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But there are no easy answers in so complicating the issues is worse than no solution plex a test of national survival. Oversight at all. And direct action that is negative and irresponsible inevitably does more harm than good.

In these ways the loyal and well-meaning will aid rather than arrest the tide of communism. As FBI Director J. Edgar Hoover has said: "Unfortunately there are those who make the very mistake the Communists are so careful to avoid.

"These persons concentrate on the negative rather than on the positive. They are merely against communism without being for any positive measures to eliminate the social, political and economic frictions which the Communists are so adroit at exploiting."

The same sound counsel was offered by Attorney General Kennedy the other day when he was asked how citizens could best fight the Communists and their conspiracy:

"If all the effort that is expended on them could be turned to positive causes—strengthening our schools, seeing that American history is taught, strengthening local governments, interesting people in politics and in voting—this energy would do very much more good."

If we are to survive, if our freedoms, political systems and economy are to be preserved, the precious energy of patriotism dare not be wasted.

Mr. Hoover reminds us that "both Hitler and Mussolini were against communism. However, it was by what they stood for, not against, that history has judged them."

California Veterans Problems

EXTENSION OF REMARKS

OF

HON. GORDON L. McDONOUGH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 19, 1962

Mr. McDONOUGH. Mr. Speaker, at a recent meeting of the California congressional delegation, the commander of the American Legion, Department of California, Roscoe T. Morse, and the members of his rehabilitation commission discussed the question of the need for additional hospital beds in California to take care of the increasing and expanding veteran population of California due largely to veterans from eastern States moving to California for permanent residence.

Mr. Lewis S. Sloneker, director of the rehabilitation commission of the American Legion, Department of California, read the following statement which reveals the urgent need for additional hospital beds and other facilities in California.

The following is the statement submitted by Lewis S. Sloneker:

STATEMENT TO THE CALIFORNIA CONGRESSIONAL DELEGATION, WASHINGTON, D.C., FEBRUARY 26, 1962

(By Lewis S. Sloneker)

Mr. Chairman and Members of the California congressional delegation: We deeply appreciate this opportunity to again meet with you and we bring you greetings from the American Legion, department of California. This is our 16th annual meeting with you, and we wish again as in the past, to discuss some of the major problems affecting war veterans and their dependents in California.

GENERAL

The shortage of hospital beds for sick and disabled veterans who are in need of care, are broke, and have no place to go, is still our major problem. Veterans by the thousands continue to come to California from every other State in the Union to live. A high percentage of them are badly disabled, unemployment, have previously made application to other Veterans' Administration hospitals, but are now applying for hospitalization in California.

During the calendar year 1961 there were 79,655 applicants for hospitalization received by the Veterans' Administration in California, plus 2,890 for domiciliary care, which was over 2,000 more than received during the previous year. In spite of this, there has been a reduction in the number of operating beds from 13,224 to 13,175. Our overcrowded State hospitals are still caring for approximately 5,000 veterans because beds are not available at Veterans' Administration hospitals. On January 31, 1962, there were 2,406 veterans on the waiting lists, including 91 at the California Veterans' Home, plus 434 who were scheduled for admission sometime in the future. They, too, are actually waiting for a bed, making a total of 2,840 veterans declared legally and medically eligible for admission waiting for a bed.

By executive order the Veterans' Administration is operating under a ceiling of 125,000 hospital beds. The Administrator of Veterans' Affairs has the authority to increase the number of beds in one area by decreasing an equal number elsewhere. He cannot do this without sufficient appropriations to make the necessary changes. We sincerely believe it is long past time when some adjustments should be made by reducing the number of Veterans' Administration hospital beds in some locations where there appears to be a surplus, and increasing by an equal number in locations such as California where there is such a shortage.

Under date of January 31, 1962, the House Veterans' Affairs Committee published reports it received from Veterans' Administration general medical and surgical hospitals as to their utilization of the prebed care (PBC), and completion of bed occupancy program (CBOC), authorized by Public Law 86-639. It is interesting to note that a great many of the hospital directors gave as their reason for not utilizing the prebed care program as being that they had no waiting list. Here are a few examples as to what they had to say in part:

Alexandria, La.: "Our demand for hospital beds has not been so great over the past year as to require a waiting list of any significance."

Batavia, N.Y.: "We do not now and have not had a waiting list."

Big Springs, Tex.: "We do not use prebed care to the fullest extent because we had available beds."

Buffalo, N.Y.: "Since there is no delay in admissions, it has not been felt either necessary or practical to initiate preliminary diagnostic studies."

Cheyenne, Wyo.: "Our patient load has been slightly below our estimates. There has been no waiting list established."

Chicago, Ill. (West Side): "We have had adequate surgical beds available for the admission of veterans at the time they apply for hospitalization without having to place them on the waiting list."

Cleveland, Ohio: "This hospital does not have a waiting list."

Dayton, Ohio: "This station rarely has a waiting list."

Dearborn, Mich.: "There is no waiting list at the present for acute short-term patients."

Denver, Colo.: "We have no waiting list."

Durham, N.C.: "The greatest percent of time we operate the medical and surgical services without a waiting list."

Fayetteville, N.C.: "We do not have a waiting list necessitating a delay in admission."

Fort Bayard, N. Mex.: "This is an isolated station without a waiting list."

Baltimore, Md. (Fort Howard division): "There is no waiting list at Fort Howard and all applicants for hospitalization are being afforded an opportunity for immediate admission."

Fort Wayne, Ind.: "Fairly low patient demand."

Grand Junction, Colo.: "We most always have beds available for immediate admission."

Hot Springs, Ark.: "This station does not have a waiting list."

Jackson, Miss.: "Applicants found to be in need of hospitalization can be admitted with very few exceptions."

Kerrville, Tex.: "We have had little or no waiting list."

Little Rock, Ark.: "Because of available hospital beds a dearth of patients on the waiting list."

Louisville, Ky.: "At no time during the past 12 months has this hospital had a shortage of beds."

