the Communists, are not likely to derive much more profit than the United States or former mother-countries have derived in the past from the effort to keep them.

THE SITUATION IN VIETNAM

Mr. MORSE. Mr. President, I shall lecture at Harvard University tomorrow on the Vietnam problem. I should like to say certain things in the Senate before I say them at Harvard. I shall cover in some greater depth some of the points of view that I express in this short speech now in the Senate.

The entry of the United States into the war in southeast Asia is a process that has steadily grown over the last 10 years and will steadily grow at an accelerated pace in the next 10 years. The committing of 3,500 Marines to ground combat is only the first installment of U.S. ground forces that will be needed in the former French colony of Indochina, for the more that war becomes an American war, the more combat troops we will have to put in.

The pretense that we were aiding the people of South Vietnam—and it has been a pretense for several years—has now been dropped. From now on, the war will be conducted by Americans, for American objectives, and under American command. It is obvious that no internal political forces within South Vietnam will be allowed to reach positions of power except with American approval. And it will be the strategic interests of the United States, as we see them, that will determine the course of the war.

From the official silence as to our objectives, and the President's rebukes to those who continue to debate the matter in public, it is also obvious to me that the administration is entirely uncertain as to the outcome. Surely any nation that is firm in its knowledge of where it is going and how it is going to get there would welcome, rather than squelch, public debate and discussion.

But having greatly escalated the American war effort, the administration is now dependent upon the wisdom and even the good faith of North Vietnam and even Red China not to escalate in turn, and to seek peace on our terms instead of elevating and prolonging the war as we chose to do.

Mr. President, the number of American boys who will die in Asia in the next 10 to 25 years will depend upon the decisions of North Vietnam and China to respond to American aggressive action in Asia. If they respond, and if China moves on the ground, we shall send over hundreds of thousands of Americans, and thousands and thousands of them will come back in coffins.

I think the whole thing is unnecessary.

After the holocaust, no matter how many years of war we will wage—and it will be a long and lengthy one—we shall have to settle down to the long, hard pull of rehabilitation, with all the cost in materiel and money and additional blood, for as long as we stay there, and for how many decades it may be that we will be the victims.

I am at a loss to understand how so many people can be so shortsighted as not to recognize that fact. I say respectfully I believe it is because so few are thinking about America 25, 35, 50, and 100 years hence. These are the great critical hours, and also the hours of great opportunity for promoting peace, for our leadership to be thinking about the United States and Asia and the rest of the world, 25, 35, 50, and 100 years hence. It is unanswerably true that one does not win peace by war. In fact, no longer can a war produce peace. All that this war will produce will be growing problems and crises that will have to be solved eventually pretty much on the same basis on which they could be solved right now without a further extension of the war.

So in spite of some of the criticisms I am receiving from certain superpatriots I will continue to plead for reason and resort to the available procedures of international law for the settlement of this dispute.

One of the most inexcusable fallacies of the Johnson administration is its constant reference to the statement, "We will not negotiate until North Vietnam leaves South Vietnam alone." In other words, we will not negotiate except on our terms, and we are a little bit amiss when we find that North Vietnam and others take a similar closed-mind position.

Mr. President, I do not know why the other free nations of the world, our allies, take the attitude which they do. I am at a loss to understand why the Prime Minister of Great Britain, Mr. Wilson, thinks it is a problem that can be postponed for a conference in Washington a month hence. The growing flames of war are devouring great values of peace in Asia. I was glad that the Prime Minister of Canada, speaking in New York City the other night, suggested in effect that there ought to be an attempt to negotiate an honorable settlement. But may I say to him, "Speech will not do it. Where is Canada officially as a member of the United Nations in keeping with its signature on the United Nations Charter? Why is not Canada calling upon the members of the United Nations to proceed under the provisions of that charter to take jurisdiction over this threat to world peace? Where is the Prime Minister of Great Britain? Why is he not, in behalf of his Government, calling for the application of the rules of law which he, as the representative of his Government, is obligated to carry out by way of Great Britain's signature to the United Nations Charter?" Thus I can go down the line of our allies and ask, "Why the delay?"

Inconceivable as I hope it would be, could it be that our alleged allies do not desire to offend the greatest power on the face of the earth which at this hour is the greatest threat to the peace of the world—the United States of America?

That is an ugly thought. Yet sometimes I toss at night under the fear that it might very well be true. I toss also with sadness to think that my country, which has prated so much about resorting to the peaceful procedures of international law for the settlement of disputes that threaten the peace of the world, has so completely walked out on its ideals in the field of foreign policy today vis-a-vis the United States war-making aggressive policies in southeast Asia. We have abdicated our temple of ideals, and we have gone into the jungles of warmaking.

