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there is hereby authorized to be appropriated the sum of \$20,000,000 for the fiscal year ending June 30, 1967, \$25,000,000 for the fiscal year ending June 30, 1968, and \$25,000,000 for the fiscal year ending June 30, 1969.

Sec. 107. For the purpose of carrying out section 406 of title 23, United States Code, there is hereby authorized to be appropriated the sum of \$40,000,000 for the fiscal year ending June 30, 1967, \$60,000,000 for the fiscal year ending June 30, 1968; and \$60,000,000 for the fiscal year ending June 30, 1969.

Sec. 108. Section 101(a) of title 23, United States Code, is hereby amended by adding the following term at the end thereof: "The term 'State highway safety agency' means those departments, commissions, boards, or officials of any State charged by its laws with the responsibility for administering the State highway safety program, or any part thereof."

Sec. 109. Section 105 of title 23, United States Code, is hereby amended by adding the following subsection at the end thereof:

"(e) In approving programs for projects on the Federal-aid systems pursuant to chapter 1 of this title, the Secretary shall give priority to those projects which incorporate improved standards and features with safety benefits."

Sec. 110. Nothing contained in this Act shall be deemed to supersede the authority under existing law of any Federal department or agency.

Sec. 111. The Secretary of Commerce shall make a thorough and complete study of the relationship between the consumption of alcohol and its effect upon highway safety and drivers of motor vehicles, in consultation with such other government and private agencies as may be necessary. Such study shall cover review and evaluation of State and local laws and enforcement methods and procedures relating to driving under the influence of alcohol, State and local programs for the treatment of alcoholism, and such other aspects of this overall problem as may be useful. The results of this study shall be reported to the Congress by the Secretary on or before July 1, 1967, and shall include recommendations for legislation if warranted.

Sec. 112. In order to provide the basis for evaluating the continuing programs authorized by this Act, and to furnish the Congress with the information necessary for authorization of appropriations for fiscal years beginning after June 30, 1969, the Secretary, in cooperation with the Governors or the appropriate State highway safety agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act. The Secretary shall submit such detailed estimate and recommendations for Federal, State, and local matching funds to the Congress not later than January 10, 1968.

Mr. MANSFIELD. Mr. President, the distinguished chairman of the Committee on Public Works [Mr. RANDOLPH] has today earned a high mark for strong and able advocacy with his successful handling of the popularly known highway safety measure—a companion proposal of the automobile safety measure unanimously approved by the Senate a short time ago. Since his ascent to the committee chairmanship earlier in the session, Senator RANDOLPH has demonstrated outstanding leadership ability. In managing this important bill today it was clear that his great talents and wise judgment are highly valued in this body. We are indeed grateful.

Outstanding also was the support of the Senator from Kentucky, the ranking

minority member of the committee [Mr. COOPER]. His gracious cooperation is always welcome. Senator COOPER is truly devoted to achieving sound and effective legislation. His outstanding work on this proposal was certainly characteristic.

Again I note the effective support of the Senator from Connecticut [Mr. RIBICOFF] who so ably backed both safety measures passed today. And also to be commended is the junior Senator from Minnesota [Mr. MONDALE] for his splendid cooperation and assistance.

Finally, to the Senate as a whole I am deeply grateful for another achievement for which we all may be proud.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon Monday next.

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

CONSENT OF CONGRESS TO MASSACHUSETTS TO BECOME A PARTY TO AGREEMENT RELATING TO BUS TAXATION PRORATION AND RECIPROCITY

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 13935) to give the consent of Congress to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the act of November 1, 1965 (79 Stat. 1157), and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. DIRKSEN. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. EASTLAND, Mr. McCLELLAN, Mr. ERVIN, Mr. DIRKSEN, and Mr. HRUSKA conferees on the part of the Senate.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business for action on nominations reported favorably today by the Committee on the Judiciary.

U.S. DISTRICT JUDGE

The legislative clerk read the nomination of W. Arthur Garrity, Jr., of Massachusetts, to be U.S. district judge for the district of Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, it gives me great pleasure

to speak on behalf of the nomination of W. Arthur Garrity, Jr., the present U.S. attorney in Massachusetts, for Federal district judge in Massachusetts.

