Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

Vol. 111 WASHINGTON, THURSDAY, JANUARY 28, 1965 No. 19

# House of Representatives

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., quoted the verse of Scripture: Deuteronomy 33: 27: *The eternal God is thy refuge and underneath are the everlasting arms.*

Let us pray.

O Thou God of all grace and goodness may we be conscious of Thy presence and power as we endeavor to meet bravely life's stern duties and demands.

We penitently confess that our hearts are often cold and callous and we fail to have a keen sense of our social responsibility and a sincere interest in the welfare of needy humanity.

Grant that in the great adventure of building a better world we may know how to coordinate practical commonsense with lofty idealism.

May we be serenely confident that light will triumph over darkness and that the day is dawning when peace and good will shall be established upon this earth.

Hear us in the name of the Prince of Peace. Amen.

## THE JOURNAL

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

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2. An act to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States.

S. 507. An act to authorize the Veterans' Administration to extend aid on account of defects in properties purchased with financing assistance under chapter 37, title 38, United States Code.

The message also announced that the President of the Senate, pursuant to Public Law 88-271, appointed Mr. JAVITS to be a member of the United States-Puerto Rico Commission on the Status of Puerto Rico, vice Mr. Keating.

## COMPENSATION OF EMPLOYEES OF STANDING AND SELECT COMMITTEES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution, House Resolution 146, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 146

*Resolved,* That there shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to pay the compensation for services performed during the thirty-day period beginning January 3, 1965, by each person (1) who, on January 2, 1965, was employed by any standing committee or any select committee of the Eighty-eighth Congress and whose salary was paid under authority of a House resolution adopted during the Eighty-eighth Congress, and (2) who is certified by the chairman of the appropriate committee as performing such services for such committee during such thirty-day period. Such compensation shall be paid such person at a rate not to exceed the rate he was receiving on January 2, 1965.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## WILLIAM McKINLEY, 25TH PRESIDENT OF THE UNITED STATES

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. BETTS].

Mr. BETTS. Mr. Speaker, I would like to take this opportunity on behalf of and at the request of my colleagues, the gentleman from Ohio [Mr. BROWN], who is chairman of our Republican delegation in the House of Representatives as well as our colleague, the gentleman from Ohio [Mr. BOW], to announce that the carnations that we see our colleagues wearing today are being distributed out of respect for a great Ohioan, President McKinley. Each year on McKinley's birthday, which happens to be tomorrow, January 29, we have always seen to it that Members are given these carnations and usually some time is given to permit recognition of the great services of McKinley to our country. I may say that the Republican delegation from the State of Chio has seen to it that the carnations are here this morning. Of course, I do not mean to imply that this is done as a partisan gesture since we have always found a ready, willing and hearty cooperation, I might say a bipartisan cooperation, in this yearly tribute to President McKinley.

We in Ohio are very proud of McKinley as a statesman, a soldier, a Member of Congress, a Governor, and as President. As a matter of fact, Mr. McKinley served with distinction in the House of Representatives for many years before becoming President. Here he assumed the high office of chairman of the Ways and Means Committee.

We are quite proud and happy to take this opportunity to call the attention of the House to the great services of Mr. McKinley to his country.

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

Mr. BETTS. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, for myself and I am sure all Members on this side of the aisle, I wish to say we are always appreciative of this occasion which is made possible by our colleagues across the aisle from the great State of Ohio.

On this day we honor the memory of one of the great men in the history of the United States, a man who was tall among his fellows and who stands tall in the annals of our Republic.

The gentleman alluded, and I believe it in order to allude to it again, to the fact that President McKinley served for many years as a Member of this body. He served with great distinction as chairman of the great Committee on Ways and Means.

We are reminded now as the body of Sir Winston Churchill lies in state of what was said by Members of the House of Commons the other day when they were paying tributes to him—that he was "of the House," meaning, of course, that



Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7



his career had grown out of the House of Commons.

I believe it was the service of William McKinley in the House of Representatives which enabled him to prove his stature, and from this service he became not only a President but one of the great Presidents of our country—a martyred President, a beloved President, a loyal and patriotic American who fought for his country, a statesman of tremendous vision and breadth. While he is sometimes referred to as one of the more conservative Presidents, I believe it can be truly said that he was really a progressive President in that he worked for those things which helped to make America great and prosperous.

I join my colleagues from Ohio in this tribute to a great former Member of the House, a great President of the United States, and a great American who served his day and generation well.

Mr. BETTS. I thank the gentleman for his generous remarks and also for associating the life of President McKinley with the life of Winston Churchill, to whom we are also paying tribute at this time.

(Mr. BETTS asked and was given permission to revise and extend his remarks.)

Mr. BETTS. Mr. Speaker, I might add that the gentleman from Ohio [Mr. Bow] has always taken an interest in these occasions, because President McKinley represented the district in Congress which the gentleman today represents.

## GENERAL LEAVE TO EXTEND

Mr. BETTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the life and service of former President McKinley.

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

There was no objection.

## PRESIDENTIAL DISABILITY

(Mr. ROUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROUSH. Mr. Speaker, within the past week our attention has been called again to the need for a clearly established policy relating to Presidential disability.

All of us are most gratified by the prompt recovery of President Johnson from his minor illness. But this should not minimize the importance or the urgency of the issue.

The danger inherent in our failure to make this necessary revision to the Constitution are known to all of us. Even when the oceans provided buffers of time and space the need existed. The passage of the years has only served to emphasize this need.

At the same time we make this revision we can also make certain the office of Vice President will be promptly filled if any vacancy should occur in the future. During the past two decades this office has been vacant for 5 years. During the history of our Nation the office has been vacant on 16 different occasions totaling more than 37 years.

If we act promptly on this matter it is possible this most necessary amendment to our Constitution could be effected within this year. Forty-seven of our State legislatures are either in session or will be in session during 1965. I am certain the members of those legislative bodies also are aware of the urgency of the issue.

If there are those who do not believe there is a need for such an amendment they have been silent. And I am certain those who share the belief there is such a need are in a great majority.

The problem is recognized. The solution is clear. Action is demanded. The time to act is upon us.

## LONG ISLAND'S CHALLENGE—FROM ARSENAL OF DEFENSE TO ARSENAL OF PEACE

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLFF. Mr. Speaker—

> The vast defense industry in this Nation is a creature of conscious Government policy. Nowhere in Government at the present time do we have an agency with the mandate and the resources adequate to insure defense-oriented communities and individuals' alternative economic opportunities.