Madison, Wis.: "This hospital has had to date no waiting list so that beds have always been available."

Manchester, N.H.: "With no waiting list for medical beds and only rarely occurring list in surgical specialties such as urology."

Miles City, Mont.: "Beds have been available for immediate admission."

Montgomery, Ala.: "We do not have any appreciable waiting list which allows us to admit the needy veteran immediately."

Mountain Home, Tenn.: "Patients have been admitted directly without recourse to a waiting list."

Muskogee, Okla.: "We maintain only a very small waiting list."

Nashville, Tenn.: "Lack of waiting list, permitting admission of patients very early after being seen at admission office or after receipt of 10-P-10 (application)."

Newington, Conn.: "No waiting list."

Omaha, Nebr.: "In past 5 months we did not have a waiting list except for a few days."

Providence, R.I.: "Throughout most of the year we are able to provide hospitalization promptly as needed."

Salt Lake City, Utah: "We have not had a medical and surgical waiting list."

Spokane, Wash.: "The ability to immediately admit both medical and surgical cases as we have no waiting list."

Syracuse, N.Y.: "Waiting list has not posed a problem at this hospital."

Tucson, Ariz.: "We have had no significant waiting list and adequate vacant beds are always available."

Tupper Lake, N.Y.: "Availability of beds for immediate hospitalization."

Washington, D.C.: "Because of bed availability there is no waiting list."

Whipple, Ariz.: "We have no waiting list."

White River Junction, Vt.: "Lack of waiting list."

Wilkes-Barre, Pa.: "Due to the limited waiting list * * * applicants were scheduled as applications were received."

Wilmington, Del.: "Scarcity of medical applications for hospitalization * * * we have had practically no waiting list for the past 3 years."

Wood, Wis.: "We have not developed waiting lists."

These above examples indicate surplus beds. This compared to the situation in California does not provide an equal service for our Nation's war veterans.

For further proof of unequalized hospital care for veterans, we submit a brief comparison between the State of New York and the State of California because of the almost equal veteran population:

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	New York	California
Number of general medical and surgical hospitals---	9	6
Operating beds-----	7, 118	4, 921
Average daily patient load according to budget and allocation of funds----	6, 192	4, 452
Waiting list (general medical and surgical hospitals only) on Dec. 31, 1961----	86	276
Patients treated, fiscal year 1961-----	51, 640	43, 199

We are not recommending or even advocating that hospital care for needy and deserving veterans be taken away or reduced in any one or more locations just to satisfy our needs in California. We do believe beyond a shadow of a doubt that the facts prove additional hospital beds for veterans are needed in California. However, our veteran population continues to increase and the number of hospital beds continues to be reduced. If the ceiling of 125,000 hospital beds is adequate for our Nation's veterans, adjustment must be made to give California more beds by reducing them elsewhere, or additional beds should be provided by increasing the ceiling.

REPLACEMENT HOSPITAL FOR OAKLAND

As we have so strongly pointed out to you in the past how unjustified it was to replace this 712-bed hospital with a 500-bed hospital which is now under construction, we would like to again urge that something be done. Veteran patients in the East Bay, Sacramento, and San Joaquin Valley area must, for the most part, look to the Veterans' Administration hospitals at Oakland, Livermore, and Fresno, for their care (Livermore hospital's designation was changed from a TB to a general medical and surgical hospital approximately 1 year ago; however, TB cases continue to be about 50 percent of its load). The Oakland Veterans' Administration Hospital admitted a total of 6,742 patients during the calendar year 1961. Four thousand and fifty-six of these were admitted as medical emergencies. Fresno Veterans' Administration Hospital admitted 2,973, and 2,261 of these were admitted as medical emergencies. Livermore hospital admitted only 1,829 and no figures were available as to the number of emergencies; however, most of their patients are long-term care which results in a very slow turnover.

Many of you will recall that in 1954, when we first called it to your attention that something should be done to renovate or completely overhaul or replace the Oakland Veterans' Administration Hospital, you requested us to go back and make a study as to whether it should be completely overhauled or replaced. We came back in 1955 and reported the findings of our study, at which time we recommended that a new 800-bed hospital be built across Alice Street from the present hospital and that it be connected with corridors overhead and underground, and that the present Oakland hospital be moderately renovated and maintained for the administrative offices, physical medicine and rehabilitation, and intermediate care—in other words, to care for the patients who have reached maximum hospital benefits but are in need of nursing and attendant care and have no place to go.

The Director of Civil Defense ruled against this site for constructing a Veterans' Administration hospital. The Veterans' Administration then went out site-hunting, and finally decided on the location at Martinez and announced their plans to construct a 500-bed replacement hospital. We came back to you objecting to this loss of beds. We advised you that there was already a shortage of beds, and our recommendations were that this new replacement hospital be a 1,000-bed hospital with 250 of those beds being set aside for the intermediate (nursing

and attendant) care cases. We doubt if there is any other area in the country where better than 75 percent of the total number of patients admitted are medical emergencies.

We strongly recommend that something be done to adequately increase the number of hospital beds at the replacement hospital for Oakland or perhaps even better now that they have gone this far with the construction, that a new 500-bed hospital be constructed in the Sacramento area.

LONG BEACH HOSPITAL

Since our last meeting with you, the Veterans' Administration reactivated approximately 130 hospital beds in the old temporary barracks-type construction which brought the operating capacity back up to 1,600 beds. However, they do not have sufficient funds or sufficient personnel to do the job expected of them. They are short approximately 200 professional personnel. The per diem cost is \$23.96 as compared to the Bronx, N.Y., Veterans' Administration Hospital at \$28.116, and Hines, Ill. Hospital at \$26.568. If they were permitted a more equal per diem cost they would have money available to hire badly needed personnel.