Mr. Garrity is a man whom I have personally known and admired for many years. A cum laude graduate from Holy Cross in 1941, Arthur Garrity served with the U.S. Army in World War II with great distinction. He was decorated with five European Theater Battle Stars and the Bronze Arrowhead, representative of participation in the Normandy invasion.

Following the war he returned to Harvard Law School and received his LL.B. in 1946. Since 1946 he has been devoted to the law and to the administration of justice. His background in the various areas of the law is extensive and his performance has been exemplary. He served as legal secretary to the Honorable Francis J. W. Ford, U.S. district judge. He has had extensive trial experience. At the trial level he has tried cases in the district, superior, and probate courts of Massachusetts, U.S. district court, and the Tax Court. On the appellate level he has argued cases before the Supreme Court of the United States and before appellate courts on both the Federal and State level.

He has also been called upon to perform duties similar to those of judges in acting as a master in Massachusetts and U.S. district court hearings, and as a receiver and trustee in connection with bankruptcy proceedings and corporate reorganizations.

I could go on at great length with regard to Mr. Garrity's legal qualifications. However, as the late Judge Clark, of the Second Circuit Court of Appeals and former dean of the Yale Law School has admonished, there is a danger in overstressing professionalism.

A judge must conduct the proceedings in his court with that special blend of objectivity and compassion known as judicial "temperament." From my personal knowledge of Arthur Garrity I can assure you that his broad experience with the law and with the people involved while handling a great variety of cases has instilled in him a strong sense of fairness and a dedication to the principles of due process.

Both those who have worked with him and those who have faced him in an adversary proceeding have nothing but respect for Arthur Garrity's character, honesty, ability, and his capacity to deal with the problems of the law. A number of bar associations have indicated they consider him well qualified to serve as Federal district judge.

He is a man of standing in his community and among the members of the bar. The measure of the man and his record of achievement in the legal profession speaks for itself and suggests that W. Arthur Garrity, Jr., would serve with distinction as a Federal judge.

I am pleased to support his nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

U.S. CIRCUIT JUDGE

The legislative clerk read the nomination of Harrison L. Winter, of Maryland, to be U.S. circuit judge, fourth circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

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

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

ANIMAL RESEARCH AND EXPERIMENTATION

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 13881) to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MANSFIELD. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. MONRONEY, Mrs. NEUBERGER, Mr. BREWSTER, Mr. COTTON, and Mr. SCOTT conferees on the part of the Senate.

REPEAL OF SECTION 6 OF THE SOUTHERN NEVADA PROJECT ACT

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2999) to repeal section 6 of the Southern Nevada Project Act (Act of October 22, 1965 (79 Stat. 1068)), which were to strike out all after the enacting clause and insert:

That section 6 of the Southern Nevada Project Act (Act of October 22, 1965; 79 Stat. 1068) is hereby amended to read as follows:

"Sec. 6. The contract for delivery of water and repayment of reimbursable construction costs of the Southern Nevada Water Project required by section 3 of this Act shall provide that if, within five years from the date of this Act, Basic Management, Inc., and/or the Las Vegas Valley Water District apply for contracts for the storage and delivery of water in accordance with the provisions of section 5 of the Boulder Canyon Project (45 Stat. 1060, as amended; 43 U.S.C. 617d) and the regulations of the Secretary of the Interior heretofore issued pursuant to said Act, the rights of the party contracting pursuant to section 3 of this Act shall be sub-

ordinate to those of Basic Management, Inc., and/or the Las Vegas Valley Water District to the extent of 41,266 acre-feet per annum and 15,407 acre-feet per annum, respectively, or so much thereof as is required for beneficial consumptive use by them, their rights to the storage and delivery of the same having been properly maintained in accordance with the terms of their contracts. Nothing contained in this Act shall be construed as affecting the satisfaction of present perfected rights as defined by the decree of the United States Supreme Court in *Arizona v. California*, 367 U.S. 340."

And to amend the title so as to read: "An Act to amend section 6 of the Southern Nevada Project Act (Act of October 22, 1965; 79 Stat. 1068)."