Those were the opening remarks of Senator GEORGE MCGOVERN, Democrat, from South Dakota, made in 1964 in defense of the Economic Conversion Commission, May 1964. I concur with the statements; however, let us review briefly some obvious facts. Long Island has recently been confronted with some very serious economic problems, primarily as a result of a marked reduction in defense spending in our area. Just recently—October 4, 1964—the New York Times reported that Dr. Seymour Melman, of Columbia University, a serious student of the problems of economic conversion, made the estimate that approximately 71,000 workers are employed in defense-related industries located in Nassau and Suffolk Counties. When compared to total manufacturing employment in these two counties, this means that more than 50 percent of total manufacturing force in Long Island is employed in defense-related activities. Based on this fact alone, it must be recognized that even a minor cutback in defense activity in Long Island can have major effect upon the economy.

Following my election to Congress, I immediately began to study this problem in great detail. Moreover, in the process, I have done everything within my power to find out what the Government is doing to alleviate the situation. Unfortunately, I must say at the outset that my investigation to date has shown that the Federal Government to date has not made any major attempt at setting up a comprehensive program to deal with this very pressing national problem in a truly effective manner.

During the course of my investigation, I found only one organization in the Federal Government which is devoting its entire attention to the problem. This organization, known as the Office of Economic Adjustment, was established by Secretary McNamara in 1961 for the purpose of assisting those communities throughout the United States which have been adversely affected by the Defense Department's decision to eliminate or reduce activities at installations located in those areas. Since it operates with a staff of only eight people, and since most of its activities have been devoted to problems associated with the closing of installations rather than problems associated with reduced defense business, you can well see that this organization alone cannot begin to coordinate a comprehensive national program for economic conversion. I might add, however, that the Office of Economic Adjustment, with its limited resources, has done an outstanding job in the area in which it has devoted most of its attention.

In addition to the activities of this organization, President Johnson in December of 1963 did establish a study group known as the Committee on the Economic Impact of Defense and Disarmament. This Committee is composed of representatives of the Defense Department, NASA, the Atomic Energy Commission, the Office of Emergency Planning, the Arms Control and Disarmament Agency, the Department of Labor, Budget Bureau, the Council of Economic Advisers, and the Department of Commerce. When he established this body, the President stated:

> The Committee will be responsible for the review and coordination of activities in the various departments and agencies designed to improve our understanding of the economic impact of defense expenditures and of changes either in the composition or in the total level of such expenditures.

In June of last year, Gardner Ackley, presently the Chairman of the President's Council of Economic Advisers, and also Chairman of this Committee was already in the process of conducting several studies related to the problem of economic conversion and he hoped that the findings of these studies would be forthcoming in the near future. Unfortunately, to date, we have heard very little from this Committee. And, moreover, after careful study of the activities of the Committee, it is evident that this body, too, because of limited staff and the lack of funds, has more responsibilities than it can possibly handle effectively.

It is apparent to me and to many other colleagues in both the House and the Senate, that it is imperative that the Federal Government promptly initiate a highly efficient and comprehensive program for economic conversion and that Congress must act on this matter at the earliest possible date.

In this connection, 29 Members of the House and 15 Members of the Senate cosponsored legislation in the last Congress which called for the immediate establishment of the National Economic Conversion Commission which would be composed of the heads of the nine governmental agencies having a direct interest in conversion problems. The leg-

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7



wise comply with the cropland retirement program as set forth in this title.

The Secretary shall determine the rate of rental payments that will provide producers with a fair and reasonable annual return on the land retired and devoted to soil-conserving uses after taking all relevant factors into consideration, including (1) the incentive necessary to achieve voluntary participation in the program, (2) the loss of crop production on the retired acres, (3) any savings in cost which result from not planting crops, (4) the estimated profit margin of crop production on the designated acres, (5) continuing farm overhead expenses, (6) the cost of establishing a conservation practice on the retired acres, (7) the value of the land for production of commodities customarily grown on such kind of land in the county or area, and (9) drought, flood, or other abnormal condition.

The rate on lands determined in accordance with the preceding paragraph shall be adjusted on a State, county, and individual farm basis in such a manner as the Secretary determines will facilitate the practical administration of the program. The lands to be covered by contracts shall be determined by a competitive bid procedure whereby a producer wishing to obtain a contract shall specify the percentage of the rental rate applicable to his farm which he is willing to accept.

(d) The Secretary shall compensate producers for participating in the cropland retirement program through annual cash payments.

In order to assist producers in the establishment of soil-conserving uses on cropland retired under the cropland retirement program, the Secretary shall coordinate such program with the agricultural conservation program established pursuant to the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 163; 16 U.S.C. 590 et seq.).

*Terms and conditions of contracts with producers*

SEC. 102. (a) Under any cropland retirement contract the producer shall agree—

(1) to establish and maintain with proper management for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities or other soil-, water-, wildlife-, or forest-conserving uses (excluding orchards and vineyards) on an acreage of land which is specifically designated at the time the contract is entered into and which has been regularly used in the production of crops (including crops such as tame hay, alfalfa, and clovers), which do not require annual tillage;

(2) to allow to remain fallow, idle, and in the production of crops (including tame hay, alfalfa, and clovers) which do not require annual tillage throughout the contract period, an acreage of the remaining cropland on the farm which is not less than the acreage normally allowed to remain fallow, idle, and in the production of crops which do not require annual tillage on such remaining acreage;

(3) not to harvest any crop from the acreage established in the protective vegetative cover, excepting timber (in accordance with sound forestry management) and wildlife or other natural products of such acreage which do not increase supplies of feed for domestic animals;

(4) not to graze any acreage established in protective vegetative cover;

(5) not to adopt any practice, or divert lands on the farm from conservation, woods, grazing, or other noncropland use, to any use specified by the Secretary in the contract as a practice or use which would tend to defeat the purposes of the contract;

(6) to abide by regulations prescribed by the Secretary with respect to the planting of crops during the contract period for later harvest or use; and

(7) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of this title and to facilitate the practical administration of the cropland retirement program, including provisions relating to control of insects, rodents, and noxious and other objectionable weeds.

(b) In the event that the Secretary determines that there has been a violation of the contract (including the prohibition of grazing on retired acreage) at any stage during the time such producer has control of the farm and that such violation is of such a substantial nature as to warrant termination of the contract, the producer shall forfeit all rights to payments or grants under the contract, and shall refund to the United States all payments and grants received by him thereunder. In the event that the Secretary determines that there has been a violation of the contract but that such violation is of such a nature as not to warrant termination of the contract, the producer shall accept such payment adjustments, and make such refunds to the United States of payments received by him, under the contract, as the Secretary may determine to be appropriate.

