

The erection of the Berlin wall commenced shortly after the Bay of Pigs. We completely failed to capitalize on the Russian-Red Chinese breach, and now the war in South Vietnam has driven them together again. Our State Department mistook the tactical flexibility of the Communist conspiracy for a mellowing of Russian intent to subvert the world, when in truth they have never veered from the goal of total conquest.

In Washington, as well as in many capitals of the world, there is talk of a negotiated peace. This is the pattern we followed in China when Chiang Kai-shek had to leave the mainland and 600 million Chinese fell prey to communism. This is the pattern we followed in Korea, and there has not been a moment of peace since that negotiation. This is the pattern we followed in Laos, and it fell to communism. Under the pattern set by the State Department, so, also, will all of southeast Asia fall to the Communists.

Failure to have total victory, at any cost, will surrender all of southeast Asia to the Communists and close the Indian Ocean to the British Fleet, leaving Australia as a sitting duck for Communist conquest. So, also, will Malaysia fall, and the next step will be the Philippines, and we will have to withdraw our defenses to Hawaii, or even to our own west coast.

(Mr. DERWINSKI (at the request of Mr. Gross) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. DERWINSKI'S remarks will appear hereafter in the Appendix.]

#### HUDSON HIGHLANDS NATIONAL SCENIC RIVERWAY

(Mr. OTTINGER (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, I have been assured by the administration that the President, in encouraging efforts by State and local governments to take action similar to that he proposed for the Potomac River in his national beauty message, was in no way negating the possibility of cooperative Federal action.

Thus, the administration was not in any way ruling out its support for my bill, H.R. 3012, to create a Hudson Highlands National Scenic Riverway, which in fact is presently under study by it.

On the contrary, I have received encouragement from every quarter for this legislation. I have every reason to believe that the Department of the Interior will report favorably on it and that hearings will be held on it at this session. Senator ROBERT F. KENNEDY will introduce it in the Senate.

I am extremely gratified and encouraged that the President singled out the Hudson River for specific mention of needed attention in his message. I would be the first to agree that State and local governments must take the primary bur-

den of action to protect their natural resources, rivers, and riverways.

The long neglect of rivers and riverways by the State and local governments, however, has resulted in the despoliation of these resources which abound today. Our potentially most beautiful rivers, like the Hudson, are open sewers, their banks littered with garbage and debris. In my opinion, some sort of Federal stimulant is required to induce State and local governments to take effective action. This is particularly appropriate with respect to our great interstate rivers like the Hudson.

I have every reason to believe that my Hudson Highlands National Scenic Riverway bill will be successful.

I am pleased, too, with the administration's position on the Consolidated Edison proposed powerplant in Cornwall and with its emphasis on placing future powerlines underground.

#### LIFE TENURE FOR THE JUDGE OF THE U.S. COURT OF MILITARY APPEALS

(Mr. FOGARTY (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FOGARTY. Mr. Speaker, 15 years ago the Congress brought into being the Uniform Code of Military Justice. Our purpose in doing so was to reestablish the American public's confidence in the system of military justice and to guarantee to our servicemen, caught up in the law's toils, as fair a trial as could be had in any court of the United States. Two years ago the Committee on Armed Services reviewed the history of operations under that code, and the contribution to those operations made by the U.S. Court of Military Appeals, the supreme court of the military services. In its report, the committee declared:

Through its opinions, the system of military justice contemplated by the Congress in the uniform code is perfected and explained by the court. Its insistence upon high professional performance by all legal personnel involved in trials by courts-martial, and upon strict compliance with the provisions of the uniform code, has resulted in the elimination of many of the justified grounds for the complaints lodged against the earlier procedures. These results have not only restored to a large extent public confidence in the court-martial system, but have won the support of the Military Establishment as well.

Many of the Members will recall that when we first considered the establishment of this court we provided that the judges would serve during good behavior. The other body, however, modified this by setting a fixed term of years as the judges' tenure, for the evident purpose of providing a period of probation during which we could determine in the crucible of experience the efficacy of our work. Satisfied that the uniform code, under the administration of dedicated, mature and judicious minds, could accomplish our purpose without sacrificing any of our essential needs, we agreed to provide a testing or probationary period.

But, Mr. Speaker, that period of proba-

tion is at an end. Two years ago, by a 4 to 1 majority, this House restored the original provision for tenure during good behavior, because we found that both the code and the court has passed every test to which reasonable men can subject them.

The pressures of other business, however, prevented consideration of the measure by the other body before the 88th Congress passed into history.

