

August 28,

1962

When the people of this country learn what this bill does and does not do, they will strongly resent the political contrivance to give the President a political slush fund to be paid for by the taxpayers.

We are gravely concerned over the seriousness of the continuing unemployment problem and urge that the Congress take immediate action to find a real and effective solution to this problem rather than to enact this abortive legislation.

Thomas Jefferson warned against traveling the road down which the present administration is taking this country, when he said: "I place economy among the first and most important virtues, and public debt as the greatest of dangers to be feared. To preserve our independence, we must not let our rulers load us with perpetual debt. We must make our choice between economy and liberty, or profusion and servitude. If we run into such debts, we must be taxed into our meat and drink, in our necessities and our comforts, in our labors and in our amusements. If we can prevent the Government from wasting the labors of the people, under the pretense of caring for them, they will be happy."

JAMES C. AUCHINCLOSS, GORDON H. SCHERER, WILLIAM C. CRAMER, JOHN F. BALDWIN, FRED SCHWENDEL, EDWIN B. DOOLEY, HOWARD W. ROBISON, PERKINS BASS, WALTER L. McVEY, CARLETON J. KING, JAMES HARVEY, JOHN C. KUNKEL, LOUISE G. REECE.

Mr. FLYNT. Mr. Chairman, when the bill is read for amendment at the appropriate time I intend to offer an amendment to section 9, on page 16.

The amendment which I propose to offer is as follows:

On page 16, line 17, strike out the period after the word "areas", insert a semicolon and the word "and", and add a new paragraph as follows:

"(3) any other area which the governing official or governing body thereof certifies to the Secretary of Commerce is an area of substantial unemployment."

The purpose of this amendment is to permit the filing of applications by cities and counties which in good faith believe themselves to qualify as an area of substantial unemployment. Under the terms of my amendment the burden of establishing such eligibility would be upon the applicant.

The adoption of this amendment would not of itself authorize a grant to an ineligible area because eligibility would have to be established. It would, however, permit the filing and processing of applications submitted in behalf of areas where the governing official or governing body certifies that such area is an area of substantial unemployment and the area concerned could be authorized to receive a grant under the provisions of this act if it were determined to be eligible during the period intervening between the filing of the application and the time the decision upon the application is made.

I hope that the floor managers of the bill will agree to the amendment and that it will be adopted in the Committee of the Whole.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. BLATNIK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10113) to establish an Office of Public Works Coordination and Acceleration, to authorize the preparation of a plan for acceleration of public works when necessary to avoid serious nationwide unemployment levels, and for other purposes, had come to no resolution thereon.

NONJUDICIAL PUNISHMENT

Mr. RIVERS of South Carolina. Mr. Speaker, by direction of the Committee on Armed Services, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11257) to amend section 815 (article 15) of title 10, United States Code, relating to nonjudicial punishment, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

IN THE SENATE OF THE UNITED STATES,
August 25, 1962.

Resolved, That the bill from the House of Representatives (H.R. 11257) entitled "An Act to amend section 815 (article 15) of title 10, United States Code, relating to nonjudicial punishment, and for other purposes" do pass with the following amendment: On page 2, line 6, after "demand" insert: "However, except in the case of a member attached to or embarked on a vessel, punishment may not be imposed upon any member of the Armed Forces under this article if the member has, before the imposition of such punishment, demanded trial by court-martial in lieu of such punishment."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TO COMPEL PRODUCTION OF DOCUMENTARY EVIDENCE

Mr. ROGERS of Colorado submitted the following conference report and statement on the bill (S. 167) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 2291)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 167) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House num-

bered 1 through 24, inclusive, and the Senate agree to the same.

EMANUEL CELLER,
PETER W. RODINO, Jr.,
BYRON G. ROGERS,
WILLIAM M. McCULLOCH,
Managers on the Part of the House.

JAMES O. EASTLAND,
ESTES KEFAUVER,
OLIN D. JOHNSTON,
EVERETT MCKINLEY DIRKSEN,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 167) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendments Nos. 1 and 3: Provide formal changes made necessary by the deletion provided in amendment No. 2 as proposed by the House.

Amendment No. 2: Provides for the deletion from the antitrust laws to which the bill applies as proposed by the Senate of section 3 of the Robinson-Patman Act as proposed by the House.

Amendment No. 4: Deletes as proposed by the House reference to "antitrust agency".