SEC. 103. The Soil Bank Act, as amended (70 Stat. 188; 7 U.S.C. 1801 et seq.), is amended as follows:

*Administrative and judicial remedy*

(1) The first sentence of section 107(d) of such Act (7 U.S.C. 1831(d) is amended by adding after the words "paragraph (6) of the subsection (a)" the phrase "or under section 102(b) of the Wheat and Feed Grain Act of 1965".

*Effect on other programs*

(2) Section 112 of such Act (7 U.S.C. 1836) is amended by adding after the words "under this subtitle" each time it appears therein the phrase "or under title I of the Wheat and Feed Grain Act of 1965".

*Geographic applicability*

(3) Section 113 of such Act (7 U.S.C. 1837) is amended by adding after the words "subtitle B" the phrase "and title I of the Wheat and Feed Grain Act of 1965".

*Reapportionment prohibited*

(4) Section 115 of such Act (7 U.S.C. 1803) is amended by adding after the words "conservation reserve programs" the phrase "or the cropland retirement program established pursuant to title I of the Wheat and Feed Grain Act of 1965".

*Utilization of local and State committees*

(5) Section 117 of such Act (7 U.S.C. 1805) is amended by adding after the words "this title" the phrase "or title I of the Wheat and Feed Grain Act of 1965".

*Utilization of other agencies*

(6) Section 118 of such Act (7 U.S.C. 1806) is amended by adding after the words "this title" the phrase "or title I of the Wheat and Feed Grain Act of 1965".

*Utilization of land use capability data*

(7) Section 119 of such Act (7 U.S.C. 1807) is amended by adding after the words "this title" the phrase "or Title I of the Wheat and Feed Grain Act of 1965".

*Finality of determinations*

(8) Section 121 of such Act (7 U.S.C. 1809) is amended by adding after the words "this title" the phrase "or under title I of the Wheat and Feed Grain Act of 1965".

*Protection of tenants and sharecroppers*

(9) Section 122 of such Act (7 U.S.C. 1810) is amended by adding after the words "this title" the phrase "or under title I of the Wheat and Feed Grain Act of 1965".

*Penalty for grazing or harvesting*

(10) Section 123 of such Act (7 U.S.C. 1811) is amended by adding after the words "section 103 or 107" the phrase "or under title I of the Wheat and Feed Grain Act of 1965".

*Pooling or cropland retirement land*

(11) Section 126 of such Act (7 U.S.C. 1814) is amended by adding after the words "conservation reserve program" the phrase "or in the cropland retirement program pursuant to title I of the Wheat and Feed Grain Act of 1965".

*Incorrect information furnished by the Government—Marriage of producers*

(12) Section 128 of such Act (7 U.S.C. 1816) is amended by adding after the words "conservation reserve program" the phrase "or the cropland retirement progam established pusuant to title I of the Wheat and Feed Grain Act of 1965".

*Authorized period of contract and expenditure—Appropriations*

SEC. 104 (a) The Secretary is authorized to formulate and announce programs under this title and to enter into contracts thereunder with producers during the three-year period 1966–68 to be carried out during the period ending not later than December 31, 1973, except that contracts for establishment of tree cover may continue until December 31, 1978.

(b) The period covered by any contract shall not be less than three years and shall not exceed five years, except that contracts for the establishment of tree cover may extend for ten years.

(c) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title, including amounts as may be required to reimburse the Commodity Credit Corporation for its actual costs.

*Termination and modification of contracts*

SEC. 105. The Secretary may terminate any contract with a producer by mutual agreement with the producer if the Secretary determines that such termination would be in the public interest. The Secretary may agree to such modification of contracts previously entered into as he may determine to be desirable to carry out the purposes of this title and to facilitate the practical administration of the cropland retirement program.

*Regulations*

SEC. 106. The Secretary shall prescribe such regulations as he determines necessary to carry out the provisions of this title.

TITLE II—REPEAL OF AUTHORITY FOR ACREAGE ALLOTMENTS, MARKETING QUOTAS AND MARKETING CERTIFICATES ON WHEAT AND ACREAGE ALLOTMENTS ON CORN—PRICE SUPPORT ON WHEAT, CORN, OATS, RYE, BARLEY, AND GRAIN SORGHUM

SEC. 201. Notwithstanding any other provision of law, effective with the 1966 crops of wheat, corn, oats, rye, barley, and grain sorghum, sections 321 through 339 of parts II and III of subtitle B and section 379(a) through 379(j) of subtitle D of title III of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31; 7 U.S.C. 1281 et seq.), are repealed. Parts IV, V, and VI of subtitle B are redesignated as parts II, III, and IV respectively, and subtitle F is redesignated subtitle D.

SEC. 202. Effective with the 1966 crop of wheat, the Act of May 26, 1941, as amended (Public Law 74, Seventy-seventh Congress, 55 Stat. 203), is repealed.

SEC. 203. Effective with the 1966 crops of wheat, corn, oats, rye, barley, and grain sorghum, sections 327 and 328 of the Food and Agriculture Act of 1962 (Public Law 87–703, Eighty-seventh Congress) are repealed.

SEC. 204. Effective with the 1966 crops of corn, oats, rye, barley, and grain sorghum, section 105 of the Agricultural Act of 1949, as amended (7 U.S.C. 1441 note), is amended to read as follows:

"SEC. 105. (a) Notwithstanding the provisions of section 101 of this Act, beginning with the 1966 crop, price support shall be made available to producers for each crop of corn at 90 per centum of the average price

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7



received by farmers, excluding payments in kind made by the Secretary, during the three complete marketing years immediately preceding the calendar year in which the marketing year for such crop begins, adjusted to offset the effect on such price of any abnormal quantity of low-grade corn marketed during any of such years: *Provided,* That the level of price support for any crop of corn shall not be less than 50 per centum of the parity price therefor.

"(b) Beginning with the 1966 crop, price support shall be made available to producers for each crop of oats, rye, barley, and grain sorghum at a level which relates to the level at which price support is made available for corn as the feed value of such commodity relates to the feed value of corn."