What I say about my country is true also of North Vietnam, Red China, South Vietnam, and the Pathet Lao in Laos. But that does not excuse us. To the contrary, it makes it all the more imperative that we ought to have exercised the leadership months ago—yes, years ago—in seeking a United Nations settlement of this threat to peace. Twenty years ago Franklin Roosevelt said it when he proposed an international trusteeship for all of Indochina. We walked out on that ideal. Mr. President, would that the present Presiding Officer and I could come back 50 years from today and read the chapters of history dealing with this violation of international law by the United States and others.

As I have said so many times during the past year in speeches in opposition to American aggressive action in South Vietnam, no addition of wrongs on the other side of the ledger makes a wrong on our side right. To the contrary, those wrongs on the other side of the ledger make it all the more our duty to insist that the procedures of international law be applied to the war in Asia rather than the dropping of American bombs. We are in a position where the answer to the question about how many American boys will die in the war in the years ahead in Asia will be determined by whether or not North Vietnam and Red China move on the ground. If they move on the ground, tens upon tens of thousands of American boys will die—and it is not necessary or justifiable.

I know all the arguments that the warhawks have been giving us, including that fallacious paper known as the white paper.

The American people are being asked to swallow the propaganda that if we do not make war, all of Asia will fall to the Red Chinese. Tell it to our alleged allies in Asia.

Only this morning I read a new phraseology for the old argument that if we do not do what we are doing, we shall have to fall back to San Francisco and Alaska. The proponents are even giving up Hawaii in their most recent argument. This statement is an insult to the intelligence of anyone of normal intelligence. Mr. President, South Vietnam does not happen to be in the perimeter of American defense. If we got into a

war with Red Asia tomorrow, the United States would not keep an American boy over there any longer than it would take to get him out. I paraphrase, but I believe accurately, the statement of the distinguished present occupant of the chair, the Senator from South Dakota [Mr. McGOVERN]. As he said so eloquently and brilliantly the other night on the CBS debate on the South Vietnam problem, "The domino theory has no basis in fact or in reality."

I have a little difficulty with the white paper, because the top spokesman of the Department of State in this country repudiated the domino theory before the Committee on Foreign Relations within recent weeks. I say now to Dean Rusk: Deny it in public. The State Department rocognizes the fallacy of the domino theory. Yet, much of the argument of the administration is but a restatement of the domino theory.

No; that war will not be stopped by the killing of thousands, perhaps millions, of Asians. That war will not be stopped by the sacrificing of thousands of American boys. The only hope of stopping that war is to have the United States return to its position of leadership in the world, in support of our own ideals, a position which we have abdicated. It happens that those ideals are also unanswerable practicalities. There is nothing practical in this day and age about making war; but there is something very practical about keeping faith with one's morals; there is something very practical about keeping faith with one's ideals; there is something very practical about seeking to implement the procedures of international law. Those are the practicalities that can lead us to peace. The impracticality and expedience of killing will lead us to eventual destruction, and the rest of mankind with us, if we follow that course of action.

As one who supports the President in so many policies—in probably 95 percent of them—I speak with a heavy heart when I say that I repudiate his foreign policy in Asia, because his foreign policy in Asia, history will prove, could not possibly be in the interest either of the United States or of the peace of the world.

Our announced objective, we say—or our State Department through the Secretary of State says—is "to make Red China leave her neighbors alone." But we are not dealing with China either militarily or diplomatically at the present time to achieve that aim, and we are not even claiming that Red China is involved in the South Vietnam war—not yet. So far, we are saying that it is North Vietnam that is aiding the Vietcong rebels in the South. So our actions would indicate that it is North Vietnam and not Red China that we want to have leave its neighbors alone.

We have now broadened the war from South Vietnam, where we were losing a civil war, to include North Vietnam. It appears to be our theory that the application of overwhelming U.S. airpower will induce North Vietnam to cease aiding the rebels in the South, although there is no reason to believe that even if she did, South Vietnam could have a stable, pro-Western government. The turmoil in South Vietnam and the successes of the rebels have not been due to aid from outside, and the testimony of administration officials was given to that effect right up to the moment when we decided to expand the war to North Vietnam.

The course the administration has embarked on requires North Vietnam to stop aiding the rebels, it requires the Vietcong rebellion to collapse as a result, and it requires stability to emerge in South Vietnam, all as a result of U.S. air attacks on North Vietnam. The likelihood that any of these things will result is so remote that it is no wonder the administration is anxious to quell discussion of it.