I am now submitting that proposal again. In so doing, I am fully aware of the reasons advanced by the Committee on Armed Services and relied on by this House as justification for the restoration of life tenure. With each of these indisputably valid reasons, I am in full accord. But I believe the time has come to express the most fundamental, yet simple, reasons of all:

The Court of Military Appeals is a legislative tribunal. It is established for the exclusive purpose of overseeing trials by court-martial under standards fixed by the Congress. During its existence of approximately 14 years, it has established an enviable record among the courts of this land, in the eyes of the members of the bar generally, and in the minds of servicemen and women as well. Indeed, it has won the accolades of the Military Establishment. Nothing about this court, as a judicial tribunal, is third-rate. It is, in every sense, a first-rate court, and its judges should be treated no differently than judges of the other courts of the United States.

To this end, Mr. Chairman, I am again submitting an amendment to the uniform code designed to restore our original provision for life tenure for these judges, and trust we will speedily enact it into law.

#### MAILING OF DIVIDEND STATEMENTS FOR BENEFIT OF INTERNAL REVENUE SERVICE

(Mr. FASCELL (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, last month many thousands of institutions spent millions of dollars helping the Internal Revenue Service collect taxes on the dividends they paid out to their depositors and account holders. I am referring to the information return required by the Revenue Act of 1962. Under this act, each payor of dividends or interest of \$10 or more is required to mail to each of the persons receiving this amount of money a notice of the amount paid. This is the second year in which this expense requirement has been incurred by small businesses, banks, savings institutions, and other corporations. A substantial part of this expense is the postage required to send the information to millions of individuals.

In a time of the so-called profit squeeze, when the expenses of doing business are rising for nearly every type of business institution, this added burden has been costly. It has to be paid by them; not to develop their business in

any way, not to help them make money for their savers or investors, but to help the Government collect income taxes.

Mr. Speaker, I am today introducing a bill which provides that the mailing costs of these millions of information returns to receivers of dividends and interest be paid by the U.S. Treasury which in turn would reimburse the Post Office Department for the postage costs.

I feel that the Congress would be doing the fair and equitable thing to relieve the private financial institutions of this country from a part of the cost of this tax-collecting job. Even with this partial relief, there is still considerable expense involved, since the time of their employees, the stationery costs, and like factors of in-the-office expense would still have to be paid by them. Let us have the job paid for—at least in part—by the Government department which benefits from the service.

The first results of the workings of this law, the spotting by tax collectors of dividends and interest payments not hitherto reported, are reportedly good. The Treasury is the sole beneficiary of this work of the financial institutions in helping it collect taxes; the system is apparently past the experimental stage and that means it will stay in force. I am convinced that payment by the Treasury for this tax-collecting job, at least in part, is appropriate. It should be provided by Congress before another year rolls around and additional millions of dollars for postage are expended by these institutions in order to comply with the law.

I would like to point out that this is an expense which will not decrease in any foreseeable period. We are in a growing economy. We are trying to keep it growing. Every account added to a savings institution, every new stockholder a corporation acquires will add to the postage burden so that every person is reminded of the dividends or interest of \$10 or more he has received, and to tell the U.S. Treasury that he has received it. I propose that we relieve this unfair burden now by enacting legislation to permit postage-free mail by payor institutions in the mailing of form 1099's, the information returns required by our revenue laws for the benefit of the Internal Revenue Service in its collection job.

#### THE BIRTHDAY OF ABRAHAM LINCOLN

(Mr. ANNUNZIO) at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, I want to join my colleagues in paying tribute to our 16th President, Abraham Lincoln. Lincoln's Birthday has been an important day to Americans for many years. But, in 1965, it is a particularly significant occasion.

We are now 100 years removed from the death of this great President who died because of his dedication to the American ideals of human freedom and dignity. And we are just 1 year removed

from the similarly tragic and violent killing of another great President who worked so hard to translate these same ideals into reality.

Both men fought the evils of bigotry and inequality. Both men won great victories in the continuing battle to make all Americans equal before the law. And both men left a great legacy of unfinished tasks to future generations of Americans.

As we celebrate the anniversary of Lincoln's birth, we must renew our determination to make the American dream, of which Lincoln has become one of the finest symbols, a reality for all. One of the most important actions we could take in this connection would be to eliminate the unjust and discriminatory sections of our immigration laws.

Last year Congress took long needed action to insure that no American will be treated as a second-class citizen because of race. Let us this year take similar action to insure that no group of Americans will feel like second-class citizens because of national origin.