There has been approximately a 6-year delay in bringing this hospital under permanent construction. The first phase of this construction program has been completed which brought an additional 561 beds under permanent construction. This was done through funds appropriated by the 83d Congress. The second phase of this planned construction program to bring approximately 760 additional beds under permanent construction in accordance with the originally approved plans, is already past the emergency state and we urge you to cause the necessary funds to be appropriated and the Veterans' Administration directed to get on with the job.

VETERANS' ADMINISTRATION REGIONAL OFFICE, LOS ANGELES

We would like to again remind you of the long overdue and urgent need for a building of permanent construction to house the Veterans' Administration regional office in Los Angeles. The largest Veterans' Administration regional office remains housed in an old quonset hut type of temporary construction that was built on Veterans' Administration property for the Douglas engineering division early in World War II. There has been much talk and planning in the past about constructing a new Federal building on Veterans' Administration property in West Los Angeles. It would provide for the housing of a post office, the entire regional office of the Veterans' Administration, and several other Federal agencies. We have been advised that it had the wholehearted approval of the Post Office Department, the General Services Administration, and the Veterans' Administration. Certainly for efficiency and economy the Veterans' Administration needs a new regional office building in Los Angeles. We sincerely hope the Congress will take the necessary action to appropriate funds and direct that such a building be constructed without further delay.

VETERANS' HOME OF CALIFORNIA

It has been the policy of the Federal Government since 1888 to pay a part of the cost for the care of veterans hospitalized and domiciled in State veterans' homes. Federal subsidy in the amount of \$2.50 per day per member or patient, or up to 50 percent of the cost, is the amount now being paid by the Government.

As our veterans get older, break down in health, have disabilities that make them unemployable, together with the ever-increasing veteran population, there is urgent need to provide a State veterans' home in southern California. Each veteran cared for in a State veterans' home is relieving the cost

and demand upon the Veterans' Administration as they are all eligible for Veterans' Administration care.

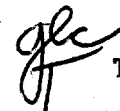
While the Congress has recognized Federal responsibility for 74 years by providing Federal aid for the maintenance in part for the care of veterans in State homes, it has not provided any funds for capital outlay. A bill, H.R. 270, introduced during the 1st session of the 87th Congress by Congressman SISK would assist the 33 States in the construction, expansion, remodeling, and alteration of buildings of State and territorial soldiers' homes by providing grants to subsidize in part the capital outlay cost. We urge your wholehearted support of this bill.

NATIONAL CEMETERY

Again we appeal to you to use your best efforts in having the Federal Government provide a national cemetery in the Los Angeles area. There are over a million veterans residing in the area. The number increases by the hour. We do not know of any place in the United States with anywhere near the veteran population that is so far removed from a national cemetery. The Veterans' Administration cemetery in west Los Angeles, where over 45,000 deceased veterans are buried, has very little space for future burials. Veterans who die outside of a Veterans' Administration hospital or domiciliary, unless their hospital care is being paid for by the Veterans' Administration in a hospital within the Los Angeles regional office territory, or their bodies are unclaimed, are not eligible for burial in the Veterans' Administration cemetery. Many next of kin from this area cannot afford transportation to Golden Gate Cemetery at San Bruno, near San Francisco, Calif. At the rate deceased veterans are being buried at Golden Gate Cemetery, it will be only a matter of a very few years when there will be no more space there for burial. This being a fact, some serious consideration should be given to providing another national cemetery in northern California.

CONCLUSION

Charles L. Bacon, national commander of the American Legion, and Robert M. McCurdy (California), chairman of the National Rehabilitation Commission, will appeal before the entire membership of the House Veterans' Affairs Committee tomorrow morning at 10 a.m. at which time they will present our legislative proposals within the jurisdiction of the Veterans' Affairs Committee. We sincerely hope and request that each of you obtain copies of their statements, and support the American Legion's very moderate and justified legislation requests concerning veterans' affairs.



The RS-70 Program

EXTENSION OF REMARKS

OF

HON. ALPHONZO E. BELL, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. BELL. Mr. Speaker, joining with my colleagues who are supporting the RS-70 program, I would like to contribute for placement in the Record the following comments which I think are particularly meaningful, from several experts in this field:

THE RICHEST DRAMA

(By Joseph Alsop)

For sheer richness of human and political meaning, this town has not seen anything

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quite like the B-70 row for a very, very long time.

The surface facts are familiar enough by now. The Chief of Air Staff, Gen. Curtis LeMay, wants to spend somewhere between \$5 and \$10 billion on these heavy bombers of the new generation. The House Armed Services Committee, headed by the powerful old "swap fox," Representative CARL VINSON, has taken the unprecedented step of "directing" the Defense Department to give General LeMay what he wants.

Secretary of Defense Robert S. McNamara is grimly determined not to give General LeMay what he wants, because he is convinced that the money will be wasted. The result has been a direct clash between McNamara and LeMay, two of the most formidable personalities to appear in the U.S. Government in the last quarter century.

The clash has produced good stories, as might be expected. At one moment, the Secretary of Defense, who can deploy facts and figures on the scale of the Normandy landings, was trying to overwhelm LeMay with all the facts and figures unfavorable to the B-70. The general, not an easy man to overwhelm, barely removed his famous cigar in order to answer, with firm finality: "I never believe any statistics except my own."

Besides good stories, this clash has also come close to producing exceedingly serious results. It may yet do so, in truth, if the directive of Representative Vinson is not watered down somewhere along the long legislative road. Ten days ago, McNamara was within an ace of asking for LeMay's resignation, even though he has truthfully described the general as "one of the two or three great fighting leaders of this American generation."

Here you might suppose, is drama enough for any governmental episode, but beneath the surface this particular episode has two additional, almost invisible themes which are really more dramatic than the clash itself.

One is the theme, ever recurring in non-fossilized military services, of the conflict of wills involved in changes of doctrine. For instance, cavalrymen ran the U.S. Army, and cavalry doctrine was U.S. Army doctrine, until the retirement in the late thirties of Gen. Malin Craig. Then Franklin Delano Roosevelt, following the advice General Pershing gave the President from his sickbed, reached down among the very junior general to make George C. Marshall Chief of Staff in succession to Craig.