I do not question the good faith of the President in embarking on this policy with the idea that it will end the war in South Vietnam to our advantage. But I am also satisfied that there are many in the high offices of the Pentagon and the State Department who know perfectly well that the only result of such a policy will be the steady expansion of the war throughout all of the old French colony of Indochina, the steady increase in the use of American air and naval power, and the steady funneling of more and more American troops into southeast Asia. They owe it to the President to tell him so, for they have the facts; he does not. But he is entitled to receive them.

The desire to establish an American military bastion on the borders of China has long been characteristic of many of these officials, who believe the presence of half a million U.S. troops in Western Europe should be matched with half a million troops in southeast Asia, to form a "trip wire" that would bring full American nuclear power to bear on China should she make any move to support the local governments.

I have long believed our entanglement in Asia would be disastrous for the United States. Certainly it has been proved that helping local governments help themselves in the way recommended by General Taylor and his predecessors in Saigon is a failure. We have not helped them at all; the position of Saigon has only been steadily weakened by the so-called aid they have received from us in the last 10 years. The next step in retrieving the situation must be the takeover of the country by the United States and the full military activity of U.S. troops, both of which are underway today in South Vietnam.

How much further this entanglement goes will depend almost entirely upon the reaction of other nations. Ten years ago, it was the refusal of Britain to participate in the Indochina war that kept the United States out. But 10 years ago, there were other trouble spots, especially in Europe, that also restrained us from getting into a singlehanded war in Asia. Today, tensions are sufficiently relaxed with the Soviet Union to encourage many of our policymakers to believe that we are free to fight in Asia without worrying too much about outbreaks elsewhere.

But we cannot count on Russia abandoning North Vietnam or even China. I am aghast when I hear witnesses for the administration express the view that they believe Russia's controversy with Red China is so deep that there is little or no danger of her involving herself in South Vietnam.

Even if true, that would not justify our shocking, aggressive course of action in Asia. If true, that would not justify our walking out on our ideals based upon past commitments to international law as the way to work for peace. But I happen to be of the point of view that if we follow a course of action that will lead to bombing in Red China, extended bombing further up in North Vietnam, and the killing of increasing numbers of civilians—and it cannot be avoided—there is a great danger that if Russia is going to hold any position of influence in the Communist segment of the world, she will have no choice but to come to their aid. And if Russia moves in, she is not likely to move in on the installment plan.

It is a risk that we should not run. It is a risk that threatens all of humanity. And it is such a risk that the leaders of other nations who profess to want peace have an obligation to the world to tarry no longer. They have an obligation to bring the United States and the nations with whom we are fighting in Asia to the council tables of the world, to listen to their proposals for peace, and then to make suggestions to the other nations as to what they think are fair proposals for the settlement of the war.

How Britain, France, the Soviet Union, Japan, India, and other major nations of the area react to the widening war in Indochina will decide our future there, because it is clear the administration does not intend to have it discussed among the American people if it can help it. It prefers not to mention any real objective or to analyze its chances of reaching it with present tactics. The public, we in Congress, and I am sure even President Johnson, do not know how escalating the war to North Vietnam will win it in South Vietnam. We do not even know if that is our real purpose. Sad to say, the American people are in the hands of unfolding events and the actions of other nations, rather than logic, reason, and adherence to our past principles of the rule of law in world affairs which seem to be vacated by most of the leaders of our country at the present moment.

Mr. President, I speak with some humility before the Presiding Officer of the Senate, after listening to him on the CBS radio debate the other night. I am proud to associate myself with his argument. I am proud to join the Senator in his plea for making use of existing international procedures to try to work out a peaceful settlement of this war in Asia. I hope that the people of this country—for they, and they alone, can stop this war now—will take time out from their economic lives to devote some time to their political responsibility.

If the war is to be stopped, if American policy in Asia is going to be changed, the American people alone can change it.

We who are speaking out on the subject know full well some of its consequences. I heed not those consequences so far as my individual interests are concerned. But I do give great heed to what I think are my responsibilities to plead for peace with honor through the channels of the international agencies and procedures so long as there is any hope of ending this conflict. So far as I am concerned, that hope will continue in my breast until our Government declares war.

I was not a party in supporting advice to the President to permit him to make war unconstitutionally—and he is making war unconstitutionally in Asia. He has not the slightest legal right under the Constitution of the United States to be bombing North Vietnam, short of a declaration of war.

So, until Congress carries out its legal obligations, if it wants to decare war, this voice will be raised in support of an honorable attempt at an honorable, negotiated settlement of that war in Asia in which the United States, by its aggressive course of action for a long time past, stands, in my judgment, convicted before the bar of world opinion as the greatest threat to the peace of the world.

ADDRESS BY SENATOR McNAMARA ON ANTIPOVERTY WAR

Mr. MORSE. Mr. President, on March 10, the senior Senator from Michigan [Mr. McNAMARA] delivered an address on the antipoverty war before the National Committee for Community Development.