Amendment No. 5: Deletes as proposed by the House the definition of the term "antitrust agency" as proposed by the Senate.

Amendments Nos. 6, 7, and 8: Correct the subparagraph numbers as proposed by the House; and delete the words "any final order of any antitrust agency, or" as proposed by the Senate and stricken out as proposed by the House.

Amendments 9, 10, 11, 12, and 13: Correct the subparagraph numbering.

Amendment No. 14: Adopt amendment No. 14 as proposed by the House which inserts "under investigation."

Amendment No. 15: Inserts before "antitrust investigation" as proposed by the Senate "a civil" as proposed by the House.

Amendment No. 16: As proposed by the House, the court in any proceeding under section 5(d) may direct the place of production and inspection of the documents demanded.

Amendment No. 17: Eliminates useless phraseology as proposed by the House.

Amendment No. 18: Strikes out as proposed by the House "or any antitrust agency" as proposed by the Senate.

Amendments Nos. 19, 20, and 22: Strike out as proposed by the House "court, grand jury, or antitrust agency", and insert "court or grand jury".

Amendments Nos. 21 and 23: Strike out as proposed by the House "or any antitrust agency" as proposed by the Senate.

Amendment No. 24: As proposed by the Senate any person, not including a natural person by virtue of the definition of person in the bill, could be punished for disobedience of a court order under the bill. The amendment of the House makes a natural person subject to such punishment as agreed to by the managers on the part of the Senate.

In substance, the conference report makes the following changes in the bill: It deletes from the bill the Robinson-Patman Act as proposed by the House. Persons on whom civil investigative demands may be made would include persons, other than natural persons, who may possess documentary material relevant to a civil antitrust investigation, but the civil investigative demand procedure is limited to such persons who are

under investigation as proposed by the House. As proposed by the Senate the material obtained under a civil investigative demand would be available to any agency charged by law with the administration of any antitrust law prescribed in the bill instead of only the Department of Justice as proposed by the House. The conference report would restrict such material to the Department of Justice. The report also includes a natural person as punishable for disobedience to a court order issued in the enforcement of the provisions of the bill.

The purpose of the civil investigative demand bill is to provide the Department of Justice with a much-needed tool for the fair, effective enforcement of the antitrust laws.

While a limitation of the civil investigative demand procedure to companies "under investigation" may somewhat restrict the use of this procedure by exempting companies in no way involved in a subject under inquiry by the Department, the essential purpose of the bill is clearly still fulfilled, for the civil investigative demand procedure will be available to the Department where a company is involved in a matter under investigation by the Department.

Similarly, the basic aim of the bill is not frustrated by denying the Department of Justice the right to make available to the Federal Trade Commission documents obtained by the civil investigative demand procedure.

Accordingly, the managers on the part of the House recommend passage of the House version of the bill as agreed by the conferees, pursuant to the action of the House.

EMANUEL OELLER,
PETER W. RODINO, Jr.,
BYRON G. ROGERS,
WILLIAM M. MCCULLOCH,

Managers on the Part of the House.

VIRGIN ISLANDS NATIONAL PARK BOUNDARIES

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ASPINALL. Mr. Speaker, yesterday because of the mixup in procedures, those wishing to speak on S. 2429 were unable to get their statements into the RECORD while the bill was being considered. It is my feeling that if the legislation could have been considered under a more temperate atmosphere, that the action on the bill might have been favorable. It is for this reason, Mr. Speaker, that I have asked that the statements of myself, of Mr. RUTHERFORD, chairman of the Subcommittee on National Parks, and of Mr. SAYLOR, ranking minority member, be placed in the body of the RECORD so that the membership may really understand what is involved in the legislation.

Mr. Speaker, S. 2429 concerns the Virgin Islands National Park. This park was established in 1956 pursuant to an act of Congress of that year. Its authorized boundaries include about 9,500 acres or two-thirds of the island of St. John. The total population of the island, according to the 1960 census, is 925, most of whom live outside the park boundaries. About 6,200 of the 9,500 acres within the boundaries have been donated to the United States by Mr. Laurance S. Rockefeller and his associates who acquired them at a cost of over \$4 million.