SEC. 205. Effective with the 1966 crop of wheat, section 107 of the Agricultural Act of 1949, as amended (7 U.S.C. 1445(a)), is amended to read as follows:

"SEC. 107. Notwithstanding the provisions of section 101 of this Act, beginning with the 1966 crop, price support shall be made available to producers for each crop of wheat at the United States farm price equivalent, as determined by the Secretary, of the average world market price during the three complete marketing years immediately preceding the calendar year in which the marketing year for such crop begins, with premiums and discounts as indicated by the market to reflect milling and baking quality: *Provided,* That the level of price support for any crop of wheat shall not be less than 50 per centum of the parity price therefor."

TITLE III—GENERAL PROVISIONS

*Federal irrigation, drainage, and flood control projects*

SEC. 301. Section 211 of the Agricultural Act of 1956, as amended (7 U.S.C. 1860), is amended (1) by striking "three years" each time it appears therein and inserting in lieu thereof "thirteen years", and (2) by adding after the words "soil bank provisions of the Act" in subsection (b) the phrase "and under title I of the Wheat and Feed Grain Act of 1965".

*Restrictions on sales by the Commodity Credit Corporation*

SEC. 302. Section 407 of the Agricultural Act of 1949, as amended (7 U.S.C. 1427), is amended—

(a) By changing the period at the end of the fourth sentence to a colon and adding the following: "*Provided,* That beginning July 1, 1965, the Commodity Credit Corporation shall not make any sales (except sales offset by equivalent purchases) of wheat, corn, oats, rye, barley, grain sorghum, soybeans, or flaxseed at less than 125 per centum of the current support price for any such commodity, plus reasonable carrying charges.", and

(b) By deleting the seventh sentence.

## PROPOSED AMENDMENT TO CONSTITUTION ON PRESIDENTIAL POWER AND SUCCESSION

Mr. PASTORE. Mr. President, at the request of Justice Michael A. Musmanno of the Supreme Court of Pennsylvania, I introduce for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States on Presidential power and succession.

This joint resolution embodies the so-called Musmanno plan. It is identical with House Joint Resolution 118, introduced in the House by Mr. HOLLAND, of Pennsylvania, on January 5 of this year. It is similar, also, to Senate Joint Resolution 155, which the senior Senator from West Virginia [Mr. RANDOLPH] introduced during the 2d session of the 88th Congress.

Justice Musmanno's plan in essence provides that the House and Senate Judiciary Committees will constitute a permanent Commission on Prevention of Lapse of Executive Power. Under such rules as the Congress shall prescribe by concurrent resolution, the Commission shall determine by a two-thirds vote all questions concerning the inability or disability of the President to discharge the powers and duties of his office, and shall determine when such inability or disability ceases.

I am aware that I am a cosponsor of Senate Joint Resolution 1, introduced on January 6 by the junior Senator from Indiana [Mr. BAYH]. I still support Senate Joint Resolution 1 in every respect.

The joint resolution which I have introduced will be referred to the Committee on the Judiciary. I understand that Justice Musmanno, a noted authority on the Constitution, will appear before the committee on Friday of this week to testify concerning the problem of Presidential succession. It will assist the committee to have before it the Musmanno plan. I offer this joint resolution for that purpose.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 34) proposing an amendment to the Constitution of the United States on Presidential power and succession, introduced by Mr. PASTORE, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

## PROCEDURES IN CONNECTION WITH PROPOSED AMENDMENTS TO THE CONSTITUTION

Mr. STENNIS. Mr. President, I send to the desk for appropriate reference a Senate resolution to require that the passage of a joint resolution proposing an amendment to the Constitution shall be determined by a yea and nay vote upon a call of the roll of the Senate. If adopted, this resolution would amend the standing rules of the Senate;

Article V of the Constitution provides, in part, that:

> The Congress, whenever two-thirds of both Houses shall deem it necessary * * * shall propose Amendments to this Constitution or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing amendments.

The significance of proposing changes in our basic law is self-evident, Mr. President; it is a duty which the Congress should exercise with the greatest care. I became deeply concerned during the last session of Congress, however, with the manner in which the Senate considered and adopted Senate Joint Resolution 139. That resolution proposed very basic changes in our Constitution with reference to presidential inability and succession, and yet it was considered on the floor of the Senate and adopted at a time when only nine Senators were present. There was no rollcall vote and the RECORD does not even reflect the presence of a quorum at the time of the voice vote, although a quorum was present earlier in the day. When this situation came to my attention, I moved to reconsider the vote by which Senate Joint Resolution 139 had been adopted. By agreement of the majority leader, this motion was passed and the resolution was subsequently adopted on a rollcall vote of 65 yeas and 0 nays.

I emphasized on the floor of the Senate during consideration of Senate Joint Resolution 139 that the constitutional provisions and the rules of the Senate had been technically followed. In my opinion, however, the Constitution does not contemplate the adoption of a resolution proposing an amendment when only nine Members of the Senate are in attendance.

To the contrary, I believe the spirit of the Constitution requires that the RECORD affirmatively reflect not only the actual presence of a quorum and the names of those constituting the quorum, but also the fact that two-thirds of the Senators present voted in favor of the resolution.

A vote thus recorded is itself a strong recommendation to the States that the proposed amendment be adopted.

The Congress has no greater responsibility, Mr. President, than that of considering proposed changes in our basic and fundamental law. The amending process is not often used, but when it is extreme care should be exercised. The adoption of the resolution I now introduce would insure such consideration. I strongly urge its immediate consideration by the Committee on Rules and adoption by the Senate.

Mr. President, I ask that the resolution be appropriately referred.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 67) was referred to the Committee on Rules and Administration, as follows:

*Resolved,* That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE XLI

"The question of the passage of a joint resolution proposing an amendment to the Constitution shall be determined by a yea-and-nay vote upon a call of the roll of the Senate."

## APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

AMENDMENT NO. 7

Mr. LAUSCHE submitted amendments, intended to be proposed by him, to the bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region, which were ordered to lie on the table and to be printed.

Mr. LAUSCHE. Mr. President, if adopted, the amendment would prohibit the use of any money which would be authorized in the bill, S. 3, for the rehabilitation of strip-mined land belonging to private individuals until a study authorized in the bill is completed on

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7


Mr. LAUSCHE. I thank the majority leader.

## LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, after we have disposed of the Appalachia bill, it is our intention to bring up the Coffee Agreement.

Furthermore, shortly thereafter we will bring up the nomination of Mr. Driver to be Administrator of the Veterans' Administration.

I assume also that next week some of the money resolutions for committees will be reported by the Committee on Rules and Administration.

The distinguished senior Senator from Louisiana [Mr. ELLENDER] will receive ample notice. I am sure that the Senate will debate these resolutions at some length.