The Senator from Michigan, who was sponsor of the legislation creating the Office of Economic Opportunity and who managed its passage in the Senate, made some thoughtful comments on how this program must be implemented if it is to be successful.

I ask unanimous consent that the text of his remarks be printed in the body of the RECORD.

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

ADDRESS BY SENATOR PAT MCNAMARA, DEMOCRAT, OF MICHIGAN, BEFORE THE NATIONAL COMMITTEE FOR COMMUNITY DEVELOPMENT, WASHINGTON, D.C., MARCH 10, 1965

I was pleased to receive Mayor Jerry Cavanagh's invitation to address this new organization, which is to concern itself with the community action program.

An association of community officials assigned to the antipoverty war has great potential.

The field into which we have entered, with the enactment of this legislation, is complex. It is also challenging in finding new ways to solve old problems.

In that sense, you will be able to serve each other through establishing lines of communication and exchanging experiences and ideas.

You also should be able to help the Federal agencies handling these programs by giving them the benefit of your firsthand application of the weapons the administration and Congress have provided.

Needless to say, we in Congress are very interested in following the progress of this law.

Quite a few of the taxpayers' dollars are involved here, and we have a responsibility to those who pay them—and to those who are to benefit.

The Federal Government has been described as a large body of money surrounded by people who want some of it.

I don't consider that this is necessarily bad, and I probably have been as active as any in proposing—and voting for—programs which distribute those dollars.

I happen to subscribe to the theory that a major role of our Government is to help us become a stronger and more prosperous Nation, and not to show a profit.

Surprising as it may seem, we still have a considerable body of public thought that tends toward what we might call domestic isolationism.

These are the people who gain a false sense of security from their State boundaries, as if the happenings elsewhere cannot reach them. Or they may feel that participating in Federal-State programs somehow taints them.

I recall that during the depression of the 1930's, those running the city of Detroit felt that it was beneath Detroit's dignity to accept public works funds that were part of the national recovery program.

I might say that most modern mayors, such as Jerry Cavanagh, are not encumbered by such false pride.

They share the philosophy that we must work as partners in these efforts to help improve the lot of our citizens and their surroundings.

In short, we should no longer waste our time in futile discussions of States rights and Federal rights but instead, think in terms of people's rights.

That, of course, was what we intended in enacting legislation to battle against poverty.

But it is important that we do not permit this war on poverty to get out of perspective.

For example, speed in implementing these new programs is important, but it should not become the overriding goal.

We must not forget that the problems which create poverty did not come into existence overnight, nor are they going to be eliminated overnight.

Let me cite just a few of the basic problems that emerge as especially vulnerable to local action.

MASSIVE REDUCTION OF ILLITERACY

New techniques must be developed to address the problems of functional illiteracy among youth and adults.

The national waste of talent and energy due to the inability to read, write, and communicate must be eliminated.

MATERNAL AND CHILD HEALTH

The tragic differential in infant mortality rates among the poor in urban and rural areas and the more advantaged groups in our country is a national disgrace, and must be eliminated.

We have the knowledge and the technology to do this now.

THE TRANSITIONAL PERIOD FROM YOUTH TO ADULTHOOD

This critical period in the life of a youth whose family is poor can spell the difference of a life of poverty or a life as an effective contributing citizen.

We need to develop a wide array of programs that allow every youth to achieve his maximum potential.

We must organize our secondary schools, our employment services, our colleges and universities, our community agencies so that there is readily available the appropriate training, education, and placement for everyone who, upon entering adulthood, needs guidance, direction, and encouragement.

Anything less saps this Nation of valuable resources.

THE PLIGHT OF THE AGED

The elderly citizens of our Nation have many problems facing them. But for those who also are the poverty stricken, these problems are magnified.

Our statistics show that more than 12 million have incomes of less than $2,000 a year. And the fact that 70 percent of our elderly are concentrated in urban areas make them an especially important area for concern and action by community action programs.

I don't need to tell you that these problems, while simply stated, are not easily solved.

Perhaps the most misleading facet of the phrase "war on poverty" is that it conjures up visions of a gallant, all-or-nothing charge against the enemy.

While producing certain inspiration, this vision is not at all accurate.

This is just the beginning of the war—a war that promises to be a long one. It also will be a costly one, although the cost will be but a fraction of the bill that poverty levies against society.

We won't see quick results, but what we can do is to build a strong foundation and arm ourselves with sound ideas and programs to launch our attacks.

We must never lose sight of the main objective, which is to reduce and destroy the conditions that produce and breed poverty.

This is why you must see to it that your community action programs are not permitted to become the means for local empire building or just the source of well-paying staff jobs.