The result was a change in doctrine, ending a long conflict. The ideas of the General Staff officers and the War College-trained men replaced the ideas of the cavalrymen when Roosevelt chose Marshall instead of the cavalry candidate, the forgotten Gen. Hugh Drum.

In the U.S. Navy, the interwar years were marked by an equally ferocious conflict of wills and doctrine. But the battleship admirals surrendered to the carrier admirals only when the *Prince of Wales* and the *Repulse* went down in the Gulf of Siam.

In the Air Force today, by the same token, it is noteworthy that the Air Staff's B-70 brief was prepared with no help even requested from the brilliant Under Secretary, Joseph Charyk, or from the equally brilliant Chief of Research and Development, Gen. Bernard Schriever.

Charyk and Schriever are the missilemen, in the same position today as the carrier admirals in the thirties. General LeMay and the Secretary of the Air Force, Eugene Zuckert, are the big-bomber men, really in the same position as the battleship admirals of the past, although they heartily detest the comparison. Eventually, one may be certain, the old doctrine will give way to the new doctrine; but the process of replacement, as always, is neither easy nor painless.

As for the other subtheme of the B-70 drama, it is even more interesting and surprising. This country has been fortunate to have such Secretaries of Defense as James V. Forrestal and Robert A. Lovett. But we have never had a Secretary of Defense, or any other civilian official in the Pentagon, who has attempted what McNamara is now attempting.

What McNamara is attempting has, in fact, been accomplished only twice in this century, by Lord Haldane in the British War Office and by Elihu Root in the U.S. War Department, in the years before the First World War.

McNamara is attempting nothing less than a thoroughgoing reform, modernization, and rationalization of the huge, sprawling, powerful generally admirable, but always reform-resistant armed services of the United States.

Hence the money that may be wasted is a secondary issue in the B-70 fight. The true issue is McNamara's authority to carry through this vast reform and modernization. The betting is on McNamara, and this is fortunate despite LeMay's great qualities.

ARGUMENT FOR ITEM VETO POWER

(By Roscoe Drummond)

Fortunately there is no easy or automatic solution to the loggerheads deadlock between the House Armed Services Committee and Secretary of Defense Robert McNamara over whether to spend more money on the improved B-70 bombers.

The Congressmen unanimously say they intend to compel the Pentagon to spend \$320 million to speed the production of the new style B-70's which they see as the plane of the future.

President Kennedy and Secretary McNamara say they are not going to be compelled to spend this money, even if appropriated, because they believe the new B-70 is the plane of the past, and will be obsolete by the time it is combat ready in 1967.

I say it is fortunate that there is no easy answer to this dilemma because it is part of the genius of our system of divided governmental powers that, when a stalemate is reached, neither side can easily steamroller the other, and an accommodation has to be made.

The constitutional issue is unresolved. Many Presidents, including Mr. Truman, General Eisenhower, and now Mr. Kennedy, have refused to spend money appropriated by Congress. But now the Armed Services Committee votes to appropriate an extra \$320 million for the B-70's; it proposes to direct the President to spend it. The intention is to leave the administration no choice.

There is no doubt that Congress has exclusive power to make the laws—within constitutional limits—which the President must execute. But there is a difference between a law and an appropriation. The Constitution empowers Congress to provide and maintain the Armed Forces of the country. It does not stipulate that Congress shall exclusively determine what the Armed Forces should be provided with—what kind of bombers, what kind of shoes, what kind of missiles, etc.

Congress can put a ceiling on what can be spent. There is no evident way for it to compel the President to spend to the ceiling.

Even if the President can not be forced by law to spend more money on the B-70's, he can be influenced by the appropriation and by the power of congressional advocacy.

It is at this point I venture a suggestion. It seems to me that the deadlock over spending an increased B-70 appropriation presents a sound argument and an ideal time for Congress to give the President the item veto.

This is a power which the Governors of most of the big States with large budgets already possess. It is a power which all modern Presidents have asked Congress to give them in the interest of prudent Government financing. It enables a President to veto specific items in an appropriation bill without vetoing the whole bill.

I submit that with respect to the controversial B-70 appropriation, the item veto, which is a constructive tool of good government in its own right, would strengthen the hand of Congress.

Congress cannot force the President to spend the B-70 money. It can influence the President to spend it by the power of its own advocacy. To increase its influence it must mobilize and focus its maximum majority visibly and decisively upon the B-70 appropriation.

What better way of doing that than to empower the President to veto this B-70 item and then passing it over his veto by a two-thirds majority?

If Congress cannot muster such a majority, it cannot win the argument. If it will give the President the item veto, in line with a bill introduced by Senator KENNETH KEATING, of New York, it will provide itself with the best possible means of dramatizing the B-70 issue.

Over the years the item veto would save more money than Congress is asking the President to spend on the B-70's.

[From the Washington Post, Mar. 9, 1962]

THE B-70 ISSUE

Differences between the House Armed Services Committee and the administration over appropriations for the B-70 program, involving as they do \$491 million in a \$13 billion bill, seem not so great as to justify the high temperatures that are running. Neither do they seem to involve necessarily and inescapably the large constitutional questions that have been raised. No doubt some patient negotiating will disclose that positions on this particular program are not irreconcilable and that the Constitution need not become involved.

There are philosophies of military spending about which men are bound to feel deeply. Chairman CARL VINSON, of the House Armed Services Committee, can summon to his case the warning that Lecky issued in his "History of England," when he said:

"One of the most serious dangers of modern popular politics is that gambling spirit which, in order to lower estimates and reduce taxation, leaves the country unprotected, trusting that the chapter of accidents will save it from attack. The reduction of taxes is at once felt and produces an immediate reputation, while expenditure which is intended to guard against remote, contingent, and unseen dangers seldom brings any credit to a statesman."