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader with respect to amendments that may be offered on Friday, and whether votes on those amendments can be put over until Monday.

Mr. MANSFIELD. We will give that every consideration, if a rollcall vote is demanded.

Mr. HRUSKA. Mr. President, I have an amendment which will take a minimum of an hour to consider. I should like to reserve time on the same basis that was extended to the Senator from Ohio [Mr. LAUSCHE].

Mr. MANSFIELD. I hope the Senator will offer it tomorrow, so that we may get going on it.

Mr. HRUSKA. I have offered it today, and it will be ready for debate tomorrow. I am talking about the time for a vote on it.

Mr. MANSFIELD. I appreciate that.

Mr. COTTON. Mr. President, the Senator from New Hampshire is a little disturbed. He recognizes, of course, the position in which the majority leader finds himself and the problems he must handle. He is always accommodating. However, he leaves us in the air a little because he has indicated that consideration will be given to votes on amendments. We could easily have half a dozen votes on amendments late tomorrow. While he has been very considerate in putting over until Monday the vote on the passage of the bill, I am wondering if he can give us a little more indication of his feelings about votes on amendments.

Mr. MANSFIELD. There is no reason why the Senate cannot vote on amendments tomorrow, and we will do our best to do so. However, if any Senator feels he is being inconvenienced by having a vote tomorrow, we shall try to arrive at an agreement to vote at a time certain on Monday.

Mr. COTTON. The Senator from New Hampshire does not wish to put his own convenience ahead of the convenience of the Senate, but ordinarily at this time in the session it is safe to make speaking engagements for Saturday.

Mr. MANSFIELD. It is.

Mr. COTTON. My colleague from New Hampshire [Mr. MCINTYRE] and I have an engagement to address the New Hampshire Bar Association at noon on Saturday. To do so we must leave late in the afternoon tomorrow. I should not like to be caught and lose votes on my amendment, particularly in view of the fact that I have received information that one of those amendments will concern the interests of New England.

Mr. MANSFIELD. We will do our best to see that the Senator from New Hampshire is not caught, and we wish him and his colleague well in their speeches before the New Hampshire Bar Association.

Mr. COTTON. I thank the distinguished majority leader.

## ADELA INVESTMENT CO.

Mr. JAVITS. Mr. President, I wish to call the attention of the Senate to the Adela Investment Co., which was launched in 1962 by the Economic Committee of the NATO Parliamentarians' Conference, of which I have been chairman for many years, and with the great aid of the then Senator, now Vice President HUBERT HUMPHREY.

The company held its first board of directors meeting in Paris on September 30, 1964, selected its officers, and announced that more than $16 million has already been subscribed. Today, Adela's capital subscriptions have risen to $31 million, with $13 million subscribed by U.S. firms, $3 million each by Canadian and Spanish firms, $2.5 million by Swedish corporations, and $2.1 million by Swiss companies, with lesser subscriptions by corporations and banks from 12 other nations. Adela's 54-member corporations today include companies from Belgium, Denmark, Finland, West Germany, Italy, Japan, Luxembourg, the Netherlands, Norway, Spain, Sweden, Switzerland, Britain, Canada, and the United States.

At its January 22 meeting in Brussels representatives of firms associated with the Adela effort met to organize an international program of private financial and technical assistance for Latin America. The company already received more than 50 requests for investment or technical cooperation. One investment, totaling $500,000 in a Colombian steel plant, has already been approved.

The significance of the Adela Investment Co. stems from the fact that it is the first major effort of leading elements of private business and banking in Europe, the United States, and Latin America, to come to the aid of the private enterprise system in a vitally important underdeveloped area of the world, Latin America. It signals a partnership between private enterprise of the industrially developed and the underdeveloped world which, I am convinced, holds within itself, the key to success of the free world.

I ask unanimous consent that the report on its meeting in Brussels, as published in the New York Times, be made a part of my remarks.

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

[From the New York Times, Jan. 23, 1965]

PRIVATE AID GROUP MAPS LATIN LOANS: BUSINESS LEADERS MEET IN BRUSSELS TO PLAN GLOBAL INVESTMENT PROGRAM

(By Edward T. O'Toole)

BRUSSELS, January 22.—Leading industrialists and bankers of the non-Communist world met here today to organize an international program of private financial and technical assistance for Latin America.

Representatives of 121 bluechip corporations in North America, Western Europe and Japan began a 2-day review of more than 50 requests for financial assistance that have been submitted by Latin-American enterprises since last September.

The aid requests cover proposed projects that will require hundreds of millions of dollars in new investment capital.

Last fall, the business and financial communities of most major industrialized nations joined forces to create a new private investment group known as Adela. The name is an acronym for the Atlantic Community Development Group for Latin America. The group's goal is to promote the flow of private investment capital into Latin America.

CONCERNS FROM 15 NATIONS

Business and banks from 15 nations were represented at today's meeting here at the head offices of Petrofina, the big Belgian petroleum company.

Besides Belgian corporations, Adela's 54 members include companies in Denmark, Finland, West Germany, Italy, Japan Luxembourg, the Netherlands, Norway, Spain, Sweden, Switzerland, Britain, Canada, and the United States.

The list of Adela members reads like a "Who's Who" of world business. Total assets of the members exceed $200 billion.

To date, Adela's capital subscriptions total $31.15 million. The authorized initial capitalization is $40 million. Capital contributions at present are limited to a maximum of $500,000 and a minimum of $100,000 for each member.

PROVISIONS FOR EXPANSION

Provision was made in Adela's corporate charter for expanding the initial capitalization as the circumstances might dictate. Adela, whose administrative offices are in Zurich, Switzerland, and Lima, Peru, was incorporated as the Adela Investment Co. in Luxembourg last September 24.

The chairman of the new private investment company is Marcus Wallenberg, vice chairman of the Stokhoms Enskilda Bank of Sweden. Vice chairman is Howard C. Petersen, president of the Fidelity-Philadelphia Trust Co. Both were elected today to the executive committee.

Fourteen additional members of the executive committee also were elected. United States committee members include:

Emilio G. Collado, a vice president of the Standard Oil Co. (New Jersey); William Blackie, president of the Caterpillar Tractor Co.; David M. Kennedy, representing the Continental International Finance Corp., overseas investing subsidiary of the Continental Illinois National Bank & Trust Co. of Chicago, of which he is chairman, and George S. Moore, of the First National City Overseas Investment Corp., the foreign investment arm of the First National City Bank of New York.