Already, as I am sure you have detected, there is some disenchantment with the methods being used in establishing some community action programs.

There is the complaint that, in some areas, the very people who supposedly will benefit have no voice in the planning of the programs.

You must not, of course, permit this to happen.

You cannot put yourselves in a position where you impose good works on the poverty stricken. Such an approach is doomed to failure.

The effective implementation of the community action program will be based, in large measure, on the willingness of local communities to expand the base of decisionmaking for programs affecting the poor.

Education, health, welfare, and manpower programs can no longer be developed solely by the social and economic elite and the professionals on behalf of the poor.

Local community action agencies must be prepared to experiment with the broadest possible extension of such participation.

However, I think it is a healthy sign, really, that such comments are breaking into the open so early. I sincerely hope that future criticism rings out loud and clear in areas where such criticism is justified.

It is only in this way that we can prevent the dynamic and imaginative concepts that created these programs from being smothered by petty bureaucracy and from becoming a plaything of the professionals. We cannot afford that. We cannot afford that in dollars.

But most importantly, we cannot afford that because of the human lives that are involved here, and because of the hope that we have raised with our brave talk of warring against poverty.

The community action program is the keystone upon which success will be built.

We will expect communities to coordinate existing separate programs, and through them to try new approaches to old problems.

This will not be easy in many cases. It is frequently difficult to break old rivalries, as well as long-established patterns and concepts of how to deal with these problems. But it must be done.

Actually, the only limit on what can be accomplished in this war on poverty is the ingenuity of the local leadership.

And by showing us in Congress that this ingenuity is virtually unlimited and effective, you will make it that much easier for us to provide the additional weapons needed in the struggle for human dignity and a stronger Nation.

Mr. MORSE. Mr. President, I will ask the Senator to close his ears for a moment while I make this supplemental statement about his speech.

The war on poverty which was encompassed legislatively in the bill that the Senator from Michigan [Mr. MCNAMARA] so skillfully guided through this body is being attacked in some places on a partisan basis.

I say to the party of the opposition, or those within the party of the opposition who seek to make political capital out of the suffering of many thousands of poverty-stricken Americans, that they are going to discover that the intelligence of the American voter will not be fooled by that brand of partisanship. I commend the Senator from Michigan for his brilliant and eloquent speech.

Mr. MCNAMARA. Mr. President, I express my appreciation to the distinguished Senator from Oregon [Mr. MORSE] for his very generous remarks, and assure him that I appreciate them very much.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, I understand that another Senator wishes to come to the floor. Therefore I will forego having the Senate adjourn, as the majority leader asked me to do when I completed my talk.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFENSIVE ARMS FOR ISRAEL

Mr. SCOTT. Mr. President, in a world not blessed with disarmament, countries strive to maintain a balance of defensive strength. When the pendulum of power is threatened with imbalance, as it is now so seriously threatened in the Middle East, I urge the United States to rally its greatest efforts to check the swing toward bloodshed and destruction.

The buildup of Communist military aid to the United Arab Republic, the abrogation of West Germany's agreement to ship to Israel the remaining third of an estimated $90 million of vital defensive arms, and the current work in Syria and Jordan for diversion of Israel's water sources by its Arab neighbors are three real and present dangers to peace and stability in the Middle East.

Tanks, planes, submarines, patrol boats, rockets, and other modern weapons furnished by the Soviet Union to dictator Nasser's United Arab Republic dot Israel's western border. There is evidence, from recent hostilities on Israel's northern border, of Soviet military advisers' actually serving with Syria's armed services.

Syria has increased the number of her destructive raids on Israel's northern border; and the Syrian Government uses the threat of so-called Israeli "aggression" to sow terror among an already inflamed population.

Arab commando raids on Israeli territory are more frequent than they have been for years, and gunfire exchanges have increased on the Arab-Israeli borders. Moreover, for the first time in nearly a decade, Arab commandos are "firing up" civilians by carrying out terror raids, such as the bombing of a farmer's house and silo at Kfar Hess, on February 28.

There are two threats which add new terror to the raids on Israel's borders: One threat is the Palestine Liberation Organization, recruited among the Arab refugees remaining in the United Nations camps on Israel's borders and from the Arab States. The second threat is the United Arab Command, organized in January 1964, as a direct weapon against Israel. It is to be financed, over a period of 10 years, with over $420 million, to be contributed by Arab countries.

The preservation of peace in the Middle East is further threatened by the current work by the Arab States to cut off the flow of all the rivers which run from Arab territory into Israeli territory. Premier Levi Eshkol has called the Jordan River waters as "precious as the blood in our veins," and has warned that peace in the Middle East depends on whether the Arab States carry out their plans to choke off Israel's just share of water.

