

JOURNAL OF THE SENATE

OF THE

UNITED STATES OF AMERICA

SECOND SESSION

OF THE

EIGHTY-EIGHTH CONGRESS

BEGUN AND HELD AT THE CITY OF WASHINGTON
JANUARY 7, 1964, IN THE ONE HUNDRED
AND EIGHTY-EIGHTH YEAR OF THE
INDEPENDENCE OF THE
UNITED STATES



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mately 5 million pounds of cadmium without regard to the 6-month waiting period required by law; to the Committee on Armed Services.

By Mr. ANDERSON (for himself and Mr. SALTONSTALL):

S. 2602. A bill to amend Public Law 722 of the 79th Congress, and Public Law 85-935, relating to the National Air Museum of the Smithsonian Institution; to the Committee on Rules and Administration.

By Mr. MUSKIE (by request):

S. 2603. A bill designating the birthday of President John Fitzgerald Kennedy as a legal holiday; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 2604. A bill for the relief of Isa Yousef Baba; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 2605. A bill authorizing the conveyance of certain land to the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak.; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS of New Jersey:

S. 2606. A bill to encourage the development of demonstration and pilot projects to provide young women with useful work experience and training, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. JACKSON:

S. 2607. A bill for the relief of Frances Veronica Hamilton; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 2608. A bill to provide for the disposition of judgment funds on deposit to the credit of the Lower Pend D'Oreille or Kalispel Tribe of Indians; to the Committee on Interior and Insular Affairs.

By Mr. HARTKE:

S. 2609. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Finance.

By Mr. COOPER:

S. 2610. A bill for the relief of Dr. Yuen Zang Chang; and

S. 2611. A bill for the relief of Nassim and Dolza Maya; to the Committee on the Judiciary.

By Mr. HRUSKA (for himself, Mr. CURTIS, Mr. MUNDT, Mr. SIMPSON, Mr. TOWER, Mr. PEARSON, Mr. ALLOTT, Mr. MECHEM, Mr. HICKENLOOPER, Mr. DOMINICK, Mr. MILLER, Mr. MORSE, and Mr. EDMONDSON):

S. 2612. A bill to impose quotas on imports of beef, veal, mutton, and lamb; to the Committee on Finance.

ADDITIONAL COAUTHORS OF S. 2490

On motion by Mr. HARTKE, and by unanimous consent,

Ordered, That the names of Mr. BAYH, Mr. CLARK, Mr. GRUENING, Mr. HUMPHREY, Mr. LONG of Louisiana, Mr. LONG of Missouri, Mr. McGEE, Mr. MCINTYRE,

Mr. MUSKIE, Mr. RANDOLPH, and Mr. SMATHERS be added as coauthors of the bill (S. 2490) to provide assistance for students in higher education by increasing the amount authorized for loans under the National Defense Education Act of 1958 and by establishing programs for scholarships, loan insurance, and work study.

TO PRINT AS A SENATE DOCUMENT THE COMPILATION ENTITLED "WORLD COMMUNISM—A SELECTED BIBLIOGRAPHY"

Mr. EASTLAND, by unanimous consent, submitted the following resolution (S. Res. 302); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed as a Senate document a compilation entitled "World Communism—A Selected Annotated Bibliography," prepared by the Legislative Reference Service, Library of Congress, at the request of the Internal Security Subcommittee of the Senate Committee on the Judiciary; and that there be printed two thousand seven hundred additional copies of such document for the use of that Committee.

AMENDMENT OF FEDERAL EMPLOYEES HEALTH BENEFITS ACT OF 1959

The PRESIDING OFFICER laid before the Senate the amendment heretofore received from the House of Representatives for concurrence to text of the bill (S. 1561) to amend the Federal Employees Health Benefits Act of 1959, together with the amendment to the title, providing that the same read as follows: "An Act to amend the Federal Employees Health Benefits Act of 1959 to remove certain inequities in the application of such Act, to improve the administration thereof, and for other purposes".

The Senate proceeded to consider the said amendments; and

On motion by Mr. JOHNSTON,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

PAUL JAMES BRANAN

On motion by Mr. MANSFIELD, The Senate proceeded to consider the bill (H.R. 5306) for the relief of Paul James Branan; and no amendment being made,

Ordered, That it pass to a third reading.

The said bill was read the third time. *Resolved*, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

AMENDMENT TO PUBLIC LAW 86-272, AS AMENDED, WITH RESPECT TO REPORTING DATE

On motion by Mr. MANSFIELD,

The Senate proceeded to consider the bill (H.R. 10051) to amend Public Law 86-272, as amended, with respect to the reporting date; and no amendment being made,

Ordered, That it pass to a third reading.