Capital subscriptions from the United States total $13.25 million, which is the biggest national subscription. Spanish and Canadian companies are next with $3 million in subscriptions from each, followed by Swedish corporations with two $2.5 million and Swiss corporations with $2.1 million.

Mr. Moore, who is president of the First National City Bank, during a breakfast inter-

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7


view this morning said that Adela already had approved a $500,000 participation in a new $10 million steel plant in Colombia.

He indicated that many more participations will be approved now that Adela has been officially organized.

"While we are prepared to put Adela funds into any worthwhile Latin American enterprise," Mr. Moore said, "an equally important result should be the stimulative effect each Adela investment will have on Latin American investment capital."

He added that Adela would cooperate with Latin American entrepreneurs and with national and international industrial, banking, and financial institutions in projects that promised to be useful and significant for the economic development of Ltain American countries.

Mr. Moore commented, "Of course, Adela investments will be business investments, not charitable gifts. Therefore, we will tend to favor those countries where the investment climate is hospitable and where there is reasonable stability."

He said potential Adela investments were now being considered in Brazil, Chile, Colombia, Peru, Mexico, and several other Latin American nations.

Basic to the Adela investment philosophy is the goal that local capital complement any investment made by the group.

Mr. JAVITS. Mr. President, we have every reason to be proud of the initiative, and welcome the assistance which our friends abroad are prepared to give Ameircan private enterprise in connection with the acceleration of the objectives of the Alliance for Progress.

## A STUDY OF METHODS TO PROVIDE FINANCIAL ASSISTANCE TO VICTIMS OF FUTURE FLOOD DISASTERS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 3, the Appalachia bill, be temporarily laid aside, and that the Senate proceed to the consideration of Calendar 4, S. 408.

The PRESIDING OFFICER (Mr. BASS in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 408) to authorize a study of methods of helping to provide financial assistance to victims of future flood disasters.

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 Banking and Currency with amendments.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Ratchford, one of his secretaries.

## SUCCESSION TO THE PRESIDENCY AND VICE PRESIDENCY, AND PRESIDENTIAL INABILITY—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on the Judiciary:

*To the Congress of the United States:*

In 1787, Benjamin Franklin remarked near the conclusion of the Constitutional Convention at Philadelphia, "It astonishes me, sir, to find this system approaching so near to perfection as it does."

One hundred and seventy-eight years later the relevance of that Constitution of 1787 to our society of 1965 is remarkable. Yet it is truly astonishing that, over this span, we have neither perfected the provisions for orderly continuity in the Executive direction of our system nor, as yet, paid the price our continuing inaction so clearly invites and so recklessly risks.

I refer, of course, to three conspicuous and long-recognized defects in the Constitution relating to the office of the Presidency:

1. The lack of a constitutional provision assuring the orderly discharge of the powers and duties of the President—Commander in Chief—in the event of the disability or incapacity of the incumbent.

2. The lack of a constitutional provision assuring continuity in the office of the Vice President, an office which itself is provided within our system for the primary purpose of assuring continuity.

3. The lack of a constitutional provision assuring that the votes of electors in the electoral college shall without question reflect the expressed will of the people in the actual election of their President and Vice President.

Over the years, as I have noted, we have escaped the michief these obvious omissions invite and permit. Our escape has been more the result of providence than of any prudence on our part. For it is not necessary to conjure the nightmare of nuclear holocaust or other national catastrophe to identify these omissions as chasms of chaos into which normal human frailties might plunge us at any time.

On at least two occasions in our history, and perhaps others, American Presidents—James Garfield and Woodrow Wilson—have for prolonged periods been rendered incapable of discharging their Presidential duties. On 16 occasions in our 36 administrations, the office of Vice President has been vacant—and over the two perilous decades since the end of the Second World War, that vital office has been vacant the equivalent of 1 year out of 4. Finally, over recent years, complex but concerted campaigns have been openly undertaken—fortunately without success, as yet—to subvert the electoral college so that it would register not the will of the people of individual States but, rather, the wishes of the electors themselves.

The potential of paralysis implicit in these conditions constitutes an indefensible folly for our responsible society in these times. Commonsense impels, duty requires us to act—and to act now—without further delay.

Action is in the tradition of our forebears: Since adoption of the Bill of Rights—the first 10 amendments to our Constitution—9 of the 14 subsequent amendments have related directly either to the offices of the Presidency and Vice-Presidency or to assuring the responsiveness of our voting processes to the will of the people. As long ago as 1804 and as recently as 1964, Americans have amended their Constitution in striving for its greater perfection in these most sensitive and critical areas.

I believe it is the strong and overriding will of the people today that we should act now to eliminate these unhappy possibilities inherent in our system as it now exists. Likewise, I believe it is the consensus of an overwhelming majority of the Congress—without thought of partisanship—that effective action be taken promptly. I am, accordingly, addressing this communication to both Houses to ask that this prevailing will be translated into action which would permit the people, through the process of constitutional amendment, to overcome these omissions so clearly evident in our system.

### I. PRESIDENTIAL INABILITY

Our Constitution clearly prescribes the order of procedure for assuring continuity in the office of the Presidency in the event of the death of the incumbent. These provisions have met their tragic tests successfully. Our system, unlike many others, has never experienced the catastrophe of disputed succession or the chaos of uncertain command.

Our stability is, nonetheless, more superficial than sure. While we are prepared for the possibility of a President's death, we are all but defenseless against the probability of a President's incapacity by injury, illness, senility, or other affliction. A nation bearing the responsibilities we are privileged to bear for our own security—and the security of the free world—cannot justify the appalling gamble of entrusting its security to the immobilized hands or uncomprehending mind of a Commander in Chief unable to command.

On September 29, 1964, the Senate passed Senate Joint Resolution 139, proposing a constitutional amendment to deal with this perplexing question of presidential disability—as well as the question, which I shall discuss below, of filling vacancies in the office of Vice President. The same measure has been introduced in this Congress as Senate Joint Resolution 1 and House Joint Resolution 1. The provisions of these measures have been carefully considered and are the product of many of our finest constitutional and legal minds. Believing, as I do, that Senate Joint Resolution 1 and House Joint Resolution 1 would responsibly meet the pressing need I have outlined, I urge the Congress to approve them forthwith for submission to ratification by the States.

### II. VACANCY IN THE OFFICE OF THE VICE PRESIDENT

Indelible personal experience has impressed upon me the indisputable logic and imperative necessity of assuring that the second office of our system shall, like the first office, be at all times occupied by an incumbent who is able and who is ready to assume the powers and duties of the Chief Executive and Commander in Chief.