Israel desperately needs more defense arms, in order to protect herself against the increasing threats and pressures of the Arab States. Dictator Nasser, by threatening to recognize East Germany, forced the Federal Republic of West Germany into canceling its arms contracts with Israel. Approximately $37 million of the agreed $90 million of vital defensive arms will not be shipped to the Israeli people at a time when the defense of their country against the Arab States is so urgently needed.

Although in 1962 we loaned Israel the money with which to buy short-range Hawk missiles, to counterbalance Egypt's ground-to-air missiles and supersonic bombers, the United States has not otherwise provided Israel with military equipment. The United States, however, does provide arms for several Arab States.

Since the present imbalance in the Middle East not only threatens the state of Israel, but also is a threat to peace itself in that important part of the world, I make the following proposals:

First. The United States should allow Israel to purchase additional defensive weapons for air defense.

Second. Since Israel has no effective counter to Egypt's fleet of fast patrol boats carrying ship-to-shore missiles—which are capable of doing severe damage to Israel's coastal cities—I urge that the United States supply Israel with the needed arms with which to defend itself against these missile-laden boats.

Third. The United States should declare that it views as a threat to peace the present Arab "spite" plan to cut off Israel's water supply.

Dictator Nasser has proven by his actions that his intentions toward conquest go beyond the borders of Israel. He continues to back the Congolese rebels, and otherwise upset central African conditions. He is presently escalating his war against the loyalist forces in Yemen, where Egyptian troops now total 50,000, more than double what they were until recently.

I urge that the United States rally the people of the free world to be courageous to do what is morally called for, which clearly is to move now with action to preserve the peace and balance of power in the Middle East.

VOTER REGISTRATION LEGISLATION URGED

Mr. SCOTT. Mr. President, the role of the United States as leader of the free world could be lost in the streets of Selma, Ala.

How can a nation hold its head high as freedom's leader among the peoples of southeast Asia when it allows its citizens to be beaten, gassed, and flogged in its streets because they want to vote, and when a minister of the gospel is beaten almost to death.

How can we plead the justice of freedom's cause when the oppressive police power of a racist Governor prevents Americans from exercising freedom's most fundamental right?

Dallas County, Ala., as one example, has 15,115 Negro citizens, but only 335 are registered to vote.

These people have a right to vote. They want to vote. And despite the threats and the violence, they are going to continue to march until the way to the voting booths is opened to them.

Over 2 weeks ago, I joined several of my Republican colleagues in urging the enactment of new legislation to insure the right of every American to register and to vote. The historic Civil Rights Act of 1964 has not accomplished this.

We need a system of Federal voting registrars, either Presidentially appointed or court appointed.

I urge the administration to exert the full weight of its influence and prestige behind immediate introduction and prompt enactment of such legislation.

ADJOURNMENT TO MONDAY

Mr. SCOTT. Mr. President, under the previous order, I move that the Senate adjourn until Monday next at noon.

The motion was agreed to; and (at 3 o'clock and 38 minutes p.m.) the Senate, under the previous order, adjourned until Monday, March 15, 1965, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 11, 1965:

U.S. ATTORNEYS

Richard L. McVeigh, of Alaska, to be U.S. attorney for the district of Alaska for the term of 4 years.

William P. Copple, of Arizona, to be U.S. attorney for the district of Arizona for the term of 4 years.

U.S. DISTRICT JUDGE

Howard F. Corcoran, of Maryland, to be U.S. district judge for the District of Columbia vice Charles F. McLaughlin, retired.

U.S. CIRCUIT JUDGE

Edward Allen Tamm, of the District of Columbia, to be U.S. circuit judge for the District of Columbia circuit vice Walter M. Bastian, retiring.

U.S. AIR FORCE

The officers named herein for appointment as Reserve commissioned officers in the U.S. Air Force, under the provisions of sections 8218, 8351, 8363, and 8392, title 10, of the United States Code:

To be major generals

Brig. Gen. Dale E. Shafer, Jr., [redacted], Ohio Air National Guard.

Brig. Gen. Donald J. Smith, [redacted], Illinois Air National Guard.

To be brigadier generals

Col. John A. Johnston, [redacted], Michigan Air National Guard.

Col. Robert H. Morrell, [redacted], South Carolina Air National Guard.

Col. Jack H. Owen, [redacted], Kentucky Air National Guard.

Col. Robert L. Pou, Jr., [redacted], Texas Air National Guard.

Col. William H. Webster, [redacted], Kentucky Air National Guard.

U.S. ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 306, in grade as follows:

Maj. Gen. Ralph Edward Haines, Jr., [redacted], U.S. Army, in the grade of lieutenant general.