Still, the size of the program as submitted to the committee is hardly such as to argue strongly that such fears are reasonable. And the administration, for its part, can fall back on "Macaulay," who, in an even more excellent history, warned that "war could not be carried on without large expenditure. But the larger the expenditure which was required for the defense of the Nation, the more important it was that nothing should be squandered."

Whether the disputed item is an example of failure to provide against unseen danger or a squandering of public funds is a matter which experts must decide. The President's hope that an agreement can be worked out does not seem unreasonable in view of the amounts and purposes of the appropriation. Although this year's item is in dispute now, the situation, at least, should be clearer a year from now when the future of the fast, manned bomber will be more discernible.

Perhaps there can be a compromise that would neither preclude development, if at that time it should seem wise, nor commit us to the whole \$10 billion weapons system if a year hence it should seem unnecessary.

The constitutional issue raised is an old one. The prevailing relation of legislature and Executive, since the rise of constitutional and parliamentary governments, has been that of penury in the legislative branch and profligacy in the Executive. The lawmakers, historically, have had to restrain monarchs and presidents and prime ministers. The legislators usually have sat in the driver's seat pulling on the reins. In that posture, their power is undeniable, unassailable, and inescapable. When the roles are reversed, legislative power is embarrassed. It is hard to push on the reins. Legislative establishments, in recent decades, have found themselves frequently in this predicament. They are not without remedy. They can always refuse the Executive the appropriations it wants until the Executive promises to make the expenditures the legislature wants. But it is a dangerous and awkward instrument. It is most dangerous when Congress is as interested as the Executive in the rest of the appropriations.

It is such a clumsy device, in fact, that the best way to deal with the issue is to avoid it. The best way to do that seems to be to follow the President's advice and talk about the problem in the committees until agreement can be reached.

[From the Wall Street Journal, Mar. 13, 1962]

THE DETERIORATION OF CONGRESS

Chairman VINSON of the House Armed Services Committee says the longstanding B-70 squabble is a constitutional issue, reflecting the deterioration over the years of the congressional role in determining national policy, defense or otherwise.

In that deterioration there is indeed a constitutional question, but we somehow don't think the B-70 has much to do with it. The fate of that supersonic bomber, originally intended to replace existing types, is instead a matter of military and technical judgment, on which Mr. VINSON and Defense Secretary McNamara happen to find themselves in sharp disagreement.

Mr. VINSON and his committee insist that the Defense Department must get the B-70 into production as fast as possible; they are trying to force on the Department money its chief does not want to spend for that purpose. Mr. McNamara, with President Kennedy's support, strongly favors limiting the B-70 program to the building of prototypes, after which it would be decided whether to go into production.

In our opinion, Mr. McNamara makes the better case. Even in a Pentagon bulging with billions—one could say especially there—the money must be carefully allocated. Mr. McNamara questions that the B-70 can be developed as planned; even if it could be, by the time it was in production it might well be outdated by more advanced weapons. The considerable additional billions to put fleets of B-70's in the air some years hence might be better used for better systems.

Should that view prove wrong, the fact remains that somebody has to make the decision now. And personalities aside, commonsense suggests that it should be the Secretary of Defense rather than the chairman of the House committee.

Of course Congress should scrupulously examine the Pentagon's requests, conduct hearings, raise searching questions, make recommendations, including recommendations about weapons systems. In the extreme case that it believes the Nation imperiled by a prevailing military course, it has the power to require extreme remedies.

But it is hard to credit the notion that the Constitution, in authorizing Congress to raise and support armies and make rules for the Armed Forces, meant Congress to dictate every choice of weapons for the military. In practice, for Congress to try to do so is to make chaos of the very arrangement Congress set up—a Defense Department to act as agent of both the Executive's and the Congress' broad military responsibilities. The division of duties seems clear enough.

The deterioration of the congressional role, "defense and otherwise," of which the committee rightly complains, stems from far more deep-seated causes. The tremendous growth in the size and power of the executive branch in just the past few decades is plain for all to see. But who if not the legislative branch conspired in it? And what has that branch been doing about it all the time? How jealously has it guarded its real constitutional responsibilities?

To consider just one, the power of the purse. Congress certainly could have used this power more effectively to decrease waste in the Armed Forces. Instead, when a Defense Secretary comes along with plans to close down military installations no longer needed, there are howls of anguish from those Members whose areas would be affected. In the same way, politics is involved in the B-70 question; full-speed-ahead production would mean juicy contracts in a lot of districts.

On the broader scale Congress seldom rises above similar parochialism. Instead of sternly safeguarding the national interest, Congress customarily accedes to the demands of pressure groups, whether those demands are formulated by the White House or its own Members. All that is not exactly what the Constitution intended by giving Congress the power of the purse.

So, whatever the merits of the opposing arguments about the B-70, let us not confuse them with the deterioration of the congressional role. If Congress wants to halt the usurpation of its powers, it will have to look beyond that technical controversy, and not least into its own behavior.

[From the Los Angeles Herald-Examiner
Mar. 10, 1962]

TIME TO GET MOVING

The B-70 bomber controversy, which has been alternately on the back and front of the stove for months, is boiling again. It is a dispute that involves the vital question of the Nation's security, and it has been pulled and hauled around, and back and forth, far too long.

Our position is identical with that of Gen. Curtis LeMay, Air Chief of Staff.

It is that while we have made notable advances in missiles and let's hope will continue to do so, manned bombers will be essential to our deterrent strength for a long time to come. We cannot afford to put our security eggs in one missile basket.

President Kennedy and Defense Secretary McNamara are resisting pressure from the House Armed Services Committee, headed by Representative CARL VINSON, to spend an additional \$491 million for stepped-up production of the B-70 program. Three prototypes are in the works—to what degree of progress we do not know—at a cost of \$180 million.

The Air Force program calls for 140 of these bombers, at a cost estimated by the President at \$10 billion. They could not be operational until 1970 or 1971. The President's argument is that we ought to see how the prototypes work out before going ahead full throttle.