In our history, to this point, the office of the Presidency has never devolved below the first clearly prescribed step of

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7

constitutional succession. In moments of need, there has always been a Vice President, yet Vice Presidents are no less mortal than Presidents. Seven men have died in the office and one has resigned—in addition to the eight who left the office vacant to succeed to the Presidency.

We recognized long ago the necessity of assuring automatic succession in the absence of a Vice President. Various statutes have been enacted at various times prescribing orders of succession from among either the presiding officers of the Houses of Congress or the heads of executive departments who, together comprise the traditional Cabinet of the President. In these times, such orders of succession are no substitute for an office of succession.

Since the last order of succession was prescribed by the Congress in 1947, the office of the Vice-Presidency has undergone the most significant transformation and enlargement of duties in its history.

Presidents Truman, Eisenhower, and Kennedy have successively expanded the role of the Vice President, even as I expect to do in this administration.

Once only an appendage, the office of Vice President is an integral part of the chain of command and its occupancy on a full-time basis is imperative.

For this reason, I most strongly endorse the objective of both Senate Joint Resolution 1 and House Joint Resolution 1 in providing that whenever there is a vacancy in the office of Vice President, provision shall exist for that office to be filled with a person qualified to succeed to the Presidency.

III. REFORM OF THE ELECTORAL COLLEGE SYSTEM

We believe that the people should elect their President and Vice President. One of the earliest amendments to our Constitution was submitted and ratified in response to the unhappy experience of an electoral college stalemate which jeopardized this principle. Today there lurks in the electoral college system the ever-present possibility that electors may substitute their own will for the will of the people. I believe that possibility should be foreclosed.

Our present system of computing and awarding electoral votes by States is an essential counterpart of our Federal system and the provisions of our Constitution which recognize and maintain our Nation as a union of States. It supports the two party system which has served our Nation well. I believe this system should be retained. But it is imperative that the electoral votes of a State be cast for those persons who receive the greatest number of votes for President and Vice President—and for no one else.

At the same time, I believe we should eliminate the omission in our present system which leaves the continuity of the offices of President and Vice President unprotected if the persons receiving a majority of the electoral votes for either or both of these offices should die after the election in November and before the inauguration of the President.

Electors are now legally free to choose the President without regard to the outcome of the election. I believe that if the President-elect dies under these circumstances, our laws should provide that the Vice-President-elect should become President when the new term begins. Conversely, if death should come to the Vice-President-elect during this interim, I believe the President-elect should, upon taking office, be required to follow the procedures otherwise prescribed for filling the unexpired term of the Vice President. If both should die or become unable to serve in this interim, I believe the Congress should be made responsible for providing the method of selecting officials for both positions. I am transmitting herewith a draft amendment to the Constitution to resolve these problems.

Favorable action by the Congress on the measures here recommended will, I believe, assure the orderly continuity in the Presidency that is imperative to the success and stability of our system. Action on these measures now will allay future anxiety among our own people—and among the peoples of the world—in the event senseless tragedy or unforeseeable disability should strike again at either or both of the principal offices of our constitutional system. If we act now, without undue delay, we shall have moved closer to achieving perfection of the great constitutional document on which the strength and success of our system have rested for nearly two centuries.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 28, 1965.*

## COMMENTS ON THE MESSAGE

Mr. BAYH. Mr. President, I should like to call the attention of the Senate to the very pointed message which we have just received from the President of the United States, in which he very capably, as is typical of him, points out the great need of dealing with problems which have existed in this country for almost two centuries so far as continuity in the executive arm of our Government is concerned.

He dealt with three major areas: First, the area which has been frequently discussed on the floor of the Senate—the area of presidential inability; second, the need to provide some continuity in the office of Vice President; third, the need to deal with the whole area of electoral college reform, and to deal with the problem which would be presented if the President or the Vice President died after being elected and prior to being sworn into office.

I should like particularly to call to Senators' attention the strong support which the President of the United States gave to Senate Joint Resolution 1, which is cosponsored by 75 of my colleagues, on which we are holding hearings tomorrow, and which I hope can be quickly sent to the floor of the Senate and acted upon again as it was in the last session, when it was passed 65 to 0. I hope that we can get similar action by the House and then start the rather long journey of getting three-fourths of our State legislatures to ratify the amendment.

It is my hope that Senators will join me in their concern for the third part of the message dealing with the electoral college and the eventualities in case of the death of the President or Vice President after their having been elected and prior to their being sworn into office, and that they will be as cooperative as they have been in dealing wtih the first two parts. For that reason I shall ask them to join in the effort which I hope we can start in the next day or two.

## STUDY OF METHODS TO PROVIDE FINANCIAL ASSISTANCE TO VICTIMS OF FUTURE FLOOD DISASTERS

The Senate resumed consideration of the bill (S. 408) to authorize a study of methods of helping to provide financial assistance to victims of future flood disasters.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the names of the Senator from Wyoming [Mr. MCGEE], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. JAVITS], and the Senator from Rhode Island [Mr. PELL] be added as cosponsors of the bill.

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

Mr. WILLIAMS of New Jersey. Those sponsors bring to a total of 26 the number of Senators who have cosponsored the proposed insurance study authorization, a bill that has been thoroughly considered on two prior occasions by the Senate and passed unanimously on both occasions.

The bill would authorize the Housing and Home Finance Agency to conduct a study of providing adequate insurance protection for the victims of flood and other natural disasters. As my colleagues well know, at this time there are no practical means available to private citizens for obtaining insurance against flood and water damage. The Congress has long recognized the necessity of filling this gap. In 1956, the Federal Flood Insurance Act established a program of Federal flood insurance in the HHFA. However, no funds were appropriated to carry out the purposes of the act, and since 1957 it has remained a dead letter.

Subsequently, the Senate twice passed bills similar to S. 408, calling for an HHFA study of various means of flood insurance. Neither bill was acted on by the House of Representatives.

Events of the past few years have only served to emphasize the need for this type of study, which would lead ultimately to an adequate and effective insurance program. In March of 1962, the east coast was severely battered by a winter gale, which caused millions of dollars of damage to public and private property. A little or none of this damage was covered by insurance. And 1964 was a year of severe hardship for citizens in many States. In March Alaska was ravaged by a violent earthquake which cost losses which have been estimated to run as high as half a million dollars. Almost none of this staggering loss was covered by insurance. And the floods which swept across the Western States this fall



Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7

caused nearly $600 million in uninsured damage. The need is clear. Some form of insurance can and must be found against this type of loss.