The following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major generals

Maj. Gen. Charles Salvatore D'Orsa, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Herbert George Sparrow, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Oren Eugene Hurlbut, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. David Parker Gibbs, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Thomas Heber Lipscomb, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Jonathan Owen Seaman, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Francis Franklin, Jr., [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Andrew Jackson Boyle, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert Carson Kyser, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Harry Jacob Lemley, Jr., [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Hugh McClellan Exton, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Harry Herndon Critz, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Eugene Albert Salet, [redacted], Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Bruce Palmer, Jr., [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Reeves Shuler, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Benjamin Lampert, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Edward Kelly, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Selwyn Dyson Smith, Jr., [redacted], Army of the United States (brigadier general, U.S. Army).

Gen. William Childs Westmoreland, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Beverley Evans Powell, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Arnold Heintges, [redacted], Army of the United States (brigadier general, U.S. Army).

Gen. Creighton Williams Abrams, Jr., [redacted], Army of the United States (brigadier general, U.S. Army).

Lt. Gen. John Hersey Michaelis, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Edwin Hess Burba, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Graham Zierdt, [redacted], Army of the United Statse (brigadier general, U.S. Army).

To be brigadier generals

Brig. Gen. Joseph Wilson Johnston, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Cornells De Witt Willcox Lang, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Clarence Carl Haug, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank Alexander Osmanski, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Albert Symroski, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Rigby Glass, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Francis Johnstone Murdoch, Jr., [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Lawrence Edward Schlanser, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. John Allen Beall, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. George Madison Jones, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Melville Brown Coburn, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Lawrence Bernard Markey, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Allen Thomas Stanwix-Hay, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Thomas Jay Hayes III, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Walter Bernard Bess, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Howard Pinkney Persons, Jr., [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Donald Gilbert Grothaus, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Kenneth Francis Dawalt, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Leonard Copeland Shea, [redacted], Army of the Uinted States (colonel, U.S. Army).

Brig. Gen. Robert Hall Safford [redacted], Army of the United States (colonel, U.S. Army).

Maj. Gen. John Henry Chiles, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Henry Kreitzer Benson, Jr., [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Benjamin Otto Turnage, Jr., [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. John Daniel Hines, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. John Arthur Goshorn, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. John Clifton Dalrymple, [redacted], Army of the United States (colonel, U.S. Army).

Maj. Gen. William Nels Redling, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Leonidas George Gavalas, [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. Frederick James Clarke, [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. George Henry Walker, [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. John Martin Cone, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Stuart O'Malley, Jr., [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Edward Chrysostom David Scherrer, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Kelsie Loomis Reaves, [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. Delk McCorkle Oden, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Kelley Benjamin Lemmon, Jr., [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. Donald Clinton Clayman, [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. William Andrew Enemark, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Elias Carter Townsend, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Hughes Lanier Ash, [redacted] Army of the United States (colonel, U.S. Army).

Maj. Gen. Carl C. Turner, [redacted], Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank George White, [redacted] Army of the United States (colonel, U.S. Army).

U.S. NAVY

The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

LINE

John V. Smith	Eli T. Reich
Clyde J. Van Arsdall, Jr.	Robert E. Riera
	Turner F. Caldwell, Jr.
Ernest E. Christensen	David Lambert
Reuben T. Whitaker	Horace V. Bird
Walter H. Baumberger	Frank L. Pinney, Jr.
Joseph B. Tibbets	Donald G. Irvine
Nels C. Johnson	Marshall W. White
Samuel R. Brown, Jr.	Francis D. Boyle
Richard B. Lynch	Mason B. Freeman
John N. Shaffer	Rufus L. Taylor
John H. Maurer	Jackson D. Arnold
Fred E. Bakutus	Joseph E. Rice

MEDICAL CORPS

Joseph L. Yon.
Robert O. Canada, Jr.
Horace D. Warden.

SUPPLY CORPS

Robert H. Northwood.
Ira F. Haddock.

CIVIL ENGINEER CORPS

Harry N. Wallin.

The following-named Reserve officers for permanent promotion to the grade of rear admiral:

LINE

Richard D. Adams.

CIVIL ENGINEER CORPS

Edward H. Gessner.

Vice Adm. Roy L. Johnson, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of admiral while so serving.

Rear Adm. Paul P. Blackburn, Jr., U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of vice admiral while so serving.

Rear Adm. Herschel J. Goldberg, Supply Corps, U.S. Navy, for appointment as Chief of the Bureau of Supplies and Accounts in the Department of the Navy for a term of 4 years.

Rear Adm. George G. Burkley, Medical Corps, U.S. Navy (retired), for appointment to the grade of vice admiral while serving at the White House pursuant to article II, section 2, clause 2 of the Constitution.