All right, but let's get going as fast as possible, and spend as much money as needed, in getting those prototypes into being. In addition to their security importance, they have also great potential value in

the development of America's commercial airliners of the future. Let's stop stalling.

Meanwhile, the B-70 issue has aroused additional controversy as to the rights and duties of Congress as opposed to the executive branch of the Federal Government.

Congressman VINSON has raised this point: "It is eminently clear that the role of Congress in determining national policy, defense or otherwise, has deteriorated over the years."

VINSON added that "Perhaps this is the time and the occasion to reverse the trend." Certainly it is a cause for public concern.

[From the Cleveland Plain Dealer, Mar. 14, 1962]

VINSON VERSUS KENNEDY

A subject of much speculation in Washington is the clash of wills between Congressman CARL VINSON, of Georgia, chairman of the House Armed Services Committee, and the Kennedy administration over the development of the B-70 supersonic bomber.

The President asked Congress for an appropriation of \$180 million to produce three prototypes of the bomber, on which \$1 billion already has been spent. The Vinson committee voted to appropriate \$491 million for production of the B-70 as a full weapons system, and furthermore, it directed the Secretary of the Air Force to use all of the money for that purpose.

The question is, and it's a constitutional one, can the Congress direct the President to do something he doesn't want to do. The Armed Services Committee believes that it has the power, assuming of course, that the House and the Senate concur in the committee's directive.

"The time has come when we must determine whether the function of the Congress is solely a negative one, in that it can withhold the authority or funds and prevent something from being done, but can't exercise a positive authority, and by affording the means require something to be done," said VINSON.

In seeking to uphold the authority of Congress, VINSON is relying on the constitutional provisions that the Congress shall have the power to provide for the common defense and that the President "shall take care that the laws be faithfully executed."

So what could Congress do in case the President defied a congressional directive? Well, the House might bring impeachment proceedings against the President or the Secretary of the Air Force, or Congress might try to whip the administration into line by refusing to vote appropriations for other matters.

Presidents Truman and Eisenhower both refused to spend money that Congress had appropriated, but in those instances there was no directive from Congress that the money should be spent. There was some grumbling, but no talk of a showdown between the executive and legislative branches of the Government.

Only once was the impeachment remedy invoked. That was in 1868 when President Andrew Johnson discharged Secretary of War Edwin M. Stanton in violation of the Tenure of Office Act, which prohibited the President from dismissing from office, unless the Senate should agree any officer appointed by him with the consent of the Senate. On that occasion the vote to remove the President from office failed by one to get the necessary two-thirds majority in the Senate.

It is not likely that the dispute between Mr. Kennedy and VINSON will reach the extreme of either impeachment or the withholding of necessary appropriations. Although VINSON seems to be in a fighting mood, the President is anxious to avoid a clash and he is confident that further examination will convince Congress that the B-70

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bomber would be obsolete by the time it could be brought into full production.

In these days when Congress is responsive to the demands of pressure groups, and when the administration is proposing all kinds of spending to satisfy everybody's supposed needs, it is refreshing to find some resistance to spending whether it comes from the White House or Capitol Hill.

Statement in Support of H.R. 10141 To Eliminate Discriminatory Literacy Tests as a Qualification for Voting

EXTENSION OF REMARKS
OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. MULTER. Mr. Speaker, last week on March 14-15, the subcommittee of the Judiciary Committee which is chaired by my distinguished colleague, the gentleman from New York [Mr. CELLER] held a hearing on my bill, H.R. 10141.

I commend to the attention of our colleagues my statement in support of this most important legislation:

STATEMENT IN SUPPORT OF H.R. 10141 BEFORE SUBCOMMITTEE 5 OF THE JUDICIARY COMMITTEE, HOUSE OF REPRESENTATIVES, MARCH 15, 1962

Mr. Chairman, I am very happy to have the opportunity to speak in support of my bill H.R. 10141, to protect the right to vote in Federal elections free from arbitrary discrimination by literacy tests or other means.

This is legislation that has been needed for many, many years. In modern America there is no justification whatever for the kind of discrimination practiced in some States of our Nation to effectively prevent citizens of those States from exercising their constitutional privilege and responsibility at the polling booths.

Our society, Mr. Chairman, is one that is based on consent, the citizens give their consent to the various governments of the nation to make decisions affecting their welfare. These governments—local, State, and national—are in turn responsible to the citizens.

This system cannot be said to truly work, however, when the consent to govern is given by only a part of the citizens who are eligible under the Constitution.

Let us reflect for a moment about those citizens who do not vote. We have, first of all, a large number of citizens who cannot be adjudged competent to assume their responsibility in this regard because of their age. These are our children. They are no less affected by the decisions of government, but they do not, and rightly so, participate in the selection of their leaders. We then have the insane and those unfortunate enough to have lost their voting rights because of criminal acts.

This segment of our citizens, then, cannot exercise the right to vote for various good reasons.

What about the rest of our citizens—those over the age of 21 (or 18 in two States) who are not insane and who have not become criminals. As we all know these citizens are guaranteed the right to vote by the Constitution of the United States. Nothing should be allowed to prevent them from exercising that right. Unfortunately, some of them are denied that right by the im-

sition of discriminatory laws such as those we have under consideration here today.

This bill would protect the right to vote in Federal elections of those of our citizens who have been discriminated against by literacy tests.

There are a large number of citizens who do not come from an English-speaking background and who, therefore, have been excluded from voting; there are other Americans who have been excluded because of the color of their skin on the pretext that they are not literate.

This bill, however, will set an excellent standard by insisting that no one be prevented from voting who has achieved a sixth-grade education.

I cannot think of any more worthy piece of legislation presently before the Congress than this one, Mr. Chairman. Any bill which enfranchises people by removing arbitrary discriminatory provisions in the law deserves our wholehearted support and I trust that we will have the opportunity to act on it in the House in the very near future.

Thank you.