Federal emergency programs and small business disaster loans simply cannot do the task unaided. I am confident that the study authorized by this bill will produce an effective means of providing the needed insurance.

In committee, one significant change was made in this year's bill. The language of the bill was expanded to authorize the study of providing insurance not only against flood and water damage, but damage caused by other natural disasters. The specific intention of the committee was that the HHFA develop ways of insuring against earthquake losses. This language was added at the request of the Senators from Alaska [Mr. BARTLETT and Mr. GRUENING] and the Senator from Washington [Mr. JACKSON], who support this measure and have been most helpful in its preparation. It is my understanding that the earthquake study will require 3 years to complete. The bill as written would require that the HHFA submit a report not later than 9 months after its enactment. The Senator from Alaska [Mr. BARTLETT] will offer and amendment to allow a longer period of time for the submission of the earthquake study, and I am hopeful that the Senate will accept this useful amendment.

During committee deliberations, the Senator from Utah [Mr. BENNETT] suggested that the Administrator of the HHFA appoint an advisory committee, composed of representatives of the insurance industry and other interested parties to assist in developing means of insurance. In its report the committee has endorsed this most helpful suggestion, and it is my understanding that the Administrator would establish such a committee.

Mr. President, the importance of this study is demonstrated by the fact that 26 of my colleagues joined me in sponsoring this bill. It is my hope that speedy passage by the Senate will prompt equally swift action by the House. Surely, this study should be underway before this year, which will inevitably bring damaging floods and storms, is out.

Mr. BARTLETT. Mr. President, I should like to offer an amendment.

The PRESIDING OFFICER. The Chair would like to dispose of the committee amendments prior to the offer of the amendment by the Senator from Alaska. The first committee amendment will be stated.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc, and that the bill as thus amended be considered as new text.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the committee amendments were agreed to, as follows:

On page 1, line 6, after the word "flood", to insert "and other natural"; in line 7, after the word "Federal", to strike out "flood" and insert "disaster"; on page 2, line 9, after the word "of", to strike out "flood"; in line 15, after the word "initiating", to strike out "a flood"; and, in the same line, after the word "insurance", to strike out "program" and insert "programs"; 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 the Housing and Home Finance Administrator shall undertake an immediate study of alternative programs which could be established to help provide financial assistance to those suffering property losses in flood and other natural disasters, including alternative methods of Federal disaster insurance, as well as the existing flood insurance program, and shall report his findings and recommendations to the President for submission to the Congress not later than nine months after the enactment of this Act or the appropriation of funds for this study, whichever is later. The report shall include, among other things, an indication of the feasibility of each program studied, an estimate of its cost to the Federal Government and to property owners on the basis of reasonable assumptions, and the legal authority for State financial participation. With respect to each method of insurance considered, the report shall include an indication of the schedule of estimated rates adequate to pay all claims for probable losses over a reasonable period of years, the feasibility of Federal flood plain zoning for the purpose of selecting areas which may be excluded from insurance coverage, and the feasibility of initiating insurance programs on an experimental basis in designated pilot areas. There is hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act."

Mr. BARTLETT. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Alaska will be stated.

The LEGISLATIVE CLERK. On page 2, line 4, it is proposed to add the following:

*Provided, however,* That the findings and recommendations on earthquake insurance shall be reported to the President for submission to the Congress not later than three years after the enactment of this Act or the appropriation of funds for this study, whichever is later.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska. The amendment was agreed to.

Mr. YARBOROUGH. Mr. President, I congratulate the junior Senator from New Jersey in his efforts to breathe life into the Federal flood insurance law. I am happy to be a cosponsor of the bill with him.

In 1956 the Congress passed a law which would authorize Federal action to furnish flood insurance against damage from rising waters. That bill was enacted under the leadership of the senior Senator from Massachusetts [Mr. SALTONSTALL] and the then junior Senator from Massachusetts, the late John F. Kennedy. We have been unable, in any of the three succeeding Congresses, to implement that law. There have been objections by the Budget Bureau.

I have had conferences with representatives of four departments of the Government. They thought that the proposal was too difficult to apply. I thought it should be easier to apply than fire insurance, because it would merely involve a question of contour lines. It was said that the insurance would vary depending on the number of feet above sea level, or the grade of the river valleys where there is a probability of floods. Anyway, we have never been able to get funds from the Congress to implement the law.

Since we have tried unsuccessfully, the best approach now is that sponsored by the distinguished junior Senator from New Jersey [Mr. WILLIAMS].

There is no insurance of the type discussed available in America now through public or private companies to insure against flood loss caused solely by rising waters from natural causes.

A person may obtain insurance for tornado damage. It is foolish to say that it is feasible to insure against damage done by rising wind but not by rising waters. It is a great deal easier to estimate where there might be damage from rising waters than where there might be damage from rising winds. The chances are 99 to 1 that damage from rising waters will be in some river valley, below some dam, on some lake, ocean, gulf or bay shore. It is easier to estimate.

Mr. President, we should have such insurance in America. I predict that once the proposed study is made and we have some public insurance to spark the program, it will be like hail insurance. We could never get private insurance companies to write hail insurance in this country until during the Roosevelt years in the 1930's public hail insurance was authorized. As soon as private companies saw that such insurance was feasible, they practically took over the field of hail insurance.

I predict that the situation will be the same with relation to rising water insurance. It will be like hail and fire insurance. Once there is public action to guide private companies into action, they will take over the field. They are too timid to do it now.

It has long been a matter of surprise to my constituents, looking for help and assistance after one of the hurricanes that sometimes ravages our coast, to learn that there is a law on the books that purports to establish a Federal Flood Insurance program. This law was passed in 1956 under the leadership of the senior Senator from Massachusetts [Mr. SALTONSTALL] and the then junior Senator from Massachusetts John F. Kennedy. However, no funds were appropriated by Congress to implement it, and the then administration ceased any effort to effectuate the law. No insurance against property damage loss caused solely by rising waters from natural causes is now available in America.

I have made several personal efforts to interest the Housing and Home Finance Agency in making an effort to begin this program. I regret that the Agency has not seen fit to exercise some initiative and leadership in getting this program started. A person may obtain insurance from tornado damage now. It is foolish to say that it is feasible to insure against

Approved For Release 2003/10/22 : CIA-RDP67B00446R000500170011-7