The said bill was read the third time. *Resolved*, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

WILLIAM L. BERRYMAN

On motion by Mr. MANSFIELD, The Senate proceeded to consider the bill (H.R. 7491) for the relief of William L. Berryman; and no amendment being made,

Ordered, That it pass to a third reading.

The said bill was read the third time. *Resolved*, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

CLAIM OF R. GORDON FINNEY, JR.

On motion by Mr. MANSFIELD, The Senate proceeded to consider the bill (H.R. 1761) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of R. Gordon Finney, Jr.; and no amendment being made,

Ordered, That it pass to a third reading.

The said bill was read the third time. *Resolved*, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

ORDER FOR ADJOURNMENT UNTIL MONDAY NEXT

On motion by Mr. MANSFIELD, and by unanimous consent,

Ordered, That when the Senate concludes its deliberations today it adjourn until Monday next.

EXECUTIVE SESSION

On motion by Mr. HUMPHREY,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

LEGISLATIVE SESSION

The Senate resumed its legislative session.

ADJOURNMENT

On motion by Mr. HUMPHREY, at 7 o'clock and 47 minutes p.m.,

The Senate, under its order of today, adjourned until Monday next.

MONDAY, MARCH 9, 1964

The ACTING PRESIDENT pro tempore called the Senate to order, and the Chaplain offered prayer.

SUBMISSION OF AN AMENDMENT INTENDED TO BE PROPOSED TO H.R. 1839

Mr. MANSFIELD asked and obtained unanimous consent to submit for himself (and others) an amendment intended to be proposed to the bill (H.R. 1839) to amend the Tariff Act of 1930 to provide for the free importation of wild animals and wild birds which are intended for exhibition in the United States, and that it be referred to the Committee on Finance.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks:

Mr. President: The House of Representatives has passed without amend-

ment the bill (S. 964) to amend the District of Columbia Traffic Act, 1925, as amended, to increase the fee charge for learners' permits.

The House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments to the Senate to the bill (H.R. 9637) to authorize appropriations during fiscal year 1965 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

The House has passed the bill (H.R. 8000) to amend the Internal Revenue Code of 1954 to impose a tax on acquisitions of certain foreign securities in order to equalize costs of longer term financing in the United States and in markets abroad, and for other purposes, in which it requests the concurrence of the Senate.

The President of the United States has informed the House that he approved and signed the following acts:

On March 3, 1964:

H.R. 7356. An act to amend title 10, United States Code, relating to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies.

On March 7, 1964:

H.R. 4638. An act to promote the orderly transfer of the Executive power in connection with the expiration of the term of office of a President and the inauguration of a new President.

The Speaker of the House having signed five enrolled bills, viz, S. 1561, H.R. 1761, H.R. 5306, H.R. 7491, and H.R. 10051, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

The Secretary reported that he had examined and found truly enrolled the following bills:

S. 1561. An act to amend the Federal Employees Health Benefits Act of 1959 to remove certain inequities in the application of such act, to improve the administration thereof, and for other purposes;

H.R. 1761. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of R. Gordon Finney, Jr.;

H.R. 5306. An act for the relief of Paul James Branan;

H.R. 7491. An act for the relief of William L. Berryman; and

H.R. 10051. An act to amend Public Law 86-272, as amended, with respect to the reporting date.

The ACTING PRESIDENT pro tempore thereupon signed the same.

HOUSE BILL REFERRED

The bill H.R. 8000, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Finance.

QUESTION OF QUORUM

Mr. MANSFIELD raised a question as to the presence of a quorum; Whereupon

The ACTING PRESIDENT pro tempore directed the roll to be called; When

Eighty-two Senators answered to their names, as follows:

Aiken	Hart	Moss
Allott	Hartke	Muskie
Anderson	Hayden	Nelson
Bartlett	Hickenlooper	Neuberger
Bayh	Hill	Pastore
Beall	Holland	Pearson
Bennett	Humphrey	Pell
Bible	Inouye	Proxmire
Boggs	Javits	Proxmire
Brewster	Johnston	Ribicoff
Burdick	Jordan, N.C.	Robertson
Byrd, Va.	Jordan, Idaho	Russell
Byrd, W. Va.	Keating	Saltonstall
Cannon	Kennedy	Scott
Carlson	Kuchel	Simpson
Case	Lausche	Smathers
Church	Long, Mo.	Smith
Clark	Long, La.	Sparkman
Cooper	Magnuson	Stennis
Curtis	Mansfield	Talmadge
Dirksen	McClellan	Thurmond
Dodd	McGovern	Williams, N.J.
Dominick	McNamara	Williams, Del.
Douglas	Mechem	Yarborough
Ellender	Metcalf	Young, N. Dak.
Ervin	Miller	Young, Ohio
Fong	Monroney	
Goldwater	Morse	

A quorum being present,

CONDOLENCES ON DEATH OF KING OF GREECE

Mr. MANSFIELD asked and obtained unanimous consent to submit for the entire Senate a Senate concurrent resolution on the death of the King of Greece and that it be considered.