IN THE AIR FORCE

The nominations beginning Jimmie D. Baggett to be captain, and ending David E. Wieland to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 17, 1965.

IN THE ARMY

The nominations beginning Carroll E. Adams, Jr., to be lieutenant colonel, and ending George H. Zeigler, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 25, 1965.

IN THE MARINE CORPS

The nominations beginning Thomas C. Abbott to be first lieutenant, and ending Jack B. Zimmermann to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 25, 1965.

EXTENSIONS OF REMARKS

International Longshoremen's Association Refuses To Load Red Cargo Ships

EXTENSION OF REMARKS
OF
HON. PAUL G. ROGERS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 11, 1965

Mr. ROGERS of Florida. Mr. Speaker, it was revealed last week that one of the free world ships which has engaged in trade with Communist North Vietnam was in New York harbor loading American cargo. Thus the vessel, *Severn River*, is able to profit from transporting Communist goods and American cargos as well. This ship is a good example of a situation which exists at a time when the U.S. merchant marine has slipped to the point where it now carries less than 10 percent of American sea trade.

Russia, by contrast, carries over 75 percent of her ocean trade in Soviet hulls. Yet countries the United States calls allies are free to come and go from our harbors hauling goods in the same hulls the Communists use for goods going to North Vietnam and Communist Cuba, to name but a few Red nations.

Resistance to this situation is building, and the International Longshoremen's Association announced Saturday that it would refuse to load the *Severn River* and ships like her flying the allied flag in the North Vietnamese trade.

The ILA president Thomas Gleason has also urged that an American vessel loaded with codfish caught by Soviet fishing trawlers off the New England coast not be worked by ILA crews. The ship was still unloaded as of yesterday.

And the ILA has also refused to unload vessels which have engaged in trade with Communist Cuba.

This refusal to handle cargos carried in hulls serving the Communists is a clear example of the growing discontent Americans are showing for those who patronize the Communists. With similar actions recurring elsewhere across this Nation perhaps those now trading with communism will reassess their policies. Certainly such actions as those taken last week by the ILA are in keeping with the commonsense ideal of putting America first.

Create New Jobs With Tax Relief for Businesses

EXTENSION OF REMARKS
OF
HON. CHARLES E. BENNETT
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 11, 1965

Mr. BENNETT. Mr. Speaker, the Federal Government is making a determined effort to do something about the unemployment rate in the United States. Currently, the unemployment rate hovers around the 5 percent mark of the labor force which now numbers 70 million American workers. Through various Government-directed methods we have created many jobs in the last year or so through adoption of the tax reduction program, a continuation of the Manpower Development and Training Act, and an increased emphasis on college and vocational education programs. The administration has proposed other programs in hopes that they will cut further into the unemployment rate, and I speak specifically about the Economic Opportunity Act and Federal aid to elementary and secondary education.

Mr. Speaker, I have introduced legislation in the 89th Congress which I believe will help fill the gap in the unemployment ranks of our country. The idea of my bill, H.R. 271, which I also introduced in the 88th Congress, came to me from a distinguished Jacksonville, Fla., citizen, Reid W. Digges. Mr. Digges proposed that an employer be given tax relief for every job he creates, and this suggestion has been incorporated into my bill to amend the Internal Revenue Code of 1954.

The legislation would provide deductions for persons engaged in trade or business who provide new jobs for the skilled and for all persons who provide new jobs for domestics and the unskilled. Training and educating the unemployed do not create jobs, but businesses can, and I believe that H.R. 271 is an important private enterprise challenge and the Congress can help solve unemployment through this vehicle by passing this legislation.

A Bill To Permit an Orderly Changeover to the ZIP Code System of Addressing Mail

EXTENSION OF REMARKS
OF
HON. JOE R. POOL
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 11, 1965

Mr. POOL. Mr. Speaker, I introduced yesterday a bill which will permit a more orderly changeover to the ZIP code system of addressing mail desired by our very able Postmaster General John A. Gronouski. Along with other Members of Congress, I have been receiving letters from mailers who contend that the Department is moving too quickly on this service. From all I can gather, the more than one-quarter of a million bulk third-class permit holders will find it very difficult—if not impossible—to add ZIP code numbers to all their address plates by January 1, 1967, the date on which the Postmaster General has made ZIP coding a mandatory requirement.

The bill I have introduced is identical to that introduced by our colleague, ARNOLD OLSEN, of Montana, H.R. 5180. I am also informed that a similar bill has been introduced by Congressman JOHN LINDSAY, of New York. These bills will become the subject of public hearings before the House Post Office Committee beginning March 24.