Mr. BIBLE. Mr. President, I offer several amendments to the House amendment, and ask that they be stated.

The PRESIDING OFFICER. The amendments will be stated.

The legislative clerk read as follows:

On page 1, lines 9 and 10, strike out "and/or the Las Vegas Valley Water District apply" and insert "or its assignees applies"

On page 1, line 10, strike out "contracts" and insert "a contract".

On page 1, line 12, after "Project" insert "Act".

On page 1, line 14, strike out "heretofore".

On page 2, line, strike out "and/or the Las Vegas Valley Water District" and insert "or its assignees".

On page 2, lines 4 and 5, strike "and 15,407 acre-feet per annum, respectively."

On page 2, line 6, strike out "them, their rights" and insert "it, its right".

On page 2, line 8, strike "their contracts" and insert "its contract".

Mr. BIBLE. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. BIBLE. Mr. President, the purpose of the amendments which I propose to the House amendment to S. 2999, is to delete the references to the Las Vegas Valley Water District as contained in the House-passed amendment to this bill and to make the necessary technical changes.

S. 2999 amends section 6 of the Southern Nevada Project Act—act of October 22, 1965. This act authorizes the Secretary of the Interior to construct, operate and maintain the project in southern Nevada to supply water to meet the need of the Clark County area. All money so advanced will be paid back with interest.

At the time the President signed this act he called attention to the language then contained in section 6 and requested that it be clarified. In his signing statement the President stated in part as follows:

Although these provisions are couched in general terms, the scant legislative history of the bill indicates that they are intended to be applicable to one company only. While there may be some equities which would justify special consideration for this company, I am advised by the Secretary of the Interior that these provisions might have

a much broader sweep. In these circumstances I have asked the Secretary of the Interior to develop legislation which would amend section 6 to limit its effect to that intended by Congress.

Subsequently, the Secretary of the Interior transmitted to the Congress a recommendation that section 6 be repealed for the reason that the State water right of Basic Management, Inc., will be fully protected by a contract which the Secretary is prepared to enter into. Pursuant to this transmittal I introduced S. 2999 which was cosponsored by my colleague, Senator CANNON. This bill, which passed the Senate on April 6, 1966, repealed section 6.

Although the Presidential statement did not specifically request the deletion of section 6, testimony from the Department of the Interior officials before the Water and Power Resources Subcommittee of the Senate Interior and Insular Affairs Committee on March 15, 1966, justified the procedure suggested in the Senate passed bill in the following language:

The President asked that section 6 be limited to the purposes intended by Congress, which were to protect this one company. It was our considered judgment that he asked for an amendment of section 6 to limit its effect to that intended by Congress. The point I want to suggest to you, Mr. Chairman, is that the course of deciding how to limit the effect of section 6 to the one company that we think Congress intended it to be limited to, our judgment was that the best way of doing it is to commit ourselves by contract, because that is what section 6 says. Section 6 says that in all water supply contracts the Secretary will recognize these rights under state law. Our reasoning was that if we get our contract negotiations to the point where we have done what section 6 tells us to do, then there is no longer any reason to continue it on the books. And rather than attempt to amend it in any way, the simpler thing to do is to repeal it. (Senate Rept. No. 1094, 89th Cong. 2d.)

In its consideration of S. 2999, the House Interior and Insular Affairs Committee in its wisdom amended the bill and rewrote section 6. In its report on S. 2999—House Report No. 1516, May 31, 1966—the House Committee stated in part as follows:

At the time President Johnson signed the Southern Nevada Project Act he stated his objection to section 6 because of the general terms used and the uncertainty as to the effect of the language. The President asked that legislation be developed which would "amend section 6 to limit its effect to that intended by the Congress." The language which the committee has developed is designed to do this. It recognizes the two entities which the committee believes should be given a priority of water rights over the rights of southern Nevada project water users.

The two entities whose rights to a priority are recognized by the committee are Basic Management, Inc., and the Las Vegas Valley Water District. Basic Management, Inc., holds certificated rights under Nevada State law to 41,266 acre-feet annually. The Las Vegas Valley Water District was issued a permit for the diversion of 43,000 acre-feet annually and has been issued a certificate for