Mr. MANSFIELD (for himself and the other 99 Senators) thereupon submitted the following concurrent resolution (S. Con. Res. 72):

Whereas with the death of King Paul Greece has lost a great ruler who led his country from the terrors of civil war to peace and increasing prosperity; and

Whereas King Paul ruled as a wise and gracious constitutional monarch and maintained and furthered his country's ancient and powerful democratic traditions; and

Whereas King Paul led his country into close alliance with the United States of America and with the other freedom-loving countries of Europe; and

Whereas with the death of King Paul the United States of America loses a true and understanding friend; and

Whereas the people and Government of the United States hold Greece and its people in high regard and esteem, and wish the young Monarch, King Constantine, and the Government of Greece well as they face their high tasks: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That His Majesty Constantine, King of the Hellenes, Her Majesty Queen Frederika, and the Government and people of Greece be told of the heartfelt sympathy of the Congress of the United States of America in this, their hour of tragedy.

Sec. 2. The Secretary of State is requested to convey this resolution to His Majesty Constantine, King of the Hellenes, Her Majesty Queen Frederika, and the Government of Greece.

The Senate proceeded to consider the said concurrent resolution; and

Resolved, That the Senate agree thereto and to the preamble.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

THE JOURNAL

A request by Mr. MANSFIELD that the reading of the Journal of the proceedings of Friday, March 6, 1964, be dispensed with was objected to by Mr. RUSSELL.

The Journal was thereupon read.

On motion by Mr. RUSSELL to amend the Journal by adding on the last page thereof, as read, the notice given by Mr. MANSFIELD appearing on page 4495 of the Congressional Record of Friday, March 6, 1964, of the intention of the leadership on Monday next to call up, or at least try to call up, Calendar No. 854, H.R. 7152, the so-called civil rights bill.

Pending debate,

Mr. RUSSELL raised a question as to the presence of a quorum;

Whereupon

The PRESIDING OFFICER (Mr. SIMPSON in the chair) directed the roll to be called;

When

Forty-five Senators answered to their names, as follows:

Bartlett	Hill	Neuberger
Bayh	Humphrey	Pastore
Beall	Inouye	Pearson
Bible	Javits	Pell
Boggs	Johnston	Proxmire
Burdick	Jordan, N.C.	Ribicoff
Byrd, W. Va.	Jordan, Idaho	Russell
Carlson	Keating	Saltonstall
Case	Kuchel	Scott
Clark	Lausche	Simpson
Cooper	Long, Mo.	Sparkman
Dominick	Magnuson	Stennis
Ellender	McClellan	Talmadge
Fong	McNamara	Thurmond
Hart	Metcalf	Young, Ohio

No quorum being present,

On motion by Mr. MANSFIELD,

Ordered, That the Sergeant at Arms be directed to request the attendance of the absent Senators.

Pending the execution of the order, Mr. MOSS, Mr. HARTKE, Mr. WILLIAMS of Delaware, Mr. HAYDEN, Mr. CURTIS, Mr. CANNON, Mr. ANDERSON, Mr. YARBOROUGH, Mr. AIKEN, Mr. MCGOVERN, Mr. DOUGLAS, Mr. ALLOTT, Mr. BENNETT, Mr. BREWSTER, Mr. BYRD of Virginia, Mr. CHURCH, Mr. DIRKSEN, Mr. DODD, Mr. ERVIN, Mr. GOLDWATER, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. KENNEDY, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MECHEM, Mr. MILLER, Mr. MONRONEY, Mr. MORSE, Mr. MUSKIE, Mr. NELSON, Mr. PROUTY, Mr. ROBERTSON, Mr. SMATHERS, Mrs. SMITH, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of North Dakota appeared and answered to their names.

A quorum being present,

Mr. RUSSELL withdrew his motion to amend the Journal; and no further amendment being proposed,

The PRESIDING OFFICER (Mr. PELL in the chair) declared that the Journal stands approved.

Pending debate,

CIVIL RIGHTS ACT OF 1964

On motion by Mr. MANSFIELD that the Senate proceed to the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief

against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Pending debate,

ORDER FOR ADJOURNMENT

On motion by Mr. MANSFIELD, and by unanimous consent,

Ordered, That when the Senate concludes its deliberations today it adjourn.

On motion by Mr. HUMPHREY, and by unanimous consent,

The above order was subsequently rescinded.