Legislation to accomplish this goal has been asked by President Johnson and is now pending before this body. There could be no finer tribute to the heritage of Lincoln than swift passage of a new immigration law.

#### NEW YORK CITY IN CRISIS— PART VI

(Mr. MULTER (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues part VI of the New York Herald Tribune series on "New York City in Crisis." This installment deals with the huge loss of middle-class families in New York City due to the poor housing situation and appeared in the Herald Tribune on January 27, 1965.

The article follows:

##### CITY EXODUS TO SUBURBS

(By Barry Gottsher and Marshall Peck)

The only piece of furniture in the living room of Paul and Sondra Levine's split-level home in Merrick, Long Island, is a \$1,000 grand piano. The piano is a gift from Sondra's parents. Since buying the \$25,000 home in April of 1963, the Levines have been forced to move extremely slowly.

Yet, after nearly 2 years of partially furnished rooms and severe financial problems, the Levines have no thoughts of returning to New York City. Like thousands and thousands of other New Yorkers, the Levines have learned that the city no longer has any place for a middle-income family.

"We're city people, we always have been," says Paul Levine. "Three years ago when we decided to move because we needed more room, we had no idea of moving out of the city. But we gave up the fight. The way it adds up, the city alienates people in our circumstances. It's getting harder and harder for people such as ourselves, middle-income with children, to stay in the city."

Paul Levine is a promising young accountant, and he and his wife, both college graduates, have three children. They are precisely the kind of family a healthy city needs to attract and to keep. Yet, after 9 months of searching for a suitable apartment in Man-

hattan, Queens, Brooklyn and the Bronx, the Levines gave up—and joined the ranks of the 800,000 middle-class whites who have deserted the city for the suburbs since 1950.

They are all victims of the city's indifference, the high cost of adequate housing and the low state of public education. And their defection to the suburbs—into financial problems and the commuter mess which directly affected their future and the future of the city—is a bold example of New York's failure.

"We must do something to keep our young middle class, says Mayor Robert F. Wagner. It is obvious \* \* \* that a great many young families would stay in the city if apartments were larger and less expensive, if schools were better, if the streets and parks were safer, and if the public transportation were less painful. Yet just where the city starts to solve its multiple housing, education, safety and transportation problems staggers the imagination of the mayor and anyone else who would like to replace him.

##### A PIMPLE ON CITY'S FACE

According to one city official, the loss of the middle class is only a pimple on the face of the city, a serious one yet no more than a pimple. Before the city can hope to eliminate the pimple, it must first locate, then treat, and finally wipe out the infection that is causing it.

"We must get to the basic sickness," says Julius C. C. Edelstein, the mayor's chief aid. "That is exactly what we are trying to do right now in New York. There are no easy solutions when the problems are this great."

Yet while the city struggles in search of the big answers, as Mr. Edelstein believes, or merely sleeps, as a great many others believe, more and more young middle class New York whites are leaving or giving serious thought to leaving. (At one recent Christmas party of 36 middle-class New Yorkers, 18 already had left the city, 12 were thinking about it, and only 6 seemed content in Manhattan, and 2 of these are bachelors.

Depending on the family, it is the problems of housing or education that generally force the decision to desert. In the case of Paul and Sondra Levine, it happened to be a combination of the two.

Paul Levine, a 31-year-old graduate of Brooklyn College, earns slightly more than \$10,000 a year as a certified public accountant with Siminoff, Peyser, and Citrin, a mid-Manhattan accounting firm.

Married in June 1958, he and his wife first moved into a 3½-room, \$110-a-month apartment in Jackson Heights. When their second child was born 3 years later, they decided to move into a larger apartment in the same building, paying \$135 a month for two bedrooms. But, even with two bedrooms, the walls, as they are in most new buildings, were paper-thin and the rooms were tiny—and it wasn't long before they decided to look for a still larger apartment.

"Besides there just wasn't any place for the children to play," says Sondra Levine, a graduate of NYU and a former public school teacher. "They had to be taken down by elevator and there really was no place to take them. No park nearby.

Commuting was also a problem. Driving was immediately eliminated as a means of Paul's getting to work. In the first place, Sondra needed the car to shop. In the second, traffic on the Long Island highways is unbearable and parking in New York is too expensive (from \$1.50 to \$3) on a regular basis.

##### THE NIGHTMARE AT RUSH HOUR

Though the ride on the IRT Flushing line took only 25 minutes, passengers were backed up in the hundreds waiting to push their way into the station each morning and then jammed like sardines for the trip to work. For anyone forced to travel during rush