Doctor Bills Important, Too

EXTENSION OF REMARKS
OF

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. DERWINSKI. Mr. Speaker, there has been far too much confusion and misunderstanding created in the controversy over medical care for the aged. Many older persons are being deluded into support of the administration's proposals when, in effect, the King-Anderson plan is inconsistent with the problems it proposes to cure. I insert into the RECORD a penetrating editorial from the Tuesday, March 20 issue of the Chicago Sun-Times, which explores this subject effectively. The editorial is entitled "Doctor Bills Important, Too."

DOCTOR BILLS IMPORTANT, TOO

A point often overlooked in the debate over the Kennedy administration's program for medical care for the aged is its lack of provision for doctor care for older sick persons. The administration plan, known as the King-Anderson bill, would offer hospitalization to the ailing who are on social security. It is blank on meeting the equally crucial burden of doctor bills when serious illness strikes.

In an effort to fill the void, one of the Nation's leading private insurance plans, the Blue Shield, has formulated a program for comprehensive doctor care for those over 65, without Federal subsidies and at rates within the reach of millions living on low retirement incomes.

We are happy to note that Illinois physicians approved this program Sunday through their State medical society. When the plan is offered to the public about May 1, Illinois physicians and surgeons are committed to providing their services to the aged at the reduced rates under the plan.

Single persons over 65 with incomes under \$2,500, and married couples with combined incomes of \$4,000, would pay \$3.20 per person per month. They would receive anesthesia, and doctor care in hospitals and nursing homes. There would be radiation therapy, X-ray, laboratory, and pathological examinations within certain limits. Those with

higher incomes would pay an additional fee set by the physician.

This program strikes us as sound and humane. It gives older citizens an important opportunity to insure themselves against one of the financial calamities of illness. In this area, at least, the traditional American right of free choice would be preserved, and Government bureaucracy would not enter the picture.

Moreover, it is a demonstration that private enterprise can, and will, find some answers to the social problems of the day, given the opportunity. The program is not the complete answer, of course, for there are still those with such low incomes that \$3.20 per month would be a sizable outlay.

But it is a step toward meeting a need which everyone agrees must be met, the only question being how to go about it. We hope some attention will be paid to this plan in Congress and that it may serve as a starting point for the writing of a medical care program for all who require one—not one limited simply to older persons on social security, and not one that would impose an additional payroll tax to underwrite the care of millions regardless of need.

County Agent Doubts Farm Aid and Controls Socialistic

EXTENSION OF REMARKS
OF

HON. HOMER THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. THORNBERRY. Mr. Speaker, one of the ablest and best county agents I have ever known is Mr. J. W. Stufflebeme, Jr., the County Agricultural Agent of Washington County, Tex. He is forward-looking and understands the problem of the agricultural producer of our area in Texas.

In his Washington County Farm News column, which appeared in the Brenham Banner-Press of Brenham, Tex., on March 14, he discusses the need to have a clear understanding of the agricultural economy under present-day conditions. He points out the need for Government support of agriculture and I think it is one of the best discussions of the subject I have seen.

I call it to the attention of the Members of Congress, and the article is as follows:

COUNTY AGENT DOUBTS FARM AID AND CONTROLS SOCIALISTIC

(By J. W. Stufflebeme, Jr.)

The need for a clear understanding of the economic situation, especially as it pertains to agriculture, is absolutely essential under present-day conditions. I think businessmen as well as farmers should strive to have an open mind on the subject.

As I mentioned a few weeks ago, farmers in the United States represent a potential market of \$40 billion. That, among other reasons, is why the problem is of vital importance to business firms.

The Agricultural Economics Department, Texas A. & M. College, supplied information which will be used in this discussion.

It is believed by most observers, those who have an open mind on the matter, that agriculture has been given undue criticism about being "subsidized by the Government." The merits or demerits of subsidies

are not being argued, rather an attempt is being made to set the record straight. I believe that agriculture is no more subsidized than other parts of the economy. Agriculture is, however, guilty of poor public relations. With historic honesty, farmers call aids subsidies. Other groups camouflage their subsidies in high sounding phrases like "construction differentials," "rapid tax amortization," and so forth.

The price support operations, conducted by the Commodity Credit Corporation in behalf of agriculture, are at the core of the subsidy issue. The opposition to this farm program, in and out of Government, may have left an impression on the public mind that a subsidy is something inborn and inherent with agriculture, and entirely foreign to the remainder of the economy.

It is interesting, therefore, to note that CCC farm price support losses from 1933 to January 1, 1958, have cost the taxpayers less than the subsidies to business through postal deficits alone during the 10-year period 1946-1956. Moreover, the losses connected with price supports for farmers have amounted to only a fraction of the cost of business—reconversion payments, including tax amortization, and other financial aids to industry during the past few years.

The CCC farm price support losses from the beginning of the program to January 1, 1958, amounted to a little over \$5 billion. Federal expenditures in recent years for business aids and special services include the following: Mail subsidies (1946-56), almost \$6 billion; business reconversion payments, over \$43 billion; subsidies to maritime organizations (1938-57), \$3½ billion; subsidies to airlines (1938-57), over \$600 million.

The foregoing shows in excess of \$50 billion of subsidy or subsidylike benefits to industry, the greater part of which has occurred since World War II.

A significant part of our industrial establishment operates today on Government defense and other noncompetitive contracts, without normal risks, and with profits assured. Some 50 of the Nation's largest corporations have received \$80 billion in Government contracts during the past 5 or 6 years. Such contracts cannot be labeled as subsidies to industry, but they do reflect certain Federal financial support.

It is notable, moreover, that the Government generally obtains the industrial materials for defense under contracts drawn to assure profits to the producers, whereas the food for the Armed Forces is procured generally without reference to profits or losses to farmers.

For the past 150 years American industry has enjoyed a relatively high protective tariff. Yet, during all the history of America, except the last 25 years, the farmer has had little or no protection. He has produced in a protected market and sold in an unprotected market. We all know the result of such a policy for the farmer—the end came in the late twenties and early thirties.