TRANSACTION OF ROUTINE BUSINESS

On motion by Mr. HUMPHREY, and by unanimous consent,

The following routine business was transacted:

REPORT ON OFFICE OF MINERALS EXPLORATION

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I am sending the Congress the 11th Semiannual Report of the Office of Minerals Exploration from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories and possessions by encouraging exploration for minerals, and for other purposes."

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 9, 1964.

REPORT ON MANPOWER

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

THE WHITE HOUSE,

Washington, D.C., March 9, 1964.

The Honorable the PRESIDENT PRO TEMPORE OF THE SENATE.

The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIRS: As required by section 104 of the Manpower Development and Training Act of 1962, I am sending to the Congress my annual manpower report, and the report of the Secretary of Labor on manpower requirements, resources, use, and training.

Sincerely,

LYNDON B. JOHNSON.

NATIONAL COMMISSION ON AUTOMATION AND TECHNOLOGICAL PROGRESS

The ACTING PRESIDENT pro tempore laid before the Senate the following communication from the President

of the United States; which, with the accompanying paper, was referred to the Committee on Labor and Public Welfare:

THE WHITE HOUSE,

Washington, March 9, 1964.

DEAR MR. PRESIDENT: The technological revolution, which is providing us with the highest standard of living in the world, has been accompanied by many problems. There have been dislocations, loss of jobs, and the specter of poverty in the midst of plenty.

At the same time we encourage progress we must be alert to the effects of the forces generating that progress. We must make sure that as technological progress creates new industries and job opportunities it does not impose too great a hardship on individual workers. I therefore recommend the creation of a National Commission on Automation and Technological Progress, to study current and future trends in technological change, and to recommend the most constructive action that can be taken to secure maximum benefits with the least possible harmful effects upon the Nation.

I am enclosing a draft of legislation that will accomplish this purpose, together with the letter from the Secretary of Labor submitting the draft bill to me.

Congress, I know, has been giving considerable attention to these problems. I urge prompt enactment of this proposal.

Sincerely,

LYNDON B. JOHNSON.

Hon. CARL HAYDEN,

President pro tempore of the Senate, Washington, D.C.

WATERSHED PROTECTION AND FLOOD PREVENTION

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the Director of the Bureau of the Budget, transmitting, pursuant to law, five reports of works of improvement on watersheds under section 5 of the Watershed Protection and Flood Prevention Act, as follows:

The Bear Creek in the State of Missouri;

The Blockton in the State of Iowa;

The Hondo Creek in the State of Texas;

The 102 river tributaries (supplemental) in the State of Missouri; and

The Valley Creek in the State of Kentucky.

Ordered, That the communication, with the accompanying reports, be referred to the Committee on Agriculture and Forestry.

OVERPAYMENT OF WAGES MADE TO FIREFIGHTERS

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, a report of overpayments of wages made to firefighters by the Forest Service, Department of Agriculture; which, with the accompanying report, was referred to the Committee on Government Operations.

REPORT ON VETERANS OF WORLD WAR I OF U.S.A., INC.

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the Veterans of World War I of U.S.A., Inc., transmitting, pursuant to law, the annual report of the organization for the year ended August 31, 1963; which, with the accompanying report, was referred to the Committee on the Judiciary.

CONTRACTS TO FACILITATE NATIONAL DEFENSE

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the Assistant General Manager, U.S. Atomic Energy Commission, transmitting, pursuant to the provisions of the act of August 28, 1958, a report of all actions taken by the Commission for the calendar year 1963, entering into and amending or modifying contracts to facilitate the national defense; which was referred to the Committee on the Judiciary.

REPORT ON PROJECTS FOR ARMY NATIONAL GUARD

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report of an increase in the estimated cost of certain projects for the Army National Guard heretofore submitted; which was referred to the Committee on Armed Services.

REPORT ON OVERPRICING OF CONTRACTS WITH WESTINGHOUSE ELECTRIC CORP.

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on the overpricing of contracts negotiated for T-38A electrical power systems with Westinghouse Electric Corp., Department of the Air Force; which, with the accompanying report, was referred to the Committee on Government Operations.

PLANS FOR WORK OF IMPROVEMENT IN WATERSHED

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the Director of the Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a report on a plan of work of improvement for watershed protection and flood prevention in Bear-Tilda Bogue in the State of Mississippi under section 5 of the Watershed Protection and Flood Prevention Act; which, with the accompanying report, was referred to the Committee on Public Works.

ANNUAL REPORT OF BOY SCOUTS OF AMERICA

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the chief Scout executive of the National Council of Boy Scouts of America, transmitting, pursuant to law, the 54th annual report of the organization for the calendar year 1963; which, with the accompanying papers, was re-