Although it is small in comparison with many of our great national parks in the West, the Virgin Islands National

Park is one of the gems of the national park system. The lush tropical vegetation which typifies the island of Saint John, the coral reefs which surround it, the 1,200-foot mountains which dominate its landscape, the many remains of forts and plantation homes which remind us that it was a flourishing community in the 18th century, and the petroglyphs which remain from a still earlier period when it was the home of Arawak and Carib Indians—all these, taken together, make it unique among our national conservation and recreation areas.

The time has come, Mr. Speaker, to round out the Federal holdings in this little national park. As the figures I have already given indicate, there are about 3,300 acres within the authorized boundaries that remain to be acquired. The Committee on Interior and Insular Affairs has been advised that some of the remaining owners are unwilling to sell at what is considered a reasonable price. It would, of course, be unfair to expect continued donations in this situation. Hence the amendment to the basic 1956 Act which S. 2429 proposes will do two things. It will remove the provision which forbids land acquisition except by donation or with donated funds, and it will vest the National Park Service here, as is the usual case in our national park system, with powers of condemnation. The latter is necessary in order to improve the negotiating position of the Government and will, we hope, have this effect even though it may never be used.

The Park Service estimates that the 3,300 acres that remain to be acquired will cost about \$2,500,000, or an average of a little less than \$760 per acre. An amendment to the bill which the committee recommends provides, however, that not more than \$1,250,000 is authorized to be appropriated for this purpose. The remainder, it is expected, will be donated to the Government. In fact, the committee has been informed that \$500,000 is already on hand for this purpose. I hope the House will concur in my and the committee's estimate of the great value to the Nation of these philanthropies and of the reasonableness of the Government's taking over a share of the burden from here on out.

The second purpose of S. 2429 is to add to the park two areas of submerged land plus a few small cays and rock islands off the coast of Saint John. One area on the north shore includes 4,100 acres, the other on the south shore includes 1,550 acres. The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments has recommended that areas such as these be included in the park.

These additions will cost little or nothing, since the United States already owns the submerged land. In a bill passed by the House a few months ago—H.R. 4860 by Congressman O'BRIEN of New York—under which the submerged lands adjacent to the Virgin Islands, Guam, and American Samoa will be transferred to the jurisdiction of the governments of those territories, we specifically authorized the President to reserve such areas as these from the transfer.

The inclusion of these 5,650 acres is desirable for several reasons. They include important and beautiful coral formations which deserve to be protected from depredation by souvenir hunters and commercial interests. They are also an important habitat of tropical fish, spiny lobsters, and mollusks that attract, but need protection from, spear fishermen, tourists and others. Finally, the National Park Service has plans for the development of underwater trails for visitors which will add greatly to the attractiveness of the park.

Mr. Speaker, these two purposes of S. 2429 deserve the support of the House. I recommend that the bill be enacted.

VIRGIN ISLANDS NATIONAL PARK BOUNDARIES

(Mr. RUTHERFORD (at the request of Mr. ASPINALL) was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RUTHERFORD. Mr. Speaker, I regret that circumstances on Monday did not permit a full examination of the merits of S. 2429, a bill to revise the boundaries of the Virgin Islands National Park, and that the House had before it, at the time it voted, a completely one-sided appraisal of the bill. I think a further explanation is in order so that Members may see what this bill is all about.

Section 1 of the bill makes a part of the Virgin Islands National Park two areas, mostly submerged land, which lie off the shores of the island of Saint John. They are to be included within the park boundaries in order, in the language of the bill, "to preserve for the benefit of the public significant coral gardens, marine life, and seascapes in the vicinity" of the park.

It has been our usual practice, in connection with the national seashore program, to include offshore areas. This has been done at Cape Hatteras, N.C.; Cape Cod, Mass.; and Point Reyes, Calif. Why it was not done at the time the Virgin Islands Park was created, in 1956, I do not know and our records do not show. Perhaps it was not thought of. Be that as it may, enactment of S. 2429 would correct this defect in the original law and make the Virgin Islands Park still more of an attraction to visitors than it already is. One of the important results would be to put under the protection of the National Park Service law the coral, spiny lobsters, tropical fish and other flora and fauna with which these two areas abound and thus to fulfill the prime objectives of any national park—"to conserve the scenery and the natural and historic objects therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

The two areas of which I speak include 5,650 acres. All of the land, except possibly for a few rock islands, is already owned by the United States. Enactment of section 1 will thus cost the United States nothing. The bill should pass if