Now, I am not being critical of Government aid to industry. I am sure these subsidies are essential, but we should be fair about the situation and realize that the shoe fits more than one foot.

Extremists may shout that the country is being taken over by the Socialists or Communists. Now, what is a simple definition of socialism? This one will do—the theory system which advocates the vesting of the ownership and control of the means of production, capital, land, etc., in the community as a whole.

Now, let us look at the record. In 1920, only 46 percent of the farmers owned their own farms; in 1930, less than 40 percent were classified as landowners; in 1940, over 50 percent of the farmers owned their farms, and in 1961 over 80 percent of the farmers in Texas were landowners. Does this sound like socialism?

Per capita income for farm and nonfarm population is another guide which should be of interest to all people. In 1934, the average net income per capita of farm population from all sources was only \$165; for nonfarm population, this figure in 1934 was \$468. In 1944, farm per capita income was \$696; nonfarm, \$1,328. In 1961, farm per capita income was around \$1,000, while the per capita of nonfarm population was well over \$2,000. This doesn't sound like socialism either.

We have a country which comprises 6 percent of the world's population and 7 percent of the world's land area. Yet, we have so many advantages that we are the envy of most areas of the world. Personally, I like the United States of America. I wouldn't want to live anywhere else. And, I think our country will continue to improve and offer all of our citizens the opportunity of enjoying a better life for themselves and their children.

Health and Safety on the Road

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks I include an address which I delivered at the Rhode Island Truck Owners Association dinner, Sheraton-Biltmore Hotel, Providence, R.I., on December 6, 1961.

The address follows:

HEALTH AND SAFETY ON THE ROAD

(Remarks of Hon. JOHN E. FOGARTY, U.S. Representative, Second Congressional District of Rhode Island, at Rhode Island Truck Owners Association dinner, Sheraton-Biltmore, Providence, R.I., Wednesday, December 6, 1961)

You have been reminded many times, I am sure, that this is the eve of the 20th anniversary of Pearl Harbor Day—the day that President Roosevelt said would go down in history as a day of infamy. In the 4 years between that day and the end of World War II, this Nation lost 275,338 men and women, most of them in the prime of life.

Every year on this date, this great sacrifice is mourned anew, as it should be. Aside from the thousands of personal tragedies that these deaths represented, the loss of the millions of man-hours of high productivity which we sustained was an economic tragedy to the Nation from which we have not yet fully recovered.

In all the wars in American history, including the Korean action, the United States lost about 550,000 of her citizens. In the first 59 years of the present century, we lost 1,335,842 on the streets, roads, and highways. Two and one-half times as many victims as in all the wars in our history were lost to traffic accidents, most of them preventable. Most of these victims, like our war casualties, were in, or had not yet reached, the most productive years of their lives. And year after year, we continue to lose almost 40,000 more, from traffic accidents alone. Is it not time that we began to fight the highway holocaust in the same way that we fight a war, with all of our resources, all of our strength, all of our perseverance and ingenuity?

You gentlemen, representing the truck transport industry of our State, are well aware of the heavy impact of traffic accidents on the economics of your industry. You

have, in a sense, a larger stake in the fight against traffic accidents than any other segment of our industry and our population. And to a great extent, many of you have risen to the challenge, by painstaking maintenance of your vehicles, by careful selection and rigorous training of your employees, and by your strong support of better highways, more realistic traffic regulations, and more effective enforcement efforts.

Yet, in spite of constantly improved engineering, education, and enforcement, we continue to kill about the same number of men, women, and children in traffic accidents every year. It is true that the number of vehicles on the roads increases every year, and so does the number of traffic police. Why, in the face of increasing attention and support for the "three E's" of traffic safety, does the traffic-death total remain at a seemingly irreducible, constant figure? Is it possible that the "three E's" alone, as important as they are, are not the total answer to traffic accidents?

I believe that the answer to that question is "Yes." One vital element has been omitted, until very recently, from our analysis of the situation. That element is true, factual, provable knowledge based on sound, scientific research. Especially necessary before we can hope to make a sizable dent in our annual traffic toll, in my opinion, is research on the human aspects of traffic safety.

Just what physical, physiological, and psychological elements are necessary for a person to be a safe driver? Which of these elements tend to make a person unsafe at the wheel of a vehicle? After 60 years and almost 1½ million deaths we still do not know.

In the United States today, 87 million persons are licensed to operate motor vehicles whenever they please on any public road in the Nation. The criteria for licensing vary considerably from State to State, but in one respect at least they are all alike: They are of necessity based largely on assumptions, guesses, and conjectures. Not one State bases the driving privilege on firm knowledge—because none exists.

In hearings before my Committee on Appropriations for the Department of Health, Education, and Welfare this year it was pointed up that the Surgeon General's report on environmental health had described the activities of official health agencies in the accident prevention field as falling far short of meeting the need for effective measures to reduce the toll taken by accidents particularly among children. Because of this the appropriation bill included an increase of \$1 million to permit the Public Health Service to initiate an effective, well-balanced program to mobilize public health resources in the attacks on death and disability due to accidents.

I am glad to be able to report to you that, at long last, at least a start has been made toward providing the many answers we need. Early this year, there was established in the Public Health Service a Division of Accident Prevention which has undertaken to find the answers to traffic safety in the same way that the health and medical sciences have found solutions to many of the great scourges of the past. In the 21 years that I have been privileged to serve as your Representative in Congress, nothing has given me more pride and pleasure than the support I have been able to give to every sound measure for improving the health and safety of the American people. With accidents ranking first among the killers of children, teenagers, and young men and women up to the age of 35, I am convinced that we must give the Public Health Service the kind of support which enabled it to eliminate or reduce many of the losses from communicable and chronic diseases.

Many of our citizens living today will remember that, not so long ago, smallpox, typhoid fever, diphtheria, and other diseases